(Do not write above this line)

State Bar Court of California

SELECT DEPARTMENT
SELECT VENUE

ACTUAL SUSPENSION

Counsel for the State Bar Click or tap here to enter text. State Bar # State Bar Number	Case Number(s): Case Number(s)	For Court use only
SELECT ONE Click or tap here to enter text. State Bar # State Bar Number		
In the Matter of: Click or tap here to enter text. State Bar # State Bar Number (Respondent)	Submitted to: SELECT ONE STIPULATION RE FACTS, CONCLUSIONS OF LAW, AND DISPOSITION ORDER APPROVING STIPULATION (to be attached by court clerk upon State Bar Court approval of stipulation) **ACTUAL SUSPENSION** ☐ PREVIOUS STIPULATION REJECTED	

Note: All information required by this form shall be included in the spaces provided below, unless an attachment is specifically required by the form. A full list of stipulation forms can be found **here**.

A. Parties' Acknowledgments:

(1) Respondent is an attorney licensed by the State Bar of California, admitted DATE.

(2) Proposed stipulations for disposition are not binding on the Supreme Court. The parties agree to be bound by the factual stipulations set forth in **section C**, below, even if the conclusions of law or stipulated disposition are rejected by the State Bar Court or the Supreme Court.

(3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated.

(4) The stipulation, including all attachments, consists of No. of PAGES pages, not including the proof of service.

(5) The stipulation contains a statement, included in **section B**, below, that the Respondent either:

(a) admits the truth of the facts comprising the stipulation and admits culpability for misconduct; or

(b) pleads nolo contendere to those facts and misconduct.

(6) The stipulation contains a statement of facts in **section C,** below, supporting the acts or omissions acknowledged by Respondent as cause for discipline.

(7) Conclusions of law, drawn from and specifically referring to the facts set forth in **section C,** are included in **section D**, below.

(8) Dismissed charge(s)/count(s) are also included in **section D**, below.

(9) Aggravating and mitigating circumstances are included in **sections E and F**, below. An authenticated copy of any prior record of discipline, as specified in Hearing Department General Order 17-07 filed October 19, 2017, must be attached.

(10) Supporting authority for the recommended level of discipline is included in **section G**, below.

(11) Respondent must complete all court-ordered conditions as directed by the State Bar's Office of Case Management & Supervision (OCMS) and at Respondent's expense.

(12) No more than 30 days prior to the submission of this stipulation to the State Bar Court, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for any law enforcement agencies' criminal investigations.

(13) Any stipulation submitted in a proceeding pursuant to Business and Professions Code section 6049.1 must also attach supporting documents, as specified in Hearing Department General Order 17-07 filed October 19, 2017.

(14) The parties waive any variance/discrepancy between any Notice of Disciplinary Charges filed in this matter and the factual statements and conclusions of law set forth in this stipulation.

(15) Any monetary requirements imposed in this matter shall be considered satisfied or waived when authorized by applicable law or orders of any court.

(16) Upon State Bar Court approval of this stipulation, the court clerk will file the stipulation with the Order Approving Stipulation attached.

(17) **Additional Acknowledgements by the Parties:**

Click or tap here to enter text.

B. Plea Statement:

(1) ☐ **Respondent Admits Culpability**
Respondent admits the truth of the facts comprising the stipulation and admits culpability for misconduct; or

(2) ☐ **Respondent Pleads Nolo Contendere**
Respondent pleads nolo contendere to the facts comprising the stipulation and culpability for misconduct.

- As set forth in the **separate attachment entitled Nolo Contendere Plea**, the stipulation shows "that the attorney understands that the plea is treated as an admission of the stipulated facts and an admission of culpability." (Rules Proc. of State Bar, rule 5.56(B).)

C. Factual Stipulations:

[Enter Facts Here. If Stipulation Resolves Multiple Cases, Include a Heading for Each Case.]

D. Conclusions of Law:

[1] If Any Dismissals – List Case Number, Count, and Alleged Violation Here.

[2] Enter Conclusions of Law Referring to Facts Set Forth in Section C.

E. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]:

[List Aggravating Circumstances Referring to the Facts Set Forth in Section C and Any Additional Supporting Facts.]

F. Mitigating Circumstances [Standards 1.2(i) & 1.6]:

[List Mitigating Circumstances Referring to the Facts Set Forth in Section C and Any Additional Supporting Facts.]

G. Discussion of Recommended Level of Discipline and Authorities Supporting Discipline:

[Discuss Recommended Level of Discipline and Authorities in This Section.]

H. Recommended Discipline:

(1) ☐ **Actual Suspension:**

Respondent is suspended from the practice of law for LENGTH OF TIME, execution of that suspension is stayed, and Respondent is placed on probation for LENGTH OF TIME with the following conditions:

- Respondent must be suspended from the practice of law for the first LENGTH OF TIME of the probation period.

(2) ☐ **Actual Suspension and Until Rehabilitation:**

Respondent is suspended from the practice of law for LENGTH OF TIME, execution of that suspension is stayed, and Respondent is placed on probation for LENGTH OF TIME with the following conditions:

- Respondent must be suspended from the practice of law for a minimum of the first LENGTH OF TIME of probation and until Respondent provides proof to the State Bar Court of rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(3) ☐ **Actual Suspension and Until Restitution and Rehabilitation:**

Respondent is suspended from the practice of law for LENGTH OF TIME, execution of that suspension is stayed, and Respondent is placed on probation for LENGTH OF TIME with the following conditions:

- Respondent must be suspended from the practice of law for a minimum of the first LENGTH OF TIME of probation, and Respondent will remain suspended until both of the following requirements are satisfied:

a. Respondent makes restitution, including the principal amount plus 10 percent interest per year (and furnishes satisfactory proof of such restitution to the State Bar's Office of Case Management & Supervision (OCMS)), to each of the following payee(s) or such other recipient(s) as may be designated by the OCMS or the State Bar Court (or reimburse(s) the Client Security Fund, to the extent of any payment from the Fund to such payee(s), in accordance with Business and Professions Code section 6140.5) and using the payment method directed by the OCMS. Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law:

Payee	***Principal Amount***	***Interest Accrues From***
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
☐ Additional payees listed in an attachment to this form. See page number(s) PAGE #		

b. Respondent provides proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(4) ☐ **Actual Suspension and Until Restitution with Conditional Rehabilitation:**

Respondent is suspended from the practice of law for LENGTH OF TIME, execution of that suspension is stayed, and Respondent is placed on probation for LENGTH OF TIME with the following conditions:

- Respondent must be suspended from the practice of law for a minimum for the first LENGTH OF TIME of probation, and Respondent will remain suspended until the following requirements are satisfied:

a. Respondent makes restitution, including the principal amount plus 10 percent interest per year (and furnishes satisfactory proof of such restitution to the State Bar's Office of Case Management & Supervision (OCMS)), to each of the following payee(s) or such other recipient(s) as may be designated by the OCMS or the State Bar Court (or reimburse(s) the Client Security Fund, to the extent of any payment from the Fund to such payee(s), in accordance with Business and Professions Code section 6140.5) and using the payment method directed by the OCMS. Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law:

Payee	***Principal Amount***	***Interest Accrues From***
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
☐ Additional payees listed in an attachment to this form. See page number(s) PAGE #		

b. If Respondent remains suspended for two years or longer, Respondent must provide proof to the State Bar Court of rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(5) ☐ **Actual Suspension with Credit for Interim Suspension:**

Respondent is given credit towards the above-recommended period of actual suspension for the period of interim suspension which commenced on ENTER DATE.

I. Additional Conditions of Probation:

(1) ☐ **Commencement of Probation/Compliance with Probation Conditions.** 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 probation period, if Respondent has complied with all probation conditions, the period of stayed suspension will be satisfied and that suspension will be terminated.

(2) ☐ **Comply with State Bar Act, Rules of Professional Conduct, and Probation Conditions.** Respondent must comply with the provisions of the California Rules of Professional Conduct, the State Bar Act (Business and Professions Code sections 6000 et seq.), and all probation conditions.

(3) ☐ **Review Rules and Statutes on Professional Conduct.** Within 30 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must read the California Rules of Professional Conduct and Business and Professions Code sections 6067, 6068, and 6103 through 6126. Respondent must provide a declaration, under penalty of perjury, attesting to compliance with this requirement, to the OCMS no later than the deadline for Respondent's first quarterly report.

(4) ☐ **Complete E-Learning Course Reviewing Rules and Statutes on Professional Conduct.** Within 90 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must complete the e-learning course entitled "California Rules of Professional Conduct and State Bar Act Overview". Respondent must provide a declaration, under penalty of perjury, attesting to compliance with this requirement, to the OCMS no later than the deadline for Respondent's quarterly report due immediately after the 90-day period for course completion.

(5) ☐ **Maintain Valid Official State Bar Record Address and Other Required Contact Information.** Within 30 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must make certain that the State Bar Office of Licensee Records and Compliance (LR&C) has Respondent's (1) current office address and telephone number, or if none, an alternative address and telephone number; and (2) a current email address (unless granted an exemption by the State Bar by using the form approved by LR&C, pursuant to California Rules of Court, rule 9.9(d)), not to be disclosed on the State Bar's website or otherwise to the public without the licensee's consent. Respondent must report, in writing, any change in the above information to LR&C within 10 days after such change, in the manner required by LR&C.

(6) ☐ **Meet and Cooperate with the OCMS:**

a. Within 15 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent **must schedule** with the assigned OCMS Probation Case Coordinator, a meeting or meetings either in-person, by telephone, or by remote video (at the OCMS Probation Case Coordinator's discretion) to review the terms and conditions of probation. The intake **meeting must occur** within 30 days after the effective date of the Supreme Court order imposing discipline in this matter.

b. During the period of probation, Respondent must (1) meet with representatives of the OCMS as directed by the OCMS; (2) subject to the assertion of applicable privileges, fully, promptly, and truthfully answer any inquiries by the OCMS and provide any other information requested by the

OCMS; and (3) meaningfully participate in the intake meeting and in the supervision and support process, which may include exploring the circumstances that caused the misconduct and assisting in the identification of resources and interventions to promote an ethical, competent practice.

c. If at any time the OCMS determines that additional probation conditions are required, the OCMS or the Office of Chief Trial Counsel of the State Bar may file a motion with the State Bar Court to request that additional conditions be attached pursuant to rule 5.300 of the Rules of Procedure of the State Bar and California Rules of Court, rule 9.10(c).

(7) ☐ **State Bar Court Retains Jurisdiction/Appear Before and Cooperate with State Bar Court.** During the probation period, the State Bar Court retains jurisdiction over Respondent to address issues concerning compliance with probation conditions. During probation, Respondent must appear before the State Bar Court as required by the court or by the OCMS after written notice to Respondent's official State Bar record address and e-mail address (unless granted an exemption from providing one by the State Bar as provided pursuant to condition 5, above). Subject to the assertion of applicable privileges, Respondent must fully, promptly, and truthfully answer any inquiries by the court and must provide any other information the court requests.

(8) ☐ **Quarterly and Final Reports:**

a. **Deadlines for Reports.**

I. **Quarterly Reports.** Respondent must submit quarterly reports to the OCMS no later than each January 10 (covering October 1 through December 31 of the prior year), April 10 (covering January 1 through March 31), July 10 (covering April 1 through June 30), and October 10 (covering July 1 through September 30) within the period of probation. If the first report would cover less than 45 days, that report must be submitted on the next quarter due date and cover the extended deadline.

II. **Final Report.** In addition to all quarterly reports, Respondent must submit a final report no earlier than 10 days before the last day of the probation period, and no later than the last day of probation.

b. **Contents of Reports.** Respondent must answer, under penalty of perjury, all inquiries contained in the report form provided by the OCMS, including stating whether Respondent has complied with the State Bar Act and the California Rules of Professional Conduct during the applicable period. All reports must be: (1) submitted on the written or electronic form provided by the OCMS; (2) signed and dated after the completion of the period for which the report is being submitted (except for the final report); (3) filled out completely and signed under penalty of perjury in a manner that meets the requirements set forth in the Rules of Procedure of the State Bar and the Rules of Practice of the State Bar Court; and (4) submitted to the OCMS on or before each report's due date.

c. **Submission of Reports.** All reports must be submitted to the OCMS. The preferred method of submission is via the portal on Respondent's "My State Bar Profile" account that is accessed through the State Bar website. If unable to use the portal, reports may be submitted via (1) email; (2) certified mail, return receipt requested (postmarked on or before the due date); (3) other tracked-service provider, such as Federal Express or United Parcel Service, etc. (physically delivered to such provider on or before the due date); (4) fax; or (5) personal delivery.

d. **Proof of Compliance.** Respondent must maintain proof of compliance with the above requirements for each submitted report for a minimum of one year after the probation period has ended. Respondent is required to present such proof upon request by the State Bar, the OCMS, or the State Bar Court.

(9) ☐ **State Bar of California Ethics School.** Within nine months after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must submit to the OCMS satisfactory evidence of completion of the State Bar of California Ethics School and passage of the test given at the end of that

session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and Respondent will not receive MCLE credit for attending Ethics School.

Respondent is encouraged to register for and complete Ethics School at the earliest opportunity. If Respondent provides satisfactory evidence of completion of Ethics School and passage of the test given at the end of the session prior to the effective date of the Supreme Court order imposing discipline in this matter but after the date this stipulation is filed, Respondent will receive credit for completing this condition.

(10) ☐ **State Bar of California Ethics School Not Recommended.** It is not recommended that Respondent be ordered to attend the State Bar of California Ethics School because [INSERT REASON].

(11) ☐ **State Bar of California Client Trust Accounting School.** Within nine months after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must submit to the OCMS satisfactory evidence of completion of the State Bar Client Trust Accounting School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and Respondent will not receive MCLE credit for attending this session.

Respondent is encouraged to register for and complete Client Trust Accounting School at the earliest opportunity. If Respondent provides satisfactory evidence of completion of Client Trust Accounting School and passage of the test given at the end of the session prior to the effective date of the Supreme Court order imposing discipline in this matter but after the date this stipulation is filed, Respondent will receive credit for completing this condition.

(12) ☐ **Proof of Compliance with Rule 9.20 Obligations.** Respondent is directed to maintain, for a minimum of one year after commencement of probation, proof of compliance with the Supreme Court's order that Respondent comply with the requirements of California Rules of Court, rule 9.20 (a) and (c), as recommended below. Such proof must include: the names and addresses of all individuals and entities to whom Respondent sent notification pursuant to rule 9.20; a copy of each notification letter sent to each recipient; the original receipt or postal authority tracking document for each notification sent; the originals of all returned receipts and notifications of non-delivery; and a copy of the completed compliance affidavit filed by Respondent with the State Bar Court. Respondent is required to present such proof upon request by the State Bar, the OCMS, or the State Bar Court.

(13) ☐ **Restitution.** SELECT ONE of the period of probation, Respondent must make restitution, including the principal amount plus 10 percent interest per year (and furnish satisfactory proof to the OCMS that restitution has been satisfied), to each of the following payee(s) or such other recipient(s) as may be designated by the OCMS or the State Bar Court (or reimburse(s) the Client Security Fund, to the extent of any payment from the Fund to such payee(s), in accordance with Business and Professions Code section 6140.5) and using the payment method directed by the OCMS. Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. Such restitution may be made by partial payments or by a single lump sum payment during the period set forth above unless otherwise specified:

Payee	***Principal Amount***	***Interest Accrues From***
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
NAME	**$**AMOUNT	DATE
☐ Additional payees listed in an attachment to this form. See page number(s) PAGE #		

(14) ☐ **Installment Restitution as Directed by the OCMS.** In addition to the above deadline for completing restitution, Respondent must make installment payments for as long as the full amount of restitution

remains unsatisfied as directed by the OCMS, including using the payment method directed by the OCMS, if any. Respondent will be deemed delinquent if any payment is not timely submitted as directed by the OCMS to such payee(s), or to such other recipient(s) as may be designated by the OCMS or the State Bar Court. The obligation to make installment payments to a particular payee will terminate when the full amount of restitution owed to that payee, including accrued interest, has been paid. If Respondent fails to timely pay any installment as described above, or as may be modified in writing by the OCMS or the State Bar Court, the remaining balance is due and payable immediately.

With each quarterly and final report, or as otherwise directed by the OCMS, Respondent must provide satisfactory proof of such installment payments to the OCMS.

(15) ☐ **Installment Restitution.** In addition to the above deadline for completing restitution, Respondent must make installment payments for as long as the full amount of restitution remains unsatisfied according to the following schedule. Payments will be due on the SELECT ONE commencing 60 days immediately following the effective date of the Supreme Court order imposing discipline and will be deemed delinquent if not submitted to such payee(s), or such other recipient(s) as may be designated by the OCMS or the State Bar Court. If Respondent fails to timely pay any installment as described below, or as may be modified in writing by the State Bar Court, the remaining balance is due and payable immediately. The obligation to make installment payments to a particular payee will terminate when the full amount of restitution owed to that payee, including accrued interest, has been paid.

With each quarterly and final report, or as otherwise directed by the OCMS, Respondent must provide satisfactory proof of such installment payments to the OCMS.

Payee	***Minimum Payment Amount***
NAME	**$**AMOUNT
NAME	**$**AMOUNT
NAME	**$**AMOUNT
NAME	**$**AMOUNT
☐ Additional payees listed in an attachment to this form. See page number(s) PAGE #	

(16) ☐ **Reporting re Safekeeping Funds and Property of Clients and Other Persons.** Respondent must comply with rule 1.15 of the California Rules of Professional Conduct and the Standards adopted by the State Bar Board of Trustees pursuant to rule 1.15(e). Respondent must also comply with the following reporting requirements:

a. If Respondent received or held funds, securities, and/or other property for a client or other person to whom Respondent owed a contractual, statutory, and/or other legal duty at any time during the period covered by a required quarterly or final report, Respondent must submit with the report for that period a statement, made by Respondent under penalty of perjury, stating whether Respondent handled all such funds, securities, and/or other property in compliance with rule 1.15 of the California Rules of Professional Conduct and the Standards adopted by the State Bar Board of Trustees pursuant to rule 1.15(e).

b. If Respondent did not receive or hold any funds, securities, and/or other property for a client or other person to whom Respondent owed a contractual, statutory, and/or other legal duty during any part of the period covered by a quarterly or final report, Respondent must so state under penalty of perjury in the report filed with the OCMS for that reporting period.

(17) ☐ **Reporting re Safekeeping Funds and Property of Clients and Other Persons (Accountant Certification – 1st Reporting Period That Respondent Received or Held Funds, Securities, and/or Other Property).** Respondent must comply with rule 1.15 of the California Rules of Professional Conduct and the Standards adopted by the State Bar Board of Trustees pursuant to rule 1.15(e). Respondent must also comply with the following reporting requirements:

a. For the first period during which Respondent receives or holds funds, securities, and/or other property, for a client or other person to whom Respondent owed a contractual, statutory, and/or other legal duty, Respondent must submit a statement from a certified public accountant or other financial professional approved by the OCMS. The statement must set forth whether Respondent handled all such funds, securities, and/or other property in compliance with rule 1.15 of the California Rules of Professional Conduct and the Standards adopted by the State Bar Board of Trustees pursuant to rule 1.15(e).

b. For all subsequent periods during which Respondent receives or holds funds, securities, and/or other property, for a client or other person to whom Respondent owed a contractual, statutory, and/or other legal duty, Respondent must submit with the report for that period a statement, made by Respondent under penalty of perjury, stating whether Respondent handled all such funds, securities, and/or other property in compliance with rule 1.15 of the California Rules of Professional Conduct and the Standards adopted by the State Bar Board of Trustees pursuant to rule 1.15(e).

c. If Respondent did not receive or hold any funds, securities, and/or other property for a client or other person to whom Respondent owed a contractual, statutory, and/or other legal duty during any part of the period covered by a quarterly or final report, Respondent must so state under penalty of perjury in the report filed with the OCMS for that reporting period.

(18) ☐ **Criminal Probation.** Respondent must comply with all probation conditions imposed by the sentencing court and directions of probation, if any, in the underlying criminal matter: List Criminal Court and Case Numbers.

Respondent must report such compliance under penalty of perjury in all quarterly and final reports submitted to the OCMS covering any portion of the period of the criminal probation. In each quarterly and final report, if Respondent has an assigned criminal probation officer, Respondent must provide the name and current contact information for that officer. If the criminal probation was successfully completed during the period covered by a quarterly or final report, that fact must be included in the report and satisfactory evidence of such must be provided with the report.

If, during the period of probation, Respondent is alleged to have violated any conditions of the criminal probation in any manner, Respondent must submit the probation records or criminal court records regarding any such action to the OCMS within 10 days of the action or with the next quarterly or final report to the OCMS, whichever is earlier.

(19) ☐ **Minimum Continuing Legal Education (MCLE) Courses – California Legal Ethics.** No later than 90 days prior to the end of the probation period, Respondent must complete NUMBER hour(s) of participatory activity approved as California MCLE in the subject of California legal ethics and must provide proof of such completion to the OCMS. This requirement is separate from the State Bar established MCLE requirements for California licensees, and Respondent will not receive MCLE credit for these MCLE sessions.

Respondent is encouraged to register for and complete this MCLE at the earliest opportunity. If Respondent completes the MCLE, which meets the requirements above, prior to the effective date of the Supreme Court order imposing discipline in this matter but after the date this stipulation is filed and provides satisfactory evidence of completion, Respondent will receive credit for completing this condition.

(20) ☐ **Minimum Continuing Legal Education (MCLE).** No later than 90 days prior to the end of the probation period, Respondent must complete NUMBER hour(s) of participatory activity approved as California MCLE in TOPIC and must provide proof of completion of the MCLE to the OCMS. This requirement is separate from the State Bar established MCLE requirements for California licensees, and Respondent will not receive MCLE credit for these MCLE sessions.

Respondent is encouraged to register for and complete this MCLE at the earliest opportunity. If Respondent completes the MCLE, which meets the requirements above, prior to the effective date of the Supreme Court order imposing discipline in this matter but after the date this stipulation is filed and provides satisfactory evidence of completion, Respondent will receive credit for completing this condition.

(21) ☐ **Behavioral Health and/or Substance Use.** No later than 15 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must contact the State Bar of California's Lawyer Assistance Program (LAP) to schedule an intake assessment. No later than 30 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must provide to the OCMS (1) a copy of the LAP form confirming completion of the intake assessment; and (2) the signed OCMS waiver authorizing LAP to provide to the OCMS and the State Bar Court information regarding the terms and conditions of Respondent's participation in the LAP and Respondent's compliance or non-compliance with the LAP requirements. Revocation of the OCMS waiver is a violation of this condition. Respondent is encouraged to begin the LAP intake process and may begin participating in the LAP prior to the effective date of the order imposing discipline in this matter.

If Respondent qualifies for the LAP, Respondent must fully comply with all requirements of the LAP. In each of the quarterly and final reports, Respondent must report whether Respondent complied with the LAP requirements. Withdrawal or involuntary termination from the LAP constitutes a violation of this condition.

If Respondent does not qualify for the LAP, but LAP determines that Respondent does have a substance use or behavioral health issue, then the OCMS may move to modify to add an alternate treatment condition(s), including, but not limited to, psychiatric or psychological counseling or treatment; alcohol and/or drug abstinence; abstinence program meetings; and laboratory testing, and to add relevant reporting requirements.

(22) ☐ **Other.** Respondent must also comply with the following additional conditions of probation: List Other Conditions Here.

J. Other Requirements Negotiated by the Parties (Not Probation Conditions):

(1) ☐ **Multistate Professional Responsibility Examination (MPRE) Within One Year or During Period of Actual Suspension.** It is further recommended that Respondent be ordered to do the following within one year after the effective date of the Supreme Court order imposing discipline in this matter or during the period of Respondent's actual suspension in this matter, whichever is longer:

a. Take and pass the MPRE administered by the National Conference of Bar Examiners;

b. During registration, select California as the jurisdiction to receive Respondent's score report; and

c. Provide satisfactory proof of such passage directly to the OCMS.

Respondent is encouraged to register for and pass the MPRE at the earliest opportunity. If Respondent provides satisfactory evidence Respondent passed the MPRE prior to the effective date of the Supreme Court order imposing discipline in this matter but after the date this stipulation is filed, Respondent will receive credit for completing this requirement.

Failure to comply with this requirement may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

(2) ☐ **Multistate Professional Responsibility Examination (MPRE) Requirement Not Recommended.** It is not recommended that Respondent be ordered to take and pass the MPRE because [INSERT REASON].

(3) ☐ **California Rules of Court, Rule 9.20.** It is further recommended that Respondent be ordered to comply with California Rules of Court, rule 9.20, and to perform the acts specified in (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date the Supreme Court order imposing discipline in this matter is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of the Supreme Court order imposing discipline]). Failure to do so may result in disbarment or suspension.

Respondent is required to file a rule 9.20(c) affidavit even if Respondent has no clients to notify on the date the Supreme Court filed its order in this proceeding. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341.) In addition to being punished as a crime or contempt, an attorney's failure to comply with rule 9.20 is, inter alia, cause for disbarment, suspension, revocation of any pending disciplinary probation, and denial of an application for reinstatement after disbarment. (Cal. Rules of Court, rule 9.20(d).) The court-approved Rule 9.20 Compliance Declaration form is available on the State Bar Court website under "Forms."

(4) ☐ **California Rules of Court, Rule 9.20, Requirement Not Recommended.** It is not recommended that Respondent be ordered to comply with the requirements of California Rules of Court, rule 9.20, because [INSERT REASON].

(5) ☐ **Payment of Monetary Sanctions.** Respondent acknowledges Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are payable through Respondent's "My State Bar Profile" account. Further inquiries related to payment of monetary sanctions should be directed to the State Bar's Division of Regulation. It is further recommended that (check one option only):

☐ Respondent be ordered to pay monetary sanctions to the State Bar of California Client Security Fund in the amount of **$**ENTER AMOUNT in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. Monetary sanctions must be paid in full as a condition of reinstatement or return to active status, unless time for payment is extended pursuant to rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions in the above amount are recommended because [INSERT REASON].

☐ Respondent be ordered to pay monetary sanctions to the State Bar of California Client Security Fund in the amount of **$**ENTER AMOUNT in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions must be paid in installments with Respondent's annual fees for each of the following years:

Years	Installment Amount
	$AMOUNT
	$AMOUNT
	$AMOUNT
	$AMOUNT

If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance is due and payable immediately.

Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. Monetary sanctions in the above amount are recommended because [INSERT REASON]. Respondent may pay the monetary sanctions in installments because [INSERT REASON].

☐ Respondent be ordered to pay monetary sanctions to the State Bar of California Client Security Fund in the amount of **$**ENTER AMOUNT in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. The time to pay such monetary sanctions is extended, and Respondent must pay the sanctions with Respondent's annual fees by INSERT YEAR. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. Monetary sanctions in the above amount are recommended because [INSERT REASON]. The time to pay such monetary sanctions is extended because [INSERT REASON].

☐ Monetary sanctions are entirely waived because [INSERT REASON].

(6) ☐ **Payment of Disciplinary Costs.** Respondent acknowledges the provisions of Business and Professions Code sections 6086.10 and 6140.7. Costs are payable through Respondent's "My State Bar Profile" account. Further inquiries related to payment of costs should be directed to the State Bar's Division of Regulation. It is further recommended that (check one option only):

☐ Costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law. Unless the time for payment of discipline costs is extended pursuant to subdivision (c) of section 6086.10, costs assessed against an attorney who is actually suspended or disbarred must be paid as a condition of applying for reinstatement or return to active status.

☐ Costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law. SELECT ONE of the costs must be paid with Respondent's annual fees for each of the following years INSERT YEARS.

If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance will be due and payable immediately.

☐ Costs are waived in part as follows: [INSERT REASON].

☐ Costs are entirely waived.

(7) ☐ **Other Requirements:** It is further recommended that Respondent be ordered to comply with the following additional requirements that are not probation conditions: [SPECIFY].