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**State Bar Court of California
Hearing Department
Los Angeles**

<p>Counsel For The State Bar</p> <p>CHRISTINE SOHRADA DEPUTY TRIAL COUNSEL OFFICE OF THE CHIEF TRIAL COUNSEL 1149 SOUTH HILL STREET, 4TH FLOOR LOS ANGELES, CA 90015-2299 (213) 765-1162</p> <p>Bar # 228256</p>	<p>Case Number (s) 06-O-13323, 06-O-15128, 07-O-12427, 08-O-12027, 07-O-11164, and 07-O- 10446</p> <p align="center">PUBLIC MATTER</p>	<p>(for Court's use)</p> <p align="center">FILED</p> <p align="center">JUL 30 2008 <i>HOC</i></p> <p align="center">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p>Frank H. Williams Jr. 965 N Vignes St Ste 11 Los Angeles, CA 90012 (310)531-0565</p> <p>Bar # 193991</p>	<p>Submitted to: Assigned Judge</p>	
<p>In the Matter Of: Frank H. Williams Jr.</p> <p>Bar # 193991</p> <p>A Member of the State Bar of California (Respondent)</p>	<p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	

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 **January 2, 1998**.
- (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 **17** 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."



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- (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 following membership years: **three billing cycles following the effective date of the Supreme Court Order.**
(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

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 **02 O 12336**
 - (b) Date prior discipline effective **October 21, 2003**
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline **public reproof**
 - (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.

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- (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) **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 **two years**.

- 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 **90 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

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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:
- (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 checked="" 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,

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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.

- (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:**

- A. Respondent must terminate his association with Bradford Henschel, and may not employ Mr. Henschel whether on a contract basis, volunteer basis, or otherwise. Respondent must assert in each probation report that he has not so employed Mr. Henschel.**
- B. Respondent must include in each probation report the names of all of his employees or independent contractors.**

In the Matter of
Frank H. Williams Jr.

Case number(s):
06-O-13323, 06-O-15128, 07-O-12427, 08-O-12027,
07-O-11164, and 07-O-10446

A Member of the State Bar

Law Office Management Conditions

- a. Within **60** days/ 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/1 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 **6** hours 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 1 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.

In the Matter of
Frank H. Williams Jr.
A Member of the State Bar

Case number(s):
06-O-13323, 06-O-15128, 07-O-12427, 08-O-12027,
07-O-11164, and 07-O-10446

Financial Conditions

a. Restitution

- Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From
Mynor Monzon	\$10,000	January 24, 2003
Shadron Holmes	\$2,000	March 24, 2008
Wandalyn Lane	\$5,000	October 19, 2006
Harriet Jenkins	\$2,500	August 2, 2006

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than **60 days prior to the end date of his probationary period.**

b. Installment Restitution Payments

- Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of reprobation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

c. Client Funds Certificate

1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
- a. Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

b. Respondent has kept and maintained the following:

- i. A written ledger for each client on whose behalf funds are held that sets forth:
 1. the name of such client;
 2. the date, amount and source of all funds received on behalf of such client;
 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
 4. the current balance for such client.
- ii. a written journal for each client trust fund account that sets forth:
 1. the name of such account;
 2. the date, amount and client affected by each debit and credit; and,
 3. the current balance in such account.
- iii. all bank statements and cancelled checks for each client trust account; and,
- iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.

c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:

- i. each item of security and property held;
- ii. the person on whose behalf the security or property is held;
- iii. the date of receipt of the security or property;
- iv. the date of distribution of the security or property; and,
- v. the person to whom the security or property was distributed.

2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.
3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

d. **Client Trust Accounting School**

- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

Attachment to Stipulation Re Facts, Conclusions of Law and Disposition
in the Matter of Frank Henry Williams

Case nos. 06-O-13323, 06-O-15128, 07-O-12427, 08-O-12247, 08-O-12027, 07-O-11164, and 07-O-10446

Case no. 06-O-13323:

I. Facts

1. Beginning in or around 2003, Respondent Frank H. Williams ("Respondent") employed Bradford Eric Henschel, a suspended attorney, as his paralegal.

2. Respondent has been aware that Henschel has been not entitled to practice law since at least March 10, 2003, when Respondent Williams filed a notification of compliance with Rule 1-311 of the Rules of Professional Conduct of the State Bar Court with the State Bar regarding his employment of Henschel.

3. On or Before May 19, 2006, Respondent was employed to represent Lamont Devault in a criminal matter. Mr. Devault's former attorney was Gregory Rickard.

4. Respondent asked Henschel to contact Rickard for the sole purpose of obtaining the client file. At the time Respondent requested that Henschel pick up the file, he had not reviewed the Devault file. Respondent did not discuss with Henschel any legal analysis of the Devault case, and did not provide Henschel with a due date for filing the writ. Respondent did not ask or authorize Henschel to inquire about substantive issues Rickard did or did not raise in Devault's matter.

5. On or about June 8, 2006 at 7:55:26 am, Henschel sent an email to Rickard and Respondent in which Henschel made the following statements, among others:

- "Mr. Williams and I need your file, especially if you have learned something that should NOT be included in the Writ we have been hired to write."
- "As you also must be aware, failure to give a client his file to his new attorney gives rise to a cause of action for malpractice amount other ethical issues. As an Appellate Specialist you must be aware of your obligation to turn over the file and any information that affects the client either beneficially or adversely. Moreover, if you refuse to hand over the file and we miss the filing date of July 13, 2006 ... the fault for your actions would be attributed to Mr. DeVault (sic) unless [ineffective assistance of counsel] on appeal is raised by Mr. Williams."

- “Mr. Williams is very busy and since both he and I are members of the State Bar Association ...”
- “you never explained to me why you raised issues in your Petition for Review to the California Supreme Court that were not raised in the direct appeal, and one of those issues was the alibi defense.”

6. In the June 8, 2006 e-mail, Henschel also stated his legal opinion that Rickard’s request for proof of Respondents’ representation of Devault was beyond that required by the State Bar Act. Henschel signed the email, “Brad Henschel, JD Member of the State Bar of California.”

7. The subject of this e-mail was “Request for Devault File – Or Why We Can’t File any Writ for Mr. DeVault” and was sent to Respondent’s correct and valid e-mail address.

8. Respondent did not authorize Henschel to make any of the above legal assertions, statements or analysis. Respondent Williams took no corrective action in response to Henschel’s June 8, 2006 e-mail.

II. Conclusions of Law

9. By failing to take any corrective action in response to Henschel’s June 8, 2006 e-mail, Respondent willfully failed to properly supervise his employee, Henschel, in wilful violation of Rules of Professional Conduct, rule 3-110(A).

Case no. 06-O-15128:

I. Facts

10. On August 2, 2006 Harriet Jenkins retained Respondent to represent her neighbor, Gomez Warren, in a probate matter. Respondent received a \$2,500.00, retainer fee and thereafter failed to perform any services of value for Warren.

11. For the next three weeks Jenkins attempted to contact Respondent on Warren’s behalf but Respondent was out of town. On August 24, 2006, Respondent finally returned Jenkins’ call and told her that he no longer wanted to represent Warren.

12. Respondent told Jenkins that he would be refunding the entire \$2,500.00, retainer fee to Jenkins, but failed to do so. On September 19, 2008, Jenkins filed a small claims action against Respondent (Case No. 06S01808) and obtained a default judgment against Respondent for \$2580 (\$2500 plus \$80 for court costs).

13. Respondent has yet to refund her retainer fee and/or satisfy the small claims judgment.

II. Conclusions of Law

14. By failing to perform any services, respondent was in willful violation of Rules of Professional Conduct, rule 3-110(A).

15. By failing to respond to Jenkins' calls, Respondent failed to communicate in willful violation of Business and Professions code, section 6068 (m).

16. By failing to refund the retainer paid by Jenkins to Respondent, Respondent failed to refund unearned fees in willful violation of Rules of Professional Conduct, rule 3-700 (D)(2).

Case no. 07-O-12427:

I. Facts:

17. On October 19, 2006, Wandalyn Lane retained Respondent to represent her son in a criminal matter. Ms. Lane paid Respondent \$10,000.00 as advance attorney fees. Respondent failed to provide any legal services of value for Ms. Lane's son.

18. Subsequent to October 19, 2006, Respondent failed to communicate with Lane regarding the status of her son's case, despite Ms. Lane's numerous efforts to contact Respondent.

19. Respondent had proper notice of and failed to appear at court hearings in the Lane case on November 20, 2006, January 19, 2007, March 23, 2007 and April 10, 2007. A bench warrant issued for Respondent based on his failure to appear in court on his client's behalf.

20. On March 24, 2007, Ms. Lane requested that Respondent cease all further work on her son's behalf and refund all of the advance fees she had paid him. On March 28, 2007, Respondent informed Ms. Lane that he would refund \$5,000.00, of the monies paid to him. Ms. Lane has yet to receive a refund of any portion of the 10,000.00 fees she paid Respondent.

II. Conclusions of Law:

21. By failing to perform services and missing several court appearances, respondent was in willful violation of Rules of Professional Conduct, rule 3-110(A).

22. By failing to communicate with Ms. Lane regarding her son's case, Respondent failed to communicate in willful violation of Business and Professions code, section 6068 (m).

23. By failing to refund the unearned fees paid by Ms. Lane to Respondent, Respondent failed to refund unearned fees in willful violation of Rules of Professional Conduct, rule 3-700 (D)(2).

Case no. 08-O-12027:

Facts:

24. On January 24, 2003, Mynor Monzon hired Respondent and his investigator (Dolores Garcia) to prepare a Writ of Habeas Corpus for Monzon's son. They agreed to pay Respondent \$10,000.00 to complete the writ. Mr. Monzon paid Respondent \$5,500 immediately, of which \$5000 was partial payment of Respondent's fee and \$500 was for the payment of the investigator. On October 5, 2003, Mr. Monzon paid Respondent (through Respondent's staff) another \$3500 and on February 10, 2004, Mr. Monzon paid Respondent (through Respondent's staff) another \$1500, for a total of \$10,000.00. Subsequent to January 24, 2003, Dolores Garcia conducted an investigation in the Monzon case and earned the \$500.00 fee paid by Mr. Monzon to Respondent. However, Respondent performed no legal services of value for Mr. Monzon or his son. Respondent did not prepare or file a Writ of Habeas Corpus in the Monzon case. Mr. Monzon terminated Respondent's employment.

25. Neither Mr. Monzon nor his son have heard anything from Respondent since 2003. CW has made many efforts to reach respondent to no avail.

Conclusions of Law:

26. By failing to perform any legal services of value in the Monzon case, respondent willfully failed to perform in violation of Rules of Professional Conduct, rule 3-110(A).

27. By failing to communicate with either Mr. Monzon or his son, Respondent failed to communicate in willful violation of Business and Professions code, section 6068 (m).

28. By failing to refund the unearned attorney fees paid to him by Mr. Monzon, Respondent failed to refund unearned fees in willful violation of Rules of Professional Conduct, rule 3-700 (D)(2).

Case No. 07-O-11164:

Facts:

29. On or before January 16, 2003, Respondent represented Kenny Smith in a legal matter.

30. In or about August 16, 2006, Respondent's representation of Smith ended, and Smith was assigned a new attorney, Maureen Shanahan. On or about August 16, 2006, Ms. Shanahan, contacted Respondent to obtain the Smith file. Since that time, Respondent has failed to release Smith's file to either Smith or Shanahan, despite numerous requests.

Conclusions of Law:

31. By failing to release the client's file upon request, Respondent willfully violated Rules of Professional Conduct, rule 3-700 (D)(2).

Case no. 07-O-10446:

Facts:

32. On or about November 10, 2004, Juan Rodriguez' ("Rodriguez") family members retained Respondent to represent Rodriguez in his criminal trial. Respondent advised Rodriguez that he would also handle the appeal in Rodriguez' case.

33. On January 12, 2005, Respondent filed a Notice of Appeal on behalf of Rodriguez. Thereafter, Respondent failed to perform any legal services of value on behalf of Rodriguez. On February 24, 2008, the Court of Appeal issued a notice informing Respondent that the Rodriguez appeal would be dismissed if an opening brief was not filed within 30-days of the notice. Respondent was properly served with and received that notice. On April 1, 2005, the Court dismissed the appeal and issued a Remittitur. Respondent did not inform Rodriguez or his family members that the appeal had been dismissed and the Remittitur had issued.

34. Rodriguez was unaware that his appeal had been dismissed until the California Appellate Project contacted him in October 2006. An employee of the

California Appellate Project, filed a Motion to Recall the Remittitur and Reinstate the Appeal. On 12/28/06, the motion was granted.

Conclusions of Law:

35. By failing to file an opening brief, respondent willfully failed to perform services in violation of Rules of Professional Conduct, rule 3-110(A).

36. By failing to inform Rodriguez that his appeal had been dismissed, Respondent failed to keep a client informed of a significant development in wilful violation of Business and Professions code, section 6068 (m).

III. Supporting Authority

The purpose of sanctions for attorney misconduct is set forth in Standard 1.3, which states:

The primary purposes of disciplinary proceedings conducted by the State Bar of California and of sanctions imposed upon a finding or acknowledgment of a member's 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. Rehabilitation of a member is a permissible object of a sanction imposed upon the member but only if the imposition of rehabilitative sanctions is consistent with the above-stated primary purposes of sanctions for professional misconduct.

Standard 2.4 (b) states:

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 a member 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.

Standard 1.7 outlines the effect of prior discipline and states:

(a) 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 as defined by standard 1.2(f), the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior discipline imposed was so remote in time to the current proceeding and the offense for which it was imposed was so minimal in severity that imposing greater discipline in the current proceeding would be manifestly unjust.

V. Estimate of Costs of Disciplinary Proceedings

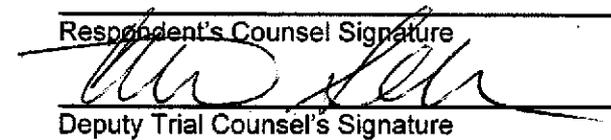
Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of July 23, 2008, the estimated prosecution costs in this matter are approximately \$5,662.42. Respondent acknowledges that this figure is an estimate only. Respondent further acknowledges that should this 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.

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In the Matter of Frank H. Williams Jr.	Case number(s): 06-O-13323, 06-O-15128, 07-O-12427, 08-O-12027, 07-O-11164, and 07-O-10446
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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.

<u>7/24/08</u> Date	 Respondent's Signature	<u>Frank H. Williams Jr.</u> Print Name
<u>7/24/08</u> Date	 Deputy Trial Counsel's Signature	<u>Christine Souhrada</u> Print Name

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In the Matter Of
Frank H. Williams Jr.

Case Number(s):

06-O-13323, 06-O-15128, 07-O-12427, 08-O-12027,
07-O-11164, and 07-O-10446**ORDER**

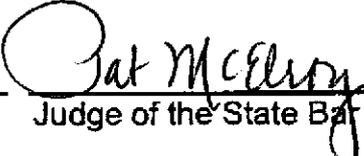
Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The 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 9.18(a), California Rules of Court.)

Date

July 24, 2008


 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 July 30, 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:

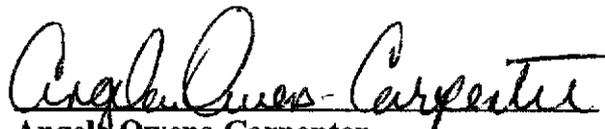
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**FRANK H WILLIAMS JR
965 N VIGNES ST STE 11
LOS ANGELES CA 90012**

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

CHRISTINE SOUHRADA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **July 30, 2008**.



Angela Owens-Carpenter
Case Administrator
State Bar Court