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STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

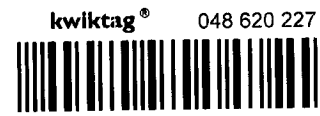
REVIEW DEPARTMENT

In the Matter of)	Case No. 12-C-17459
)	
WILLIAM A. HIRST,)	RECOMMENDATION OF
)	SUMMARY DISBARMENT
A Member of the State Bar, No. 36401.)	
_____)	

On December 27, 2012, respondent William A. Hirst pled guilty to submitting a false statement to the Internal Revenue Service in violation of title 18 United States Code section 1001(a)(2). Effective March 15, 2013, we placed Hirst on interim suspension. On November 14, 2013, the Office of Chief Trial Counsel submitted evidence that the conviction is final and requested that Hirst be summarily disbarred. Hirst filed a notice of non-opposition in response, which stated that he did oppose the request but included a copy of a declaration of compliance with California Rule of Court, rule 9.20, and asserted that no further declaration should be required. The declaration reports compliance with the rule based upon not having any clients, unearned fees, or pending matters at the time the order to comply with the rule was filed. We recommend that Hirst be summarily disbarred.

A. Hirst's Conviction Meets the Criteria for Summary Disbarment

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 both criteria for summary disbarment.



First, the offense is a felony because it may result in imprisonment in excess of one year. (See 18 U.S.C. § 3559(a) [classifying offenses based on sentencing ranges]; 18 U.S.C. § 1001(a) [sentencing range of up to five years in prison].) Thus, the first prong of the summary disbarment statute is satisfied.

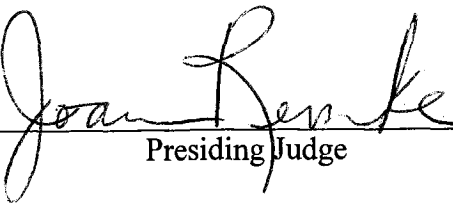
Second, the offense inherently involves moral turpitude as well as the specific intent to make a false statement. The offense prohibits “knowingly and willfully” making “any materially false” statement “in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States.” (18 U.S.C. § 1001(a).) Thus, it is necessary to “prove five elements to obtain a conviction for making a false statement under § 1001: (1) a statement, (2) falsity, (3) materiality, (4) specific intent, and (5) agency jurisdiction. [Citation.]” (*United States v. Camper* (9th Cir. 2004) 384 F.3d 1073, 1075.) Accordingly, the second prong is satisfied because the elements of the offense require specific intent to make a material false statement, which inherently involves moral turpitude. (See *In re Bloom* (1987) 44 Cal.3d 128, 130, 134 [§ 1001 conviction for submitting false document offense involved moral turpitude because knowledge of falsity was required].)

When an attorney’s convictions meet 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* (2001) 25 Cal.4th 1, 7.) Disbarment is mandatory. (*Id.* at p. 9.)

B. Summary Disbarment Recommendation

We therefore recommend that William A. Hirst, State Bar number 36401, be disbarred from the practice of law in this state. Although Hirst submitted a declaration of compliance with California Rules of Court, rule 9.20, arising out of his interim suspension, circumstances may have changed, and if they have not, then completing a new declaration will be minimally

burdensome. Accordingly, we also recommend that he be ordered to comply with California Rules of Court, rule 9.20 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.


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 January 16, 2014, I deposited a true copy of the following document(s):

**RECOMMENDATION OF SUMMARY DISBARMENT
FILED JANUARY 16, 2014**

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:

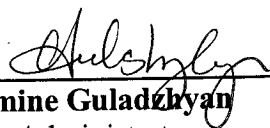
**JEROME FISHKIN
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- [X] by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

DONALD R. STEEDMAN, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 16, 2014.



Jasmine Guladzhyan
Case Administrator
State Bar Court