

FILE NO. \_\_\_\_\_

STATE OF MINNESOTA

IN SUPREME COURT

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In Re Petition for Disciplinary Action  
against JUAN JESUS RODRIGUEZ,  
a Minnesota Attorney,  
Registration No. 255488.  
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**PETITION FOR  
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

Upon the approval of a Lawyers Professional Responsibility Board Panel Chair, the Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition pursuant to Rules 10(d) and 12(a), Rules on Lawyers Professional Responsibility. The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on July 14, 1995. Respondent's last known address is in Minneapolis, Minnesota. Respondent was suspended on October 1, 2007, for non-payment of lawyer registration fees.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. Respondent was employed as an attorney at Centro Legal, Inc., between March 2006 and January 23, 2007. Centro Legal, Inc. is a *pro bono* organization which provides low-cost legal services to clients in the Hispanic community in the areas of consumer, poverty, family, and immigration law.

2. Clients for Centro Legal pay a small amount for representation, typically determined on a sliding scale by taking into account the client's income and complexity

of legal services requested. Upon determining the amount of the fee, a contract is drafted and executed, naming the total fee. Centro Legal does not undertake representation on a contingent fee basis, and requires no additional payment based upon favorable results.

3. In the course of representing clients on behalf of Centro Legal, Inc., respondent collected money from clients for payment of the amount initially contracted. These funds were kept by respondent for his own purposes, and were not forwarded to Centro Legal. In addition, respondent sought additional funds from clients based upon the results of the representation, in violation of the policy of Centro Legal and their client agreement.

4. In particular, an outside audit following the termination of respondent's employment revealed the following:

a. In case "A," the contract with Centro Legal called for a \$200 retainer. Respondent misrepresented to the client that the client owed \$500. Respondent collected \$250 from the client, and kept the entire amount of those funds for respondent's own use.

b. In case "B," the contract with Centro Legal called for a \$100 retainer. Respondent misrepresented to the client that if he obtained a favorable judgment for the client, the client would be required to remit an additional \$500 to respondent. Respondent collected \$100 from the client, and kept the entire amount of those funds for his own use.

c. In case "C," a client contracted for a \$100 retainer. Respondent told the client that total costs for the matter would be \$500. Respondent collected \$300 from the client, and kept the entire amount of those funds for his own use.

5. The audit also revealed that respondent misrepresented the terms of client agreements with Centro Legal, in an attempt to collect funds from them for his own use.

a. In case "D," the client contracted for a \$100 retainer. Respondent represented to the client that the client owed \$500. Respondent did not collect any of those funds.

b. In case "E," the client contracted for a \$100 retainer. Respondent misrepresented to the client that the client owed \$250. Respondent did not collect any of those funds.

c. In case "F," the client contracted for a \$50 retainer. Respondent misrepresented to the client that the client owed \$100. Respondent did not collect any of those funds.

d. In case "G," the client agreed to a \$500 fee for a basic dissolution, where the normal charge for such services through Centro Legal would be \$200. Respondent collected \$100, and kept those funds for his own use.

6. In still other matters, respondent misrepresented the terms of the fee agreement to the client, in an attempt to collect additional funds for his personal use.

a. Specifically, in case "H," the client contracted for a \$100 retainer. Respondent misrepresented to the client that a favorable judgment would require the client to submit an additional \$150.

7. Respondent's conduct, in that he misappropriated funds from his legal services organization by intercepting payments which were intended to pay the organization, violated Rules 1.15(a) and 8.4(c), Minnesota Rules of Professional Conduct (MRPC).

8. Respondent's conduct, in that he misrepresented the terms of the client agreements clients had signed with Centro Legal, for the purpose of collecting additional funds for his own use, violated Rules 4.1, 8.4(c), and 8.4(d), MRPC.

WHEREFORE, the Director respectfully prays for an order of this Court suspending respondent or imposing otherwise appropriate discipline, awarding costs

and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: August 18, 2008.

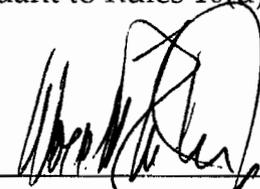
  
MARTIN A. COLE  
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and

  
ROBIN J. CRABB  
ASSISTANT DIRECTOR  
Attorney No. 387303

This petition is approved for filing <sup>\*</sup>pursuant to Rules 10(d) and 12(a), RLPR, by the undersigned Panel Chair.

Dated: August 20, 2008.

  
WOOD R. FOSTER, JR.  
PANEL CHAIR, LAWYERS PROFESSIONAL  
RESPONSIBILITY BOARD

\* following service by mail of this signed (but unfiled) petition upon Respondent and the passage of seven (7) business days after mailing without a response.