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State Bar Court of California Hearing Department San Francisco ACTUAL SUSPENSION		
Counsel for the State Bar Carla L. Cheung Senior Trial Counsel 180 Howard Street San Francisco, CA 94105 (415) 538-2291 Bar # 291562	Case Number(s): 16-O-17712-YDR, 17-O-01705, 17-O-02370, 18-O-11144 (inv)	For Court use only <div style="text-align: center;"> FILED JAN 24 2019 <i>ke</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Counsel For Respondent Russel J. Swartz, Esq. Swartz and Jones 1824 West Street Redding, CA 96001 (530) 244-0441 Bar # 64817	PUBLIC MATTER	
In the Matter of: WILLIAM LARRY MEEK Bar # 66824 A Member of the State Bar of California (Respondent)	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **December 23, 1975**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by 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. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **23** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. It is 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. Unless the time for payment of discipline costs is extended pursuant to subdivision (c) of section 6086.10, costs assessed against a member who is actually suspended or disbarred must be paid as a condition of 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. **SELECT ONE** of the costs must be paid with Respondent's membership fees for each of the following 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 set forth in a separate attachment entitled "Partial Waiver of Costs."
- Costs are entirely waived.

B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline:**
- (a) State Bar Court case # of prior case:
- (b) Date prior discipline effective:
- (c) Rules of Professional Conduct/ State Bar Act violations:
- (d) Degree of prior discipline:
- (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3) **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by, misrepresentation.
- (4) **Concealment:** Respondent's misconduct was surrounded by, or followed by, concealment.

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- (5) **Overreaching:** Respondent's misconduct was surrounded by, or followed by, overreaching.
- (6) **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code, or the Rules of Professional Conduct.
- (7) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of Respondent's misconduct.
- (10) **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of Respondent's misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11) **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing. **See page 20.**
- (12) **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13) **Restitution:** Respondent failed to make restitution.
- (14) **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [Standards 1.2(i) & 1.6]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2) **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of Respondent's misconduct or to the State Bar during disciplinary investigations and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of Respondent's misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced Respondent.
- (7) **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.

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- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct, Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by Respondent, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond Respondent's control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in Respondent's personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of Respondent's misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

No Prior Discipline, see page 20.
Pretrial Stipulation, see page 20.

D. Recommended Discipline:

- (1) **Actual Suspension:**

Respondent is suspended from the practice of law for _____, the execution of that suspension is stayed, and Respondent is placed on probation for _____ with the following conditions.

- Respondent must be suspended from the practice of law for the first _____ of the period of Respondent's probation.

- (2) **Actual Suspension "And Until" Rehabilitation:**

Respondent is suspended from the practice of law for **three years**, the execution of that suspension is stayed, and Respondent is placed on probation for **three years** with the following conditions.

- Respondent must be suspended from the practice of law for a minimum of the first **two years** of Respondent's probation and until 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).)

- (3) **Actual Suspension "And Until" Restitution (Single Payee) and Rehabilitation:**

Respondent is suspended from the practice of law for _____, the execution of that suspension is stayed, and Respondent is placed on probation for _____ with the following conditions.

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- Respondent must be suspended from the practice of law for a minimum of the first _____ of Respondent's probation, and Respondent will remain suspended until both of the following requirements are satisfied:
 - a. Respondent makes restitution to _____ in the amount of \$ _____ plus 10 percent interest per year from _____ (or reimburses the Client Security Fund to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
 - 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 (Multiple Payees) and Rehabilitation:**

Respondent is suspended from the practice of law for _____, the execution of that suspension is stayed, and Respondent is placed on probation for _____ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum of the first _____ of Respondent's probation, and Respondent will remain suspended until both of the following requirements are satisfied:
 - a. Respondent must make restitution, including the principal amount plus 10 percent interest per year (and furnish satisfactory proof of such restitution to the Office of Probation), to each of the following payees (or reimburse the Client Security Fund to the extent of any payment from the Fund to such payee in accordance with Business and Professions Code section 6140.5):

<i>Payee</i>	<i>Principal Amount</i>	<i>Interest Accrues From</i>

- 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).)

(5) **Actual Suspension "And Until" Restitution (Single Payee) with Conditional Std. 1.2(c)(1) Requirement:**

Respondent is suspended from the practice of law for _____, the execution of that suspension is stayed, and Respondent is placed on probation for _____ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum for the first _____ of Respondent's probation, and Respondent will remain suspended until the following requirements are satisfied:
 - a. Respondent makes restitution to _____ in the amount of \$ _____ plus 10 percent interest per year from _____ (or reimburses the Client Security Fund to the extent of any payment from the

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Fund to such payee, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and,

- b. If Respondent remains suspended for two years or longer, Respondent must provide 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).)

(6) **Actual Suspension "And Until" Restitution (Multiple Payees) with Conditional Std. 1.2(c)(1) Requirement:**

Respondent is suspended from the practice of law for _____, the execution of that suspension is stayed, and Respondent is placed on probation for _____ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum for the first _____ of Respondent's probation, and Respondent will remain suspended until the following requirements are satisfied:
 - a. Respondent must make restitution, including the principal amount plus 10 percent interest per year (and furnish satisfactory proof of such restitution to the Office of Probation), to each of the following payees (or reimburse the Client Security Fund to the extent of any payment from the Fund to such payee in accordance with Business and Professions Code section 6140.5):

<i>Payee</i>	<i>Principal Amount</i>	<i>Interest Accrues From</i>

- b. If Respondent remains suspended for two years or longer, Respondent must provide 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).)

(7) **Actual Suspension with Credit for Interim Suspension:**

Respondent is suspended from the practice of law for _____, the execution of that suspension is stayed, and Respondent is placed on probation for _____ with the following conditions.

- Respondent is suspended from the practice of law for the first _____ of probation (with credit given for the period of interim suspension which commenced on _____).

E. Additional Conditions of Probation:

- (1) **Review Rules of Professional Conduct:** Within 30 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must (1) read the California Rules of Professional Conduct (Rules of Professional Conduct) and Business and Professions Code sections 6067, 6068, and 6103 through 6126, and (2) provide a declaration, under penalty of perjury, attesting to Respondent's

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compliance with this requirement, to the State Bar's Office of Probation in Los Angeles (Office of Probation) with Respondent's first quarterly report.

- (2) **Comply with State Bar Act, Rules of Professional Conduct, and Probation Conditions:** Respondent must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of Respondent's probation.
- (3) **Maintain Valid Official Membership 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 Attorney Regulation and Consumer Resources Office (ARCR) has Respondent's current office address, email address, and telephone number. If Respondent does not maintain an office, Respondent must provide the mailing address, email address, and telephone number to be used for State Bar purposes. Respondent must report, in writing, any change in the above information to ARCR, within ten (10) days after such change, in the manner required by that office.
- (4) **Meet and Cooperate with Office of Probation:** Within 15 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must schedule a meeting with Respondent's assigned probation case specialist to discuss the terms and conditions of Respondent's discipline and, within 30 days after the effective date of the court's order, must participate in such meeting. Unless otherwise instructed by the Office of Probation, Respondent may meet with the probation case specialist in person or by telephone. During the probation period, Respondent must promptly meet with representatives of the Office of Probation as requested by it and, subject to the assertion of applicable privileges, must fully, promptly, and truthfully answer any inquiries by it and provide to it any other information requested by it.
- (5) **State Bar Court Retains Jurisdiction/Appear Before and Cooperate with State Bar Court:** During Respondent's probation period, the State Bar Court retains jurisdiction over Respondent to address issues concerning compliance with probation conditions. During this period, Respondent must appear before the State Bar Court as required by the court or by the Office of Probation after written notice mailed to Respondent's official membership address, as provided 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.
- (6) **Quarterly and Final Reports:**
 - a. **Deadlines for Reports.** Respondent must submit written quarterly reports to the Office of Probation 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 30 days, that report must be submitted on the next quarter date and cover the extended deadline. In addition to all quarterly reports, Respondent must submit a final report no earlier than ten (10) days before the last day of the probation period and no later than the last day of the probation period.
 - b. **Contents of Reports.** Respondent must answer, under penalty of perjury, all inquiries contained in the quarterly report form provided by the Office of Probation, including stating whether Respondent has complied with the State Bar Act and the Rules of Professional Conduct during the applicable quarter or period. All reports must be: (1) submitted on the form provided by the Office of Probation; (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; and (4) submitted to the Office of Probation on or before each report's due date.
 - c. **Submission of Reports.** All reports must be submitted by: (1) fax or email to the Office of Probation; (2) personal delivery to the Office of Probation; (3) certified mail, return receipt requested, to the Office of Probation (postmarked on or before the due date); or (4) other tracked-service provider, such as Federal Express or United Parcel Service, etc. (physically delivered to such provider on or before the due date).

d. Proof of Compliance. Respondent is directed to maintain proof of Respondent's compliance with the above requirements for each such report for a minimum of one year after either the period of probation or the period of Respondent's actual suspension has ended, whichever is longer. Respondent is required to present such proof upon request by the State Bar, the Office of Probation, or the State Bar Court.

- (7) **State Bar Ethics School:** Within one year after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must submit to the Office of Probation satisfactory evidence of completion of the State Bar 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 this session. If Respondent provides satisfactory evidence of completion of the Ethics School after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (8) **State Bar Ethics School Not Recommended:** It is not recommended that Respondent be ordered to attend the State Bar Ethics School because
- (9) **State Bar Client Trust Accounting School:** Within one year after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must submit to the Office of Probation 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. If Respondent provides satisfactory evidence of completion of the Client Trust Accounting School after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (10) **Minimum Continuing Legal Education (MCLE) Courses – California Legal Ethics [Alternative to State Bar Ethics School for Out-of-State Residents]:** Because Respondent resides outside of California, within _____ after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must either submit to the Office of Probation satisfactory evidence of completion of the State Bar Ethics School and passage of the test given at the end of that session or, in the alternative, complete _____ hours of California Minimum Continuing Legal Education-approved participatory activity in California legal ethics and provide proof of such completion to the Office of Probation. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for this activity. If Respondent provides satisfactory evidence of completion of the Ethics School or the hours of legal education described above, completed after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (11) **Criminal Probation:** Respondent must comply with all probation conditions imposed in the underlying criminal matter and must report such compliance under penalty of perjury in all quarterly and final reports submitted to the Office of Probation 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 criminal probation officer. If the criminal probation was successfully completed during the period covered by a quarterly or final report, that fact must be reported by Respondent in such report and satisfactory evidence of such fact must be provided with it. If, at any time before or during the period of probation, Respondent's criminal probation is revoked, Respondent is sanctioned by the criminal court, or Respondent's status is otherwise changed due to any alleged violation of the criminal probation conditions by Respondent, Respondent must submit the criminal court records regarding any such action with Respondent's next quarterly or final report.
- (12) **Minimum Continuing Legal Education (MCLE):** Within _____ after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must complete _____ hour(s) of California Minimum Continuing Legal Education-approved participatory activity in SELECT ONE _____ and must

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provide proof of such completion to the Office of Probation. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for this activity. If Respondent provides satisfactory evidence of completion of the hours of legal education described above, completed after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.

- (13) **Other:** Respondent must also comply with the following additional conditions of probation:
- (14) **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, subdivisions (a) and (c). 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 Office of Probation, or the State Bar Court.
- (15) **The following conditions are attached hereto and incorporated:**
- Financial Conditions Medical Conditions
- Substance Abuse 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 conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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

- (1) **Multistate Professional Responsibility Examination Within One Year or During Period of Actual Suspension:** Respondent must take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners 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, whichever is longer, and to provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).) If Respondent provides satisfactory evidence of the taking and passage of the above examination after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this requirement.
- (2) **Multistate Professional Responsibility Examination Requirement Not Recommended:** It is not recommended that Respondent be ordered to take and pass the Multistate Professional Responsibility Examination because
- (3) **California Rules of Court, Rule 9.20:** Respondent must comply with the requirements of California Rules of Court, rule 9.20, and 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 imposing discipline in this matter. Failure to do so may result in disbarment or suspension.

For purposes of compliance with rule 9.20(a), 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, not any later "effective" date of the order. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45.) Further, Respondent is required to file a rule 9.20(c) affidavit even if Respondent has no clients to notify on the

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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).)

- (4) **California Rules of Court, Rule 9.20 – Conditional Requirement:** If Respondent remains suspended for 90 days or longer, Respondent must comply with the requirements of California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the effective date of the Supreme Court order imposing discipline in this matter. Failure to do so may result in disbarment or suspension.

For purposes of compliance with rule 9.20(a), 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, not any later "effective" date of the order. (*Atheam v. State Bar* (1982) 32 Cal.3d 38, 45.) Further, 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).)

- (5) **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

- (6) **Other Requirements:** It is further recommended that Respondent be ordered to comply with the following additional requirements:

7. Brown and respondent subsequently attended fee arbitration, and respondent refunded unearned fees as determined by the arbitration award.

Conclusions of Law:

8. By failing to draft a MSA for approximately four months, by failing to draft a MSA in compliance with the parties' agreed-upon terms, and by filing a joinder which went against the parties agreement and improperly included the parties retirement benefit accounts, respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

9. By failing to inform the client that on June 24, 2016, respondent filed a joinder to join the client's retirement benefit provider in the proceedings, contrary to the previous agreement of the parties, respondent failed to keep his client reasonably informed of significant developments in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

10. By failing to respond to Brown's telephonic status inquiries between August 16, 2016, and September 23, 2016, respondent failed to respond promptly to reasonable status inquiries made by his client, that respondent received, in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

Case No. 17-O-01705 (Complainant: Justin Mashaw)

Facts:

11. On May 3, 2015, Justin Mashaw ("Mashaw") hired respondent to represent him in a marriage dissolution proceeding. Mashaw paid respondent \$3,625 in advanced legal fees. On December 29, 2015, respondent informed Mashaw that the matter had concluded, and that he would send Mashaw an accounting of the fees already paid and a refund of any unearned fees.

12. Respondent failed to provide Mashaw with an accounting of fees until November 8, 2016. On that date, respondent sent Mashaw a refund check in the amount of \$1,950. The check was not signed.

13. After several attempts, Mashaw was able to reach respondent by phone in late December 2016. Respondent directed Mashaw to return the check to a PO Box address, and respondent stated he would sign it. Mashaw, who is in the military, and was living in Japan, mailed the check as directed to the PO Box in January 2017. It was returned in early February 2017 as "unclaimed."

14. Thereafter, Mashaw filed a complaint against respondent with the State Bar. On March 9, 2017, April 5, 2017 and April 20, 2017, the State Bar mailed respondent letters inquiring about the allegations in Mashaw's complaint. The State Bar also sent courtesy copies of the letters via email on April 5, 2017, and April 20, 2017. Respondent received the letters, but never responded.

15. Respondent did not provide a valid refund check to Mashaw until early September 2017.

Conclusions of Law:

16. By failing to render an accounting of fees until November 8, 2016, Respondent failed to render an appropriate accounting to his client following the termination of respondent's employment on December 29, 2015, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

17. By failing to remit payment of the \$1,950 in unearned fees to his client until September 2017, respondent failed to promptly refund unearned fees to his client, upon respondent's termination of employment on December 29, 2015, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

18. By failing to provide a substantive response to the State Bar's letters of March 9, 2017, April 5, 2017, and April 20, 2017, that requested Respondent's response to the allegations of misconduct being investigated in case no. 17-O-01705, which respondent received, respondent failed to cooperate and participate in a disciplinary investigation pending against respondent, in willful violation of Business and Professions Code, section 6068(i).

Case No. 17-O-02370 (Complainant: Nadya Randa)

Facts:

19. On June 20, 2016, Nadya Randa ("Randa") hired respondent to represent her in a marriage dissolution proceeding. Randa paid respondent \$3,000 in advanced legal fees.

20. On August 16, 2016, respondent sent opposing counsel's discovery requests to Randa, and asked Randa to provide responsive information.

21. On September 8, 2016, Randa provided respondent with her responses to the discovery requests, which were due September 15, 2016. On September 26, 2016, respondent's assistant informed Randa via email that respondent was out on medical leave, and could not forward the discovery responses to opposing counsel. Respondent's assistant provided Randa with a letter from opposing counsel dated September 19, 2016, stating that respondent had failed to comply with discovery requests, including interrogatories, request for admission of facts, and request for production of documents, and consequently any objections thereto would be deemed waived and requests for admissions of fact would be deemed admitted.

22. Respondent failed to serve the petitioner with a Preliminary Declaration of Disclosure, as required by the California Family Code section 2100 et seq.

23. On September 29, 2016, Randa went to respondent's office, but respondent was not there. Respondent's assistant returned Randa's client file and had Randa sign a release terminating respondent's employment. Respondent's assistant informed Randa that she would receive a final accounting and partial refund of legal fees. Respondent was put on notice of the requirement to provide Randa with an accounting and a refund of unearned fees.

24. In October 1, 2016, Randa retained new counsel, Carmel D'Amato ("D'Amato") represent her in the marriage dissolution.

25. Between January 10, 2017 and March 17, 2017, Randa made six telephonic and two written communications to respondent, requesting a refund of unearned fees. Respondent received the communications, but failed to provide an accounting or a refund.

26. Thereafter, Randa filed a complaint against respondent with the State Bar. On May 9, 2017, and May 30, 2017, the State Bar mailed respondent letters inquiring about the allegations in Randa's complaint. Respondent received the letters, but did not respond.

27. To date, respondent has not provided Randa with an accounting or a refund of unearned fees.

28. On February 20, 2018, the Shasta County Superior Court issued a Judgement in Randa's dissolution matter, which ordered the petitioner to pay Randa \$3125 for the attorney's fees Randa had paid to respondent. The payment to Randa was reflected as a credit in the distribution of property as ordered in the Judgement.

Conclusions of Law:

29. By failing to serve opposing counsel with a Preliminary Declaration of Disclosure and file proof of service with the court, by failing to respond to opposing counsel's discovery requests including interrogatories, request for admission of facts, and request for production of documents, and by failing to perform any work on Randa's matter after August 16, 2016, respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

30. By failing to refund any part of the \$3,000 in unearned fees to his client, respondent failed to promptly refund unearned fees to his client, upon respondent's termination of employment on September 29, 2016, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

31. By failing to provide an accounting of the \$3,000 Randa paid in advanced fees, respondent failed to render an appropriate accounting to his client following the termination of respondent's employment on September 29, 2016, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

32. By failing to provide a substantive response to the State Bar's letters of May 9, 2017, and May 30, 2017, that requested Respondent's response to the allegations of misconduct being investigated in case no. 17-O-02370, which respondent received, respondent failed to cooperate and participate in a disciplinary investigation pending against respondent, in willful violation of Business and Professions Code, section 6068(i).

Case No. 18-O-11144 (inv) (Complainant: Summer Ryan, Shasta County Superior Court)

Procedural History:

33. On September 27, 2017, respondent executed a form tendering his resignation from the State Bar of California with disciplinary charges pending. The form states, "I further agree that, on the filing of this resignation by the Office of the Clerk, State Bar Court, I will be transferred to inactive membership of the State Bar. On such transfer, I acknowledge that I will be ineligible to practice law or to advertise or hold myself out as practicing or as entitled to practice law."

34. Respondent filed the resignation form with the State Bar Court on October 10, 2017. The State Bar Court transferred respondent to inactive membership the same day.

Facts: *Estate of Behnke*, Shasta County Superior Court, Case No. 28448

35. Prior to submitting his resignation, respondent represented a client who was the petitioner and administrator of a probate estate, pending before the Shasta County Superior Court under case no. 28448.

36. On October 10, 2017, the Court filed an Order to Show Cause ("OSC") for respondent's client to explain why he had not met certain statutory deadlines for finalizing the estate or provide a "full and proper estate accounting." The Court ordered respondent and his client to appear for a hearing on the OSC on November 13, 2017, and ordered that a written response to the OSC be filed five days prior to the hearing.

37. Respondent did not inform his client, the Court, or other parties to the action of his inactive status. Thereafter, respondent held himself out as entitled to practice, and practiced law, as follows:

- On October 20, 2017, respondent noticed and filed his client's responsive declaration to the OSC. The form notice was captioned by "William L. Meek, SBN 66824, Attorney and Counselor at Law," and displayed respondent's membership records address and phone number. The notice also stated that respondent was the attorney for the petitioner.
- On November 6, 2017, respondent noticed and filed his client's "Second Amended First and Final Account and Report of Representative, Petition for its Settlement, for Approval of Attorney's Fees and Costs for Ordinary Services; and for Approval of Final Distribution" ("Second Amended Account"). The form notice was captioned by "William L. Meek, SBN 66824, Attorney and Counselor at Law," and displayed respondent's membership records address and phone number. The notice also stated that respondent was the attorney for the petitioner.
- On December 11, 2017, respondent noticed and filed his client's "Third Amended First and Final Account and Report of Representative, Petition for its Settlement, for Approval of Attorney's Fees and Costs for Ordinary Services; and for Approval of Final Distribution" ("Third Amended Account"). The form notice was captioned with respondent's name and membership records address and phone number. The caption stated that respondent was the attorney for the petitioner.

38. The Court's tentative ruling for the November 13, 2017 hearing excused respondent's and his client's appearance at the hearing, but ordered them both to appear at a further hearing on December 18, 2017.

39. Respondent and his client appeared at the December 18, 2017 hearing before Judge Monique D. McKee. Respondent did not inform the Court of his inactive status with the State Bar. The Court found that defects in the Second Amended Account had not been cured by the Third Amended Account, and eventually the Court proposed its own accounting, which respondent and his client agreed to. The Court, still unaware of respondent's ineligibility to practice law, directed respondent to re-notice and file the agreed-upon accounting for a January 29, 2018 hearing.

40. On January 16, 2018, respondent noticed and filed his client's "Fourth Amended First and Final Account and Report of Representative, Petition for its Settlement, for Approval of Attorney's Fees and Costs for Ordinary Services; and for Approval of Final Distribution" ("Fourth Amended Account") as the attorney of record for respondent's client.

41. Thereafter respondent's client learned of respondent's inactive status from respondent's legal assistant, Linda Ginger. On January 18, 2018, respondent's client filed a substitution of counsel, thereafter representing himself in *pro per*.

Conclusions of Law:

42. By drafting and signing the Second Amended Account, by filing his client's responsive declaration to an OSC, by noticing and filing the Second Amended Account, by drafting and signing the Third Amended Account, by noticing and filing the Third Amended Account, by appearing for a hearing, and by noticing and filing the Fourth Amended Account, as the attorney of record in the matter of the *Estate of Behnke*, Shasta County Superior Court case no. 28448, respondent held himself out as entitled to practice law, and actually practiced law, when respondent was not an active member of the State Bar, in violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

43. By drafting and signing the Second Amended Account, by filing his client's responsive declaration to an OSC, by noticing and filing the Second Amended Account, by drafting and signing the Third Amended Account, by noticing and filing the Third Amended Account, by appearing for a hearing, and by noticing and filing the Fourth Amended Account, as the attorney of record in the matter of the *Estate of Behnke*, Shasta County Superior Court case no. 28448, respondent held himself out as entitled to practice law, and actually practiced law, when respondent knew that respondent was not an active member of the State Bar, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

Facts: *Estate of Milenewicz*, Shasta County Superior Court, Case No. 26882

44. Prior to submitting his resignation, respondent represented a client who was the petitioner and administrator of a probate estate, pending before the Shasta County Superior Court under case no. 26882.

45. Respondent did not inform his client, the Court, or other parties to the action of his inactive status. Thereafter, respondent held himself out as entitled to practice, and practiced law, as follows:

- On October 20, 2017, respondent noticed and filed his client's "Fourth Amended First and Final Account and Report of Representative, Petition for its Settlement, for Approval of Attorney's Fees and Costs for Ordinary Services; and for Approval of Final Distribution" ("Fourth Amended Account"). The form notice was captioned by "William L. Meek, SBN 66824, Attorney and Counselor at Law," and displayed respondent's membership records address and phone number. The form also stated that respondent was the attorney for the client.

46. At some point prior to January 4, 2018, respondent's client learned of respondent's inactive status. On January 4, 2018, respondent's client filed a substitution of counsel, thereafter representing himself in *pro per*.

Conclusions of Law:

47. By drafting and signing the Fourth Amended Account, and by noticing and filing the Fourth Amended Account, as the attorney of record in the matter of the *Estate of Milenewicz*, Shasta County Superior Court case no. 26882, respondent held himself out as entitled to practice law, and actually practiced law, when respondent was not an active member of the State Bar, in violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

48. By drafting and signing the Fourth Amended Account, and by noticing and filing the Fourth Amended Account, as the attorney of record in the matter of the *Estate of Milenewicz*, Shasta County Superior Court case no. 26882, respondent held himself out as entitled to practice law, and actually practiced law, when respondent knew that respondent was not an active member of the State Bar, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

Facts: *Pierce v. Pierce*, Shasta County Superior Court, Case No. 183258

49. Prior to submitting his resignation, respondent represented a client who was the petitioner in a marriage dissolution proceeding pending before the Shasta County Superior Court under case no. 183258.

50. Respondent did not inform his client, the Court, opposing counsel or other parties to the action of his inactive status. Thereafter, respondent held himself out as entitled to practice, and practiced law, on November 13, 2017, as follows:

- Respondent filed a "Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)" ("UCCJEA Declaration"). The form UCCJEA Declaration was captioned by "William L. Meek, SBN 66824, Attorney and Counselor at Law," and displayed respondent's membership records address and phone number. The form also stated that respondent was the attorney for the petitioner.

- Respondent filed a “Appearance, Stipulations and Waivers” form, captioned by “William L. Meek, SBN 66824, Attorney and Counselor at Law,” and displayed respondent’s membership records address and phone number. The form also stated that respondent was the attorney for the petitioner.
- Respondent filed a “Stipulation and Waiver of Final Declaration of Disclosure” (“Stipulation and Waiver”). The form Stipulation and Waiver was captioned by “William L. Meek, SBN 66824, Attorney and Counselor at Law,” and displayed respondent’s membership records address and phone number. The form also stated that respondent was the attorney for the petitioner.

51. At some point prior to February 13, 2018, respondent’s client learned of respondent’s inactive status. On February 13, 2018, respondent’s client filed a substitution of counsel, thereafter representing herself in *pro per*.

Conclusions of Law:

52. By filing the UCCJEA Declaration, the “Appearance, Stipulations and Waivers,” and the Stipulation and Waiver, as the attorney of record in the matter of *Pierce v. Pierce*, Shasta County Superior Court case no. 183258, respondent held himself out as entitled to practice law, and actually practiced law, when respondent was not an active member of the State Bar, in violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

53. By filing the UCCJEA Declaration, the “Appearance, Stipulations and Waivers,” and the Stipulation and Waiver, as the attorney of record in the matter of *Pierce v. Pierce*, Shasta County Superior Court case no. 183258, respondent held himself out as entitled to practice law, and actually practiced law, when respondent knew, or was grossly negligent in not knowing, respondent was not an active member of the State Bar, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

Facts: Estate of Chesbro, Shasta County Superior Court, Case No. 29003

54. Prior to submitting his resignation, respondent represented a client who was the petitioner and executor of a probate estate, pending before the Shasta County Superior Court under case no. 29003.

55. Respondent did not inform his client, the Court, or other parties to the action of his inactive status. Thereafter, respondent held himself out as entitled to practice, and practiced law, as follows:

- On December 4, 2017, respondent noticed and filed his client’s “Second Status Report by Executor” (“Second Status Report”) as the attorney of record for respondent’s client.
- On December 7, 2017, respondent filed his client’s “Final Inventory and Appraisal.” The form is captioned by “William L. Meek: SBN 6682410/03/2016 [*sic*], Attorney and Counselor at Law,” and displayed respondent’s membership records address and phone number. The form also stated that respondent was the attorney for “Petitioner” and is signed by respondent.

56. At some point prior to December 30, 2017, respondent's client learned of respondent's inactive status. On December 30, 2017, respondent's client filed a substitution of counsel, thereafter representing herself in *pro per*.

Conclusions of Law:

57. By filing the Second Status Report by Executor, and by filing the Final Inventory and Appraisal, as the attorney of record in the matter of the *Estate of Chesbro*, Shasta County Superior Court case no. 29003, respondent held himself out as entitled to practice law, and actually practiced law, when respondent was not an active member of the State Bar, in violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

58. By filing the Second Status Report by Executor, and by filing the Final Inventory and Appraisal, as the attorney of record in the matter of the *Estate of Chesbro*, Shasta County Superior Court case no. 29003, respondent held himself out as entitled to practice law, and actually practiced law, when respondent knew that respondent was not an active member of the State Bar, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

Facts: Rule 9.20 Declaration

59. As part of the resignation process, respondent was required to comply with California Rule of Court, rule 9.20.

60. On January 16, 2018, respondent filed a declaration pursuant to California Rule of Court, rule 9.20, ("Rule 9.20 Declaration") with the State Bar Court. In the Rule 9.20 Declaration, respondent affirmed the following statements, knowing that the statements were false: "Within 30 days of the effective date of the order of suspension/disbarment/acceptance of resignation ("effective date")...:

- I notified all clients and co-counsel, in matters that were pending on the date upon which the order to comply with rule 9.20 was filed by certified or registered mail, return receipt requested, of my consequent disqualification to act as an attorney after the effective date of the order of suspension/disbarment, and in those cases where I had no co-counsel, I urged the clients to seek legal advice elsewhere, calling attention to any urgency in seeking another attorney.
- I delivered to all clients any papers or other property to which the clients were entitled, or notified clients and co-counsel, if any, of a suitable time and place where the papers or other property could be obtained, and called attention to any urgency for obtaining the papers or other property.
- I notified all opposing counsel or adverse parties not represented by counsel in matters that were pending on the date upon which the order to comply with rule 9.20 was filed by certified or registered mail, return receipt requested, of my disqualification to act as an attorney after the effective date of my suspension, disbarment, or the Supreme Court's acceptance of my resignation, and filed a copy of my notice to opposing counsel/adverse parties with the court, agency or tribunal before which litigation was pending for inclusion in its files.

61. In fact, respondent provided only oral notification of his disqualification to act as an attorney for clients whose cases were pending when respondent became ineligible to practice law.

62. Respondent did not provide notice of his disqualification to act as an attorney to opposing counsel/adverse parties by certified or registered mail, return receipt requested, and did not file a copy of any such notice with the court, agency or tribunal before which litigation was pending.

63. In the matters of *Stanley vs. Zhang*, Shasta County Superior Court Case No. 18036 and *Pierce v. Pierce*, Shasta County Superior Court, Case No. 183258, respondent did not deliver all papers or other property to which respondent's clients were entitled, or notify his clients of a suitable time and place where their papers or other property could be obtained.

Conclusions of Law:

64. By filing a declaration on January 16, 2018, with the State Bar Court, in which respondent declared under penalty of perjury that he had complied with the requirements of rule 9.20, when respondent had not complied and knew that statements in the declaration were false and misleading, respondent thereby intentionally committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

65. By filing a declaration on January 16, 2018, with the State Bar Court, in which respondent declared under penalty of perjury that he had complied with the requirements of rule 9.20, when respondent had not complied and knew that statements in the declaration were false, respondent thereby sought to mislead the judge or judicial officer by an artifice or false statement of fact or law, in willful violation of Business and Professions Code, section 6068(d).

AGGRAVATING CIRCUMSTANCES.

Multiple Acts of Wrongdoing (Std. 1.5(b)): Respondent committed 21 acts of misconduct in seven client matters, which constitute multiple acts of wrongdoing.

MITIGATING CIRCUMSTANCES.

No Prior Discipline: Respondent was admitted to the State Bar on December 23, 1975. Respondent has remained eligible to practice and without discipline since then. Although respondent's misconduct is serious, he is entitled to mitigation for having practiced law for approximately 40 years without discipline. (*In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 49.)

Pretrial Stipulation: By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney's stipulation to facts and culpability was held to be a mitigating circumstance].)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct “set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances.” (Rules Proc. of State Bar, tit. IV, Standards for Attorney Sanctions for Prof. Misconduct, Standard 1.1. All further references to Standards are to this source.) The standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See Standard 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the Standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the Standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a Standard, an explanation must be given as to how the recommendation was reached. (Standard 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Standard 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given Standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member’s willingness and ability to conform to ethical responsibilities in the future. (Standard 1.7(b) and (c).)

Standard 1.7(a) requires that where a respondent “commits two or more acts of misconduct and the Standard specify different sanctions for each act, the most severe sanction must be imposed.” Applying Standard 1.7(a), the most severe sanction applicable to respondent’s misconduct is found in Standard 2.11, which applied to respondent’s misrepresentations.

Standard 2.11 provides: “Disbarment or actual suspension is the presumed sanction for an act of moral turpitude, dishonesty, fraud, corruption, intentional or grossly negligent misrepresentation, or concealment of a material fact. The degree of sanction depends on the magnitude of the misconduct; the extent to which the misconduct harmed or misled the victim, which may include the adjudicator; the impact on the administration of justice, if any; and the extent to which the misconduct related to the member’s practice of law.”

Here, respondent committed numerous acts of misconduct directly related to the practice of law, including failing to perform legal services competently, failing to communicate, and failing to return unearned fees. Respondent was involuntarily enrolled inactive because he tendered his resignation with charges pending. Respondent was aware that he was ineligible to practice, and he thereafter knowingly engaged in the unauthorized practice of law. In aggravation, respondent committed multiple acts of misconduct. In mitigation, respondent has no prior record of discipline and is accepting responsibility for his misconduct by entering into a pretrial stipulation. In light of the serious nature of respondent’s misconduct, under the Standards, a long period of actual suspension is warranted.

Case law is instructive. In *In the Matter of Wells* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 896, the Court recommended that an attorney, who engaged in the unauthorized practice of law in South Carolina in two client matters for over one year, be actually suspended for six months, and until restitution was paid. In *Wells*, the court did not find that the unauthorized practice of law constituted moral turpitude, because Wells told her clients that she was admitted to practice law in California and could be admitted *pro hac vice* in their matters. However, the Court did find that Wells had committed two acts of moral turpitude for dishonest statements made to a State Bar investigator and to a South Carolina deputy solicitor who were both investigating her conduct. In aggravation, Wells had one prior record of discipline (a private reproof), and the Court found multiple acts of wrongdoing, significant harm to her clients, the public and the administration of justice, and indifference towards the consequences of her misconduct. In mitigation, the Court found the attorney suffered from extreme emotional distress, had good character and had demonstrated cooperation by entering into a stipulation.

Respondent's misconduct is more egregious than in *Wells* because he committed multiple acts of misconduct in seven client matters. Therefore, a higher level of discipline is warranted.

On balance, an actual suspension of two years, and until respondent can demonstrate his rehabilitation and fitness to practice pursuant to Standard 1.2(c)(1), will serve the purpose of attorney discipline.

COSTS OF DISCIPLINARY PROCEEDINGS.


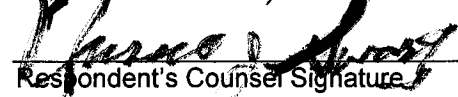
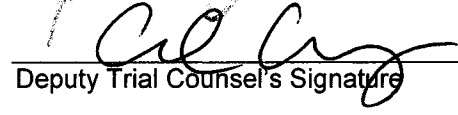
Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of December 13, 2018, the discipline costs in this matter are \$10,871. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(Do not write above this line.)

In the Matter of: William Larry Meek	Case Number(s): 16-O-17712-YDR, 17-O-01705, 17-O-02370, 18-O-11144 (inv)
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SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

12/17/18		William L. Meek
Date	Respondent's Signature	Print Name
12/27/18		Russell J. Swartz
Date	Respondent's Counsel Signature	Print Name
1/2/19		Carla L. Cheung
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of: William Larry Meek	Case Number(s): 16-O-17712-YDR, 17-O-01705, 17-O-02370, 18-O-11144 (inv)
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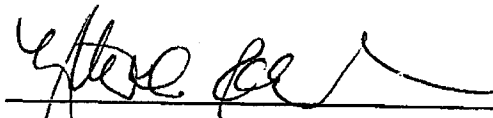
ACTUAL SUSPENSION ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See Rules Proc. of State Bar, rule 5.58(E) & (F).) The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after the filed date of the Supreme Court order. (See Cal. Rules of Court, rule 9.18(a).)

January 23, 2019
Date



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 Court Specialist 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 January 24, 2019, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

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

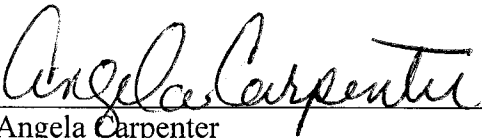
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

RUSSELL J. SWARTZ
SWARTZ AND JONES
1824 WEST ST
REDDING, CA 96001

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

Carla L. Cheung, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 24, 2019.



Angela Carpenter
Court Specialist
State Bar Court