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STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of

JULIE L. WOLFF,

Member No. 142531,

A Member of the State Bar.

Case No. 04-O-15655-PEM

**ORDER RE CLARIFICATION AND
ORDER DENYING MOTION FOR
RECONSIDERATION**

On March 15, 2007, the Office of the Chief Trial Counsel of the State Bar of California (State Bar) filed a request for clarification of the court's February 27, 2007 decision filed in this matter and also filed a motion for reconsideration regarding that decision. Respondent Julie L. Wolff (respondent) failed to file a response to the State Bar's clarification/reconsideration motion.

The State Bar seeks clarification as to whether the court intended the discipline recommended in its February 27, 2007 decision to run concurrently with the discipline imposed in a prior matter (case No. 00-O-13294) or to run consecutively to that of the prior case. In its February 27, 2006 decision, the court recommended that respondent be actually suspended from the practice of law for six months for her failure to return one client file and her failure to respond to three phone messages from her client, which had been left for respondent by the client between October 18 and 21, 2004, as well as respondent's failure to respond to that same client's October 28, 2004 letter. The court also recommended, among other things, that respondent be placed on probation for two years with conditions. As the February 27, 2007 decision did not explicitly state that the actual six-month suspension would run consecutive to that of the discipline in the prior matter, the recommended discipline is to be concurrent with that imposed in case No. 00-O-13294.

Since the purpose of disciplinary proceedings is not to punish the attorney, but to protect the public, to preserve public confidence in the profession and to maintain the highest possible

professional standards for attorneys (*Chadwick v. State Bar* (1989) 49 Cal.3d 103,111; *Cooper v. State Bar* (1987) 43 Cal.3d 1016,1025, std.1.3), the discipline recommended in the instant matter serves the purpose of disciplinary proceedings. Moreover, “[a]s the final and independent arbiter of attorney discipline, [the court is] permitted to temper the letter of the law with considerations peculiar to the offense and the offender.” (*Howard v. State Bar* (1990) 51 Cal.3d 215, 221-222.)

The State Bar also asks the court to reconsider its decision and recommend that respondent comply with rule 9.20 of the California Rules of Court. The State Bar specifically requests “the decision in the instant case be amended to explicitly require the respondent to comply with rule of court 9.20.” However, the court need not reconsider its decision as the court did explicitly state on the last page of its decision the following:

It is also recommended that the Supreme Court order respondent to comply with rule 9.20, paragraphs (a) and (c) of the California Rules of Court, within 30 and 40 days, respectively, of the effective date of its order imposing discipline in this matter. **Wilful failure to comply with the provisions of rule 9.20 may result in revocation of probation, suspension, disbarment, denial of reinstatement, conviction of contempt, or criminal conviction.**

Accordingly, after reviewing and considering the matter, the court denies the State Bar’s request for reconsideration, as no error of law was made in the discipline recommendation in that the State Bar’s requested amendment to the court’s recommendation would be duplicative of the recommendation already included in this court’s February 27, 2007 decision.

IT IS SO ORDERED.

Dated: April 3, 2007


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 April 3, 2007, I deposited a true copy of the following document(s):

ORDER RE CLARIFICATION AND ORDER DENYING MOTION FOR RECONSIDERATION

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:

**JULIE L. WOLFF
LAW OFC JULIE LYNN WOLFF
777 CAMPUS COMMONS RD #200
SACRAMENTO, CA 95825**

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

MANUEL JIMENEZ, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 3, 2007.



Bernadette C. O. Molina
Case Administrator
State Bar Court