

<p><b>Counsel for the State Bar</b></p> <p>THE STATE BAR OF CALIFORNIA                  OFFICE OF THE CHIEF TRIAL COUNSEL                  TIMOTHY G. BYER No. 172472                  1149 South Hill Street, 10th Floor                  Los Angeles, California 90015-2299                  Telephone: (213) 765-1325</p>	<p><b>Case number(s)</b></p> <p>03-O-03262</p> <p>kwiktag® 031 974 646</p> 	<p>(for Court's use)</p> <p><b>FILED</b></p> <p>MAR 24 2004 <i>sc</i></p> <p>STATE BAR COURT                  CLERK'S OFFICE</p>
<p><b>Counsel for Respondent</b></p> <p>Patsy Hopkins Moore                  In Propria Persona</p>	<p><b>PUBLIC MATTER</b></p> <p>Submitted to <input checked="" type="checkbox"/> assigned judge <input type="checkbox"/> settlement judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>REPROVAL <input type="checkbox"/> PRIVATE <input checked="" type="checkbox"/> PUBLIC</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p><b>In the Matter of</b></p> <p>Patsy Hopkins Moore</p> <p>Bar # 193933</p> <p>A Member of the State Bar of California                  (Respondent)</p>		

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted December 29, 1997  
 (date)
- (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 and order consist of 8 pages.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."
- (6) 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.
- (7) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):

- costs added to membership fee for calendar year following effective date of discipline (public reproval)
- case ineligible for costs (private reproval)
- costs to be paid in equal amounts for the following membership years:  
2005, 2006, 2007  
 (hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
- costs waived in part as set forth under "Partial Waiver of Costs"
- costs entirely waived

Note: All information required by this form and any additional information which cannot be provided in the space provided, shall be set forth in the text component of this stipulation under specific headings, i.e. "Facts," "Dismissals," "Conclusions of Law."

(8) The parties understand that:

- (a) A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
- (b) A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
- (c) A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

(1)  Prior record of discipline [see standard 1.2(f)]

(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 or under "Prior Discipline".

(2)  Dishonesty: Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.

(3)  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.

(4)  Harm: Respondent's misconduct harmed significantly a client, the public or the administration of justice.

- (5)  Indifference: Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6)  Lack of Cooperation: Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7)  Multiple/Pattern of Misconduct: Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8)  No aggravating circumstances are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standard 1.2(e)]. 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 deemed serious.
- (2)  No Harm: Respondent did not harm the client or person who was the object of the misconduct.
- (3)  Candor/Cooperation: Respondent displayed spontaneous candor and cooperation to the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4)  Remorse: Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her 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 him/her.
- (7)  Good Faith: Respondent acted in good faith.
- (8)  Emotional/Physical Difficulties: At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical 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 the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (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 his/her control and which were directly responsible for the misconduct.
- (10)  Family Problems: At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11)  Good Character: Respondent's 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 his/her 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:

D. Discipline:

(1)  Private reproof (check applicable conditions, if any, below)

(a)  Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).

(b)  Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

(2)  Public reproof (check applicable conditions, if any, below)

E. Conditions Attached to Reproval:

(1)  Respondent shall comply with the conditions attached to the reproof for a period of ONE YEAR

(2)  During the condition period attached to the reproof, Respondent shall comply with the provisions of the State Bar Act and Rules of Professional Conduct.

(3)  Within ten (10) days of any change, Respondent shall report to the Membership Records Office and to the Probation Unit, all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

(4)  Respondent shall submit written quarterly reports to the Probation Unit on each January 10, April 10, July 10, and October 10 of the condition period attached to the reproof. Under penalty of perjury, respondent shall state whether respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of the reproof during the preceding calendar quarter. If the first report would cover less than thirty (30) days, that report shall be submitted on the next following quarter date and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the condition period and no later than the last day of the condition period.

Respondent shall submit a final report stating whether respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of the reproof no earlier than twenty (20) days before the last day of the condition period and no later than the last day of the condition period.

- (5)  Respondent shall be assigned a probation monitor. Respondent shall promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, respondent shall furnish such reports as may be requested, in addition to quarterly reports required to be submitted to the Probation Unit. Respondent shall cooperate fully with the monitor.
- (6)  Subject to assertion of applicable privileges, Respondent shall answer fully, promptly and truthfully any inquiries of the Probation Unit of the Office of the Chief Trial Counsel and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the conditions attached to the reproof.
- (7)  Within one (1) year of the effective date of the discipline herein, respondent shall provide to the Probation Unit satisfactory proof of attendance of the Ethics School and passage of the test given at the end of that session.
- No Ethics School ordered.
- (8)  Respondent shall comply with all conditions of probation imposed in the underlying criminal matter and shall so declare under penalty of perjury in conjunction with any quarterly report required to be filed with the Probation Unit.
- (9)  Respondent shall provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Probation Unit of the Office of the Chief Trial Counsel within one year of the effective date of the reproof.
- No MPRE ordered.
- (10)  The following conditions are attached hereto and incorporated:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input type="checkbox"/> Financial Conditions             |
- (11)  Other conditions negotiated by the parties:  
"PLEASE SEE ATTACHMENT RE: FACTS, CONCLUSIONS OF LAW AND DISPOSITION."

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF PATSY HOPKINS MOORE

STATE BAR CASE NO: 03-O-03262

**FACTS AND CONCLUSIONS OF LAW**

On or about March 29, 2002, Lewis B. Adams ("Adams") employed Respondent to represent him in an employment discrimination and wrongful termination action against Metropolitan State Hospital Police Department ("Hospital"). On that same date, Adams paid Respondent \$2,500 in advanced fees for Respondent's services. On or about March 29, 2002, Respondent informed Adams that Respondent would be sending a demand letter to Hospital and filing a civil action against Hospital in Orange County, California. Respondent never filed a lawsuit on Adams's behalf.

Following the meeting on or about March 29, 2002, at which Adams employed Respondent to represent him, Respondent had no further subsequent communication with Adams. On or about August 17, 2002, Adams sent correspondence to Respondent at Respondent's membership records address, requesting Respondent to provide him with an update as to the status of the case. Adams's letter to Respondent was not returned to Adams as undeliverable. Respondent failed to respond.

On or about July 10, 2003, Adams sent correspondence (hereinafter "Perform or Quit Letter") to Respondent at the same business address to which Adams had sent the August 17, 2002 correspondence. In the Perform or Quit Letter, Adams again requested that Respondent provide him with an update as to the status of the case, and requested that if Respondent was no longer performing, that Respondent return his file and refund unearned fees. The Perform or Quit Letter from Adams to Respondent was returned to Adams as undeliverable by the United States Postal Service, with a label indicating that Respondent had a forwarding address but that the period for forward of mail to that address by the Postal Service had expired. Adams then resent the Perform or Quit Letter to Respondent at the forwarding address indicated on the Postal Service label. This mailing was not returned to Adams as undeliverable to Respondent. Respondent failed to respond. Respondent failed to perform any services for which Adams employed her, or to return Adams's file to him, after Adams sent the Perform or Quit Letter. Respondent failed to perform any services for which Adams employed her, or to refund unearned fees to Adams, after Adams sent the Perform or Quit Letter.

In or about December, 2002, Respondent moved her law practice from an address in Irvine, California, to an address in Newport Beach, California, without informing Adams of the change in address.

On or about July 30, 2003, Adams wrote a letter to the State Bar of California in which he alleged misconduct by Respondent. On or about August 25, 2003, an investigator from the State Bar of California sent a letter to Respondent at Respondent's membership records address, requesting a response to Adams's

allegations by September 8, 2003. The letter to Respondent was not returned to the State Bar as undeliverable to Respondent. Respondent failed to respond.

By failing to file a lawsuit on Adams's behalf, Respondent intentionally, recklessly, or repeatedly failed to perform the legal services for which she was employed, in willful violation of Rules of Professional Conduct, rule 3-110(A). By failing to respond to Adams's correspondence, Respondent failed to respond promptly to reasonable status inquiries of a client, in willful violation of Business and Professions Code, section 6068(m). By failing to either perform or to return Adams's file after receiving the Perform or Quit Letter, as requested by Adams in his Perform or Quit Letter, Respondent failed to promptly release to the client, at the request of the client, all the client papers and property, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1). By changing the address of her legal practice without informing Adams, Respondent willfully failed to keep her client reasonably informed about significant developments relating to the employment or representation, in willful violation of Business and Professions Code, section 6068(m). By failing to either perform or to refund unearned fees after receiving the Perform or Quit Letter, as requested by Adams in his Perform or Quit Letter, Respondent failed to promptly refund any part of a fee paid in advance that has not been earned, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2). By failing to respond to the letter from the State Bar investigator, Respondent failed to cooperate and participate in a disciplinary investigation pending against herself, in willful violation of Business and Professions Code, section 6068(i).

#### **PENDING PROCEEDINGS**

The disclosure date referred to on page one, paragraph A.(6) was March 1, 2004.

#### **FINANCIAL CONDITIONS: RESTITUTION**

Respondent shall pay at least \$250.00 per month to Lewis Adams until the principal sum of \$2,500.00 is paid, with interest accruing at 10 % per annum from March 29, 2002, in restitution pursuant to this stipulation. Respondent shall provide proof of these with each quarterly report due pursuant to this stipulation.

Date 3/17/04

Patsy Hopkins Moore  
Respondent's signature

Patsy Hopkins Moore  
print name

Date \_\_\_\_\_

Respondent's Counsel's signature \_\_\_\_\_

print name \_\_\_\_\_

Date 3/17/04

Timothy G. Byer  
Deputy Trial Counsel's signature

Timothy G. Byer  
print name

### ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproval, 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 REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.

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 rule 135(b), Rules of Procedure.) Otherwise the stipulation shall be effective 15 days after service of this order.

Failure to comply with any conditions attached to this reproval may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

Date 3/22/04

[Signature]  
Judge of the State Bar Court

1 **DECLARATION OF SERVICE BY REGULAR MAIL**

2 **CASE NUMBER: 03-O-03262**

3 I, the undersigned, over the age of eighteen (18) years, whose business address and place  
4 of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California  
5 90015, declare that I am not a party to the within action; that I am readily familiar with the State  
6 Bar of California's practice for collection and processing of correspondence for mailing with the  
7 United States Postal Service; that in the ordinary course of the State Bar of California's practice,  
8 correspondence collected and processed by the State Bar of California would be deposited with  
9 the United States Postal Service that same day; that I am aware that on motion of party served,  
10 service is presumed invalid if postal cancellation date or postage meter date on the envelope or  
11 package is more than one day after date of deposit for mailing contained in the affidavit; and that  
12 in accordance with the practice of the State Bar of California for collection and processing of  
13 mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on  
14 the date shown below, a true copy of the within

15 **STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSTION AND  
16 ORDER APPROVING**

17 in a sealed envelope placed for collection and mailing at Los Angeles, on the date shown below,  
18 addressed to:

19  
20 **Patsy V. Moore**  
21 **420 Exchange #270**  
22 **Irvine, CA 92602**

23 in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

24 **N/A**

25 I declare under penalty of perjury under the laws of the State of California that the  
26 foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

27 DATED: March 18, 2004

28 SIGNED: 

**Lupe Pacheco-Granados**  
**Declarant**

**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 March 24, 2004, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION  
AND ORDER APPROVING PUBLIC REPROVAL, filed March 24, 2004**

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

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

**PATSY HOPKINS MOORE  
12811 ½ PACIFIC AVE  
LOS ANGELES, CA 90066**

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

**TIMOTHY G. BYER, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **March 24, 2004.**



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**Tammy R. Cleaver**  
Case Administrator  
State Bar Court

**\*\* AMENDED 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 May 3, 2004, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION  
AND ORDER APPROVING PUBLIC REPROVAL, filed March 24, 2004**

**\*\* Amended Certificate of Service to serve correct membership records address**

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

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

**PATSY HOPKINS MOORE  
420 EXCHANGE #270  
IRVINE CA 92602**

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

**TIMOTHY G. BYER, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 3, 2004.



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**Tammy R. Cleaver**  
Case Administrator  
State Bar Court