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**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – SAN FRANCISCO**

In the Matter of)	Case Nos. 04-C-10238-PEM ; 04-C-10513;
)	05-C-02624; 06-O-12003
JAMES PAUL SWANSEEN,)	(06-O-13269) (Cons.)
)	
Bar No. 159918,)	
)	
A Member of the State Bar.)	ORDER GRANTING PARTIAL RELIEF
)	FROM COSTS AND EXTENDING TIME
)	TO PAY COSTS

TO ALL PARTIES AND COUNSEL IN THE ABOVE ENTITLED MATTER:

On August 25, 2010, **James Paul Swanssen** (Swanssen) filed a Motion for Relief From or Extension of Time to Pay Disciplinary Costs. (Rules Proc. of State Bar, rule 282.) Swanssen also submitted a financial statement in support of his motion. (Rules Proc. of State Bar, rule 282(b)(2).) Specifically, Swanssen is seeking to be relieved from payment of costs assessed against him by the Supreme Court in its September 6, 2007 order in case No. S154333 (State Bar Court case No. 04-C-10238-PEM, et al.), as modified by this court's July 13, 2009 Modified Order Extending Time to Pay Costs, on grounds of financial hardship or in the alterative, is seeking an extension of time to pay the disciplinary costs. (See Swanssen's Financial Declaration in Support of Motion for Relief From or Extension of Time to Pay Disciplinary Costs.)



On September 24, 2010, the Office of the Chief Trial Counsel of the State Bar of California (State Bar) filed a notice of motion and motion for late filing. The court, finding good cause, **GRANTS** the State Bar's motion for late filing. On September 24, 2010, the State Bar also filed its response to Swanseen's motion. The State Bar, taking account of the fact that Swanseen is currently receiving financial assistance through the Food Stamps Program stated its non-opposition to allowing Swanseen an extension of five years for payment of the costs.

After carefully considering all issues and evidence set forth in Swanseen's motion and the State Bar's response thereto, the court issues the following ORDER:

ORDER

1. James Paul Swanseen has established sufficient financial hardship for this court to GRANT his motion for relief from the order assessing disciplinary costs to the extent that 25 per cent of the disciplinary costs assessed against him under Supreme Court order No. S154333 are waived (State Bar Court case Nos. 04-C-10238-PEM; 04-C-10513; 05-C-02624; 06-O-12003 (06-O-13269)); and

2. In view of his financial hardship and good cause appearing, James Paul Swanseen's request for extension of time to pay disciplinary costs is GRANTED. James Paul Swanseen must pay the remaining 75 per cent of the assessed disciplinary costs in five equal installments commencing with the 2011 billing cycle. In accordance with Business and Professions Code section 6086.10, one-fifth of the costs must be paid with petitioner's membership fees for the years 2011, 2012, 2013, 2014, and 2015. It is further ordered that if petitioner fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California. (Rules Proc. of State Bar, rule 286.)

The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

IT IS SO ORDERED.

Dated: September 27, 2010



PAT McELROY
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; 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 San Francisco, on September 28, 2010 I deposited a true copy of the following document(s):

ORDER GRANTING PARTIAL RELIEF FROM COSTS AND 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 San Francisco, California, addressed as follows:

JAMES P. SWANSEEN
TRIAL LAWYER
19 ANCHORAGE CT
SAN RAFAEL, CA 94903

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

MARK HARTMAN , Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on September 28, 2010.



Lauretta Cramer
Case Administrator
State Bar Court