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**State Bar Court of California
Hearing Department
San Francisco**

<p>Counsel For The State Bar</p> <p>Esther Rogers Deputy Trial Counsel 180 Howard Street San Francisco, CA 94105</p> <p>Bar # 148246</p>	<p>Case Number (s)</p> <p>09-O-12139 [09-O-14487; 09-O-14615; 09-O-15299; 09-O-16601; 09-O-16804; 09-O-16866; 10-N-02302; 10-O-03242; 10-O-00177]</p>	<p>(for Court's use)</p> <p align="center">PUBLIC MATTER</p> <p align="center">FILED <i>R</i></p> <p align="center">JUN 02 2010</p> <p align="center">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>In Pro Per Respondent</p> <p>Julie H. Raridan Law Office of Julie Raridan 8239 Creek Way Smartsville, CA 95977</p> <p>Bar # 195857</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION DISBARMENT</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter Of: Julie H. Raridan Bar # 195857</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 **June 5, 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 **11** 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."
- (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.

~~(Stipulation form approved by SBC Executive Committee 10/16/00. Revised 12/16/2004, 12/13/2006.)~~

- (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~~ ^{ineligible to seek reinstatement} from the practice of law unless relief is obtained per rule 284, Rules of Procedure until she pays all disciplinary costs pursuant to Rule of Procedure, Rule 662(c).
 - costs to be paid in equal amounts prior to February 1 for the following membership years: (hardship, special circumstances or other good cause per rule 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)] **See attachment**
- (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.
- (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 ceased performing legal services and failed to return unearned fees in several client matters.**
- (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. **Respondent cooperated with the State Bar in reaching this stipulation.**
- (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: Disbarment


Respondent's Signature

(1) ~~Stayed Suspension:~~

- ~~(a) Respondent must be suspended from the practice of law for a period of _____~~
 - ~~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 _____, 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 _____~~
 - ~~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

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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: Disbarment.
- (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 type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**

No MPRE recommended. Reason: Respondent will be required to take and pass the MPRE as a condition of reinstatement (see Rule 9.10(f), California Rules of Court.)

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- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:** See attachment

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Julie H. Raridan
CASE NUMBER(S): ET AL. 09-O-12139, et al.

FACTS AND CONCLUSIONS OF LAW.

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

General Background Facts Regarding Respondent's State Bar Matters

Respondent offered family law services to most of her clients.

In or about early 2008, respondent experienced marital problems and eventually separated from her husband of 24 years. At the same time, she was suffering from financial problems as well. Due in part to her emotional state, respondent accepted clients and then was unable to complete their work. When the clients sought a refund of their advanced fees, respondent was unable to reimburse her clients.

In April 2009, respondent stipulated to discipline in nine matters (see Aggravation section below). In July 2009, respondent was suspended for failure to pay her State Bar membership dues. In December 2009, respondent's discipline became effective. The discipline required respondent to make monthly restitution payments and to file a declaration in compliance with Rule of Court, rule 9.20.

Due to her financial problems, respondent was unable to make the monthly restitution payments after her discipline became effective in December 2009.

Respondent attempted to file her 9.20 declaration late and the declaration she did file was rejected by the Probation Unit because respondent was unable to state that she had returned all unearned fees.

Respondent also made electronic payments from her attorney client trust account against insufficient funds and commingled her personal funds in her trust account by issuing checks from her trust account to pay personal expenses.

After respondent stipulated to discipline in the nine matters, the State Bar received complaints from additional clients similar to the prior ones complaining that respondent failed to perform and then refused to refund the clients their unearned fees.

Conclusions of Law, Case Number 10-N-02302

Respondent failed to comply with a Supreme Court order when respondent failed to timely file her 9.20 declaration, in willful violation of Business and Profession Code section 6103.

Conclusions of Law, Case Number 10-O-00177

Respondent commingled her personal funds with her trust account funds, in willful violation of Rules of Professional Conduct, rule 4-100(A).

Respondent caused debits from her trust account when respondent did not have sufficient funds in her trust account to cover the debits, in willful violation of Business and Profession Code section 6106.

Conclusions of Law, Case Numbers 09-O-12139, 09-O-14487, 09-O-14615, 09-O-15299, 09-O-16601; 09-O-16804, 09-O-16866, 10-O-03242

Respondent recklessly failed to perform legal services with competence by accepting advanced fees from the clients listed in Exhibit 1, promising to provide legal services and then ceasing to provide those legal services. By doing so, respondent willfully violated Rules of Professional Conduct, rule 3-110(A).

Respondent failed to refund unearned fees by failing to refund the unearned portion of the advanced fee paid by some of her clients at the time she ceased performing legal services for the clients. By doing so, respondent willfully violated Rules of Professional Conduct, rule 3-700(D)(2).

Respondent engaged in a pattern of habitual disregard of the interests of her clients by accepting an advanced fee and failing to provide services to several clients. Respondent engaged in an act of moral turpitude by habitually disregarding the interests of her clients, thereby willfully violating Business and Profession Code section 6106.

AGGRAVATION

Prior Record of Discipline. Supreme Court Order SO176309 (State Bar Case Nos. 08-O-12763, 08-O-12763; 08-O-12764; 08-O-13130; 08-O-13131; 08-O-13914; 08-O-14014; 08-O-14692; 09-O-1008509-O-195857) Effective December 10, 2009, respondent was suspended from the practice of law for three years, stayed, and placed on probation for three years, with an actual 18 month suspension, for multiple violations of Rules of Professional Conduct, rule 3-110(A), 4-100(B)(4), 3-700(D)(2) and Business and Profession Code sections 6068(m) and 6106, among other violations.

PENDING PROCEEDINGS

The disclosure date referred to on page 2, paragraph A.(7), was April 1, 2010. There are no proceedings pending against respondent not resolved by this stipulation.

COSTS OF DISCIPLINARY PROCEEDINGS

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of April 1, 2010 the costs in this matter are approximately \$8,100. 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.

AUTHORITIES SUPPORTING DISCIPLINE

Standard 2.4 provides that culpability of a member of a pattern of willfully failing to perform services shall result in disbarment. (And see, *In the Matter of Collins* (Rev. Dept. 1992) 2 Cal. State Bar Ct. Rptr. 1, 15-16, and cases cited therein.)

FINANCIAL CONDITIONS, RESTITUTION

Prior to filing any Petition for Reinstatement, respondent must make restitution to the Client Security Fund if it has paid, in the principal amount paid plus interest at the rate of 10% per annum from the date paid, and furnish satisfactory evidence of restitution to the Office of Probation.

This stipulation does not preclude or stay the independent review and payment of applications for reimbursement filed against respondent, either by individuals identified in Exhibit 1 to this stipulation or otherwise, pursuant to the rules and regulations governing Client Security Fund proceedings.

INVOLUNTARY INACTIVE ENROLLMENT

Respondent shall be transferred to involuntary inactive enrollment status under section 6007 (c)(4), and rule 220 (c) of the Rules of Procedure of the State Bar. The inactive enrollment will become effective upon approval of this stipulation by the Judge of the State Bar Court, or as otherwise provided by State Bar Court order.

EXHIBIT 1

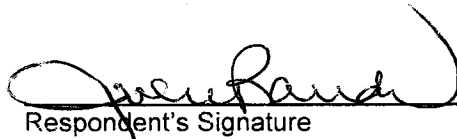
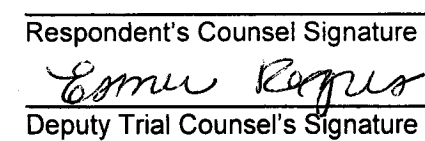
CLIENT	CASE NUMBER	DATE RESPONDENT RETAINED	AMOUNT UNEARNED FEE OWED
Scott Sickels	09-O-12139	March 23, 2007	\$1,040.32
Virginia Millar	09-O-14487	February 1, 2007	\$2,260
Jeffrey Thorne	09-O-14615	September 2007	\$2,500
Bobby Haynes	09-O-15299	March 20, 2008	\$3,500
Scott Halterman	09-O-16601	October 2007	\$3,000
Cori Reading	09-O-16804	November 2007	\$1,300
Benecia Harris	09-O-16866	June 17, 2009	\$300
Lesa Scopelli	10-O-03242	May 4, 2007	\$3,560

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In the Matter of Julie H. Raridan	Case number(s): 09-O-12139 [09-O-14487; 09-O-14615; 09-O-15299; 09-O-16601; 09-O-16804; 09-O-16866; 10-N-02302; 10-O-00177; 10-O-3242]
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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>4/27/10</u> Date	 Respondent's Signature	<u>Julie H. Raridan</u> Print Name
<u>5/5/10</u> Date	 Respondent's Counsel Signature Deputy Trial Counsel's Signature	<u>Esther Rogers</u> Print Name

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In the Matter Of Julie H. Raridan	Case Number(s): 09-O-12139 [09-O-14487; 09-O-14615; 09-O-15299; 09-O-16601; 09-O-16804; 09-O-16866; 10-N-03202; 10-O-00177; 10-O-03242]
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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.

On page 6, box F(2) should be checked.

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.)**

June 1, 2010
Date

Lucy Armendariz
Judge of the State Bar Court
LUCY ARMENDARIZ

CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on June 2, 2010, 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 San Francisco, California, addressed as follows:

**JULIE H. RARIDAN
LAW OFFICE OF JULIE RARIDAN
8239 CREEK WAY
SMARTSVILLE, CA 95977**

- 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:

ESTHER ROGERS, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on June 2, 2010.



Bernadette C.O. Molina
Case Administrator
State Bar Court