



LOCAL LAWYER UNDER FIRE



News Wire

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CHEYENNE -- A dark cloud of suspicious activity hovers over a Cheyenne divorce attorney already facing two malpractice suits.

Robert Hampe, who the Wyoming State Bar put on probation for two years in June 1998, is connected to an unlicensed collection agency and associated with disbarred attorney Charles Rawson, who has an office in Hampe's building.

Further investigation reveals Hampe, who moved to Wyoming from St. Louis about 12 years ago, faced criminal charges there but was acquitted, and was questioned in connection with a murder investigation.

The two suits filed against Hampe allege he abandoned a woman before a divorce trial because she still owed him money and that Rawson represented a client of Hampe's when Rawson wasn't legally able to do so.

According to the Wyoming State Bar's Board of Professional Responsibility, Hampe was publicly censured and put on probation for not cooperating with or responding to an allegation made by the bar's fee disputes committee.

The committee referred a possible ethical violation to the bar's Board of Professional Responsibility and, in turn, the board requested Hampe respond to the allegations

within 30 days. When Hampe failed to do so, he was given a 10-day extension. But he still didn't respond, according to the board.

Executive Director of the Wyoming State Bar Anthony Lewis said he couldn't comment on possible or ongoing disciplinary actions against Hampe because of Supreme Court regulations.

The collection agency

According to the Wyoming Secretary of State's Office, Hampe opened a horse showing and investment company in Cheyenne on Aug. 10, 1995. He named the company Sharon E-H Systems LLC and registered it in his wife's name, Sharon K. Eskam.

Eskam's attorney, Mark Bishop, said Sharon E-H Systems was never used by Hampe for any horse-related activities.

Instead, Bishop said, the company was used to collect fees from Hampe's former clients who failed to pay him.

Sharon E-H Systems has filed about 35 lawsuits against Hampe's former clients in Laramie County Court and Laramie County District Court.

Marlene Atchison, project coordinator for the Wyoming Division of Banking, confirmed Tuesday that Sharon E-H Systems is not a licensed collection agency.

Wyoming state statute defines a collection agent to be any person who:

Engages in any business that collects for any Wyoming creditor.

Regularly collects or attempts to collect debts owed.

Takes assignment of debts for the purpose of collecting such debts.

State law says that any person who wants to run a collection agency in this state has to apply in writing on forms approved by the state Collection Agency Board. After the application is submitted, the board reviews it to ensure the applicant has met state, bonding and resident management guidelines.

If the applicant meets the requirements, then the board certifies the applicant's company as a legal collection agency.

Rocky Edmonds, a Collection Agency Board member, said there isn't much action the board can take against those violating the rules.

"Normally we send them a cease-desist letter, telling them to knock the crap off," he said. "Then we wait and see what happens. Ninety-nine percent of the time they knock it off."

Starting July 1, Edmonds said a new law will give the board the power to sue non-regulated companies for an injunction and penalty fees.

Currently, the board has to push district attorneys or the Federal Trade Commission to do something.

Hampe said in a telephone interview Wednesday he didn't know if the company was a legal collection agency. In fact, after admitting to creating the company and naming it after his wife, Hampe said he isn't sure if another "entity or what" has purchased Sharon E-H Systems.

According to Steve Aron, who represents two former divorce lawsuit clients suing Hampe for malpractice, Sharon E-H Systems is now being run by Charles Rawson, one of Hampe's business associates.

Hampe has testified in a deposition that he handed over the business to Rawson, Aron said.

"The reason I find that important is you can't transfer a limited liability company (LLC)," Aron said. "You can add members and remove members, but you can't sell shares the way a corporation does."

A corporation examiner with Secretary of State's Office said an LLC is not considered transferred until its filed with the Secretary of State's Office. So if anyone were to sue Sharon E-H Systems, Hampe's ex-wife would be the person sued since she's still listed as the registered agent. Hampe also is still listed as company manager, according to the Secretary of State's office.

Sharon E-H Systems was formed without Eskam's knowledge, Bishop said.

In fact, a judge ruled during Eskam and Hampe's four-day divorce trial last month that Hampe be required to assume responsibility for any liabilities arising out of his activities with Sharon E-H Systems, Bishop said.

The judge also ruled that Eskam be held harmless, including from any income tax liabilities for income Hampe derived from the company.

Rawson said in a telephone interview Wednesday that he was the head of Sharon E-H Systems. But he said its purpose is investment.

The Secretary of State's Office reported that Rawson isn't even listed as a member of the company.

When Rawson was asked if it's legal for him to be filing lawsuits against Hampe's clients for the purpose of collection, he declined to answer. Instead, Rawson said, "You need to ask a lawyer." Rawson himself is a former lawyer.

Hampe said he didn't believe Rawson was the head of the company.

So who is? Hampe replied, "I honestly don't know."

Hampe said he originally intended the company to be used for a number of purposes, but it turned into a vehicle to get his clients to pay him.

"I've ceased doing that (turning over client accounts to Sharon E- H Systems) all together," Hampe said. When asked how long it had been, he said, "Oh, it's been quite awhile because it's been awhile since things were referred to them for collection."

According to court records, Sharon E-H Systems filed about 14 suits against Hampe's former clients in 1998. The last one was filed in October.

Why didn't Hampe take his non-paying clients to court himself? Why go through another agency?

That's an easy question, Aron said. If Hampe sued them himself, his former clients could file counterclaims of malpractice against him, he said, which is more likely than the former clients filing a malpractice suit on their own.

Aron said a number of Hampe's former clients say he did nothing for them and then charged them exorbitant fees. If the former clients don't pay, Hampe then tries to collect the money through Sharon E-H Systems. The agency then takes those clients to court, if necessary.

In his opinion, Aron said, "It's really sad when a lawyer appears to be acting in his own interests rather than for his clients. The only reason lawyers exist and are permitted to go to court is for the benefit of their clients."

Hampe denied the allegation he used the company so people wouldn't file counterclaims. He did agree that attorneys who pursue clients end up getting sued.

It's a natural fear among attorneys, he said.

"A lot of attorneys will simply not go for the money people owe them simply because of the torture I'm going through now," he said.

Aron said there is also evidence that Rawson has been signing Hampe's name on Sharon E-H Systems legal documents, which is against Wyoming State Bar rules.

The bar's rules of civil procedure state that every pleading, written motion and other paper shall be signed by at least one attorney of record in the attorney's individual name.

Hampe denied any connections with Rawson.

Disbarred attorney

The fact Rawson has an office in Hampe's law office building and claims to be the head of Sharon E-H Systems, raises questions about their connections.

Rawson was permanently disbarred by the New Mexico Supreme Court in May 1992. By law, he can no longer practice in the United States, or work for another attorney.

The New Mexico Supreme Court's disciplinary board found that from 1985 until 1992, Rawson allegedly received settlements in three personal injury or death cases and either didn't tell his clients, co-mingled their money with other funds or did not make funds available to pay his clients' medical bills.

Rawson was also suspended in August 1985 for committing several acts of misconduct in violation of the Code of Professional Responsibility. Although the court suspended Rawson for a year, the court deferred the suspension and placed him on probation.

In 1986, the court found Rawson had failed to comply with his probation and suspended him from practicing for a year.

Hampe said he didn't know Rawson had been disbarred until an associate told him in November 1998.

"I was shocked when I got the news," he said. "I had absolutely no idea."

Hampe added that Rawson hasn't worked for him since November 1997.

Under the Wyoming State Bar's Rules of Professional Conduct, any lawyer who knowingly employs, continues to employ or contracts with any person in the practice of law who has been disbarred or is under suspension from practice of law by any jurisdiction is committing misconduct.

This rule has been in effect since April 1997.

Aron's clients claim in their 1998 lawsuit against Hampe that Rawson represented them in divorce/child custody proceedings on behalf of Hampe from 1995 to 1997. They also allege that Hampe billed them for the services of an attorney when Rawson was no longer an attorney.

Aron said he originally filed the suit against both men, but had to drop Rawson because "you can't sue someone for malpractice when they're not even an attorney."

Criminal charges

Hampe has had his own legal problems to contend with. He was charged with felony theft in 1983, along with another St. Louis man - - Jackie G. Turner -- but was later acquitted.

According to a 1988 St. Louis Post Dispatch newspaper article and police and court documents, Turner had persuaded four people to invest \$30,000 in a computer company for which Hampe had handled the incorporation papers.

The article says when Hampe went to trial on theft charges, he accused Turner of using him as a vehicle to steal. Hampe testified that Turner "tricked me."

Turner never got a chance to tell his side of the story. On Oct. 3, 1983, he was found riddled with bullets on a road in Pontoon Beach, Ill. He died a short time later.

After Turner's death, Jim Baker, the former St. Louis district attorney who prosecuted the case, authorities announced that Turner had been cooperating in an investigation of Hampe.

"Hampe kind of disappeared from the St. Louis area after Turner died," Baker said.

Hampe denied Baker's comment that he left town.

"The only comment I have is I was acquitted (of the theft charges) following the trial," Hampe said.

Baker said hours before Turner was shot, Turner had told him he was going to meet with Hampe's associates.

Because Turner was a con man and had a lot of enemies, he said, it's hard to tell who killed him.

Hampe was questioned by Illinois authorities about the murder, but he was never charged. No one else was charged either, and eventually the case was closed, Baker said.

In March 1986, a St. Louis County Circuit judge acquitted Hampe in the computer scam.

But that wasn't the end of it.

The four people who invested in the computer company filed a civil suit against Hampe. They recovered their money when Hampe settled with them out of court for \$48,000.

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