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

<p>Counsel For The State Bar</p> <p>Ashod Mooradian Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1004</p> <p>Bar # 194283</p>	<p>Case Number (s) 08-O-10035; 08-O-10347; 08-O-10989; [Investigative Matters: 08-O-12373; 08-O-14796; 08-O-11266]</p>	<p>(for Court's use)</p> <p align="center">FILED</p> <p align="center">SEP 16 2009 <i>AOC</i></p> <p align="center">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> <p align="center">PUBLIC MATTER</p>
<p>In Pro Per Respondent</p> <p>Stephen H. Beecher, Esq. MARSHALL & BEECHER 5950 Canoga Avenue, Suite 550 Woodland Hills, CA 91367</p>	<p>Submitted to: Settlement Judge</p>	
<p>Bar # 137509</p>	<p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p>	
<p>In the Matter Of: STEPHEN H. BEECHER</p>	<p>ACTUAL SUSPENSION</p>	
<p>Bar # 137509</p>	<p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>A Member of the State Bar of California (Respondent)</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 **December 7, 1988**.
- (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 **25** 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
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (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. **In this matter, based on a motion brought by opposing counsel, on January 22, 2008, the Superior Court sanctioned Respondent \$1,000 pursuant to Family Code section 271. The sanction was for opposing counsel's two appearances in court for Respondent's ex parte hearings which did not take place as originally noticed. One of the ex parte hearings did not take place because Respondent did not appear and the second ex parte hearing did not take place because Respondent's associate did not appear. Due to these failures to appear, the superior court was required to hold a hearing on the opposing counsel's motion which occasioned the waste of judicial time and resources and accordingly were a significant harm to the administration of justice. In addition, Respondent's failures to appear demonstrated a lack of respect for the authority of the court by an officer of the court resulting in harm to the public's respect for the legal profession. Similarly, Respondent's ten transactions involving insufficient funds resulted in harm to the public's respect for the legal profession.**

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- (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. **Respondent's misconduct evidences multiple acts of wrongdoing involving commingling, failure to deposit entrusted funds, failure to report sanctions, failure to refund unearned fees and moral turpitude for writing trust account checks against insufficient funds.**
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

None.

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. **At the time that the misconduct in these matters began, Respondent had been in practice for Nineteen (19) years without a record of discipline.**
- (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. **Respondent cooperated to the extent that he stipulated to facts, conclusions of law and level of discipline. Respondent also provided documentation as requested by the State Bar. In addition, in the investigative matters, Respondent's willingness to stipulate to facts and conclusions of law regarding his misconduct at an early stage is entitled to substantial mitigation.**
- (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.

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- (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. **Respondent has provided the State Bar with "good character" declarations from four attorneys. All four attorneys state in their declarations that they are aware of the charges against Respondent, have known Respondent for a significant time (between thirteen to forty-five years), have worked professionally with Respondent, have a high opinion of Respondent's character and honesty and do not believe that Respondent would ever engage in misconduct again.**
- (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

None

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of **Two (2) 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 (2) 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 **Sixty (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:

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- (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 954-9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- No MPRE recommended. Reason:
- (2) **Rule 955-9.20, California Rules of Court:** Respondent must comply with the requirements of rule 955-9.20, 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.
- (3) **Conditional Rule 955-9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 955-9.20, 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:**

MCLE CREDIT: Respondent will not receive Minimum Continuing Legal Education (MCLE) credit for attending the State Bar Ethics School as required pursuant to paragraph E.(8) above or for attending Client Trust Accounting School as required pursuant to the attached Financial Condition form. These requirements are 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 of California.)

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: STEPHEN H. BEECHER

CASE NUMBER(S): 08-O-10035; 08-O-10347; 08-O-10989;
 [Investigative Matters: 08-O-12373; 08-O-14796; 08-O-11266]

A. WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY:

The parties waive any variance between the Notice of Disciplinary Charges (“NDC”) filed on April 30, 2009, and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

B. FACTS AND CONCLUSIONS OF LAW.

STEPHEN H. BEECHER (“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*.

Facts:

Case No.’s: 08-O-10035; 08-O-10347; 08-O-10989

1. Between August 7, 2007 and March 28, 2008, Respondent repeatedly made personal deposits into his client trust account at Wells Fargo Bank (“CTA”) including, but not limited to, the following eighteen (18) deposit transactions:

<u>Date</u>	<u>Deposit</u>
8/7/2007	\$250.00
8/7/2007	\$6,500.00
8/10/2007	\$400.00
8/23/2007	\$500.00
9/4/2007	\$75.00
9/24/2007	\$500.00
9/28/2007	\$150.00
10/1/2007	\$153.00
10/12/2007	\$3,000.00
11/2/2007	\$600.00
11/15/2007	\$2,700.00
12/13/2007	\$100.00

1/2/2008	\$55.00
1/24/2008	\$900.00
1/3/2008	\$700.00
3/4/2008	\$1,500.00
3/19/2008	\$262.21
3/28/2008	\$20.91

2. During this same time period, Respondent left personal funds in his CTA for the payment of office and/or personal expenses as needed.

3. Between August 2, 2007 and March 28, 2008, Respondent repeatedly withdrew funds from his CTA by, among other methods, writing checks from that account, using a debit card linked to that account, withdrawing funds from an ATM with that card, or by transferring funds from the CTA to another account online, to pay his personal and/or business expenses including, but not limited to, the following 204 transactions:

<u>Date</u>	<u>Payee</u>	<u>Amount</u>
8/2/2007	Online Transfer	\$3.00
8/6/2007	Verizon Wireless	\$261.00
8/7/2007	UCS	\$171.28
8/7/2007	American Express	\$127.58
8/8/2007	Online Transfer	\$1,800.00
8/8/2007	Online Transfer	\$200.00
8/9/2007	Online Transfer	\$400.00
8/10/2007	Online Transfer	\$500.00
8/10/2007	Online Transfer	\$100.00
8/10/2007	Online Transfer	\$41.00
8/10/2007	Online Transfer	\$34.00
8/10/2007	Online Transfer	\$25.00
8/10/2007	Online Transfer	\$25.00
8/10/2007	Online Transfer	\$10.00
8/10/2007	Verizon Wireless	\$455.86
8/13/2007	Online Transfer	\$400.00
8/13/2007	Online Transfer	\$100.00
8/13/2007	Online Transfer	\$26.00
8/13/2007	Home Depot	\$109.89
8/14/2007	Withdrawal made in a branch/store	\$2,000.00
8/14/2007	Online Transfer	\$240.00
8/14/2007	Online Transfer	\$152.85
8/14/2007	Online Transfer	\$143.00
8/14/2007	Online Transfer	\$25.00
8/15/2007	Online Transfer	\$300.00
8/15/2007	Online Transfer	\$40.00
8/15/2007	Macys West/Bullo	\$111.00
8/17/2007	Online Transfer	\$1,200.00
8/17/2007	Online Transfer	\$300.00

8/17/2007	Online Transfer	\$300.00
8/17/2007	Online Transfer	\$40.00
8/17/2007	Online Transfer	\$34.00
8/17/2007	Verizon Wireless	\$101.00
8/20/2007	Online Transfer	\$300.00
8/20/2007	Credit Card Web Payment	\$323.00
8/21/2007	Online Transfer	\$700.00
8/21/2007	Online Transfer	\$300.00
8/21/2007	Online Transfer	\$87.00
8/21/2007	Time Warner Cable	\$219.34
8/22/2007	Online Transfer	\$1,100.00
8/22/2007	Online Transfer	\$500.00
8/22/2007	Online Transfer	\$400.00
8/22/2007	Withdrawal made in a branch/store	\$366.00
8/22/2007	Online Transfer	\$309.00
8/22/2007	Online Transfer	\$255.00
8/22/2007	Online Transfer	\$221.00
8/22/2007	Online Transfer	\$152.00
8/22/2007	Withdrawal made in a branch/store	\$60.00
8/24/2007	Online Transfer	\$150.00
8/27/2007	Online Transfer	\$86.00
8/27/2007	Online Transfer	\$340.00
8/28/2007	Arch Wireless	\$5.00
8/29/2007	Online Transfer	\$20.93
8/29/2007	Online Transfer	\$700.00
8/29/2007	Online Transfer	\$315.00
8/29/2007	Online Transfer	\$240.00
8/29/2007	Online Transfer	\$34.00
8/31/2007	Online Transfer	\$2,000.00
8/31/2007	Online Transfer	\$307.00
8/31/2007	Online Transfer	\$224.00
8/31/2007	Online Transfer	\$50.00
8/31/2007	HSBC Card Services	\$40.00
8/31/2007	Online Transfer	\$170.19
9/4/2007	Dell Financial	\$45.09
9/6/2007	Withdrawal made in a branch/store	\$700.00
9/6/2007	Withdrawal made in a branch/store	\$500.00
9/6/2007	Withdrawal made in a branch/store	\$157.00
9/7/2007	Online Transfer	\$564.00
9/10/2007	Online Transfer	\$620.00
9/10/2007	Online Transfer	\$150.00

9/10/2007	Online Transfer	\$45.00
9/10/2007	Online Transfer	\$35.00
9/10/2007	Online Transfer	\$3.00
9/10/2007	ATT Payment	\$197.61
9/10/2007	American Express	\$74.02
9/10/2007	Home Depot	\$59.21
9/11/2007	Online Transfer	\$112.00
9/18/2007	Online Transfer	\$96.00
9/18/2007	Online Transfer	\$57.00
9/18/2007	Online Transfer	\$11.00
9/24/2007	Online Transfer	\$100.00
9/24/2007	Online Transfer	\$6.00
9/27/2007	Online Transfer	\$1,000.00
9/28/2007	Nevada Power	\$600.00
9/28/2007	Verizon Wireless	\$157.66
9/28/2007	Nevada Power	\$36.59
9/28/2007	Arch Wireless	\$20.93
9/28/2007	Oak Park School District	\$15.00
10/1/2007	Overdraft Fee	\$34.00
10/1/2007	Overdraft Fee	\$34.00
10/1/2007	Overdraft Fee	\$34.00
10/11/2007	Dr. (Illegible)	\$15.00
10/12/2007	Online Transfer	\$505.00
10/15/2007	Online Transfer	\$300.00
10/15/2007	Online Transfer	\$200.00
10/15/2007		\$11.00
10/17/2007	Online Transfer	\$500.00
10/18/2007	Online Transfer	\$30.00
10/19/2007	Online Transfer	\$200.00
10/19/2007	Online Transfer	\$200.00
10/19/2007	Online Transfer	\$9.00
10/19/2007	Online Transfer	\$1.50
10/22/2007	Online Transfer	\$160.00
10/23/2007	Online Transfer	\$250.00
10/24/2007	Online Transfer	\$240.00
10/24/2007	Online Transfer	\$388.00
10/24/2007	Verizon Wireless	\$60.00
10/29/2007	Home Depot	\$259.98
10/29/2007	ATT Payment	\$20.93
10/30/2007	Arch Wireless	\$900.00
10/31/2007	Online Transfer	\$213.14
11/2/2007	Time Warner Cable	
	Withdrawal made in a	\$450.00
11/5/2007	branch/store	\$5.00
11/5/2007	1 Canadian Dep Items	\$28.00
11/13/2007	American Express	\$63.00
	American Express	

11/16/2007	Withdrawal made in a branch/store	\$700.00
11/19/2007	Withdrawal made in a branch/store	\$1,901.88
11/21/2007	Online Transfer	\$100.00
11/21/2007	Verizon Wireless	\$463.31
11/27/2007	Arch Wireless	\$20.93
11/29/2007	Online Transfer	\$300.00
12/3/2007	FIA Card Services N.A.	\$51.00
12/3/2007	FIA Card Services N.A.	\$192.00
12/6/2007	Online Transfer	\$1,200.00
12/7/2007	Cox Enterprises Broadband	\$286.00
12/10/2007	Time Warner Cable	\$202.19
12/10/2007	Home Depot	\$90.00
12/11/2007	Online Transfer	\$9.00
12/12/2007	Dell Financial	\$62.13
12/14/2007	Nevada Power	\$120.00
12/14/2007	SW Gas	\$117.61
12/14/2007	Billmatrix	\$4.95
12/17/2007	Online Transfer	\$2,500.00
12/20/2007	Withdrawal made in a branch/store	\$600.00
12/20/2007	Verizon Wireless	\$676.00
12/24/2007	Online Transfer	\$1,000.00
12/26/2007	21 Century	\$375.00
12/26/2007	21 Century	\$5.95
12/31/2007	Arch Wireless	\$20.93
1/2/2008	Overdraft Fee	\$34.00
1/7/2008	Time Warner Cable	\$379.20
1/9/2008	American Express	\$125.00
1/14/2008	Online Transfer	\$105.00
1/14/2008	Online Transfer	\$16.00
1/14/2008	Online Transfer	\$13.00
1/14/2008	Online Transfer	\$1.00
1/14/2008	Management One	\$1,200.00
1/22/2008	Verizon Wireless	\$412.00
1/23/2008	Cox Comm Las	\$64.33
1/24/2008	Withdrawal made in a branch/store	\$900.00
1/28/2008	21st Century Insurance	\$725.00
1/28/2008	Arch Wireless	\$20.91
1/29/2008	Withdrawal made in a branch/store	\$250.00
1/29/2008	Withdrawal made in a branch/store	\$150.00
1/29/2008	American Express	\$103.00

1/31/2008	Withdrawal made in a branch/store	\$400.00
1/31/2008	LASC	\$1,640.00
1/31/2008	Kinecta Federal Credit Union	\$1,901.88
2/1/2008	Robert Marshall	\$400.00
2/1/2008	Withdrawal made in a branch/store	\$500.00
2/4/2008	Online Transfer	\$1,500.00
2/4/2008	Withdrawal made in a branch/store	\$1,250.00
2/4/2008	Withdrawal made in a branch/store	\$200.00
2/4/2008	Online Transfer	\$110.00
2/5/2008	Withdrawal made in a branch/store	\$200.00
2/6/2008	Withdrawal made in a branch/store	\$400.00
2/6/2008	Withdrawal made in a branch/store	\$200.00
2/6/2008	Home Depot	\$108.05
2/7/2008	RIO	\$6,000.00
2/7/2008	RIO	\$1,500.00
2/8/2008	NSF Returned Item Fee	\$34.00
2/8/2008	Withdrawal made in a branch/store	\$300.00
2/11/2008	Overdraft Fee	\$34.00
2/11/2008	Verizon Wireless	\$494.00
2/11/2008	Dell Financial	\$62.13
2/12/2008	Overdraft Fee	\$34.00
2/12/2008	Overdraft Fee	\$34.00
2/13/2008	American Express	\$59.61
2/14/2008	Overdraft Fee	\$34.00
2/19/2008	Withdrawal made in a branch/store	\$404.00
2/19/2008	Online Transfer	\$50.00
2/19/2008	Online Transfer	\$8.00
2/20/2008	Correctional Billing Services/NCO	\$56.95
2/20/2008	Withdrawal made in a branch/store	\$140.00
2/25/2008	Online Transfer	\$400.00
2/25/2008	Withdrawal made in a branch/store	\$350.00
2/25/2008	Online Transfer	\$250.00
2/26/2008	Arch Wireless	\$20.91
2/27/2008	Dick's Pickup Services	\$135.00

2/28/2008	Withdrawal made in a branch/store	\$1,200.00
3/3/2008	Don Jackson & Associates	\$145.00
3/3/2008	Time Warner Cable	\$31.79
3/4/2008	Kinecta Federal Credit Union	\$1,901.88
3/4/2008	Withdrawal made in a branch/ store	\$1,750
3/5/2008	Online Transfer	\$240.00
3/10/2008	Verizon Wireless	\$540.22
3/10/2008	Nevada Power	\$213.00
3/10/2008	Billmatix	\$4.95
3/12/2008	American Express	\$57.00
3/19/2008	Mandalay Bay Resort & Casino	\$7,000.00
3/19/2008	NSF Returned Item Fee	\$1,000.00
3/24/2008	Management One	\$1,200.00
3/28/2008	Transfer from DDA	\$20.91
3/28/2008	Arch Wireless	\$20.91

4. On September 17, 2007, Respondent issued or caused to be issued from his CTA check no. 3326, payable to Oak Park School District in the sum of \$15.00.

5. On September 28, 2007, Respondent issued or caused to be issued from his CTA electronic payments to Nevada Power in the sum of \$36.59, and to Arch Wireless in the sum of \$20.93.

6. On November 30, 2007, Respondent issued or caused to be issued from his CTA two checks payable to FIA Card Services, N.A.: check no. 9998, in the sum of \$51.00, and check no. 9999, in the sum of \$192.00.

7. Wells Fargo Bank paid check no. 3326 and the electronic payments on September 28, 2007, and paid checks nos. 9999 and 9998 on December 3, 2007.

8. At the time Respondent wrote these checks or issued the electronic payments, Respondent either knew or was grossly negligent in not knowing, that he had insufficient funds in his CTA to cover any of the checks and/or electronic payments. Further, Respondent made no effort to ensure that there were sufficient funds in his CTA after he issued these checks and/or electronic payments.

9. On December 31, 2007, Respondent issued or caused to be issued from his CTA an electronic payment, payable to Arch Wireless in the sum of \$20.93.

10. At the time Respondent issued, or caused to be issued, this electronic payment, Respondent either knew or was grossly negligent in not knowing, that he had insufficient funds in his CTA to cover the electronic payment. Further, Respondent made no effort to ensure that there were sufficient funds in his CTA after he issued the electronic payment.

11. Wells Fargo paid the electronic payment on December 31, 2007.
12. On December 9, 2007, Respondent issued or caused to be issued from his CTA check no. R6706660, payable to Rio Casino, in the sum of \$6,000.00.
13. On February 8, 2008, Respondent made a cash withdrawal from his CTA in a bank branch or store in the sum of \$300.00.
14. On February 11, 2008, Respondent issued or caused to be issued from his CTA an electronic payment to VZ Wireless in the sum of \$494.00.
15. On February 13, 2008, Respondent issued or caused to be issued from his CTA an electronic payment to American Express in the sum of \$59.61.
16. Each of these three transactions were undertaken against insufficient funds. Wells Fargo Bank returned the check on February 8, 2008, paid the cash withdrawal on February 8, 2008, and paid the electronic payments on February 11, 2008, and February 13, 2008, respectively.
17. At the time Respondent issued or caused to be issued the checks and/or electronic payments, or made the withdrawals, Respondent either knew or was grossly negligent in not knowing, that he had insufficient funds in his CTA to cover any of the transactions. Further, Respondent made no effort to ensure that there were sufficient funds in his CTA after he issued these checks and/or undertook these transactions.

Conclusions of Law:

18. By depositing personal funds into his CTA and/or leaving personal funds in his CTA for withdrawal as needed to pay personal and/or business expenses, and by withdrawing funds from his CTA by the methods noted in paragraph 3 as needed for personal and/or business expenses, Respondent improperly used his CTA as a personal account and commingled funds belonging to Respondent in a client trust account in willful violation of *Rules of Professional Conduct*, rule 4-100(A).
19. By writing each of the checks and/or issuing each of the electronic payments from his CTA as described in paragraph 4, 5 and 6 when Respondent either knew or was grossly negligent in not knowing that he had insufficient funds in the account with which to pay them, and by failing to ensure that there were sufficient funds in the account to cover the checks and/or electronic payments, Respondent willfully committed an act involving moral turpitude, dishonesty, or corruption in willful violation of *Business and Professions Code*, section 6106.
20. By issuing, or causing to be issued, the electronic payment from his CTA as described in paragraph 9, Respondent either knew or was grossly negligent in not knowing that he had insufficient funds to in the account with which to pay, and by failing to ensure that there were sufficient funds in the account to cover the electronic payment, Respondent willfully

committed an act involving moral turpitude, dishonesty, or corruption in willful violation of *Business and Professions Code*, section 6106.

21. By undertaking each of the transactions described in paragraphs 12 through 15 above, that Respondent either knew or was grossly negligent in not knowing that he had insufficient funds to in the account to pay them, and by failing to ensure that there were sufficient funds in the account to cover the transactions, Respondent willfully committed an act involving moral turpitude, dishonesty, or corruption in willful violation of *Business and Professions Code*, section 6106.

Facts:

Case No.: 08-O-12373

22. On September 24, 2007, Susanna Hakobyan hired Respondent to defend her son, Ignat, in a criminal matter. Ms. Hakobyan paid Respondent \$12,000 to represent Ignat.

23. Respondent entered the case, performed legal work on Ignat's behalf, and set Ignat's legal matter for a preliminary hearing that was to be conducted on Monday, October 2, 2007.

24. Ms. Hakobyan called Respondent on September 30, 2007 and terminated Respondent's representation. She demanded that Respondent refund \$10,000 of her advance fee.

25. On October 1, 2007, Respondent returned Ignat's file but refused to refund any portion of the \$12,000 fee to Ms. Hakobyan. Respondent mistakenly believed that he had collected a true retainer for his work on Ignat's case. In fact, Respondent had an obligation to refund Ms. Hakobyan's unearned fees, which Respondent now acknowledges.

26. Respondent spent a total of eighteen hours (18) working on Ignat's case. Respondent's standard fee is \$300 per hour for his legal work. As a result, Respondent earned \$5,400 for his work on Ignat's case and owes Ms. Hakobyan a refund of \$6,600 plus interest.

Conclusions of Law:

27. By refusing to refund the unearned portion of Hakobyan's \$12,000 advance fee, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in wilful violation of *Rules of Professional Conduct*, rule 3-700(D)(2).

Facts:

Case No.: 08-O-14796

28. On May 16, 2008, Josi Konski entered into a business agreement with Scott Stone. As part of their agreement, Mr. Konski gave a check to Mr. Stone, payable to Respondent in the amount of \$25,000.

29. Mr. Konski never met Respondent or signed a fee agreement with him. No agreement, for legal services or anything else, between Respondent and Mr. Konski existed. Respondent was never asked, and never agreed, to perform any legal services for Mr. Konski.

30. Mr. Stone was Respondent's client. Mr. Stone owed Respondent \$4,000 in legal fees on an unrelated matter.

31. Mr. Stone delivered the \$25,000 check to Respondent and instructed Respondent to keep \$4,000 of the funds to pay for balance in legal fees that Mr. Stone owed Respondent and to deliver the remaining \$21,000 back to Mr. Stone.

32. At the time Mr. Stone delivered the \$25,000 check to Respondent, Respondent maintained a client trust account # x x x x x 9798¹ at Wells Fargo Bank ("CTA").

33. Respondent deposited the \$25,000 check he received from Mr. Stone (a portion of which represented Respondent's fees and a portion of which were client funds) into his business account rather than his CTA.

34. When the check cleared, Respondent kept \$4,000 as fees and wrote a business account check disbursing the remaining \$21,000 to Mr. Stone.

Conclusions of Law:

35. By not depositing Stone's \$25,000 into his CTA, Respondent failed to deposit funds received for the benefit of his client in a bank account labeled "Trust Account," "Client's Funds Account" or words of similar import in willful violation of *Rules of Professional Conduct*, rule 4-100(A).

Facts:

Case No.: 08-O-11266

36. In January 2008, Respondent represented the father in a paternity action that was pending in Los Angeles Superior Court.

37. Based on a motion brought by opposing counsel, on January 22, 2008, the Superior Court sanctioned Respondent \$1,000. The sanction was for opposing counsel's two appearances in court for Respondent's two ex parte hearings which did not take place as noticed. One of the ex parte hearings did not take place because Respondent did not appear and the second ex parte hearing did not take place because Respondent's associate did not appear.

38. Respondent never reported the sanction to the State Bar.

39. Respondent mistakenly thought that, because the \$1,000 sanction related to two failures to appear in court, he did not have to report the sanction to the State Bar.

¹ The full account number is omitted for privacy purposes.

Conclusions of Law:

40. By failing to report the \$1,000 sanction entered against him to the State Bar, Respondent willfully violated *Business and Professions Code*, section 6068(o)(3).

C. AUTHORITIES SUPPORTING DISCIPLINE.

Applicable Standards²:

In *In re Silvertown*³, the California Supreme Court held that the *Standards For Attorney Sanctions For Professional Misconduct* (“Standard” or “Standards”) are entitled to “great weight” and the Court will “not reject a recommendation arising from the *Standards* unless [it has] grave doubts as to the propriety of the recommended discipline.” The *Standards* are not binding but “they promote the consistent and uniform application of disciplinary measures.” (Id.) The “presumptively appropriate level of discipline” for any misconduct is as set forth in the standards.⁴

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.⁵ Pursuant to the *Standards*, Respondent’s misconduct warrants significant discipline.

Standard 1.6(a) provides that if two or more acts of misconduct are found in the same proceeding, the sanction imposed shall be the more or most severe of the different applicable sanctions. Standard 1.6(b) provides that a greater or lesser degree of discipline than the appropriate sanction prescribed by these standards shall be imposed or recommended, depending on the net effect of the aggravating and mitigating circumstances, if any.

Standard 2.2(b) states that the culpability of a member “...of commingling of entrusted funds or property with personal property or the commission of another violation of rule 4-100, *Rules of Professional Conduct*, none of which offenses result in the wilful misappropriation of entrusted funds or property shall result in at least a three month actual suspension from the practice of law, irrespective of mitigating circumstances.”

Standard 2.3 states that the culpability of a member “...of an act of moral turpitude, fraud, or intentional dishonesty toward a court, client or another person or of concealment of a material fact to a court, client or another person shall result in actual suspension or disbarment depending upon the extent to which the victim of the misconduct is harmed or misled and depending upon the magnitude of the act of misconduct and the degree to which it relates to the member’s acts within the practice of law.”

² *Standards for Attorney Sanctions for Professional Misconduct*. Hereinafter “Standard” or “Standards”.

³ (2005) 36 Cal. 4th 81, 92.

⁴ See *Morgan v. State Bar* (1990) 51 Cal.3d 598, 607.

⁵ See *Standard 1.3*.

Standard 2.6(a) provides that culpability of a member for "...violation of any of the following provisions of the *Business and Professions Code* shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3:

- (a) Sections 6067 and 6068;
- (b) Sections 6103 through 6105..."

Looking to the *Standards*, the most severe specific *Standard* applicable to the misconduct found is *Standard 2.3* (misconduct involving moral turpitude, fraud dishonesty and concealment). *Standard 2.3* provides for disbarment or actual suspension depending on the extent of the harm to the victim, the magnitude of the misconduct, and the degree to which it relates to acts within the practice of law.

Given the nature and scope of Respondent's misconduct, including aggravation evidence, the appropriate level of discipline under the *Standards* is a period of actual suspension.

Aggravating Circumstances:

An aggravating circumstance "...is 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."⁶ Standard 1.2(b) provides for a greater degree of sanction set forth in the standards where aggravating circumstances exist. In this matter, the following four circumstances should be considered aggravating.

First, Respondent's misconduct evidences multiple acts of wrongdoing.⁷ In this matter, Respondent's misconduct includes commingling, failure to refund advance fees, failure to deposit client funds into a client trust account, failure to report court sanctions to the State Bar and moral turpitude.

Second, Respondent's misconduct significantly harmed the public and the administration of justice.⁸ In this matter, based on a motion brought by opposing counsel, on January 22, 2008, the Superior Court sanctioned Respondent \$1,000 pursuant to *Family Code* section 271. The sanction was for opposing counsel's two appearances in court for Respondent's ex parte hearings which did not take place as originally noticed. One of the ex parte hearings did not take place because Respondent did not appear and the second ex parte hearing did not take place because Respondent's associate did not appear. Due to these failures to appear, the superior court was required to hold a hearing on the opposing counsel's motion which occasioned the waste of judicial time and resources and accordingly were a significant harm to the administration of justice. In addition, Respondent's failures to appear demonstrated a lack of respect for the authority of the court by an officer of the court resulting in harm to the public's respect for the

⁶ Standard 1.2(b).

⁷ Standard 1.2(b)(ii)

⁸ Standard 1.2(b)(iv).

legal profession. Similarly, Respondent's ten transactions involving insufficient funds resulted in harm to the public's respect for the legal profession.

An attorney plays a public and well-known role in the administration of justice and as an officer of the court. In this role, an attorney is seen by the public as an advocate for justice and legal rights as well as a check and balance ensuring that court proceedings are fair, permitting the introduction of all admissible evidence and/or presentation of all relevant legal analysis/arguments sought by the involved parties. An attorney's failure to appear and participate, or at a minimum, obey orders of a court is seen by the public as a breakdown of the administration of justice at its most fundamental level.

Mitigating Circumstances:

Standard 1.2(e) provides for a more lenient degree of sanction than set forth in the standards where mitigating circumstances exist. In this case, there are three mitigating circumstances.

First, pursuant to Standard 1.2(e)(i), at the time that the misconduct in these matters began, Respondent had been in practice for nineteen (19) years without a record of discipline.

Second, pursuant to Standard 1.2(e)(v), Respondent cooperated to the extent that he stipulated to facts, conclusions of law and level of discipline. In addition, in the investigative matters, Respondent's willingness to stipulate to facts and conclusions of law regarding his misconduct at an early stage is entitled to substantial mitigation credit.

Third, pursuant to Standard 1.2(e)(vi), Respondent has made a demonstration of good character of the member attested to by a wide range of references in the legal community and who are aware of the full extent of the member's misconduct. Respondent has provided the State Bar with "good character" declarations from four attorneys. All four attorneys state in their declarations that they are aware of the charges against Respondent, have known Respondent for a significant time (between thirteen to forty-five years), have worked professionally with Respondent, have a high opinion of Respondent's character and honesty and do not believe that Respondent would ever engage in misconduct again.

Given the nature and scope of Respondent's misconduct, and considering evidence of aggravating and mitigating circumstances, the appropriate level of discipline under the *Standards* is a period of actual suspension of 60 days "to deter the recalcitrant attorney from future wrongdoing."⁹

Caselaw:

In fashioning the appropriate level of discipline, the *Standards* are the starting point. Consideration must also be given to whether the recommended discipline is consistent with or disproportional to prior decisions of the California Supreme Court and the Review Department of the State Bar Court.

⁹ *In Re Silvertan* (2005) 36 Cal. 4th 81, 95.

In *Matter of McKiernan*,¹⁰ the court concluded that the attorney violated section 6106 by issuing the two checks knowing that there were insufficient funds to cover them; by failing to make timely restitution; and by his gross neglect in failing to maintain and supervise his client trust account.¹¹ The court also found that the attorney violated rule 4-100(A) by retaining personal funds in his client trust account, and by failing to supervise and properly maintain his client trust account in that he allowed a client to place funds in the client trust account and use it as his personal business account. Finally, the court found that there were three aggravating circumstances and five mitigating circumstances, including no prior record of discipline. The attorney was suspended for two years, stayed, and placed on two years probation on conditions, including actual suspension for a period of three months.¹²

Comparison:

Respondent's misconduct is similar to that found in *Matter of McKiernan*. However, in this matter, the aggravating and mitigating circumstances differ significantly than those found in *Matter of McKiernan*.

First, Respondent's misconduct in this matter, as discussed above, had fewer aggravating factors than those found in *Matter of McKiernan*, namely: a) multiple acts of wrongdoing; and b) harm to the client, the public, the courts and the administration of justice.

More significantly, and as discussed above, there are three factors in mitigation. First, Respondent has nineteen years without a record of discipline at the time the first misconduct occurred. Second, Respondent cooperated with the State Bar to the extent that he stipulated to facts, conclusions of law and level of discipline. In addition, Respondent received substantial mitigation credit for stipulating to facts and conclusions of law early in the early part of the investigative stage in three matters. Third, Respondent's good character has been attested to by four attorneys who have known Respondent for a lengthy period of time and are fully aware of extent of the charges in this matter and do not believe that Respondent would ever engage in misconduct again.

Therefore, with several factors in mitigation including substantial mitigation credit for stipulating facts and conclusions of law early in the early part of the investigation, Respondent's actual suspension from the practice of law for sixty (60) days is a level of discipline consistent with the applicable standards and caselaw.

D. PENDING PROCEEDINGS.

The disclosure date referred to on page one, paragraph A. (7) was August 25, 2009.

¹⁰ (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 420.

¹¹ *Id.* at 423-424.

¹² *Id.* at 429.

E. COSTS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed Respondent that as of August 25, 2009, the estimated prosecution costs in this matter are approximately \$9,673.50. 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.

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 6068.10, 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 rule 286 of the *Rules of Procedure of the State Bar of California*.

In the Matter of STEPHEN H. BEECHER	Case number(s): 08-O-10035; 08-O-10347; 08-O-10989; [Investigative Matters: 08-O-12373; 08-O-14796; 08-O-11266]
A Member of the State Bar	

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
Susanna Hakobyan	\$6,600.00	10/01/2007

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than **two (2) years after the effective date of the Supreme Court's Order of Discipline in this matter.**

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 reproval), 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";

(Financial Conditions form approved by SBC Executive Committee 10/16/2000. Revised 12/16/2004; 12/13/2006.)

- 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.

In the Matter of
STEPHEN H. BEECHER

Case number(s):
08-O-10035; 08-O-10347; 08-O-10989;
[Investigative Matters:
08-O-12373; 08-O-14796; 08-O-11266]

A Member of the State Bar

Law Office Management Conditions

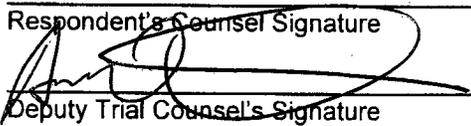
- a. Within days/ months/ years of the effective date of the discipline herein, Respondent must develop a law office management/organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages 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/**One (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 **six (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 **two (2)** 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.

(Do not write above this line.)

In the Matter of STEPHEN H. BEECHER	Case number(s): 08-O-10035; 08-O-10347; 08-O-10989; [Investigative Matters: 08-O-12373; 08-O-14796; 08-O-11266]
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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>8/31/09</u> Date	 Respondent's Signature	Stephen H. Beecher Print Name
<u>9/3/09</u> Date	 Deputy Trial Counsel's Signature	Ashod Mooradian Print Name

(Do not write above this line.)

In the Matter Of STEPHEN H. BEECHER	Case Number(s): 08-O-10035; 08-O-10347; 08-O-10989; [Investigative Matters: 08-O-12373; 08-O-14796; 08-O-11266]
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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.)**

9-16-09 _____
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 September 16, 2009, 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:

STEPHEN H BEECHER ESQ
MARSHALL & BEECHER
5950 CANOGA AVE SUITE 550
WOODLAND HILLS CA 91367

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:

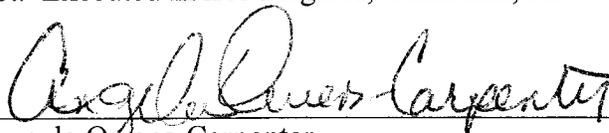
by fax transmission, at fax number . No error was reported by the fax machine that I used.

By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

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

ASHOD MOORADIAN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 16, 2009.



Angela Owens-Carpenter
Case Administrator
State Bar Court