



FILED
JUN 17 2016 P.B.
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES

In the Matter of)	Case No.: 08-O-14349-WKM
)	(S194352)
RUTH CECILIA ROSE,)	
)	ORDER EXTENDING TIME
Member No. 145887,)	TO PAY COSTS
)	
A Member of the State Bar.)	

This matter is before the court on RUTH CECILIA ROSE’S May 18, 2016, motion for extension of time to pay \$1,267.84 in unpaid discipline costs. On May 24, 2016, the Office of the Chief Trial Counsel of the State Bar of California (OCTC) filed an opposition to Rose’s motion.

Rose filed her motion for extension of time to pay costs in case number 06-O-11744 (S149813). However, no costs are owing in that case number. Rose should have filed her motion in case number 08-O-14349-WKM (S194352) because that is the case in which she still owes \$1,267.84 in costs. Likewise, OCTC incorrectly filed its opposition to Rose’s motion in case number 06-O-11744 (S149813). Because the correct case number is readily identifiable, the court directs its case administrators to file Rose’s motion and OCTC's opposition to that motion in case number 08-O-14349-WKM (S194352), which is the correct case number. (State Bar Ct. Rules of Prac., rule 1112(a)(5).)

As OCTC aptly notes in its opposition, Rose’s motion is not “accompanied by the member’s completed financial statement in the form prescribed by the Court.” Nonetheless, respondent stated in her motion that she is on Social Security and attached to her motion an

original notice from the Inglewood, California office of the Social Security Administration dated October 22, 2015, stating that her monthly Supplemental Security Income Payment is \$800.46 after a reduction of \$88.94 to recover prior overpayments of benefits. The court finds that respondent's unsworn statement and the Social Security Administration's notice establish that respondent is currently receiving financial assistance under the Supplemental Security Income Program (SSI). (Cf. *Mosesian v. State Bar* (1972) 8 Cal.3d 60, 66 ["Once petitioner took the witness stand and was sworn, it was incumbent upon him as a witness, but in particular as a member of the State Bar, to testify in complete candor and never to seek to mislead. Even if he had not been sworn, he would still be held to the same high standards of honesty and candor in his statements to the court"]; *In the Matter of Valinoti* (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 498, 535, fn. 49 [attorneys' unsworn statements to immigration judge considered highly credible in light of, inter alia, their "professional duty to employ means only as are consistent with truth"].)

Section 1 of the court's form Financial Declaration in Support of Motion for Relief From or Extension of Time to Pay Disciplinary Costs requires that the member disclose if he or she is currently receiving financial assistance under, inter alia, SSI. In addition, section 1 instructs that, if the member is currently receiving SSI financial assistance, the member is to sign and date the declaration without completing the remainder of the form. In short, respondent has established sufficient hardship and other good cause to extend the time in which she must pay the remaining unpaid disciplinary costs.

ORDER

The court orders that Ruth Cecilia Rose's May 18, 2016, motion for extension of time to pay discipline costs is GRANTED and that the time in which Ruth Cecilia Rose must pay the \$1,267.84 unpaid balance of the disciplinary costs imposed on her under the Supreme Court's

August 31, 2011, order in *In re Ruth Cecilia Rose on Discipline*, case number S194352 (State Bar Court case number 08-O-14349) is EXTENDED as follows: Ruth Cecilia Rose must pay one-fifth of the \$1,267.84 in unpaid costs with her annual State Bar membership fees for each of the years 2017, 2018, 2019, 2020, and 2021. (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 5.130(B).)

The court further ORDERS that, if Rose fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court under Business and Professions Code section 6086.10, subdivision (c) and the Rules of Procedure of the State Bar, the remaining balance of the costs is due and payable immediately. (Rules Proc. of State Bar, rule 5.134.) The payment of costs remains enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Dated: June 16, 2016



W. KEARSE MCGILL
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. 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 17, 2016, I deposited a true copy of the following document(s):

ORDER EXTENDING TIME TO PAY COSTS

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:

**RUTH C. ROSE
RUTH C ROSE, ESQ
433 N CAMDEN DR STE 600
BEVERLY HILLS, CA 90210**

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

LEE ANN KERN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 17, 2016, 2016.



Paul Barona
Case Administrator
State Bar Court