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STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 12-C-14468
)	
PAUL DANIEL SEEMAN,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 91503.)	
_____)	

On November 26, 2014, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a First Amended Request for Summary Disbarment based on Paul Daniel Seeman's felony convictions.¹ Seeman did not file a response. We grant the request and recommend that Seeman be summarily disbarred.

Seeman is a former judge of the Alameda County Superior Court. On March 19, 2013, he resigned from the bench. On August 1, 2013, he pleaded no contest to felony violations of Penal Code sections 368, subdivision (d) (theft and embezzlement from dependent elder adult), and 118, subdivision (a) (perjury). Seeman entered into a Stipulation for Imposition of Censure and Bar, which was approved by the Commission on Judicial Performance on December 5, 2013. Pursuant to the stipulation, Seeman agreed to accept a censure and bar, not to seek a judicial or subordinate office, and to be disbarred by the State Bar of California.

¹ On October 10, 2014, OCTC filed a request for summary disbarment. On October 30, 2014, we ordered OCTC to provide clarification regarding the discrepancy in the case numbers identified in the criminal records. OCTC provided clarification on November 7, 2014, and served the first amended request for summary disbarment on November 26, 2014.

Effective October 11, 2013, we placed Seeman on interim suspension. (See *In re Scott* (1991) 52 Cal.3d 968, 976 [Supreme Court and State Bar retain jurisdiction to determine a resigned judge's further fitness to resume the practice of law].) On October 10, 2014, and as clarified on November 7, 2014, OCTC filed evidence that Seeman's conviction is final.

After the judgment of conviction becomes final, "the Supreme Court shall summarily disbar the attorney if the offense is a felony . . . and an element of the offense is the specific intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude." (Bus. & Prof. Code, § 6102, subd. (c).) The record of conviction establishes that Seeman's offenses meet the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c).

First, Seeman pleaded to and was found guilty of felony violations. (Bus. & Prof. Code, § 6102, subd. (b).) Second, Seeman's offenses necessarily involve moral turpitude. His elder abuse offense requires the defendant to commit theft or embezzlement of the property of an elder adult. Conviction for theft or embezzlement involves moral turpitude. (See *People v. Brock* (2006) 143 Cal.App.4th 1266, 1281-1282 [definition of theft in Pen. Code, § 368, subd. (d), same as in other theft statutes]; *In re Basinger* (1988) 45 Cal.3d 1348, 1358 [grand theft involves moral turpitude]; *In re Lyons* (1975) 15 Cal.3d 322 [embezzlement involves moral turpitude]; *In re Paguirigan* (2001) 25 Cal.4th 1, 5 [crimes of robbery, embezzlement and other forms of theft necessarily involve moral turpitude].) Further, Seeman's conviction for perjury is a crime involving moral turpitude per se. (*In re Kristovich* (1976) 18 Cal.3d 468, 472 [offense of perjury, which entails a willful false statement, contrary to oath, as to a material matter which one knows to be false, involves moral turpitude].)

When an attorney's conviction meets the requirements of Business and Professions Code section 6102, subdivision (c), "the attorney is not entitled to a State Bar Court hearing to

determine whether lesser discipline is called for." (*In re Paguirigan, supra*, 25 Cal.4th at p. 7.)
Disbarment is mandatory. (*Id.* at p. 9.)

We therefore recommend that Paul Daniel Seeman, State Bar number 91503, be disbarred from the practice of law in this state. We also recommend that he be ordered to comply with 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's order. Finally, we recommend that the costs be awarded to the State Bar in accordance with section 6086.10 of the Business and Professions Code and that such costs be enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

PURCELL

Presiding Judge

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. 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 February 11, 2015, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED FEBRUARY 11, 2015

in a sealed envelope for collection and mailing on that date as follows:

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


PAUL D. SEEMAN
2124 KITTREDGE ST # 180
BERKELEY, CA 94704 - 1436

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

DONALD R. STEEDMAN, Enforcement, San Francisco

COURTESY COPY:
ALLEN BLUMENTHAL, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on February 11, 2015.



Jasmine Guladzhyan
Case Administrator
State Bar Court