

**PUBLIC MATTER  
FILED**

**MAR 05 2013**

**STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO**

1 STATE BAR OF CALIFORNIA  
2 OFFICE OF THE CHIEF TRIAL COUNSEL  
3 JAYNE KIM, No. 174614  
4 CHIEF TRIAL COUNSEL  
5 JOSEPH R. CARLUCCI, No. 172309  
6 DEPUTY CHIEF TRIAL COUNSEL  
7 SUSAN I. KAGAN, No. 214209  
8 ASSISTANT CHIEF TRIAL COUNSEL  
9 SUSAN CHAN, No. 233229  
10 SENIOR TRIAL COUNSEL  
11 HEATHER E. ABELSON, No. 243691  
12 DEPUTY TRIAL COUNSEL  
13 180 Howard Street  
14 San Francisco, California 94105-1639  
15 Telephone: (415) 538-2357  
16

STATE BAR COURT

HEARING DEPARTMENT - SAN FRANCISCO

14 In the Matter of: ) Case No. 13-N-10561  
15 RICHARD CHAE, )  
16 No. 224610, ) NOTICE OF DISCIPLINARY CHARGES  
A Member of the State Bar )

**NOTICE - FAILURE TO RESPOND!**

**IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE  
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT  
THE STATE BAR COURT TRIAL:**

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU  
WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN  
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION  
AND THE DEFAULT IS SET ASIDE, AND;**
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.  
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE  
OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN  
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT  
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,  
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**



1 The State Bar of California alleges:

2 JURISDICTION

3 1. Richard Chae ("Respondent") was admitted to the practice of law in the State of  
4 California on April 14, 2003, was a member at all times pertinent to these charges, and is  
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 13-N-10561  
8 Business and Professions Code, section 6103  
[Violation of a Court Order]

9 2. Respondent violated Business and Professions Code section 6103 by wilfully  
10 disobeying or violating an order of the court requiring respondent to do or forbear an act  
11 connected with or in the course of Respondent's profession which respondent ought in good faith  
12 to do or forbear, as follows:

13 3. On or about November 18, 2011, Respondent was convicted of violating California  
14 Penal Code section 67 (bribery), and California Vehicle Code sections 23152(a) (DUI) and  
15 23152(b) (Driving With Blood Alcohol Content of .08% or More) in the Superior Court of  
16 California, County of San Mateo, Case No. SC071149.

17 4. On or about September 21, 2012, the Review Department of the State Bar of  
18 California, In Bank, issued an Interim Suspension Order (hereinafter "9.20 Order"). The 9.20  
19 Order included a requirement that Respondent comply with Rule 9.20, California Rules of Court,  
20 by performing the acts specified in subdivisions (a) and (c) within 30 and 40 days, respectively,  
21 after the effective date of the 9.20 Order. (A true and correct copy of the 9.20 Order is attached  
22 hereto as Exhibit 1 and is incorporated by reference.)

23 5. On or about September 21, 2012, a Case Administrator of the State Bar Court properly  
24 served upon Respondent a copy of the 9.20 Order. Respondent received the 9.20 Order.

25 6. On or about October 5, 2012, the Office of Probation of the State Bar of California  
26 sent a letter to Respondent which attached a copy of the 9.20 Order, a copy of Rule 9.20, and a  
27 template for a Rule 9.20 Compliance Declaration. Respondent received this letter.

1 7. The Review Department Order became effective on October 19, 2012. Thus,  
2 Respondent was ordered to comply with subdivision (a) of Rule 9.20 of the California Rules of  
3 Court no later than on or about November 18, 2012, and was ordered to comply with subdivision  
4 (c) of Rule 9.20 no later than on or about November 28, 2012.

5 8. On or about February 11, 2013, Respondent filed a declaration of compliance with  
6 Rule 9.20(a), California Rules of Court, as required by Rule 9.20(c), with the clerk of the State  
7 Bar Court.

8 9. By failing to file his declaration of compliance with Rule 9.20(c) by November 28,  
9 2012, Respondent failed to comply with the Review Department's 9.20 Order requiring  
10 Respondent to do acts connected with or in the course of his profession which he ought in good  
11 faith to do, in wilful violation of Business and Professions Code section 6103.

12  
13 **NOTICE - INACTIVE ENROLLMENT!**

14 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**  
15 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**  
16 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**  
17 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**  
18 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**  
19 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**  
20 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**  
21 **RECOMMENDED BY THE COURT.**

22  
23 **NOTICE - COST ASSESSMENT!**

24 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC**  
25 **DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS**  
26 **INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING**  
27 **AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND**  
28 **PROFESSIONS CODE SECTION 6086.10.**

Respectfully submitted,

THE STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: March 5, 2013


By:   
Heather Abelson  
Deputy Trial Counsel



STATE BAR COURT OF CALIFORNIA  
REVIEW DEPARTMENT  
IN BANK

In the Matter of ) Case No. 10-C-05284  
RICHARD CHAE, ) ORDER  
A Member of the State Bar, No. 224610. )

Since respondent Richard Chae, State Bar Number 224610, has been convicted of violating Penal Code section 67 (bribery), a felony involving moral turpitude, it is ordered pursuant to Business and Professions Code section 6102 that respondent be suspended from the practice of law effective October 19, 2012, pending final disposition of this proceeding. (Cal. Rules of Court, rule 9.10(a).)<sup>1</sup> It is further ordered that respondent comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this suspension.

  
\_\_\_\_\_  
Presiding Judge

<sup>1</sup> Chae was also convicted of misdemeanor violations of Vehicle Code section 23152, subdivisions (a) (driving under the influence) and (b) (driving with BAC of .08% or more).

**EXHIBIT 1**

**DECLARATION OF SERVICE**  
**BY CERTIFIED AND REGULAR MAIL**

CASE NO.: 13-N-10561

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco, on the date shown below, a true copy of the within

**NOTICE OF DISCIPLINARY CHARGES**

in a sealed envelope placed for collection and mailing as *certified mail, return receipt requested*, and in an additional sealed envelope as *regular mail*, at San Francisco, on the date shown below, addressed to:

**Article No.: 7196 9008 9111 6623 2351**

Richard Chae  
1489 Webster Street, Apt. 703  
San Francisco, CA 94115

**Courtesy copy via U.S. mail only**

Richard Chae #1092254  
Minimum Security Transitional Facility  
1590 Maple Street  
Redwood City, CA 94063

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: March 5, 2013

Signed: \_\_\_\_\_

Paula H. D'Oyen  
Declarant