

Supreme Court of New Jersey
Disciplinary Review Board
Docket No. DRB 19-262
District Docket No. XIV-2017-0377E

In the Matter of
Christopher Campos
An Attorney at Law

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Dissent

Decided: March 3, 2020

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey:

For the reasons set forth below, we dissent from the majority and vote to impose a three-year suspension, retroactive to the date of respondent's temporary suspension.

Whenever an attorney is convicted of a serious crime, a question that must be answered in deciding whether he should be disbarred is whether that attorney is salvageable, that is, whether his continued practice of law poses such risk to the public that he must never be allowed to practice again or whether, on the other hand, his crime is an aberration in an otherwise stellar life, such that

permanently depriving him of his license will deprive the public of the benefit of future good that he would likely do as an attorney. The answer to this question is, of course, often not clear, as demonstrated by the fact that in this case, five Board members voted for disbarment but four decided that a three-year suspension, retroactive to the date of his temporary suspension, was more appropriate. In this case, respondent's history as documented by the many character letters appended to his attorney's brief and the persuasive oral argument presented by his counsel compels us to conclude that he should receive a second chance.

We will not discuss the crime of which respondent was found guilty, which is thoroughly described by the majority and for which he rightly has been punished. His conviction warrants serious discipline, but, in our view, does not support the ultimate and irrevocable sanction of disbarment. In a lifetime of struggle to escape poverty and an abysmally dysfunctional family to become the first in his family to attend college and then law school, that crime, weighed against an undisputed record of respondent's significant good works, does appear to be an aberration.

Apparently, it appeared to be an aberration to the Office of Attorney Ethics (OAE) also, because the OAE did not seek respondent's disbarment but recommended a retroactive suspension of two to three years. The OAE found

respondent's case most similar to In re Davis, 230 N.J. 385 (2017) (one-year suspension) and In re Olewuenji, 216 N.J. 576 (2014) (two-year suspension). In Davis, the attorney was involved in a fraudulent real estate scheme and was convicted of conspiracy to commit wire and bank fraud. He recruited individuals with good credit to purchase residential real estate and act as straw buyers who then submitted inaccurate credit applications that inflated their assets and income. Although Davis pleaded guilty and testified against his co-conspirators, the amount of his fraud was much greater than respondent's and he was ordered to make restitution of more than \$5 million and to serve six months in prison. We determined that a three-year suspension was warranted but the Court imposed a one-year suspension due to the "extraordinary delay in initiating disciplinary proceedings" in the matter. In Olewuenji, the attorney was convicted twice in a short span of time, once federally for conspiracy to defraud the United States, a scheme that involved submission of false documents to a bank to induce it to fund mortgages; and then for identity theft, a state crime, which again involved the use of straw buyers in a real estate scheme. He received a thirty-three-month federal sentence and a concurrent three-year state sentence and was suspended from the practice of law for two years.

On the other hand, the majority opinion finds most similar three disbarment cases (Opinion, at 25). In re Klein, 231 N.J. 123 (2017); In re Marino,

217 N.J. 351 (2014); In re Ellis, DRB 11-075 (August 16, 2011). As the majority's own description of these cases makes clear, each of these cases was far more serious than the instant one, and each is distinguishable for that reason. Klein's crime lasted for eight years during which twenty-one victims were defrauded of more than \$819,000 and he also continued the scheme, which he had engineered, even after federal agents arrested his co-conspirator. He also used his status and skill as an attorney to provide a veneer of legality, drafting false legal opinions that were used in bogus marketing materials. He was sentenced to fifty-one months in prison. Marino caused a loss of over \$309 million to 288 investors. He also helped to conceal the crime which "left individuals in the twilight of their life suddenly destitute." He was ordered to make restitution of \$60 million.

Ellis's fraudulent scheme involved his using his status as a lawyer to facilitate the fraud. Unlike respondent here, he had an extensive disciplinary history, was sentenced to twenty-four months in prison and was ordered to pay restitution of \$12,487,227.51, far more by many multiples than was respondent here.

Although the conduct in the disbarment cases relied on by the majority is significantly more serious and caused far more harm than occurred in the instant matter, it is the extraordinary mitigation here that persuaded us to write this

dissent from the majority's disbarment recommendation. Simply put, although this is a close case, we believe that this respondent's legal career is worth saving and that he should be given a second chance. We strongly disagree with the majority's assertion that there is no substantial mitigation here. We find significant mitigation. And it is not mitigation created after respondent was caught, that is by cooperating with authorities to lessen his sentence or by suddenly doing good deeds pending sentencing; rather it is lifelong mitigation; it is the way respondent lived his entire life until he committed the crimes that led to his conviction and this disciplinary proceeding, an aberration in an otherwise admirable life story.

Letter after letter submitted to both the sentencing judge and to us tell the story of a young man brought up in a broken home in the Hoboken Housing Authority, with an alcoholic father who was no father at all, and a schizophrenic, abusive, drug-dependent mother, a young man who rose above it all to graduate from law school and then return to Hoboken in order to give something back to that community. He became a city council member and president and saw it as his duty to help those in need in his community.


The letters highlighted in respondent's counsel's brief (Rbpp4-5), and others attached thereto are helpful. Ralph Perez, respondent's brother, who was caught up in respondent's crime, explained that respondent told him to give back

the cars obtained via the fraud. He tells how respondent raised him, helped with his homework, fed him, tried to keep him off the streets and took care of their mother when she was diagnosed with schizophrenia. A friend, Jason Delgado, tells how respondent paid rent for people in Hoboken, raised money for underprivileged children, and organized turkey drives for Thanksgiving and toy drives for Christmas. Another friend, Rafael Santiago, who is now the Program Coordinator for William Paterson University, tells how respondent helped him when he was down and out and had no place to live and many times dropped everything to make time for him. Alexander Alicea, a retired Union City detective, told how, as councilman, respondent helped organize a task force, made up of the prosecutor's office, mayor's office, religious figures, and others, to deal with gang violence, and how he worked to make sure the city budget covered opportunities for children in that underprivileged community. Some letters spoke of the pro bono legal services that respondent provided. For example, he worked pro bono for a scholarship fund that supports orphanages in the Dominican Republic and Kenya. (Rb,Ex.M,Jacobson letter). Another letter spoke of how he "dedicated hours and hours of work helping . . . without pay" to create business opportunities and assistance for orphans in third world countries. (Rb,Ex.K,Sherlock letter). Still another letter says that respondent serves as a Director on the Board of African Views, a nonprofit organization

providing consulting services with the United Nations Economic and Social Council, and also spends “countless hours working on how to provide vocational education to inner city youths and young adults in Newark.” (Rb,Ex.I,Ajibade letter). There are nineteen letters and all paint a picture of a caring person, generous with his time in the interest of helping others, including providing pro bono legal services.

With so many letters, from so many people, telling a consistent story of good deeds, good will and a desire to help those in need, it is difficult to see respondent’s crime as anything other than an aberration that will never recur. His transgressions were serious which is why we support a three-year retroactive suspension as discipline. However, we do not believe disbarment is appropriate under these circumstances.

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By: 
Ellen A. Brodsky
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