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STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT – SAN FRANCISCO



In the Matter of)	Case No.: 11-O-18310-LMA
)	
LEAH ELIZABETH HARMUTH,)	
)	(1) RECOMMENDATION TO CANCEL
Member No. 267700,)	LICENSE TO PRACTICE LAW; AND
)	
A Member of the State Bar.)	(2) ORDER OF INVOLUNTARY
)	INACTIVE ENROLLMENT
)	

Respondent Leah Elizabeth Harmuth was admitted to the practice of law in the State of California on December 4, 2009, and has been a member of the State Bar since that date.

On November 5, 2012, respondent, represented by attorney Carol Langford, and Deputy Trial Counsel Esther J. Rogers of the Office of the Chief Trial Counsel of the State Bar of California filed a Stipulation in Support of Decertification and Cancellation of Respondent's License to Practice Law. The stipulation establishes the factual basis for the cancellation of respondent's license to practice law in California and the removal of her name from the State Bar of California's roll of attorneys.

Facts

In the stipulation, the parties stipulated to the following facts:

On March 12, 2009, respondent submitted an application ("California Application") to the California Committee of Bar Examiners for the July 2009 Bar Examination requesting testing

accommodations due to her alleged diagnosis of a disability. Due to her alleged disability, respondent requested accommodations of time and a half and a private room.

Respondent stated in her California Application under penalty of perjury that while she was an undergraduate at the University of Pennsylvania, she was granted testing accommodations of time and a half for exams. In fact, respondent did not receive official testing accommodations of time and a half for exams from the University of Pennsylvania.

According to one of respondent's professors at the University of Pennsylvania, he granted her unofficial testing accommodations.

Based on her misrepresentations in her application for testing accommodations, the California Committee of Bar Examiners granted respondent testing accommodations for the July 2009 Bar Examination of time and one half and a semi-private room.

If respondent had accurately represented the type of accommodations she had received at the University of Pennsylvania, the California State Bar would have denied respondent's request for testing accommodations.

Thereafter, respondent took and passed the July 2009 Bar Examination with accommodations of time and one half and a semi-private room.

On November 18, 2010, respondent submitted an Application for Testing Accommodations ("New York Application") to the New York State Board of Law Examiners for the February 2011 Bar Examination due to her alleged diagnosis of a disability. Respondent requested accommodations of time and a half and a private room.

Respondent stated in her New York Application under penalty of perjury that while she was an undergraduate at the University of Pennsylvania, she was granted testing accommodations of time and a half for exams. Again, that was not true.

On August 3, 2011, the New York State Board of Law Examiners issued a Determination which found that respondent made misrepresentations in her New York Application that she had received testing accommodations while attending the University of Pennsylvania. It disqualified respondent from taking the New York State Bar Examination or applying for admission for a period of two years.

On August 8, 2011, New York State Board of Law Examiners provided the State Bar of California with a copy of the Determination.

On September 30, 2011, respondent notified the State Bar of California of the New York State Board of Law Examiners' Determination.

Conclusions

By making misrepresentations in her California Application and New York Application, respondent admitted that she committed acts involving moral turpitude, dishonesty or corruption in violation of Business and Professions Code section 6106.¹

In mitigation, respondent submitted 11 good character letters from a wide range of references in the legal and general communities.

Therefore, in an effort to resolve this matter, respondent and the State Bar agree that the proper remedy is a cancellation of respondent's license to practice law in California, and that respondent's name be removed from the State Bar of California's roll of attorneys.

The court finds that respondent, by making misrepresentations in her California Application and New York Application, committed acts involving moral turpitude and dishonesty in willful violation of Business and Professions Code section 6106.

¹ Business and Professions Code section 6106 provides, in part, that the commission of any act involving dishonesty, moral turpitude, or corruption constitutes cause for suspension or disbarment.

Recommendations

Therefore, it is hereby recommended that respondent Leah Elizabeth Harmuth's license to practice law in the State of California be cancelled and her name stricken from the roll of attorneys.


It is further recommended that respondent be ordered to comply with the requirements of rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court order in this proceeding.

Order

The court orders that respondent's stipulation to cancel her license to practice law to be immediately transmitted to the California Supreme Court along with this recommendation.

The court further orders that respondent Leah Elizabeth Harmuth be enrolled as an inactive member of the State Bar of California immediately upon service of this order and her inactive enrollment will terminate upon the effective date of the Supreme Court's order accepting respondent's request to cancel her license to practice law or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

Dated: November 30, 2012



LUCY ARMENDARIZ
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 San Francisco, on November 30, 2012, I deposited a true copy of the following document(s):

- (1) RECOMMENDATION TO CANCEL LICENSE TO PRACTICE LAW; AND
- (2) ORDER OF INVOLUNTARY INACTIVE ENROLLMENT

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:

CAROL LANGFORD
100 PRINGLE AVE #570
WALNUT CREEK, CA 94596

- 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 November 30, 2012.



Mazie Yip
Case Administrator
State Bar Court