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State Bar Court of California

Hearing Department ☒ Los Angeles ☐ San Francisco

Counsel for the State Bar	Case number(s)	(for Court's use)
KRISTIN L. RITSEMA 1149 SOUTH HILL STREET LOS ANGELES, CA 90015 (213) 765- 1235 Bar # 149966	05-H-00454 PUBLIC MATTER	FILED DEC 01 2005 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
☐ Counsel for Respondent ☒ In Pro Per. Respondent RONALD JEFFREY ISLES 307 E. CHAPMAN AVE. ORANGE, CA 92866 Bar # 176096		
In the Matter of RONALD JEFFREY ISLES Bar # 176096 A Member of the State Bar of California (Respondent)	Submitted to ☐ assigned judge ☐ settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING STAYED SUSPENSION; NO ACTUAL SUSPENSION ☐ 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 April 20, 1995 (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 14 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) 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.

(Do not write above this line.)

(8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):

(a) ☒ costs added to membership fee for calendar year following effective date of discipline

(b) ☐ costs to be paid in equal amounts prior to February 1 for the following membership years:

_____

(hardship, special circumstances or other good cause per rule 282, Rules of Procedure)

(c) ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"

(d) ☐ costs entirely waived

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 03-O-00096

(b) ☒ Date prior discipline effective May 6, 2003

(c) ☒ Rules of Professional Conduct/ State Bar Act violations: Business and Professions Code sections 6068(a), 6125(a) and 6126.

(d) ☒ Degree of prior discipline Public Reproval.

(e) ☐ If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "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.

(Do not write above this line.)

(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 ~~with 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) ☐ **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.

(Do not write above this line.)

(10) ☐ **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.

(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. ☒ *Stayed Suspension.*

   (a) ☒ Respondent must be suspended from the practice of law for a period of one (1) year

   i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.

   ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this Stipulation.

   iii. ☐ and until Respondent does the following: _____

   The above-referenced suspension is stayed.

2. ☒ Probation.

   Respondent is placed on probation for a period of two (2) years, which will commence upon the effective date of the Supreme Court order herein. (See rule 953, California Rules of Court.)

(Do not write above this line.)

E. Additional Conditions of Probation:

(1) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

(2) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), 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.

(3) ☒ Within 30 days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

(4) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, respondent must state whether respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state in each report whether there are any proceedings pending against him or her in the State Bar Court and, if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next 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 period of probation and no later than the last day of probation.

(5) ☐ Respondent must be assigned a probation monitor. Respondent must 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 must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

(6) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation 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 probation conditions.

(7) ☐ Within one (1) year of the effective date of the discipline herein, respondent must provide to the Office of Probation satisfactory proof of attendance at a session of State Bar Ethics School, and passage of the test given at the end of that session.

☒ No Ethics School recommended. Reason: Respondent completed Ethics School on April 14, 2005.

(8) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.

(9) ☐ The following conditions are attached hereto and incorporated:

☐ Substance Abuse Conditions ☐ Law Office Management Conditions

☐ Medical Conditions ☐ Financial Conditions

(Do not write above this line.)

F. Other Conditions Negotiated by the Parties:

(1) ☒ Multistate Professional Responsibility Examination: Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 951(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.

☐ No MPRE recommended. Reason: _____

(2) ☐ Other Conditions:

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: RONALD JEFFREY ISLES

CASE NUMBER(S): 05-H-00454

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

COUNT ONE
Case No. 05-H-00454
Rule 1-110 of the Rules of Professional Conduct
[Failure to Comply with Conditions of Reproval]

1. Respondent wilfully violated rule 1-110 of the Rules of Professional Conduct, by failing to comply with the conditions attached to a reproval administered by the State Bar, as follows:

2. On or about March 28, 2003, Respondent entered into a Stipulation Re Facts, Conclusions of Law and Disposition ("Stipulation") with the State Bar of California in case number 03-O-00096.

3. On or about April 14, 2003, the Hearing Department of the State Bar Court filed an order approving the Stipulation and imposing the public reproval with conditions set forth in the Stipulation (the "reproval order").

4. On or about April 14, 2003, the reproval order was properly served by mail upon Respondent.

5. Pursuant to the April 14, 2003 reproval order, Respondent was ordered to comply with the following condition, among others:

a. to provide to the Office of Probation within one year of the effective date of the reproval satisfactory proof of attendance at State Bar Ethics School and passage of the test given at the end of the session; and

b. to provide to the Office of Probation within one year of the effective date of the reproval satisfactory proof of attendance at State Bar Client Trust Accounting School and passage of the test given at the end of the session.

6. The April 14, 1003 reproval order became effective on May 4, 2003.

7. On or about May 2, 2003, Probation Deputy Yolanda Acosta ("Ms. Acosta") of the Office of Probation of the State Bar of California wrote a letter to Respondent in which she reminded Respondent of the terms and conditions of his reproval imposed pursuant to the April 14, 2003 reproval order. In the May 2, 2003 letter, Ms. Acosta specifically advised Respondent regarding his obligation to provide proof of completion of State Bar Ethics School and State Bar Client Trust Accounting School by May 4, 2004. Enclosed with the May 2, 2003 letter to Respondent were, among other things, copies of the relevant portion of the Stipulation setting forth the conditions of Respondent's reproval, an information sheet regarding Ethics School and Client Trust Accounting School, an enrollment application for Ethics School and Client Trust Accounting School, and a schedule for Ethics School and Client Trust Accounting School.

8. Ms. Acosta's May 2, 2003 letter to Respondent was mailed on or about May 2, 2003 via the United States Postal Service, first class postage prepaid, in a sealed envelope addressed to

Respondent at his official State Bar membership records address. The May 2, 2003 letter was not returned as undeliverable or for any other reason by the United States Postal Service.

9. Respondent received the May 2, 2003 letter from Ms. Acosta.

10. Respondent failed to timely complete State Bar Ethics School and provide proof of same to the Office of Probation, which was to have been completed by May 4, 2004.

11. Respondent failed to timely complete State Bar Client Trust Accounting School and provide proof of same to the Office of Probation, which was to have been completed by May 4, 2004.

12. Respondent belatedly completed State Bar Ethics School on April 14, 2005.

13. Respondent belatedly completed State Bar Client Trust Accounting School on June 10, 2005.

14. By failing to timely complete State Bar Ethics School and State Bar Client Trust Accounting School and provide proof of same to the Office of Probation, Respondent failed to comply with the terms and conditions of the April 14, 2003 reproval order.

15. By failing to comply with the terms and conditions of the reproval order, Respondent wilfully violated rule 1-110 of the Rules of Professional Conduct.

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(7), was October 28, 2005.

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AUTHORITIES SUPPORTING DISCIPLINE.

A. The Standards

Standard 1.3 provides that the primary purposes of disciplinary proceedings and imposing sanctions for professional misconduct are "the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys; and the preservation of public confidence in the legal profession."

Standard 1.6(a) provides that the appropriate sanction for an act of professional misconduct shall be the sanction set forth in the standards for the particular misconduct found.

Standard 2.9 provides that culpability of a member of wilfully failing to comply with the terms and conditions of a reproval shall result in suspension.

Standard 1.7(a) provides that if a member is found culpable of misconduct and has a prior record of one imposition of discipline, the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior was remote in time and the offense for which it was imposed was so minimal that it would be manifestly unjust to impose greater discipline in the current proceeding.

The Supreme Court gives the Standards "great weight," and will reject a recommendation consistent with the Standards only where the Court entertains "grave doubts"as to its propriety. (*In re Naney* (1990) 51 Cal. 3d 186, 190; *In re Silverton* (2005) 36 Cal. 4th 81, 91, 92.) Further, although the Standards are not mandatory, it is well established that the Standards may be deviated from only when there is a compelling, well-defined reason to do so. See *Aronin v. State Bar* (1990) 52 Cal. 3d 276, 291; *Bates v. State Bar* (1990) 52 Cal. 3d 1056, 1060, fn. 2.

B. The Case Law

A reproval violation similar to the current case (though procedurally different) is *Conroy v. State Bar* (1990) 51 Cal. 3d 799, 274 Cal. Rptr. 692. In *Conroy*, the underlying discipline was a private reproval with conditions, one of which was that respondent was required to take and pass the Professional Responsibility Examination (hereinafter "PRE") within one year of the effective date of the reproval, or on or before December 30, 1987. The respondent failed to timely take and pass the PRE. However, he did tardily take and pass the PRE in March 1988, before the State Bar filed the reproval violation proceeding. In *Conroy*, the respondent defaulted at the Hearing Department level and was found culpable of wilful violation of rule 9-101 of the former Rules of Professional Conduct, the precursor to rule 1-110 of the Rules of Professional Conduct.

The Supreme Court in *Conroy* deemed the belated passage of the PRE to be an "extenuating factor," but not "significant mitigation." In aggravation, the Court found that the respondent had the one prior private reproval, that by defaulting the respondent failed to appreciate the seriousness of the charges and the importance of participating in the State Bar proceedings, and that by suggesting on review that his misconduct was a mere technical lapse, he had failed to show remorse for his misconduct. On balance, the Supreme Court concluded that aggravating circumstances significantly outweighed mitigating circumstances and imposed a one year suspension from practice, stayed, with a one year period of probation on terms and conditions including a sixty-day actual suspension.

The respondent in *Conroy* violated only a single condition of his reproval, while Respondent violated two conditions. Like the respondent in *Conroy*, Respondent has only one prior imposition of discipline, though his was a public reproval rather than a private reproval as in *Conroy*. In addition, like the respondent in *Conroy*, Respondent belatedly brought himself current with the conditions of his reproval by completing Ethics School and Client Trust Accounting School. Most significant, however, is that unlike the defaulting respondent in *Conroy*, Responent is cooperating and participating in this proceeding. In light of this important fact, and in light of the fact that Respondent has recognized his wrongdoing and this matter is settling early, thereby saving State Bar resources that would otherwise be spent further prosecuting this matter, it seems appropriate to impose less discipline in the current case than that imposed in *Conroy*.

In the Matter of Meyer (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 697, also provides guidance for an appropriate level of discipline. The respondent in *Meyer* violated conditions attached to a private reproval by filing one probation report late, failing to file two other probation reports, and by not certifying his completion of six hours of continuing legal education. In aggravation, the attorney had two prior impositions of discipline (both private reprovals), committed multiple acts of misconduct, showed indifference toward rectification of his misconduct, and failed to cooperate in the proceedings by not filing a pretrial statement, failing to attend three pretrial hearings, and defaulting at time of trial. There were no circumstances in mitigation. The Review Department concluded that the misconduct in *Meyer* called for a higher level of discipline than had been imposed by the Supreme Court in *Conroy v. State Bar*, and recommended the imposition of a two-year suspension from practice, execution stayed, with three years' probation on terms and conditions including a ninety-day actual suspension.

In the Matter of Stansbury (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 103 is also instructive. The attorney in that matter was publicly reproved in a matter in which he defaulted in the State Bar Court. Conditions attached the reproval included Ethics School attendance and payment of restitution to a former client. The attorney was alleged to have violated both the Ethics School and restitution conditions. He did not answer the notice of disciplinary charges,

and his default was entered in the second case, as it had been in the first. The State Bar sought review of the Hearing Department's default decision due to a disagreement with the Hearing Department's application of the then recently enacted rule 205 of the Rules of Procedure of the State Bar. The Review Department conducted its review de novo, including the recommended discipline. The Review Department found in aggravation that the attorney had a prior record of discipline and demonstrated a contemptuous attitude toward the disciplinary proceeding by allowing his default to enter. The Review Department concluded that *In the Matter of Meyer* provided an apt comparison and recommended the imposition of a two year suspension from practice, stayed, with an actual suspension for ninety days and until several ancillary conditions were met.

Both *Meyer* and *Stansbury* are more egregious than the current case because they both involved more aggravating circumstances, no mitigating circumstances, and defaulting respondents. Therefore, it is appropriate to impose less discipline in the current case than that imposed in *Meyer* and *Stansbury*.

In the Matter of Posthuma (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 813 is the only other published case arising from a reproval violation. The respondent in that matter had been privately reproved with conditions including the passage of the California PRE. He obtained an extension to comply, but then missed the extended compliance deadline. The Review Department rejected any possibility of good faith mitigation based on the respondent's claim that he misunderstood the extended compliance deadline, as well as any possibility of mitigation for belated compliance after the new disciplinary case had been commenced. No other mitigation was found, and the attorney's prior record of discipline was the only aggravation. The Review Department recommended the imposition of a public reproval, over the dissent of Judge Norian, who would have recommended a period of probation and stayed suspension.

Posthuma is not an appropriate measure for the degree of discipline in this matter. The prior discipline in *Posthuma* was a private, not a public reproval as was Respondent's prior discipline. Thus, the imposition of the subsequent public reproval in that matter was at least consistent with Standard 1.7(a), if not 2.9. The imposition of a reproval in Respondent's case would be inconsistent with both Standards.

(Do not write above this line.)

In the Matter of	Case number(s):
RONALD JEFFREY ISLES	05-H-00454

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.

Date	Respondent's signature	Print name
11/10/05		RONALD JEFFREY ISLES

Date	Respondent's Counsel's signature	Print name

Date	Deputy Trial Counsel's signature	Print name
Nov. 15, 2005	Kristin L. Ritsema	KRISTIN L. RITSEMA

(Do not write above this line.)

In the Matter of	Case number(s):
RONALD JEFFREY ISLES	05-H-00454

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:

- [x] 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 rule 135(b), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 953(a), California Rules of Court.)**

11/30/05
Date

RICHARD A. PLATEL
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 Los Angeles, on December 1, 2005, 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:

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

RONALD JEFFREY ISLES ESQ
307 E CHAPMAN AVENUE
ORANGE CA 92866

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

KRISTIN RITSEMA A/L, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **December 1, 2005**.

Angela Owens-Carpenter

Angela Owens-Carpenter
Case Administrator
State Bar Court