

FILED

JUN 20 2008

STATE BAR COURT
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REVIEW DEPARTMENT OF THE STATE BAR COURT

IN BANK

In the Matter of)
)
 DAWNA SCOTT ANDERSEN) **Case No.: 07-C-12939**
) **RECOMMENDATION OF SUMMARY**
) **DISBARMENT**
 A Member of the State Bar)
 _____)

The State Bar's request for recommendation of summary disbarment, filed on November 7, 2007, is granted. On November 21, 2007, we filed an order to show cause (OSC) on or before December 14, 2007, directing respondent, Dawna Scott Andersen, State Bar No. 186874, to show why we should not recommend her summary disbarment to the Supreme Court. Respondent did not file a response.

On September 14, 2007, respondent entered a guilty plea to one count of forgery in the first degree, Oregon Revised Statutes, section 165.013, a felony, and one count of falsifying business records, Oregon Revised Statutes, section 165.080, a misdemeanor. As a result of respondent's conviction¹ we placed her on interim suspension effective December 21, 2007, and she has remained on interim suspension since that time. As the time period in which to file an appeal has expired, respondent's conviction is now final.

Respondent's conviction is conclusive proof that she committed the crime. (Bus. & Prof. Code, § 6101, subd. (a); *In re Crooks* (1990) 51 Cal.3d 1090, 1097.) The record of conviction

¹ An accepted plea of guilty results in a conviction under the summary disbarment statute. (Bus. & Prof. Code, § 6101, subd. (e).)

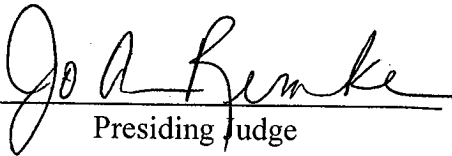


establishes that respondent's conviction meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c), as amended effective January 1, 1997. First, respondent's offense is a felony. (Or. Rev. Stat., § 165.013.) Second, because an element of the offense is the "intent to injure or defraud,"² summary disbarment under section 6102, subdivision (c) is appropriate both because of the element of intent to defraud and because the offense involves moral turpitude. (See *In re Conduct of Sonderen* (1987) 303 Or. 129, 133 ["in order to involve moral turpitude, a crime must require intent and must include as an element fraud . . . [or] harm to a specific victim . . ."]; *In re Prantil* (1989) 48 Cal.3d 227, 234 [the "crime of forgery is a serious one involving moral turpitude"].) When an attorney's conviction meets the requirements of Business and Professions Code, section 6102, subdivision (c), "the attorney is not entitled to a State Bar Court hearing to determine whether lesser discipline is called for." (*In re Paguirigan* (2001) 25 Cal.4th 1, 4-7.) Disbarment is mandatory. (*Id.* at p. 9; see also *In re Lesansky* (2001) 25 Cal.4th 11, 17-18.)

We therefore recommend that respondent, Dawna Scott Andersen, State Bar No. 186874, be summarily disbarred from the practice of law in this state. We also recommend that respondent be ordered to comply with rule 9.20 of the California Rules of Court and to perform the acts specified in paragraphs (a) and (c) of that rule within 30 and 45 days, respectively, after the effective date of the Supreme Court's order. Finally, we recommend that costs be awarded to the State Bar in accordance with Business and Professions Code, section 6086.10, such costs

² An element of the crime of forgery in the first degree under Oregon Revised Statutes, section 165.013 is a violation of Oregon Revised Statutes, section 165.007, which involves acting "with intent to injure or defraud."

being enforceable both as provided in Business and Professions Code, section 6140.7 and as a money judgment.



Presiding Judge

CERTIFICATE OF SERVICE
[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on June 20, 2008, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED JUNE 20, 2008

in a sealed envelope for collection and mailing on that date as follows:


- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

DAWNA S ANDERSEN
14194 SW BARROWS RD #3
TIGARD, OR 97223

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

DANE DAUPHINE, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **June 20, 2008**.



Rosalie Ruiz
Case Administrator
State Bar Court