

FILED
AUG 30 2016 P.B.
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES

In the Matter of)	Case No.: 11-O-12106-WKM;
)	11-O-11344-WKM (Consolidated)
KIM DENNISE SCOVIS,)	(S201284)
)	
Member No. 182059,)	ORDER GRANTING MOTION IN PART
)	AND DISMISSING MOTION IN PART
<u>A Member of the State Bar.</u>)	

This matter is before the court on Kim Dennise Scovis's July 27, 2016, motion for (1) extension of time to pay State Bar fees and penalties and to stay suspension stemming from the same; (2) a payment plan; (3) reduction of fees; and (4) reinstatement from her suspension for nonpayment of fees and penalties. Attached to Scovis's motion are a supporting declaration that Scovis purportedly executed on August 25, 2016, and a financial declaration that she purportedly executed on August 26, 2016.¹ The State Bar's Office of Chief Trial Counsel (OCTC) filed an opposition to Scovis's motions on August 15, 2016.

The court takes judicial notice of the State Bar's membership records which clearly reflect that Scovis has been suspended from the practice of law since July 1, 2016, under the Supreme Court's May 25, 2016, order in case number S234725 because she failed to pay her State Bar annual membership fees for 2016 plus the late-payment penalties.

¹ Obviously, Scovis did not sign these declarations filed on July 27, 2016, on August 25 and 26, 2016. Accordingly, the court deems the declarations to have been signed on July 25, 2016, and July 26, 2016, respectively.

Except to the extent that disciplinary costs have been added to Scovis's 2016 membership fees, the State Bar Court lacks jurisdiction to extend the time in which Scovis must pay her 2016 membership fees and late-payment penalties; to reduce the amounts of her 2016 membership fees and late-payment penalties; or to stay or terminate her suspension for not paying her 2016 membership fees and late-payment penalties under the Supreme Court's May 25, 2016, order in case number S234725. (Bus. & Prof. Code, §§ 6141.1, 6143.) To the extent that disciplinary costs have been added to Scovis's 2016 membership fees, the State Bar Court has jurisdiction both to reduce the costs and to extend the time for payment of the costs upon a showing of hardship, special circumstances, or other good cause. (Bus. & Prof. Code, § 6086.10, subd. (c).)

Even though Scovis's motion, her August 25, 2016, supporting declaration, and her August 26, 2016, financial declaration are not models of clarity, the court is able to construe them, in the interest of justice, as including a motion to extend the time in which Scovis must pay the disciplinary costs imposed against her under the Supreme Court's August 29, 2012, order in *In re Kim Dennise Scovis on Discipline*, case number S201284 (State Bar Court case numbers 11-O-12106 and 11-O-11344 (consolidated)). Even though Scovis has not established sufficient grounds of hardship, special circumstances, or other good cause to reduce the costs, Scovis has, on the other hand, established such sufficient grounds based on the loss of her home and car and her difficulties in supporting herself, her son, and, presumably, her daughter (who apparently has a serious and expensive medical disorder) to again extend the time for payment of the costs.² Accordingly, the court will extend the time to pay costs as set forth *post*.

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² Scovis was previously granted an extension of time to pay costs in an order filed herein on August 8, 2013.

ORDER

The court ORDERS that Kim Dennise Scovis's July 27, 2016, motion is GRANTED to the extent that time in which she must pay the assessed disciplinary costs is extended as set forth *post* and that, in all other respects, Scovis's July 27, 2016, motion is DISMISSED for want of jurisdiction. The court further ORDERS that the time in which Kim Dennise Scovis must pay the \$5,053 in disciplinary costs assessed against her under the Supreme Court's August 29, 2012, order in *In re Kim Dennise Scovis on Discipline*, case number S201284 (State Bar Court case numbers 11-O-12106 and 11-O-11344 (consolidated)) is EXTENDED as follows: Kim Dennise Scovis must pay one-fifth of the present unpaid balance of the \$5,053 in costs with her membership fees for each of the years 2018, 2019, 2020, 2021, and 2022. (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 5.130(B).)

The court further ORDERS that, if Kim Dennise Scovis fails to pay any installment of costs within the time described above, or as may be modified by the State Bar Court, then the remaining balance of the costs is due and payable immediately. The payment of costs remains enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Dated: August 30, 2016


W. KEARSE MCGILL
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 August 30, 2016, I deposited a true copy of the following document(s):

ORDER GRANTING MOTION IN PART AND DISMISSING MOTION IN PART

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:

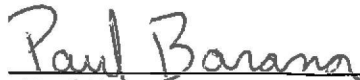
**KIM D. SCOVIS
LAW OFFICES OF KIM D. SCOVIS
1534 N MOORPARK RD # 342
THOUSAND OAKS, CA 91360**

**Courtesy Copy:
KIM D. SCOVIS
495 NORTH VENTU PARK ROAD
NEWBURY PARK, CALIFORNIA 91320**

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

MICHAELA F. CARPIO, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 30, 2016.



Paul Barona
Case Administrator
State Bar Court