

Filed March 7, 2014

STATE BAR COURT OF CALIFORNIA
REVIEW DEPARTMENT

In the Matter of)	Case No. 11-O-17894
)	
WILLIAM BLACKFORD LOOK, JR.,)	OPINION
)	
A Member of the State Bar, No. 66631.)	
_____)	

This is the third disciplinary proceeding for William Blackford Look, Jr. In July 2012, the Office of the Chief Trial Counsel of the State Bar (State Bar) filed a one-count Notice of Disciplinary Charges (NDC), alleging that Look willfully disobeyed two federal court orders in violation of Business and Professions Code section 6103. After a two-day trial in November 2012, a hearing judge found him culpable as charged. Because Look proved no mitigating circumstances and has a record of two prior impositions of discipline, the hearing judge recommended a one-year suspension.

Look appeals. He admits that he received, but did not comply with, the court orders. But he contends the hearing judge denied him due process, violated his right to equal protection of the law, and committed other procedural errors. He also claims he should be exonerated because the court orders are void, and even if valid, he did not violate them willfully or in bad faith. Look alternatively argues that if we find him culpable, the recommended one-year suspension is excessive. The State Bar did not appeal and asks that we affirm the hearing judge's recommendation. Based on our independent review (Cal. Rules of Court, rule 9.12), we adopt the hearing judge's culpability finding and recommended discipline.

I. CONSTITUTIONAL AND PROCEDURAL ISSUES RAISED ON REVIEW

Look raises several constitutional and procedural issues on review. The State Bar correctly observes that Look fails to explain how many of these claims are relevant to issues involved in this appeal. As detailed below, we find none of his arguments persuasive.¹

A. Look Failed to Show He Was Denied Due Process

Look claims the hearing judge violated his right to due process by relying on published review department opinions to find him culpable of misconduct. He argues that this court lacks authority to “generate binding precedents” because the enabling statute for the State Bar Court “does not include any reference to generating precedential decisions.” Look’s contention is without merit.

The California Supreme Court has “inherent authority over the discipline of licensed attorneys in this state” but the Legislature is allowed to regulate the practice of law as long as it does not impede the Court’s authority. (*In re Attorney Discipline System* (1998) 19 Cal.4th 582, 592, 602.) The Supreme Court has delegated to the State Bar of California the power to act on its behalf in disciplinary matters (Bus. & Prof. Code, § 6087),² and the Legislature authorized the State Bar of California to promulgate rules of procedure governing attorney discipline (§ 6086). Under these rules, our opinions designated for publication are binding on the hearing department and citable as precedent in the State Bar Court after adoption by a Supreme Court order. (Rules Proc. of State Bar, rule 5.159(B).) Therefore, reliance on our published opinions does not violate Look’s right to due process.

¹ We have considered and rejected as meritless all other claims not specifically addressed in this opinion.

² All further references to sections are to this source unless otherwise noted.

B. Look Failed to Show He Was Denied Equal Protection

Look also contends that the State Bar violated his “right to equal protection of the law” when it applied a “double standard” by not prosecuting opposing counsel for his conduct in the underlying federal lawsuit, which is discussed below. In that lawsuit, opposing counsel filed a declaration asserting that Look engaged in the unauthorized practice of law based on an incorrect suspension date. The State Bar called opposing counsel as a witness in Look’s disciplinary hearing. During cross-examination, opposing counsel apologized for the mistake in determining the effective date of Look’s suspension. Look asserts that “accepting [opposing counsel’s] lame excuse at hearing that it was an ‘honest mistake’ to falsely swear under oath Respondent was breaking the law, sets a double standard and violates equal protection of the law.”

Look is culpable of failing to obey court orders in violation of section 6103. He failed to show either that opposing counsel committed the same violation and was not prosecuted, or that Look is a member of a class against which the section is discriminatorily applied. (*In re Hallinan* (1954) 43 Cal.2d 243, 246-247.) Thus, Look fails to make the required showing of selective prosecution to sustain his contention that he was denied equal protection of the law.

C. Look’s Other Claims of Procedural Error Do Not Warrant Relief

Look asserts the hearing judge committed error by refusing to abate his disciplinary trial while he sought to vacate a civil contempt order that was issued after he violated the two federal court orders at issue. However, as the hearing judge found, Look’s disciplinary proceeding is based on grounds independent of the finding of contempt. Accordingly, we find that the hearing judge did not abuse her discretion when she denied Look’s motion for abatement. (*In the Matter of Aulakh* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 690, 695 [abuse of discretion standard of review applied to procedural rulings].)

Finally, Look claims he was prejudiced in preparing for his disciplinary trial because the State Bar did not timely disclose his former client's waiver of the attorney-client privilege. According to Look, because "the State Bar kept silent about the waiver," it "forced a complete redo of his trial plan less than a week from trial." Even if, arguendo, the State Bar did not disclose the waiver, Look is not entitled to relief since he failed to articulate with specificity how he had to adjust his trial plan or that he suffered any cognizable prejudice. (See *Stuart v. State Bar* (1985) 40 Cal.3d 838, 845 [Supreme Court requires showing of specific prejudice before procedural errors will invalidate determination of hearing panel in disciplinary proceedings].)

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The record clearly and convincingly supports the findings by the hearing judge,³ which we summarize below.

A. Look Failed to Comply with Two Court Orders

In December 2009, Jody Von Haar hired Look to pursue claims for injuries she sustained when three police officers allegedly used excessive force on her after a traffic stop. In July 2010, Look filed a complaint on behalf of Von Haar in the United State District Court for the Northern District of California. After the initial complaint and a first amended complaint were dismissed due to various deficiencies, he filed a second amended complaint in March 2011. During the course of his representation, Look failed to comply with two court orders, as discussed below.

1. Discovery Order. After Look failed to appear at a case management conference, the district judge issued a May 4, 2011 order that required the parties to comply with multiple discovery deadlines (discovery order). The discovery order was due to Look's repeated failure to cooperate with defense counsel. The judge warned Look that if his client did not comply with

³ Clear and convincing evidence leaves no substantial doubt and is sufficiently strong to command the unhesitating assent of every reasonable mind. (*Conservatorship of Wendland* (2001) 26 Cal.4th 519, 552.)

the deadlines, the court may issue an order to show cause (OSC) why the case should not be dismissed or why Look and his client should not be sanctioned. Look admits he received the discovery order but did not comply with the designated deadlines.

2. Withdrawal Order. After Look failed to comply with the discovery order, the district judge ordered Look to show cause why the matter should not be dismissed for failure to prosecute. Look responded that neither he nor Von Haar had the funds to conduct discovery, and he was seeking substitute counsel. The district judge ordered Look to file a motion to withdraw as counsel by July 15, 2011, if he were unable to continue representing Von Haar for financial reasons (withdrawal order). Look admits he received the withdrawal order but did not comply with the July 15, 2011 deadline.

Rather than file a motion to withdraw, Look filed a case management statement on August 24, 2011 — a month past the court-ordered deadline. In it, he requested “leave to withdraw unilaterally as counsel of record” due to his present inability to contact Von Haar and his pending suspension from the practice of law.⁴ At an August 31, 2011 case management conference, the district judge told Look that she was considering imposing sanctions against him for not filing the motion to withdraw. Look claimed he misunderstood the withdrawal order and believed she had requested that he file a substitution of counsel. He also stated that he overlooked the language requiring him to file a motion to withdraw.

The next day, the district judge issued another OSC why Look should not be sanctioned for, among other things, failing to comply with the discovery and withdrawal orders. In his September 6, 2011 response, Look claimed that he did not comply with the *discovery* order because: (1) he did not have funds to pay for discovery; (2) he was conferring with possible

⁴ As discussed below, Look stipulated with the State Bar in March 2011 that he committed ethical misconduct in another matter. As a result, the Supreme Court suspended him for 120 days effective September 9, 2011.

substitute counsel, and discovery dates would have to be rescheduled if new counsel took over the case; and (3) if the case ultimately had to be dismissed, starting discovery would be pointless. Look also provided reasons for not complying with the *withdrawal* order that differed from those he provided at the August 31, 2011 conference, including that he mistakenly failed to calendar it, and he did not need to file it because he had decided to dismiss the case. After the case management conference, but before the OSC hearing, Look filed a notice of voluntary dismissal of the case with Von Haar's consent. He also filed a motion to withdraw.

Following the OSC hearing, the district judge issued an order on September 12, 2011, finding Look in contempt. The judge based her finding on multiple grounds, including Look's failure to comply with the discovery and withdrawal orders. The judge also decided to: (1) not impose sanctions; (2) grant Look's motion to withdraw due to his pending disciplinary suspension; and (3) deny the voluntary dismissal until Von Haar had an opportunity to be heard.⁵ The judge also referred the matter to the State Bar.

Nearly one year later, and after the start of this disciplinary proceeding, Look filed a motion for relief and to purge the contempt, and sought to have the district judge withdraw her referral to the State Bar. His principal argument was that the civil contempt order was criminal in nature because it was imposed as a punitive rather than remedial measure. On November 15, 2012, the district judge issued an order vacating her ruling that Look was in contempt, finding that he "raised a legitimate question as to whether the Civil Contempt Order was criminal in nature. Moreover, the Court's primary purpose in issuing the Civil Contempt Order was to outline Mr. Look's conduct in this case and to refer Mr. Look to the State Bar so that it can

⁵ The court then ordered Von Haar to show cause why the matter should not be dismissed for failure to prosecute. Von Haar did not appear at the OSC hearing on October 27, 2011, and the court dismissed the case with prejudice.

determine whether any further action should be taken. The finding of contempt itself was not essential to accomplishing this purpose.”

Although the district judge vacated the finding of contempt, she declined to withdraw her referral to the State Bar because Look had engaged in unprofessional conduct by directly violating her orders. The judge concluded that Look’s explanations were inconsistent and not credible. As a result, she affirmed her factual findings in the civil contempt order as well as the referral of the matter to the State Bar. Look asserts on review that he appealed the district court’s November 15, 2012 order and the appeal is still pending.

B. Look’s Failure to Comply with the Orders Is a Willful Violation of Section 6103

Section 6103 provides that an attorney’s “willful disobedience or violation of an order of the court requiring him to do or forbear an act connected with or in the course of his profession, which he ought in good faith to do or forbear, and any violation of the oath taken by him, or of his duties as such attorney, constitute causes for disbarment or suspension.” The State Bar charged Look with willfully disobeying court orders for failing to comply with the court-ordered discovery deadlines and failing to timely file a motion to withdraw as ordered. Look admits he did not comply with the orders, but argues that he is not culpable because: (1) the orders are void since the civil case has been dismissed and the contempt order vacated; (2) his noncompliance was not willful but a result of excusable neglect (discovery order) and negligence (withdrawal order); and (3) he did not act in bad faith. The hearing judge correctly rejected Look’s defenses and found him culpable as charged.

1. Look Was Subject to Final and Binding Orders

To establish that Look willfully disobeyed a court order under section 6103, the evidence must first show that he knew there was a final, binding court order. (*In the Matter of Maloney and Virsik* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 774, 787 [attorney’s knowledge of

final, binding order is essential element of violation].) Although Look admits he knew about the orders, he contends that he cannot *now* be culpable of violating them as they are no longer valid since the federal action was dismissed and the contempt order was vacated. We disagree.

We conclude the federal court's orders were final and binding. To begin, Look concedes that dismissal of the federal action has been final since October 2011. Since the judgment of dismissal is final, the preceding discovery and withdrawal orders that merged with it are also final. (See *Envtl. Prot. Info. Ctr., Inc., v. Pac. Lumber Co.* (9th Cir. 2001) 257 F.3d 1071, 1075 [interlocutory orders entered prior to final judgment merge into judgment].) Further, the district judge's November 15, 2012 order, which vacated the contempt order, did not vacate or void the discovery and withdrawal orders. The judge specifically found that Look engaged in unprofessional conduct by directly violating those orders, and she denied his request to be relieved of any obligations set forth in them. We agree with the district court's conclusions.

2. Look's Noncompliance Was Willful

To prove that Look's violation of a court order under section 6103 was willful, it must be established that he “ ‘ ‘ ‘*knew* what he was doing or not doing and that he intended either to commit the act or to abstain from committing it.’ [Citations.]” ’ ’ ’ (In the Matter of Maloney and Virsik, *supra*, 4 Cal. State Bar Ct. Rptr. at p. 787, citing *King v. State Bar* (1990) 52 Cal.3d 307, 314.) However, violating an order while holding an objectively reasonable good faith belief can be a defense because, under such circumstances, the order would not objectively be one with which an attorney “ought in good faith” to comply and the failure to comply would be reasonable. (See, e.g., *In the Matter of Boyne* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 389, 404–405 [paying sanctions from account that had sufficient funds when check was written but was closed by bank prior to check clearing does not violate § 6103].) Look argues his violation of the orders was not willful because (1) his lack of financial resources was substantial

justification not to comply with the discovery order, and (2) he negligently failed to calendar the due date for filing the motion to withdraw. Neither assertion is a defense in this case.

Look's financial hardship does not negate his willfulness in failing to comply with the discovery order. As the district judge found, Look could not unilaterally decide to ignore the order. His financial straits did not prevent him from informing the court of his inability to comply with its order or from seeking a stay of discovery until he found substitute counsel. "An attorney with an affirmative duty to the courts and his clients whose interests were affected cannot sit back and await contempt proceedings before complying with or explaining why he or she cannot obey a court order." (*In the Matter of Boyne, supra*, 2 Cal. State Bar Ct. Rptr. at p. 404; see *In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr 41, 47.) Look's decision to do nothing was willful and not objectively reasonable. (See *Maltaman v. State Bar* (1987) 43 Cal.3d 924, 952 ["no plausible belief in the right to ignore final, unchallengeable orders one personally considers invalid"].)

Look also failed to sufficiently prove that his failure to comply with the withdrawal order was due to negligence. (See *Patarak v. Williams* (2001) 91 Cal.App.4th 826, 829 ["[w]illful conduct does not require a purpose or specific intent ... [h]owever, it does require more than negligence or accidental conduct".]) During the litigation, Look offered varying excuses for his failure to file the required motion to withdraw as counsel, including: (1) he misunderstood the order; (2) he believed the order required him to file a substitution of counsel, not a motion; (3) he mistakenly failed to calendar the due date; and (4) he decided not to file the motion because he was going to dismiss the case. The last excuse, which the district judge found to be entirely inconsistent with Look's prior statements, involved intentional rather than negligent conduct. Given Look's inconsistent reasons for not complying with the withdrawal order, we agree with the district judge that his claim of negligence is not credible. (See *Conner v. State Bar* (1990)

50 Cal.3d 1047, 1055 [credibility determinations made by judge who heard and saw witness entitled to great weight]; see also Rules Proc. of State Bar, rule 5.155(A) [hearing judge's findings of fact and credibility assessment entitled to great weight on review].)

3. Bad Faith Is Not an Element of a Section 6103 Violation

Lastly, Look argues that any violation of section 6103 also necessarily requires proof of bad faith, which he contends the State Bar failed to prove. He relies on *Maltaman v. State Bar*, *supra*, 43 Cal.3d 924. We find his reliance is misplaced because the issue in that case was not whether the attorney's deliberate violation of court orders constituted a violation of section 6103, but whether it involved moral turpitude in violation of section 6106. The Supreme Court held that "noncompliance [with court orders] involves moral turpitude for disciplinary purposes only if the attorney acted in either 'objective' or 'subjective' bad faith." (*Id.* at p. 951 [bad faith if no plausible grounds for noncompliance or if attorney believed no plausible grounds, even if such grounds existed].) Although the Court determined that the attorney's noncompliance was not a violation of section 6103 because he was acting as an estate representative, not as an attorney, it concluded that he acted in bad faith and therefore his disobedience of the orders involved moral turpitude in violation of section 6106. (*Id.* at p. 954.) We find no authority to support the proposition that bad faith is an essential element of a section 6103 violation, and conclude it is not. (See *In re Rose* (2000) 22 Cal.4th 430 [attorney violated § 6103 by willfully violating probation order]; *Barnum v. State Bar* (1990) 52 Cal.3d 104 [attorney violated § 6103 by willfully violating bankruptcy court orders].)

III. AGGRAVATION AND MITIGATION

Look does not contest the hearing judge's finding that he failed to prove any mitigating circumstances. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct,

former std. 1.2(e).)⁶ We agree, and like the hearing judge, also find that the only factor in aggravation is Look's two prior records of discipline. (Former std. 1.2(b)(i).)

Look was admitted to the practice of law in California on December 15, 1975, and was disciplined in 1989 and in 2011. The records are summarized as follows:

**1. *In the Matter of William Blackford Look, Jr.* (Bar Misc. 5674)
Cal. State Bar Ct. No. 88-C-11156**

On June 22, 1989, Look was privately reproved, without conditions, after he stipulated that his misdemeanor conviction for violating Penal Code section 415 (disturbing the peace) involved misconduct warranting discipline. Look's conviction stemmed from a confrontation with a party in a labor dispute, which resulted in his nolo contendere plea to a misdemeanor violation of disturbing the peace. In mitigation, Look had no prior record of discipline, displayed remorse, and cooperated. There were no aggravating circumstances.

**2. *In re William Blackford Look, Jr.* (S193599)
Cal. State Bar Ct. No. 08-O-12932**

On August 10, 2011, the Supreme Court ordered Look suspended from the practice of law for two years, stayed, and placed him on probation for two years subject to conditions, including 120 days' suspension. Look stipulated to misconduct in a single client matter. Between 2007 to 2008, he failed to maintain in trust more than \$40,000 in disputed client funds, obtained a pecuniary interest adverse to his client, and failed to provide an accounting. Look further stipulated that his prior discipline record was an aggravating circumstance and that no mitigating circumstances were involved.

⁶ Effective January 1, 2014, the standards were amended. Since this case was heard and submitted in 2013, we apply the former standards and all further references are to the earlier version. However, as noted, the amendments would not alter our conclusion.

IV. LEVEL OF DISCIPLINE

The purpose of attorney discipline is not to punish the attorney, but to protect the public, the courts, and the legal profession, to preserve public confidence in the profession, and to maintain high professional standards for attorneys. (Former std. 1.3.) “To impose discipline consistent with the goal of protecting the public, we ‘balance all relevant factors including [aggravating and] mitigating circumstances on a case-to-case basis.’ [Citation.]” (*Sugarman v. State Bar* (1990) 51 Cal.3d 609, 618.) We begin with the standards, which the Supreme Court instructs us to follow whenever possible. (*In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.)

Former standard 1.7(b) is the most severe sanction applicable to Look’s misconduct and addresses disciplinary recidivism.⁷ Under this standard, if an attorney commits professional misconduct and “has a record of two prior impositions of discipline . . . the degree of discipline in the current proceeding shall be disbarment unless the most compelling mitigating circumstances clearly predominate.” However, even in the absence of any mitigation, the Supreme Court has not automatically imposed disbarment under this standard. (See *Conroy v. State Bar* (1991) 53 Cal.3d 495 [one-year suspension for failing to competently perform and moral turpitude with no mitigation but aggravated by no cooperation, a prior private reproof, and a prior 60-day suspension].) “[W]e are not required to apply standard 1.7(b) rigidly, without regard to the facts of the prior matters. [Citations.]” (*In the Matter of Potack* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 525, 539-540.) Instead, it is necessary that we conduct “a careful examination of the substance and nature of [Look’s] disciplinary history . . . with due regard to the facts and circumstances of his present misconduct.” (*In the Matter of Shalant* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 829, 842.) Although this is Look’s third

⁷ Former standard 2.6(b) also applies to this case; it calls for disbarment or suspension for a violation of section 6103 based on the gravity of the offense or the harm, if any.

disciplinary matter, we agree with the hearing judge that disbaring him “would be manifestly unjust, would not further the objectives of attorney discipline, and would be punitive in nature.”

The substance and nature of the misconduct in Look’s prior discipline and this proceeding do not support disbarment here. First, the facts in his two prior disciplinary proceedings are not only dissimilar from each other, but are also quite different from the misconduct in this case. (See *Arm v. State Bar* (1990) 50 Cal.3d 763, 780 [habitual course of conduct or repetition of offenses are factors to consider when deciding to impose disbarment under former std. 1.7(b)].) Second, Look’s misconduct in his first disciplinary matter was not serious, as reflected by the imposition of a private reproof without conditions. (See *In the Matter of Buckley* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 201, 205 [absence of severity of priors was factor making disbarment manifestly unjust under former std. 1.7(b)].) Finally, when viewed cumulatively, Look’s overall misconduct does not indicate that he is unable to conform to ethical norms or that the risk of future misconduct is great. (See *In the Matter of Hunter* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 63, 80 [disbarment under former std. 1.7(b) appropriate where current misconduct viewed together with priors indicated inability to conform to ethical norms].) The totality of his three disciplinary proceedings involves three matters and five counts of culpability — over the course of 25 years. There is no evidence of moral turpitude, client harm, evil intent, or bad faith. Therefore, we find strict application of former standard 1.7(b) is unwarranted.⁸

However, we disagree with Look that a one-year suspension is excessive. In recommending the appropriate level of discipline, we also look to case law for guidance. Here

⁸ Disbarment also would not be mandated under the revised standards for attorney discipline effective January 1, 2014. Although new standard 1.8 provides for a similar presumption of disbarment for two prior records, the revisions do not disturb the cases cited above as to the application of the standards in cases of recidivism. (New std. 1.1 [revised standards based on “longstanding decisions of the California Supreme Court”].)

we find instructive *In the Matter of Riordan, supra*, 5 Cal. State Bar Ct. Rptr. 41, and *In the Matter of Katz* (Review Dept. 1995) 3 Cal. State Bar Ct Rptr. 430. Riordan received a six-month stayed suspension after he failed to obey two Supreme Court orders, failed to competently perform, and failed to report judicial sanctions. His misconduct was mitigated by a 17-year legal career with no prior record of discipline. Katz received a two-year suspension for committing acts involving moral turpitude, filing a bad faith bankruptcy petition, and violating two bankruptcy court orders. Katz had a prior record of discipline that also involved moral turpitude, committed his misconduct while on disciplinary probation, and lacked remorse.

Although Look's current misconduct is not as extensive as in *Riordan*, his prior discipline record makes his case significantly more serious. However, his misconduct is less serious than *Katz* due to the absence of conduct involving moral turpitude and the fact that Look was not *yet* on disciplinary probation when he committed his current misconduct. But Look did commit the present misconduct *after* he stipulated to misconduct in his second discipline case — at a time when he should have had a heightened awareness of his ethical duties. We believe the appropriate discipline falls between that imposed in *Riordan* and *Katz*. Guided by these cases and the standards, we conclude that a one-year period of suspension will adequately protect the public and preserve the integrity of the legal profession.

V. RECOMMENDATION

For the foregoing reasons, we recommend that William Blackford Look, Jr., be suspended from the practice of law for two years, that execution of that suspension be stayed, and that he be placed on probation for two years on the following conditions:

1. He must be suspended from the practice of law for the first year of his probation.
2. He must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation.

3. Within 10 days of any change in the information required to be maintained on the membership records of the State Bar pursuant to Business and Professions Code section 6002.1, subdivision (a), including his current office address and telephone number, or if no office is maintained, the address to be used for State Bar purposes, he must report such change in writing to the Membership Records Office and the State Bar Office of Probation.
4. Within 30 days after the effective date of discipline, he must contact the Office of Probation and schedule a meeting with his assigned probation deputy to discuss the terms and conditions of probation. Upon the direction of the Office of Probation, he must meet with the probation deputy either in person or by telephone. During the period of probation, he must promptly meet with the probation deputy as directed and upon request
5. Subject to the assertion of applicable privileges, he must answer fully, promptly, and truthfully, any inquiries of the Office of Probation that are directed to him personally or in writing, relating to whether he is complying or has complied with the conditions contained herein.
6. He must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, he must state whether he has complied with the State Bar Act, the Rules of Professional Conduct, and all of the conditions of probation during the preceding calendar quarter. In addition to all quarterly reports, a final report, containing the same information, is due no earlier than 20 days before the last day of the probation period and no later than the last day of the probation period.
7. Within one year after the effective date of the discipline herein, he must submit to the Office of Probation satisfactory evidence of completion of the State Bar's Ethics School and passage of the tests given at the end of that sessions. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and he shall not receive MCLE credit for attending Ethics School. (Rules Proc. of State Bar, rule 3201.)
8. The period of probation will commence on the effective date of the Supreme Court order imposing discipline in this matter. At the expiration of the period of probation, if he has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

We further recommend that Look be ordered to take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners during the period of his suspension and to provide satisfactory proof of such passage to the Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

We also recommend that Look be ordered to comply with the requirements of rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court order in this proceeding. Failure to do so may result in disbarment or suspension.

Finally, we recommend that costs be awarded to the State Bar in accordance with section 6086.10, such costs being enforceable both as provided in section 6140.7 and as a money judgment.

REMKE, P. J.

WE CONCUR:

EPSTEIN, J.

PURCELL, J.