

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles			PUBLIC MATTER
Counsel For The State Bar Eli D. Morgenstern Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015-2299 (213) 765-1334 Bar # 190560	Case Number (s) 05-O-05174; 06-O-12015; 07-H-13052	(for Court's use) <div style="text-align: center; font-size: 1.5em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> <div style="text-align: center; font-weight: bold;"> JAN 14 2008 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div> <div style="text-align: center; margin-top: 20px;"> kwiktag® 035 116 972 </div>	
In Pro Per Respondent Steven L. Szocs 12304 Santa Monica Blvd., Suite 300 Los Angeles, California 90025 (310) 820-9499 Bar # 171057	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED		
In the Matter Of: Steven L. Szocs Bar # 171037 A Member of the State Bar of California (Respondent)	(This area is shared with the previous row and contains the submission details and stipulation text.)		

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 **June 6, 1994**.
- (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 **19** 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."
- (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."

(Do not write above this line.)

- (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. (Check one option only):
- until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
 - costs to be paid in equal amounts prior to February 1 for the three (3) billing cycles (hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
 - costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
 - costs entirely waived

* following the effective date of the Supreme Court Order. For a further discussion concerning costs, please see page 14.

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 **04-O-12048-RAP**
 - (b) Date prior discipline effective **July 29, 2005**
 - (c) Rules of Professional Conduct/ State Bar Act violations: **Rul3 3-700(A)(2) and Business & Professions Code Section 6068(i)**
 - (d) Degree of prior discipline **Public Reproval.**
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (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 with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings. **See page 15.**
- (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. **See page 15.**
- (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) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law for a period of **one 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:

(b) The above-referenced suspension is stayed.

(2) **Probation:**

Respondent must be placed on probation for a period of **two years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3) **Actual Suspension:**

(a) Respondent must be actually suspended from the practice of law in the State of California for a period of **60 days**.

- 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:

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) 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.
- (4) Within thirty (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.

- (5) 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 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.

- (6) 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.
- (7) 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.
- (8) 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 the Ethics School, and passage of the test given at the end of that session.
- No Ethics School recommended. Reason: **See page 18 .**
- (9) 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.
- (10) The following conditions are attached hereto and incorporated:
- | | |
|---|--|
| <input type="checkbox"/> Substance Abuse Conditions | <input checked="" type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

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 during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- No MPRE recommended. Reason:
- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.

(Do not write above this line.)

- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule **9.20**, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions: See page 14.**

In the Matter of
Steven L. Szocs

Case number(s):
05-O-05174, 06-O-12015, 07-H-13052

A Member of the State Bar

Law Office Management Conditions

- a. Within days/**six** months/ years of the effective date of the discipline herein, Respondent must develop a law office management/organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages received and sent; (3) maintain files; (4) meet deadlines; (5) withdraw as attorney, whether of record or not, when clients cannot be contacted or located; (6) train and supervise support personnel; and (7) address any subject area or deficiency that caused or contributed to Respondent's misconduct in the current proceeding.
- b. Within days/ months/ years of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of completion of no less than h ours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar.)
- c. Within 30 days of the effective date of the discipline, Respondent must join the Law Practice Management and Technology Section of the State Bar of California and pay the dues and costs of enrollment for **two** year(s). Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar of California in the first report required.

Thereafter, Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar by the March 10 Quarterly Report for the following year.

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: STEVEN L. SZOCS

CASE NUMBER(S): 05-O-05174, 06-O-12015, 07-H-13052

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 Rules of Professional Conduct.

Case No. 05-O-05174

Facts

1. On or about June 25, 2002, attorney Robert E. Young (“Young”) filed a complaint on behalf of Alan R. Dohner (“Dohner”) in the matter titled *Alan R. Dohner v. Brian Maldonado, et. al*, Los Angeles County Superior Court Case No. BC276449 (“*Dohner v. Maldonado*”).
2. At all times pertinent to these stipulated facts, Dohner was incarcerated by either the California Department of Corrections or the Federal Bureau of Prisons.
3. In or about 2002, Dohner hired Respondent to assist Young in *Dohner v. Maldonado* and paid him \$2,000.
4. On April 3, 2003, and May 16, 2003, the defendants in *Dohner v. Maldonado* filed a Motion for Summary Judgment.
5. Respondent gradually assumed responsibility for *Dohner v. Maldonado* and on or about February 2, 2004, Respondent substituted in as Dohner’s attorney of record.
6. On April 8, 2004, Respondent filed a complaint on behalf of Dohner in the matter titled *Alan R. Dohner v. Ernesto V. Vazquez, et al*, Los Angeles Superior Court Case No. BC 313515 (“*Dohner v. Vazquez*”).
7. On April 14, 2004, Respondent filed a complaint on behalf of Dohner in the matter titled *Alan R. Dohner v. Jose Sicari, et al*, Los Angeles Superior Court Case No. BC 313757 (“*Dohner v. Sicari*”).

8. On or about July 30, 2004, counsel for Sicari filed a demurrer in *Dohner v. Sicari*. Respondent was properly served with the demurrer. At no time did Respondent advise Dohner of the filing of the demurrer. At no time did Respondent file an Opposition to the Demurrer.

9. By order dated August 4, 2004, the Court in *Dohner v. Maldonado* found that the case was related to *Dohner v. Mazquez* and *Dohner v. Sicari*. These matters are collectively referred to as the "Dohner lawsuits."

10. On August 4, 2004, a hearing on the California Attorney General's Motion to Quash Trial Subpoena and Request for Order Imposing Sanctions against Dohner, Young, and Respondent was heard by the Court in *Dohner v. Maldonado*. Respondent and Young appeared at the hearing. The Court granted the Attorney General's Motion to Quash and ordered Respondent, but not Dohner or Young, to pay a sanction award to the Attorney General in the sum of \$2,926. The Notice of Entry of Order was filed on August 11, 2004, and Respondent was ordered to pay the sanction within 60 days of the date of the service of the Order. To date, Respondent has not paid the sanction as ordered by the Court in *Dohner v. Maldonado*.

11. By order dated January 10, 2005, as part of a "nonappearance case review", the Court scheduled a status conference for February 10, 2005 for the Dohner lawsuits. The Court properly served the Order on Respondent.

12. Respondent did not appear at the February 10, 2005 status conference for the Dohner lawsuits. The Court issued an order to show cause ("OSC") re dismissal against Dohner and Respondent for Respondent's failure to appear at the February 10, 2005 status conference and scheduled a hearing on the OSC for March 14, 2005. The Court properly served the OSC on Respondent.

13. Respondent did not appear at the OSC on March 14, 2005, and the Court dismissed the Dohner lawsuits with prejudice. The Court properly served Respondent with the Order. Pursuant to the Order, Respondent was to give notice of the dismissals of the Dohner lawsuits.

14. Between approximately July 9, 2004 and approximately May 10, 2005, Dohner had limited access to telephones because of his incarceration. During that time, Dohner mailed several letters to Respondent. The letters requested status reports and copies of the pleadings in the Dohner lawsuits. The final letters requested that Respondent return the clients' files to Dohner along with signed substitutions of attorney. Respondent received the letters.

15. Young also spoke with Respondent at the request of Dohner on several occasions during this period and requested that Respondent provide Young on behalf of Dohner with: (1) a status update of the Dohner lawsuits; (2) the case files for the Dohner lawsuits; and (3) an executed substitution of attorney. Although Respondent agreed to the aforementioned requests, he failed to comply with the requests.

16. At no time did Respondent advise Dohner that the Dohner lawsuits were dismissed on March 14, 2005.

17. On May 11, 2005, Dohner spoke with Respondent on the telephone. Dohner requested that Respondent provide him with status reports of the Dohner lawsuits, signed substitutions of attorney and Dohner's files. Respondent agreed to provide Dohner with the substitutions of attorney and the case files for the Dohner lawsuits and to deliver them to him in prison the next day.

18. At no time did Respondent did not deliver the signed substitutions of attorney, Dohner's files, or otherwise communicate with Dohner.

19. By failing to appear at the March 14, 2005, OSC in the Dohner lawsuits and by failing to provide Dohner with signed substitutions of attorney or his client files, or otherwise communicate with Dohner after May 11, 2005, Respondent constructively terminated his employment with Dohner. Respondent did not inform Dohner of his intent to withdraw from representation or take any other steps to avoid reasonably foreseeable prejudice to Dohner.

20. Shortly after speaking with Respondent on May 11, 2005, Dohner discovered that the Dohner lawsuits were dismissed.

21. Between June 2005 and October 19, 2005, Dohner mailed several letters to Respondent. The letters requested that Respondent provide signed substitutions of attorney, release Dohner's files to him, and execute a declaration attesting to his neglect in handling the Dohner lawsuits. Respondent received the letters. But, Respondent did not deliver the signed substitutions of attorney or Dohner's files or otherwise communicate with Dohner.

22. At no time did Respondent provide Dohner with his client files or signed substitutions of attorney.

23. On September 1, 2005, Dohner, in propria persona, filed a motion to set aside the dismissal in the *Dohner v. Maldonado* and *Dohner v. Vasquez* cases. The motions were denied.

24. On March 1, 2007, the Court of Appeal of the State of California, Second Appellate District filed an Opinion reversing the Trial Court's Order of dismissal in *Dohner v. Vasquez*, and ordered the matter remanded and that the Trial Court restore the case to the civil active list. *Dohner v. Maldonado* was also subsequently remanded to the Trial Court and restored to the civil active list.

Legal Conclusions

By failing to file an opposition to the demurrer in *Dohner v. Sicari*, and by failing to appear at the February 10, 2005 status conference for the Dohner lawsuits, and the March 14, 2005 OSC, at which hearing the Court dismissed the Dohner lawsuits, Respondent intentionally,

recklessly, or repeatedly failed to perform legal services with competence in wilful violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to pay the court ordered sanction in *Dohner v. Maldonado*, Respondent disobeyed an order of the court requiring him to do or forbear an act connected with or in the course of Respondent's profession which he ought in good faith to do or forbear, in wilful violation of Business and Professions Code section 6103.

By not giving Dohner notice of his termination of employment with D, Respondent improperly withdrew from employment with the client in wilful violation of rule 3-700(A)(2) of the Rules of Professional Conduct.

By failing to advise Dohner of the demurrer in *Dohner v. Sicari* and that the Dohner lawsuits were dismissed on March 14, 2005, Respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services in wilful violation of Business and Professions Code section 6068(m).

By failing to respond to Dohner's reasonable status inquiries between July 2004 and May 2005, Respondent wilfully violated Business and Professions Code section 6068(m).

By failing to provide Dohner with the files for the Dohner lawsuits despite Respondent's promise to do so on May 11, 2005, and Dohner's subsequent written requests to do so, Respondent wilfully violated rule 3-700(D)(1).

Case No. 06-O-12015

Facts

1. On April 6, 2006, Respondent was representing Michael William Norton in a criminal matter titled *People v. Michael William Norton*, Los Angeles County Superior Court Case No. LA 046977 ("*People v. Norton*"). The matter was proceeding in the Van Nuys Courthouse located at 14400 Erwin Street Mall, Van Nuys, California 91401-2705.

2. On that date, the Honorable John S. Fisher ("Judge Fisher") was conducting jury selection in *People v. Norton*.

3. During a break in jury selection, Respondent approached two prospective jurors on the panel in *People v. Norton* while they were outside of the courthouse to request that one of them give him a cigarette. Despite the fact that the prospective jurors were wearing identification tags indicating that they were jurors, and that Respondent knew from experience that prospective jurors frequently gathered in the area outside of the courthouse, Respondent did not realize that the two people he was speaking with were prospective jurors in *People v. Norton* until he returned to Judge Fischer's courtroom after the break was over and saw the two prospective jurors.

4. After Respondent recognized the two prospective jurors, he did not inform Judge Fischer that he had improperly communicated with them.

5. One of the prospective jurors reported to the Bailiff that Respondent had communicated with them, and the Bailiff relayed the prospective juror's report to Judge Fischer.

Legal Conclusion

By failing to promptly inform Judge Fischer that he had communicated with the prospective jurors, Respondent failed to promptly inform the court of his improper conduct toward a person who is either a member of the venire or a juror, in wilful violation of rule 5-320(G) of the Rules of Professional Conduct.

Case No. 07-H-13052

Facts

1. On or about June 14, 2005, Respondent entered into a Stipulation Re Facts, Conclusions of Law and Disposition ("Stipulation") with the State Bar of California in Case No. 04-O-12048-RAP.

2. On or about July 8, 2005, the Hearing Department of the State Bar Court filed an Order approving the Stipulation and imposing on Respondent a Public Reproval with conditions ("Order").

3. On or about July 8, 2005, the Stipulation and Order were properly served on Respondent at his official State Bar Membership Records address by a State Bar Court Case Administrator. Respondent received the Stipulation and Order.

4. The Order and Public Reproval became effective on or about July 29, 2005.

5. Pursuant to the Order, Respondent was required to comply with certain terms and conditions attached to the Public Reproval for a period of one (1) year from the effective date of the Order, including the following:

- a. That within thirty (30) days from the effective date of the discipline, *i.e.*, by no later than August 28, 2005, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss the terms and conditions of his probation;
- b. That during the one year period of the Public Reproval, Respondent must submit written quarterly reports to the Office of Probation on October 10, 2005, January 10, 2006, April 10, 2006, July 10, 2006, and July 29, 2006;

- c. That within one (1) year of the effective date of the Order, Respondent must provide to the Office of Probation satisfactory proof of attendance of the Ethics School and passage of the test given at the end of that session; and
- d. That within one year of the effective date of the Order, Respondent must provide satisfactory evidence of completion of no less than six (6) hours of Minimum Continuing Legal Education approved courses in law office management.

6. On or about August 30, 2005, a Probation Deputy mailed a letter to Respondent reminding him of the terms of his Public Reprimand (the "August 30, 2005 letter"). The portion of the Stipulation setting forth the conditions of the Public Reprimand was enclosed with the August 30, 2005 letter, along with other documents. Respondent received the letter.

7. On November 18, 2005, the Probation Deputy mailed another letter to Respondent advising Respondent that: (i) the Office of Probation had not received the first quarterly report which was due on October 10, 2005; and (ii) he had not contacted the Office of Probation by August 28, 2005, as he was required to do pursuant to the terms of the Stipulation. Respondent received the letter.

8. On June 5, 2006, the Probation Deputy telephoned Respondent at his official State Bar Membership Records telephone number. The Probation Deputy left a voice mail message for Respondent advising Respondent that he had failed to submit the Quarterly Reports which were due on October 10, 2005, January 10, 2006, and April 10, 2006. Respondent received the message. Respondent did not return the Probation Deputy's telephone call.

9. Respondent did not contact the Office of Probation and discuss the terms of his probation until September 18, 2007.

10. Respondent did not submit the Quarterly Reports which were due on October 10, 2005, January 10, 2006, April 10, 2006, July 10, 2006, and July 29, 2006, until November 20, 2007.

11. Respondent did not provide the Office of Probation with proof of attendance at the State Bar Ethics School and passage of the test given at the end of the session until November 1, 2007.

12. Respondent did not provide the Office of Probation with proof of completion of no less than six (6) hours of Minimum Continuing Legal Education ("MCLE") approved courses in law office management until September 18, 2007.

Legal Conclusion

By failing to timely: (i) contact the Office of Probation; (ii) submit Quarterly Reports to the Office of Probation; (iii) provide to the Office of Probation proof of attendance at the State Bar Ethics School and passage of the test given at the end of the session; and (iv) provide to the Office of Probation proof of completion of no less than six (6) hours of MCLE approved courses in law office management, as mandated by the conditions of the Public Repeval in Case No. 04-O-12048-RAP, Respondent failed to comply with conditions attached to a public reprovral in wilful violation of rule 1-110 of the Rules of Professional Conduct.

OTHER CONDITIONS NEGOTIATED BY THE PARTIES.

Within one year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof that he has paid \$2,926 to the Attorney General in satisfaction of the sanction awarded to the Attorney General and against Respondent in *Dohner v. Maldonado*.

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(7), was December 12, 2007.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of December 12, 2007, the costs in this matter are \$2,874. The costs are to be paid in equal amounts prior to February 1 for the following three billing cycles following the effective date of the Supreme Court Order. 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.

If Respondent fails to pay any installment 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 and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment unless relief has been granted under the Rules of Procedure of the State Bar of California. (Rules Proc. of State Bar, rule 286.)

AGGRAVATING CIRCUMSTANCES.

Standard 1.2(b) of the Standards for Attorney Sanctions for Professional Misconduct("Standard(s)") defines an aggravating circumstance as "an event or factor established clearly and convincingly by the State Bar as having surrounded a member's professional misconduct and which demonstrates that a greater degree of sanction than set forth

in these standards for the particular act of professional misconduct found or acknowledged is needed to adequately protect the public, courts and legal profession.”

FACTS SUPPORTING AGGRAVATING CIRCUMSTANCES.

A prior record of discipline is an aggravating factor under Standard 1.2(b)(i). As set forth above in the recitation of facts in Case No. 07-H-13052, Respondent was publicly reprimanded in Case No. 04-O-12048-RAP on July 29, 2005.

MITIGATING CIRCUMSTANCES.

Standard 1.2(e) defines a mitigating circumstance as “an event or factor established clearly and convincingly by the member subject to a disciplinary proceeding as having caused or underlain the member’s professional misconduct and which demonstrates that the public, courts, and legal profession would be adequately protected by a more a lenient degree of sanction than set forth in these standards for the particular act of professional misconduct found or acknowledged.”

FACTS SUPPORTING MITIGATING CIRCUMSTANCES.

Standard 1.2(e)(v) provides that spontaneous candor and cooperation displayed to the victims of the attorney’s misconduct and to the State Bar during disciplinary investigations and proceedings is a mitigating circumstance. Respondent willingly provided any and any documents requested by the State Bar and was candid concerning his misconduct.

Respondent has also demonstrated remorse and recognition of his wrongdoing. This is a mitigating factor under Standard 1.2(e)(vii).

AUTHORITIES SUPPORTING DISCIPLINE.

STANDARDS.

The determination of discipline begins "by looking to the purpose of sanctions for attorney misconduct." (*In re Morse* (1995) 11 Cal.4th 184, 205.) "The primary purposes of disciplinary proceedings . . . 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 1.3.)

The standards provide guidance and deserve "great weight." (*In re Silvertown* (2005) 36 Cal. 4th 81, 92; *In re Morse, supra*, 11 Cal.4th at p. 205; *In re Naney* (1990) 51 Cal.3d 186, 190; *Van Sloten v. State Bar* (1989) 48 Cal.3d 921, 933, fn. 5.) "[A]dherence 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 misconduct." (*In re Naney, supra*, 51 Cal.3d at p. 190; see also *In re Brown* (1995) 12 Cal.4th

205, 220.) The California Supreme Court accepts a disciplinary recommendation resulting from application of the standards unless it has "grave doubts" about the recommendation's propriety. (*In re Morse, supra*, 11 Cal.4th at p. 206; *In re Lamb* (1989) 49 Cal.3d 239, 245.)

In Case No. 05-O-05174, Respondent failed to perform competently. Consequently, Standard 2.4(b) is applicable. Standard 2.4 provides that culpability of a member of wilfully failing to perform services in an individual matter or matters not demonstrating a pattern of misconduct or culpability of wilfully failing to communicate with a client shall result in reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client.

In Case No. 05-O-05174, Respondent also failed to adequately communicate with his client and to obey a court order. Consequently, Standard 2.6(a) and (b), respectively, apply. Standard 2.6(a) provides that culpability of a member of a violation of Business and Professions Code section 6068(m) shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim. Standard 2.6(b) provides that culpability of a member of a violation of Business and Professions Code section 6103 shall also result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim.

Finally, Respondent improperly withdrew from employment with his client and failed to provide his client with the client file in Case No. 05-O-05174. The appropriate level of discipline for the culpability of a member who violates rules 3-700(A)(2) and 3-700(D)(1) of the Rules of Professional Conduct are not specified in the Standards.

Consequently, pursuant to Standard 2.10, the appropriate level of discipline is a reproof or suspension, according to the gravity of the offense or the harm, if any, to the victim, with due regard for the purposes of imposing discipline set forth in Standard 1.3.

In Case No. 05-O-05174, Respondent failed to perform and adequately communicate with his client, failed to provide the client with his files, and ultimately abandoned the incarcerated client. However, the harm to the client was mitigated by the client's ability to convince the Court of Appeal to remand two of the three Dohner related lawsuits to the Trial Court so that the cases could be returned to the civil active list.

On December 12, 2007, Respondent mailed the files for the Dohner lawsuits to Dohner by certified mail.

The appropriate level of discipline for the culpability of a member who violates rule 5-320(G) of the Rules of Professional Conduct are not specified in the Standards. Once again, pursuant to Standard 2.10, the appropriate level of discipline is a reproof or suspension, according to the gravity of the offense or the harm, if any, to the victim, with due regard for the purposes of imposing discipline set forth in Standard 1.3.

In Case No. 06-O-12015, Respondent acknowledges that he was reckless in not recognizing that he was communicating with prospective jurors in *People v. Norton*, and that he

should have immediately reported his contact with the prospective jurors to the Court once he recognized the prospective jurors. After the matter was brought to the attention of the Court, the jurors were removed from the prospective jury pool.

Pursuant to Standard 2.9, culpability of a member of a wilful violation of rule 1-110(A) of the Rules of Professional Conduct, shall result in suspension.

In Case No. 07-H-13052, Respondent ultimately complied with the terms of probation attached to Case No. 04-O-12048-RAP, albeit untimely.

Standard 1.6 provides that if two or more acts of professional conduct are acknowledged in a single disciplinary proceeding, and different sanctions are prescribed by the Standards, the sanction imposed shall be the most severe of the different applications.

Finally, Standard 1.7 mandates that if a member is found culpable of professional misconduct in any proceeding in which discipline may be imposed and the member has a record of one prior imposition of discipline, the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding.

Here, the Standards provide for a discipline in the range of actual suspension to disbarment. The State Bar submits that given the facts and circumstances present in this matter, the appropriate level of discipline is a sanction consisting of actual discipline.

CASE LAW

In *In the Matter of Aulakh* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 690, the attorney was hired to appeal his client's misdemeanor conviction. But, the attorney failed to perform competently, improperly withdrew from employment while his client was incarcerated, failed to return unearned fees, and failed to render an accounting. The attorney had no prior record of discipline in 20 years of practice, but was found to be uncooperative during the disciplinary process. The Review Department recommended a one year stayed suspension and three years probation, conditioned on a 45-day actual suspension.

Here, Respondent did cooperate with the State Bar. However, Respondent has a prior record of discipline in less than 14 years of practice.

In *In the Matter of Nees* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 459, the attorney represented a client who had been sentenced to a lengthy federal prison term in seeking a writ of habeas corpus. The client's relatives paid Respondent a total of \$7,000. Thereafter, the attorney failed to respond promptly to reasonable status inquiries, provide competent legal services, turn over the client's file, and refund unearned, advanced fees. The Review Department recommended that the attorney be suspended for two years, stayed, and that the attorney be placed on probation for two years with conditions including a six month actual suspension and until the attorney refunded the \$7,000 advanced fee with interest.

In *King v. State Bar* (1990) 52 Cal. 3d 307, the Supreme Court imposed a 90 day actual suspension as part as part of a four year probation. The attorney had no prior record of discipline over 15 years of practice, but had wilfully failed to perform services in two cases, resulting in a large default judgment against one of his clients. The client suffered serious financial injury as a result and the attorney failed to make amends to the client.

STATE BAR ETHICS SCHOOL EXCLUSION.

It is not recommended that Respondent attend State Bar Ethics School since he attended Ethics School within the last two years on October 4, 2007, in connection with Case No. 04-O-12048-RAP.

(Do not write above this line.)

In the Matter of Steven L. Szocs	Case number(s): 05-O-05174; 06-O-12015; 07-H-13052
-------------------------------------	---

SIGNATURE OF THE PARTIES

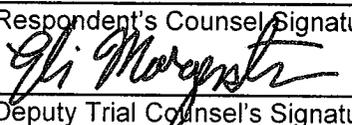
By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

12/19/07
Date


Respondent's Signature

Steven L. Szocs
Print Name

12/21/07
Date

Respondent's Counsel Signature

Deputy Trial Counsel's Signature

Print Name
Eli D. Morgenstern
Print Name

(Do not write above this line.)

In the Matter Of Steven L. Szocs	Case Number(s): 05-O-05174; 06-O-12015; 07-H-13052
--	--

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 stipulation as to facts and conclusions of law is APPROVED.
- The stipulation as to facts and conclusions of law is APPROVED AS MODIFIED as set forth below.
- All court dates in the Hearing Department 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; or 3) Respondent is not accepted for participation in the Program or does not sign the Program Contract. (See rule 135(b) and 802(b), Rules of Procedure.)

1/11/08
Date


Judge of the State Bar Court
RICHARD A. HONN

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 January 14, 2008, 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:

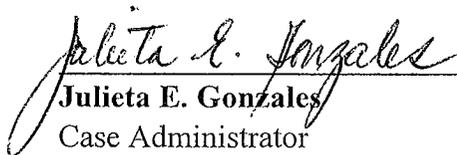
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**STEVEN L SZOCS ESQ
12304 SANTA MONICA BL #300
LOS ANGELES, CA 90025**

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

Eli D. Morgenstern, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **January 14, 2008**.



Julieta E. Gonzales
Case Administrator
State Bar Court