

PUBLIC MATTER

THE STATE BAR OF CALIFORNIA
OFFICE OF PROBATION
TERRIE GOLDADE, No. 155348
SUPERVISING ATTORNEY
845 South Figueroa Street
Los Angeles, California 90017-2515
Telephone: (213) 765-1000

FILED

AUG 27 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:

RICHARD D. ACKERMAN,
No. 171900,

A Member of the State Bar

) Case No. 14-PM- 04575
)
) MOTION TO REVOKE PROBATION;
) MEMORANDUM OF POINTS AND
) AUTHORITIES; DECLARATION OF
) MARICRUZ FARFAN; EXHIBITS 1
) THROUGH 3; PROBATION REVOCATION
) RESPONSE FORM [Rule 5.310 et seq., Rules
) of Procedure of the State Bar]

TO: The State Bar Court and Richard D. Ackerman, Respondent:

PLEASE TAKE NOTICE THAT the State Bar of California, Office of Probation, hereby moves pursuant to Rules of Procedure of the State Bar of California, rules 5.310, et seq., to revoke the probation imposed upon Richard D. Ackerman ("Respondent") in prior disciplinary case no. 12-O-13461 and to impose upon Respondent the entire period of suspension of one year previously stayed by order no. S211542 of the Supreme Court filed on August 28, 2013. The State Bar requests that Respondent remain on actual suspension. The State Bar further requests that Respondent be ordered to comply with rule 9.20, California Rules of Court, and that Respondent be placed on involuntary inactive enrollment pursuant to Business and Professions Code section 6007(d).

This motion is based upon the factual allegations that Respondent has violated the terms of probation imposed on Respondent by the aforementioned order as follows:

kwiktag® 048 638 771



1 1. As a condition of probation, Respondent was ordered to comply with the State
2 Bar Act and Rules of Professional Conduct and to report such compliance to the Office of
3 Probation under penalty of perjury each January 10, April 10, July 10, and October 10
4 ("quarterly reports"). Respondent has not complied in that he has failed to file his first three
5 quarterly reports, which were due January 10, April 10, and July 10, 2014.

6 This motion is also based on the attached Memorandum of Points and Authorities, the
7 attached Declaration of Maricruz Farfan, the attached exhibits, and all documents on file with the
8 court in this matter.

9 In accordance with rules 5.314(A) and 5.314(E) of the Rules of Procedure of the State
10 Bar of California, the Office of Probation requests that a hearing be held unless the Court, based
11 upon this motion and any response, determines that imposition of the discipline as requested
12 above is warranted.

13 **NOTICE – FAILURE TO RESPOND**

14 YOUR FAILURE TO FILE A RESPONSE WITHIN TWENTY (20) DAYS OF
15 SERVICE OF THIS MOTION WILL CONSTITUTE AN ADMISSION OF THE
16 FACTUAL ALLEGATIONS CONTAINED IN THIS MOTION AND MAY
17 RESULT IN THE IMPOSITION OF ACTUAL SUSPENSION PURSUANT TO
18 THE UNDERLYING DISCIPLINARY ORDER. ALSO, FAILURE TO
19 REQUEST A HEARING WILL CONSTITUTE A WAIVER OF YOUR RIGHT
20 TO A HEARING. SEE RULE 5.314(B) OF THE RULES OF PROCEDURE OF
21 THE STATE BAR.

22 **NOTICE – INACTIVE ENROLLMENT**

23 YOU ARE HEREBY NOTIFIED THAT, PURSUANT TO BUSINESS AND
24 PROFESSIONS CODE SECTION 6007(d), IF THE STATE BAR COURT
25 RECOMMENDS ACTUAL SUSPENSION ON ACCOUNT OF A PROBATION
26 VIOLATION OR OTHER DISCIPLINARY MATTER, YOU MAY BE
27 INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE
28 STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION
TO ANY DISCIPLINE RECOMMENDED BY THE STATE BAR COURT.
SEE RULE 5.315, RULES OF PROCEDURE OF THE STATE BAR.

NOTICE – COST ASSESSMENT

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE,
YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY
THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF

1 THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE
2 SECTION 6086.10. SEE RULE 5.129, ET SEQ., RULES OF PROCEDURE OF
3 THE STATE BAR.

4 Respectfully submitted,

5 THE STATE BAR OF CALIFORNIA
6 OFFICE OF PROBATION

7 DATED: August 27, 2014

8 By: 

9 Terrie Goldade
10 Supervising Attorney
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[illegible][illegible]

4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
.
2
.
.

7
8
9
0
1
2
3
4
5
6
7
8
9
0
.
2
.
.
.

8

9

0

1

2

3

4

5

6

7

3

9

0

.

2

.

.

.

3
4
5
6
7
8
9
0
.
2
.
.
.

4
5
6
7
8
9
0
.
2
.
.
.

390

9
0
2
4
6
8

1 B. Respondent's Violation of Probation Was Willful

2 Violation of a condition of probation must be willful to warrant discipline. (*In the Matter*
3 *of Potack* (1991 Review Dept.) 1 Cal. State Bar Ct. Rptr. 525.) A willful failure is demonstrated
4 by a general purpose or willingness to permit the omission and can be proven by direct or
5 circumstantial evidence. (*Durbin v. State Bar* (1979) 23 Cal.3d 461; *Zitny v. State Bar* (1966) 64
6 Cal.2d 787.) It does not require bad faith.

7 The burden of proof in a probation revocation proceeding is the preponderance of the
8 evidence. (Rule 5.311, Rules of Procedure.) For purposes of determining culpability, it is
9 misguided to distinguish between "substantial" and "insubstantial" or "technical" violations of
10 probation conditions. (*In the Matter of Potack*, supra.) Respondent's failure to comply with
11 probation demonstrates a lack of concern about professional responsibilities, and therefore,
12 probation should be revoked.

13 II. RESPONDENT'S VIOLATION OF PROBATION WARRANTS THE IMPOSITION
14 OF THE FULL STAYED SUSPENSION.

15 In a probation revocation proceeding, the hearing judge may recommend actual
16 suspension up to the entire period of stayed suspension. (Rule 5.312, Rules of Procedure.) In
17 this case, the Supreme Court imposed a stayed suspension of one year. Based on the violation of
18 probation, the hearing judge should now recommend that Respondent be actually suspended for
19 the full period of stayed suspension.

20 III. UPON FINDING OF VIOLATION OF PROBATION, THE COURT MAY ORDER A
21 RESPONDENT PLACED ON INACTIVE STATUS.

22 In a probation revocation proceeding, the hearing judge may order the involuntary
23 inactive enrollment of a Respondent upon a finding that each of the elements of Business and
24 Professions Code section 6007(d) have occurred. (Rule 5.315, Rules of Procedure.) Those
25 elements have occurred where the Respondent is under an order of stayed suspension with a
26 period of probation and has violated that probation and where the hearing judge recommends a
27 period of actual suspension. (Business and Professions Code, section 6007(d)(1).) See *In the*
28 *Matter of Tiernan* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 523, 531-532. The order

1 enrolling a respondent inactive shall be effective upon service unless otherwise ordered by the
2 judge. (Rule 5.315, Rules of Procedure.)

3 CONCLUSION

4 The Supreme Court has stayed Respondent's suspension and placed him on probation,
5 and Respondent has violated that probation. The State Bar requests that the hearing judge
6 recommend revocation of Respondent's probation and the imposition of one year of actual
7 suspension. Furthermore, the hearing judge should order Respondent placed on involuntary
8 inactive enrollment until the suspension is effective and order Respondent to comply with Rule
9 9.20, California Rules of Court.

10 Respectfully submitted,

11 THE STATE BAR OF CALIFORNIA
12 OFFICE OF PROBATION

13
14 DATED: August 27, 2014

15 By: 

16 Terrie Goldade
17 Supervising Attorney
18
19
20
21
22
23
24
25
26
27
28

1

2

3

6

10

14

17

22

1 7. A review of the probation file on Respondent reflects that a disciplinary order
2 imposing probation is contained therein. A copy of said order, filed on August 28, 2013, is
3 attached hereto and incorporated by reference as Exhibit 2. A copy of the stipulation filed May
4 2, 2013 is also included within Exhibit 2 for the Court's convenience. Pursuant to said order, the
5 terms and conditions of probation imposed on Respondent include the following:

6 a. comply with the State Bar Act and Rules of Professional Conduct and to
7 report such compliance to the Office of Probation under penalty of perjury each January
8 10, April 10, July 10, and October 10 ("quarterly reports"). Respondent has not complied
9 in that he has failed to file his first three quarterly reports, which were due January 10,
10 April 10, and July 10, 2014.

11 8. As Custodian of Records, I have reviewed the entire contents of the probation file
12 on Respondent which reflects that the relevant portions of the disciplinary orders imposing
13 probation and a letter confirming the terms and conditions of probation, including suspension,
14 were provided to the Respondent on September 25, 2013.

15 9. The following documents, attached hereto and incorporated by reference
16 collectively as Exhibit 3, are contained in the Office of Probation file maintained on respondent:

17 a. Reminder letter mailed to Respondent on September 25, 2013 outlining the
18 terms and conditions of his probation. The letter set forth all of Respondent's
19 conditions and deadlines, including his quarterly reporting condition. The
20 letter included Quarterly Report Instructions and a form quarterly report
21 prepared for Respondent as a courtesy by the Office of Probation. Paragraph
22 6 on the Quarterly Report Instructions sheet stated that the "report must
23 contain an **original signature** in order to be filed with the Office of
24 Probation." Emphasis in original.

25 b. October 31, 2013 e-mail to Respondent regarding previous communications
26 and scheduling his required meeting.

27 c. October 31, 2013 e-mail from Respondent.

28 d. November 1, 2013 e-mail from Respondent.

- e. November 1, 2013 e-mail from Respondent suggesting a day for the required meeting.
- f. November 1, 2013 e-mail to Respondent setting a required meeting date and time.
- g. November 13, 2013 e-mail from Respondent.
- h. November 14, 2013 e-mail to Respondent.
- i. November 14, 2013 e-mail from Respondent.
- j. November 14, 2013 e-mail to Respondent attaching the Required Meeting Record form for the meeting held that day. During that meeting all terms and conditions were reviewed with Respondent. Also attached was a revised quarterly report form with the Office of Probation's new address (to begin in January 2014) and the 2014 schedules for Ethics School and the MPRE.
- k. November 14, 2013 e-mail from Respondent.
- l. January 10, 2014 quarterly report received from Respondent on January 10, 2014. The quarterly report could not be filed because it did not have Respondent's original signature.
- m. March 6, 2014 e-mail to Respondent informing him that his January 10, 2014 quarterly report was defective and could not be filed because it did not have an original signature. Respondent was told he could file a late quarterly report.
- n. March 6, 2014 e-mail from Respondent.
- o. March 6, 2014 e-mail from Respondent thanking for the reminder.
- p. March 10, 2014 notice to Respondent of the State Bar's change of address.
- q. July 10, 2014 e-mail from Respondent advising that he was preparing his quarterly report, but did not get it in timely, etc.
- r. July 10, 2014 e-mail from Respondent attaching his July 10, 2014 quarterly report and stating the original would follow by US mail. It could not be filed because it did not have an original signature.

- 1 s. July 21, 2014 letter mailed to Respondent notifying him of his noncompliance
2 in that he had not filed quarterly reports for January 10, April 10, and July 10,
3 2014. A copy of the September 25, 2013 letter was enclosed, including all
4 attachments such as the quarterly report form and quarterly report instructions.
- 5 t. July 21, 2014 letter e-mailed to Respondent notifying him of his
6 noncompliance in that he had not filed quarterly reports for January 10, April
7 10, and July 10, 2014. A copy of the September 25, 2013 letter was enclosed,
8 including all attachments such as the quarterly report form and quarterly
9 report instructions.
- 10 u. July 21, 2014 e-mail from Respondent.
- 11 v. July 23, 2014 e-mail from Respondent thanking for the e-mailed letter.
- 12 10. A complete review of the Respondent's file reflects that none of the letters
13 referred to above were returned to the State Bar of California, Office of Probation by the United
14 States Postal Service as undeliverable, or for any other reason.
- 15 11. On October 24, 2013, I received a telephonic voice mail message from
16 Respondent who stated that he was following up on an e-mail sent to the Office of Probation
17 regarding setting up an appointment. He left a couple of telephone numbers for a call back.
- 18 12. On October 24, 2013, I telephoned Respondent at the first number he had left on
19 his voice mail message for a call back. I left a message stating that he could call back.
- 20 13. On October 28, 2013, I received a voice mail message from Respondent stating
21 that he was returning my call from last week and that he was trying to set up an appointment
22 pursuant to my letter to him of September 25, 2013. I could not understand the rest of the
23 message that was left.
- 24 14. On October 29, 2013, I telephoned Respondent at the caller ID telephone number
25 on my phone from his October 28, 2013 voice mail. I left a message for him stating that I was
26 returning his call, and that, if he called back, to leave dates and times he would be available for a
27 telephonic meeting. I also stated that he could e-mail me at the address on my letter to him.
- 28

15. On October 30, 2013, I received a voice mail message from a woman whose name sounded like Lenore Boykins. She identified herself as Respondent's paralegal and stated that Respondent had asked her to call me to make an appointment for November 11 or 12 at any time. She asked that I call back with the appointed time.

16. I did not call Lenore Boykins back, but I did e-mail Respondent on October 31, 2013 in response to the call.

17. On November 14, 2013, I received a call from Respondent at 9:24 a.m. calling for his meeting. I asked whether he had received my e-mail earlier in the morning. He said he had not. I told him that I needed to change his meeting to 10 a.m., if he was available. He said that he would be available and would call at 10 a.m.

18. On November 14, 2013, I received a voice mail from Respondent calling in for his meeting at 10 a.m. and stating that he would call back in a few minutes.

19. On November 14, 2013, I called Respondent right back and conducted the required meeting. During that meeting, I discussed with Respondent all of his conditions and their deadlines, including quarterly reporting.

20. Respondent must provide proof of passage of the MPRE by September 27, 2014. Although the deadline has not yet passed, Respondent has not yet provided proof of passage.

21. Respondent must provide proof of completion of Ethics School and passage of the test given at the end of the session by September 27, 2014. Although the deadline has not yet passed, Respondent has not yet provided the required proof.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 27th day of August, 2014 at Los Angeles, California.

Maricruz Farfan
Declarant

DECLARATION OF SERVICE BY CERTIFIED AND REGULAR MAIL

CASE NUMBER(s): NEW PM

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 S. Figueroa Street, Los Angeles, California 90017-2515, 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 Los Angeles, on the date shown below, a true copy of the within

MOTION TO REVOKE PROBATION; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF MARICRUZ FARFAN EXHIBITS 1 THROUGH 3; PROBATION REVOCATION RESPONSE FORM { Rule 5.310 et seq., Rules of Procedure of the State Bar}

in a sealed envelope placed for collection and mailing as Certified mail #7160 3901 9845 4871 9246 and **regular mail** mailed at Los Angeles, on the date shown below, addressed to:

Richard D. Ackerman
Law Offices of R.D.Ackerman
27638 Moonridge Dr
Menifee, CA 92585

Courtesy copy by regular mail to:
Richard D. Ackerman
Law Offices of R.D.Ackerman
27638 Moonridge Dr
Menifee, CA 92585

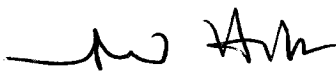
in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

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 Los Angeles, California, on the date shown below.

DATED: August 27, 2014

SIGNED: _____


Mia Hibler
Declarant

Counsel for Respondent	(for Court use)
In the Matter of	Case no(s).
Bar #	
A member of the State Bar of California ("Respondent")	PROBATION REVOCATION RESPONSE (Rule 5.314, Rules of Procedure)

As required by rule 5.314(B), Rules of Procedure, Respondent attaches one or more declarations to this form which set forth the facts upon which my opposition to the motion to revoke probation is based.

(1) ☐ Respondent requests a hearing in this matter and intends to participate.

OR

(2) ☐ Respondent requests that this proceeding be resolved on the pleadings without any hearing.

If you checked box (1), check one of the following:

- (a) ☐ Respondent requests the opportunity to cross-examine the person(s) who executed declaration(s) in support of the motion to revoke my probation.
- (b) ☐ Respondent does not request the opportunity to cross-examine the person(s) who executed declaration(s) in support of the motion to revoke my probation.

Date: _____

Signature



THE STATE BAR OF CALIFORNIA

MEMBER RECORDS & COMPLIANCE

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

August 11, 2014

TO WHOM IT MAY CONCERN:

I, Louise Turner, Custodian of Membership Records of the State Bar of California, hereby certify that attached is a full, true and correct copy of the registration card on file in the Membership Records Department of the State Bar of California for RICHARD D. ACKERMAN, #171900.

THE STATE BAR OF CALIFORNIA

Louise Turner
Custodian of Membership Records

00001

THE STATE BAR OF CALIFORNIA
REGISTRATION CARD

INFORMATION PROVIDED ON THIS CARD BECOMES PUBLIC RECORD

MEMBER'S FULL NAME

LAST

ACKERMAN

FIRST

RICHARD

MIDDLE

D.

(PLEASE PRINT OR TYPE)

OFFICE ADDRESS, OR, IF NONE, OTHER ADDRESS FOR STATE BAR PURPOSES:

FIRM
NAME

ADDRESS

370 GENDA LANE

CITY

COSTA MESA

STATE

CA

ZIP

92627

FOREIGN
COUNTRY

TELEPHONE

714 722-8137

FAX

714 547-5523

PLACE OF BIRTH

BIRTH DATE

MONTH

05

DAY

15

YEAR

69

SANTA ANA, CA

State Bar Use Only

SCHOOL CODE

4969

SCHOOL CODE

UNDERGRADUATE
DEGREE FROM:

Western State University

CITY

Fullerton

STATE

CA

LAW DEGREE
FROM:

Western State University

CITY

Fullerton

STATE

CA

ADDITIONAL EDUCATION:

M.A. in progress at Calif. State Univ. @ Long Beach

DATES AND PLACES OF
P RIOR ADMISSION TO PRACTICE

N/A

State Bar Use Only

171900

NUMBER

11 23 74

DATE ADMITTED

MAIL

RESTRICTION

FEES \$

W.C. \$

40.-

S.C. \$

TOTAL \$

8 34

DATE

11-21-94

SIGNED

[Signature]

00002



THE STATE BAR OF CALIFORNIA

MEMBER RECORDS & COMPLIANCE

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

August 11, 2014

TO WHOM IT MAY CONCERN:

I, Louise Turner, Custodian of Membership Records of the State Bar of California, hereby certify that attached is a full, true and correct copy of the address history on file in the Membership Records Department of the State Bar of California for RICHARD D. ACKERMAN, #171900 from November 23, 1994 to the date of this certificate.

THE STATE BAR OF CALIFORNIA

Louise Turner
Custodian of Membership Records

00003

MM595R2

MEMBER ADDRESS CHANGE HISTORY

Print Date: 8/11/14

Member #: 171900

Date of Admission: 11/23/1994 Status: Active

Effective: 11/23/1994

Name: Richard D. Ackerman

Address: Law Offices of R.D. Ackerman

Eff: 6/30/2014

27638 Moonridge Dr
Menifee CA 92585

Law Offices of R.D. Ackerman

Eff: 7/01/2013

4129 Main St Ste B17
Riverside CA 92501

Law Offices of R.D. Ackerman
4129 Main Street
Suite B5
Riverside CA 92501

Eff: 3/20/2012

Eff: 9/08/2010

27247 Madison Ave Ste 104
Temecula CA 92590

Ackerman & Sands APC

Eff: 2/03/2010

29975 Technology Dr Ste 101
Murrieta CA 92563

Ackerman Cowles & Lindsley

Eff: 5/07/2008

29975 Technology Dr Ste 101
Murrieta CA 92563

Ackerman Cowles & Lindsley

Eff: 12/13/2006

41690 Enterprise Cir N #216
Temecula CA 92590

00004

MM595R2

MEMBER ADDRESS CHANGE HISTORY

Print Date: 8/11/14

Member #: 171900

Date of Admission: 11/23/1994 Status: Active

Effective: 11/23/1994

Name: Richard D. Ackerman

Address: Lively & Ackerman

Eff: 7/02/2004

41690 Enterprise Cir N #210
Temecula CA 92590

Lively, Ackerman & Cody
41690 Enterprise Cir N Ste 200
M
Temecula CA 92590 5620

Eff:12/15/2003

U.S. Justice Foundation

Eff:11/11/2003

2091 E Valley Pky #1-C
Escondido CA 92027

Eff:12/07/2001

U.S. Justice Foundation
2091 E Valley Pky #1-C
Escondido CA 92027

Eff: 3/24/2000

17870 Castleton St #338
City Of Industry CA 91748 1755

Eff:12/10/1999

3078 Veranda Lane
Corona CA 92882 7571

Eff: 7/01/1998

2063 S Atlantic Blvd #B
Monterey Park CA 91754

00005

MM595R2

MEMBER ADDRESS CHANGE HISTORY

Print Date: 8/11/14

Member #: 171900

Date of Admission: 11/23/1994 Status: Active

Effective: 11/23/1994

Name: Richard D. Ackerman

Address:

Eff: 9/03/1996

1001 N Ross St #B
Santa Ana CA 92701

Eff:11/23/1994

370 Genoa Ln
Costa Mesa CA 92627

AUG 28 2013

(State Bar Court No. 12-O-13461)

S211542

Frank A. McGuire Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re RICHARD D. ACKERMAN on Discipline

The court orders that Richard D. Ackerman, State Bar Number 171900, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. Richard D. Ackerman must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 2, 2013; and
2. At the expiration of the period of probation, if Richard D. Ackerman has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Richard D. Ackerman must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2014, 2015, and 2016. If Richard D. Ackerman fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

CANTIL-SAKAUYE

Chief Justice

I, Frank A. McGuire, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.

Witness my hand and the seal of the Court this

day of AUG 28 2013

20

Clerk

By: 

00001

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles STAYED SUSPENSION		
Counsel For The State Bar Lee Ann Kern Deputy Trial Counsel 1149 South Hill Street Los Angeles, California 90015 (213) 765-1272 Bar # 156623	Case Number(s): 12-O-13461	For Court use only <div style="text-align: center;"> FILED MAY 02 2013 <i>MC</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
In Pro Per Respondent Richard D. Ackerman 4129 Main Street, Suite B5 Riverside, California 92501 (951) 249-4070 Bar # 171900	PUBLIC MATTER	
In the Matter of: RICHARD D. ACKERMAN Bar # 171900 A Member of the State Bar of California (Respondent)	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING STAYED SUSPENSION; NO ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted November 23, 1994.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 11 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

(Effective January 1, 2011)

Stayed Suspension

- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- ☐ Costs are added to membership fee for calendar year following effective date of discipline.
 - ☒ Costs are to be paid in equal amounts prior to February 1 for the following membership years: The three billing cycles immediately following the effective date of the Supreme Court's order in this matter. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure). If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - ☐ Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - ☐ Costs are entirely waived.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) ☐ **Prior record of discipline** [see standard 1.2(f)]
- (a) ☐ State Bar Court case # of prior case
 - (b) ☐ Date prior discipline effective
 - (c) ☐ Rules of Professional Conduct/ State Bar Act violations:
 - (d) ☐ Degree of prior discipline
 - (e) ☐ If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (2) ☐ **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) ☐ **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) ☒ **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice. See Attachment to Stipulation, at p. 8.
- (5) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

(Do not write above this line.)

- (7) ☐ **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) ☐ **No aggravating circumstances** are involved.

Additional aggravating circumstances

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) ☐ **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) ☐ **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) ☐ **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) ☐ **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) ☐ **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) ☐ **Good Faith:** Respondent acted in good faith.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☐ **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) ☐ **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) ☐ **No mitigating circumstances** are involved.

(Effective January 1, 2011)

Stayed Suspension

(Do not write above this line.)

Additional mitigating circumstances

See Attachment to Stipulation, at p. 8.

(Effective January 1, 2011)

Stayed Suspension

D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of one year.

- i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. ☐ and until Respondent does the following:

The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent is placed on probation for a period of two years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court.)

E. Additional Conditions of Probation:

- (1) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (3) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (4) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (5) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

(Do not write above this line.)

- (6) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (7) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the State Bar Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason: .
- (8) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (9) ☐ The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) ☒ **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- ☐ No MPRE recommended. Reason: .
- (2) ☐ **Other Conditions:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Richard D. Ackerman

CASE NUMBER(S): 12-O-13461

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 12-O-13461 (Complainant: Gary Beaudrie)

FACTS:

1. In June 2007, Gary Beaudrie ("Beaudrie") hired Respondent to represent him in a construction defect matter in the Riverside County Superior Court in which Beaudrie was the plaintiff ("the civil matter"). Beaudrie paid Respondent \$7,000 in advanced fees and agreed to pay Respondent a contingency fee of 10% of any recovery in the case.
2. In April 2011, a court trial was held in the civil matter. On October 18, 2011, the court entered judgment against Beaudrie. Thereafter, Beaudrie had 180 days to file and serve a notice of appeal of the judgment in the civil matter.
3. On December 8, 2011, Respondent met with Beaudrie and Beaudrie paid Respondent \$200 in advance fees to appeal the civil matter. On that date, Respondent and Beaudrie went to the courthouse to obtain documents from the civil matter.
4. On December 19, 2011, Respondent informed Beaudrie that Respondent would file the appeal after January 1, 2012.
5. On January 5, 2012, Respondent caused an email to be sent to Respondent's clients, including Beaudrie. In the email, Respondent stated that he had had an acute illness the prior six weeks and that his disabilities affected his practice. Respondent apologized for the delays in the cases and invited his clients to contact him to discuss their respective cases. Respondent did not inform Beaudrie that he was unable to handle the appeal.
6. On January 11, 2012, January 18, 2012, February 5, 2012, and February 24, 2012, Beaudrie sent emails to Respondent in which he asked Respondent to contact Beaudrie to discuss the status of his appeal. Respondent received the emails, but did not communicate with Beaudrie.
7. Respondent had until on or about April 15, 2012 to file and serve a notice of appeal in the civil matter. Respondent failed to appeal the civil matter and the time within which Beaudrie could have done so has expired.

8. On May 21, 2012, Respondent and Beaudrie met briefly to discuss Beaudrie's appeal. On that date, Respondent agreed to meet again with Beaudrie on May 24, 2012, but Respondent later cancelled that appointment. From late May 2012 to the present, Respondent has failed to communicate with Beaudrie about his case.

9. At no time did Respondent advise Beaudrie that the time within which Beaudrie could have appealed the civil matter has expired.

CONCLUSIONS OF LAW:

10. By failing to provide Beaudrie with the status of his appeal and by failing to inform him the time within which Beaudrie could have appealed the civil matter has expired, Respondent failed to respond promptly to reasonable status inquiries of a client in a matter in which Respondent had agreed to provide legal services and failed to inform his client of significant developments, in willful violation of Business and Professions Code section 6068(m).

11. By failing to timely appeal the civil matter, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A).

ADDITIONAL FACTS RE AGGRAVATING CIRCUMSTANCES.

Harm (Std. 1.2(b)(iv)): Respondent failed to appeal the civil matter and the time within which Beaudrie could have appealed the matter has expired. (*In the Matter of Bach* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 631 [attorney's loss of client's cause of action constituted significant harm].)

ADDITIONAL FACTS RE MITIGATING CIRCUMSTANCES.

Additional Mitigating Circumstances:

No Prior Discipline: Respondent has no prior record of discipline in just over 18 years of practice. Although the misconduct in the instant matter is serious, the Supreme Court has nonetheless considered the absence of a prior record of discipline in mitigation. (See *Edwards vs. State Bar* (1990) 52 Cal.3d 28, 31-32, 36, 39, where mitigative credit was given for almost 12 years of discipline-free practice despite intentional misappropriation and commingling.)

Cooperation: Respondent stipulated to facts, conclusions of law, and disposition in order to resolve his disciplinary proceedings as efficiently as possible. (*Silva-Vidor v. State Bar* (1989) 49 Cal. 3d 1071, 1079 [mitigative credit given to the attorney for admitting facts and culpability in order to simplify the disciplinary proceedings against her].)

Character References: Nine friends, 21 former and current clients (including four pro bono clients), and a priest wrote letters on behalf of Respondent attesting to his good character. Two of those people, who were clients, were familiar with the extent of Respondent's misconduct. (*In the Matter of Oheb* (Review Dept. 2006) 4 Cal. State Bar. Ct. Rptr. 920, 939 [Mitigating credit given, but reduced where good character witnesses possess inadequate knowledge of misconduct].)

Civic and Pro Bono Activities: Respondent served as past President and Board Member of the Mount San Jacinto College Foundation from 2008-2010; Director at Large for the Riverside County Bar Association in 2010; Mandatory Continuing Legal Education Chair for the Riverside County Bar Association from 2009 to the present; Board of Directors for the Riverside County Bar Association from 2010 to 2011; Board Member and Volunteer for the Public Service Law Corporation from 2006 to the present; and, Judge Pro Tem for the Riverside County Superior Court from 2004 to 2009. In 2009, Respondent received the Wiley W. Manuel Certificate for Pro Bono Services from the State Bar of California. In 2007, Respondent received the John R. Parker Award from the Pacific Justice Institute for his work with civil rights. (*Porter v. State Bar* (1990) 52 Cal.3d 518, 529 [Attorney's participation in civic service and pro bono activities may be evidence of mitigation].)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct provide a "process of fixing discipline" pursuant to a set of written principles to "better discharge the purposes of attorney discipline as announced by the Supreme Court." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, Introduction (all further references to standards are to this source).) The primary purposes of disciplinary proceedings and of the sanctions imposed are "the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession." (*In re Morse* (1995) 11 Cal.4th 184, 205; std. 1.3.)

Although not binding, the standards are entitled to "great weight" and should be followed "whenever possible" in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) Any discipline recommendation different from that set forth in the applicable standards should clearly explain the reasons for the deviation. (*Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

Respondent admits to committing two acts of professional misconduct. Standard 1.6(a) requires that where a Respondent acknowledges two or more acts of misconduct, and different sanctions are prescribed by the standards that apply to those acts, the sanction imposed shall be the more or most severe prescribed in the applicable standards. Standards 2.4(b) and 2.6 are the standards that govern the misconduct in this matter. The most severe sanction prescribed by the applicable standards is standard 2.6, which applies to Respondent's violation of Business and Professions Code section 6068(m) and provides for disbarment or suspension. Since subdivision (m) was not added to Business and Professions Code section 6068 until one year after the effective date of the Standards for Attorney Sanctions, a failure to communicate originally fell under standard 2.4, which applies to offenses involving the willful failure to communicate and perform and provides for a range of reproof or suspension. As such, standard 2.4(b) is the standard applicable to all charges of misconduct in the instant matter. That standard provides for a sanction in the range of reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client.

Respondent's misconduct in the single client matter resulted in harm to the client. Although Respondent's misconduct is aggravated by the harm, it is mitigated by his 18 years of discipline-free practice, his willingness to enter into this stipulation, his civic and pro bono activities, and his limited

good character references. Application of the standards to the facts of this case demonstrates that discipline of one year stayed suspension is the appropriate sanction for Respondent's misconduct.

The recommended disposition is consistent with the range of discipline shown by case law. (*King vs. State Bar* (1990) 52 Cal.3d 307 [Three months actual suspension and four years' stayed suspension imposed when an attorney, in two matters, failed to perform legal services in a competent manner, failed to return client files, and violated his oath and duties]; *Van Sloten v. State Bar* (1989) 48 Cal.3d 921 [Six months stayed suspension and one year probation imposed when an attorney, in a single client matter, failed to perform legal services with competence which did not result in serious consequences to the client].)

The recommended discipline of one year stayed suspension two years' probation is adequate to protect the public, the courts, and the legal profession.

PENDING PROCEEDINGS.

The disclosure date referred to on page 2, paragraph A(7), was March 15, 2013.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of March 15, 2013, the prosecution costs in this matter are \$2,865. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

EXCLUSION FROM MCLE CREDIT



Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: Richard D. Ackerman	Case number(s): 12-O-13461
--	-------------------------------

SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

Date <u>4/9/2013</u>	 Respondent's Signature	<u>Richard D. Ackerman</u> Print Name
Date <u>4/11/13</u>	 Deputy Trial Counsel's Signature	<u>Lee Ann Kern</u> Print Name

(Do not write above this line.)

In the Matter of: Richard D. Ackerman	Case Number(s): 12-O-13461
--	-------------------------------

STAYED SUSPENSION ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- ☒ The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☐ All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

5-1-13
Date


GEORGE E. SCOTT, JUDGE PRO TEM
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 May 2, 2013, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
ORDER APPROVING

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

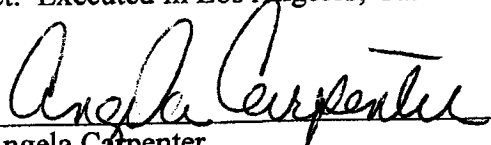
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

RICHARD D. ACKERMAN
LAW OFFICES OF R.D. ACKERMAN
4129 MAIN STREET
SUITE B5
RIVERSIDE, CA 92501

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

LEE ANN KERN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 2, 2013.



Angela Carpenter
Case Administrator
State Bar Court

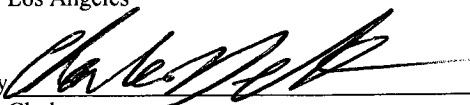


The document to which this certificate is affixed is a full, true and correct copy of the original on file and of record in the State Bar Court.

ATTEST August 20, 2014

State Bar Court, State Bar of California,
Los Angeles

By


Clerk



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CALIFORNIA 90015-2299

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

PROBATION FAX: (213) 765-1439

MARICRUZ FARFAN: (213) 765-1452

Maricruz.Farfana@calbar.ca.gov

<http://www.calbar.ca.gov>

September 25, 2013

OFFICE OF PROBATION
ADDRESS VERIFIED

SEP 25 2013

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main St., Ste. B17
Riverside, CA 92501

BY: _____

In Re: S211542 (12-O-13461)

In the Matter of: **Richard D. Ackerman**

Dear Richard D. Ackerman:

This letter is sent to you as a courtesy and based upon information that you are not currently represented by counsel in this matter--**the enforcement of your probation terms and conditions**. Please note that the Office of Probation is separate from the State Bar Court and the Office of the Chief Trial Counsel; **if you are going to be represented during your probation**, please mail the attached Notice of Counsel Representation with original signatures within five days so that future communications may be directed to your counsel.

The Office of Probation prepares a reminder letter and documents as a courtesy to each respondent; however, respondents are ultimately responsible for fulfilling their requirements whether or not the Office of Probation has sent them a letter or contacted them.

As you know, on August 28, 2013, the Supreme Court of California filed an Order, effective **September 27, 2013**, suspending you from the practice of law for a period of one year, staying execution and placing you on probation upon certain conditions for a period of two years.¹

Please take notice that attorneys are not relieved of MCLE requirements during the pendency of their disciplinary period.

In order to comply with the terms and conditions of your probation, you must report the status of your compliance, in each and every respect, by letter with any attachments, executed under penalty of perjury, and addressed to the Office of Probation.

As a courtesy, the Office of Probation has prepared and attached a Quarterly Report form and Attendance Sheet for your use. **The Office of Probation will NOT provide you with multiple copies of the courtesy Quarterly Report form. Please make sufficient copies of this report to use for all your filings. This form is NOT available on-line.** Each of your reports must be a clear and unequivocal statement of compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

00001

¹ Please review your stipulation or decision carefully. You may have been ordered to remain on actual suspension until you have fully paid the costs imposed as a result of your discipline. The Office of Probation does NOT monitor costs. If you have questions, contact Membership Services at (415) 528-0010.

Richard D. Ackerman
S211542 (12-O-13461)
September 25, 2013
Page 2

Please read the Instructions and review the Quarterly Report carefully to determine whether you believe that it accurately reflects the required terms and conditions. If you believe there is an error, or if there are any questions, please notify me immediately. **You are responsible for timely complying with each and every term and condition whether or not it is reflected in this letter and/or the Quarterly Report form.** You are reminded that for all conditions, **being even one date late** means that you are **NOT** in compliance.

Within 30 days from the effective date of discipline you MUST contact AND schedule a meeting with me to discuss the terms and conditions of your discipline.

The conditions of your probation with compliance due dates are outlined below. Please note this summary **only** reflects those conditions and compliance due dates that require submission of proof of compliance to the Office of Probation. For a thorough review of all conditions, please refer to the enclosed copy of that portion of the disciplinary order setting forth the conditions of probation.

Condition	Deadline(s)
Contact and schedule a meeting with Probation Deputy	On or before October 27, 2013
Quarterly Reports and report any p	Quarterly, commencing January 10, 2014
State Bar Ethics School	On or before September 27, 2014
Multi-State Professional Responsibility Examination	On or before September 27, 2014
Final Report	On or before September 27, 2015

You are reminded that all Quarterly Reports are **due on or before the 10th day after the end of each quarter.** If the 10th day falls on a holiday or a weekend, the report must be received by the Office of Probation **prior** to that holiday or weekend. Your Final Report is due on or before **September 27, 2015.**

You are required to report, and in no event in more than ten (10) days, to the Membership Records Office of the State Bar and the Office of Probation, all changes of information including current office or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code.

By Court Order, you must take and provide proof of successful passage of the MPRE to the Office of Probation **on or before September 27, 2014.** It is important that you plan to take this examination well in advance of the due date so that you can re-take the examination should you not receive a passing score. **The passing scaled score is 86. The MPRE is only offered three times a year, but you may not have three chances to take it by your particular deadline.** Failure to provide proof of passage of this examination by the due date may result in indefinite suspension until you provide proof that you have passed the examination. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.)

00002

Richard D. Ackerman
S211542 (12-O-13461)
September 25, 2013
Page 3

Further, you are advised that the Office of Probation **does not** have the authority to extend compliance due dates or modify the terms and conditions of the discipline order. **Requests for extension of time or modification of the terms and conditions of the discipline order must be filed with the State Bar Court Hearing Department or Review Department.** See, Rules of Procedure of the State Bar of California, rules 5.162 and 5.300. **A copy of the motion must be served upon the Office of Probation.** Failure to **timely** submit reports or any other proof of compliance **may result in a non-compliance referral** which may lead to the imposition of additional discipline and attendant costs.

Please note that the Court has determined that the repeated need of the State Bar to actively intervene to seek compliance with disciplinary terms and conditions is inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney discipline system. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 567, 573.

It is recommended that you maintain a file containing all orders as well as communication from the Office of Probation. You should keep his file in a convenient location so that any question can be quickly addressed. It is further recommended that you **sign all original documents in blue** so that the Office of Probation will immediately be able to ascertain whether the required originals have been provided.

Enclosed are copies of the Supreme Court Order and conditions of probation (which you have already received from the Courts or your counsel); Quarterly Report instructions and form; Notice of Counsel Representation; 2013 MPRE schedule; and 2013 Ethics School scheduling and enrollment information.

Sincerely,



Maricruz Farfan
Probation Deputy

/mf

Enclosures

00003

AUG 28 2013

(State Bar Court No. 12-O-13461)

S211542

Frank A. McGuire Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re RICHARD D. ACKERMAN on Discipline

The court orders that Richard D. Ackerman, State Bar Number 171900, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. Richard D. Ackerman must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 2, 2013; and
2. At the expiration of the period of probation, if Richard D. Ackerman has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Richard D. Ackerman must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2014, 2015, and 2016. If Richard D. Ackerman fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

CANTIL-SAKAUYE

Chief Justice

I, Frank A. McGuire, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.

Witness my hand and the seal of the Court this

day of AUG 28 2013 20
Clerk

00004

D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of one year.

- i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. ☐ and until Respondent does the following:

The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent is placed on probation for a period of two years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court.)

E. Additional Conditions of Probation:

- (1) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (3) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (4) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (5) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

(Do not write above this line.)

- (6) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (7) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the State Bar Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason: .
- (8) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (9) ☐ The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) ☒ **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- ☐ No MPRE recommended. Reason:
- (2) ☐ **Other Conditions:**

Office of Probation

QUARTERLY REPORT INSTRUCTIONS

1. The enclosed Quarterly Report form has been tailored to reflect the conditions of your discipline that are to be reported to the Office of Probation. Please review it carefully. If you believe that it does not accurately reflect your conditions, immediately contact the Office of Probation. Note that even if the Office of Probation makes an error, **you are required to timely complete all of your ordered conditions**. The report form is provided as a courtesy only, and you are not required to use it.
2. The Office of Probation will **NOT** provide you with multiple copies of the courtesy Quarterly Report form. **YOU MUST MAKE ENOUGH COPIES TO USE FOR ALL FUTURE QUARTERLY AND FINAL REPORTS. This form is NOT available online.** In the future, one additional copy may be provided if you make a written request with an explanation under penalty of perjury why you need such copy made.
3. For each quarter's report, mark the box for the correct reporting period and write in the correct year. Place an "X" in front of each condition that applies to your activities during each respective reporting period. Provide all required information.
4. Your report may be signed and mailed at the end of your business day on the last day of the month of each calendar quarter (i.e., March 31st, June 30th, September 30th and December 31st). **YOUR REPORT WILL BE REJECTED IF YOU DATE, SIGN, AND/OR SEND IT BEFORE THE LAST DAY OF THE LAST MONTH OF EACH CALENDAR QUARTER.**

REPORTING PERIOD	REPORT MUST BE RECEIVED BY THE OFFICE OF PROBATION ON OR BEFORE
January 1 – March 31	April 10 th
April 1 – June 30	July 10 th
July 1 – September 30	October 10 th
October 1 – December 31	January 10 th

5. Your original signed and dated report must be physically **received in the Office of Probation on or before the tenth of January, April, July, and October.** If the tenth falls on a weekend or holiday, you must send your report so that it is received no later than the last State Bar business day before the tenth; the State Bar is not open on weekends or holidays and does not receive mail on those days. State Bar observed holidays include, among others, New Year's day, Cesar Chavez day, Independence day, and Columbus day. For all conditions, being **even one day late** means that you are **NOT** in compliance.
6. The report must contain an **original signature** in order to be filed with the Office of Probation. It is recommended that you sign each report using blue ink. Because your report must be made under penalty of perjury, **you must date it the date you sign it** and not pre-date it or post-date it. See Code of Civil Procedure section 2015.5.
7. Because it is your responsibility to have an original, compliant report in to the Office of Probation by the tenth, and because some Respondents have claimed that their reports were lost in the mail, you may choose to send your reports in a manner that provides you with proof of delivery.
8. The Office of Probation files your report as of the date it is received, and **NOT** the date you mail it.
9. The Office of Probation will **NOT** contact you before and/or after each quarterly report is due. You must calendar all of **your** deadlines to ensure timely receipt by the Office of Probation.
10. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.
11. Each of your reports must be a clear and unequivocal statement of your compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

If you have any questions regarding this information, please contact Probation Deputy Maricruz Farfan in the Office of Probation at (213) 765-1452.

00007

IN THE MATTER OF
RICHARD D. ACKERMAN

(For Office of Probation Use Only)

CASE NO: S211542 (12-O-13461)

(PROBATION/SUSPENSION)

QUARTERLY REPORT

Use blue ink. For each quarter, mark the box for the correct reporting period and write in the correct year.

Due: ☐ First Report Due: January 10, 2014
(for period September 27, 2013 through December 31, 2013)

☐ Final Report Due: September 27, 2015
(for period July 1, 2015 through September 27, 2015)

☐ January 10, _____ ☐ April 10, _____ ☐ July 10, _____ ☐ October 10, _____
(for period 10/1 through 12/31) (for period 01/01 through 3/31) (for period 4/1 through 6/30) (for period 7/1 through 9/30)

Please make sufficient copies of this form for future use and mail reports to the State Bar of California, Attn: Office of Probation, 1149 South Hill Street, Los Angeles, California 90015-2299.

Place an "X" in front of each condition that applies to your activities during EACH respective reporting period.

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation; and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

-OR-

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation, EXCEPT:

_____ (attach declaration under penalty of perjury if more space is needed);
and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

Current Address

- ☐ Within 10 days of any change, I reported to the Membership Records Office and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

State Bar Ethics School (*proof due September 27, 2014*)

- ☐ I have registered for the State Bar Ethics School course to be given on _____.
- ☐ I have completed the State Bar Ethics School course given on _____ and have provided or attached is proof of successful passage.

Multi-State Professional Responsibility Examination (*proof due September 27, 2014*)

- ☐ I have registered for the MPRE to be given on _____.
- ☐ I have taken the MPRE given on _____ and am awaiting the results.
- ☐ I did not pass the MPRE given on _____ and have re-scheduled to take the examination to be given on _____.
- ☐ I passed the MPRE given on _____ and have provided or attached is proof of successful passage.

I declare under penalty of perjury under the laws of the State of California that all of the information provided in this report is true and accurate.

Date: _____ Signature: _____
(actual date you sign this report) **Richard D. Ackerman (original signature in blue ink required)**

Office of Probation
NOTICE OF COUNSEL REPRESENTATION

Respondent: Richard D. Ackerman

State Bar/Supreme Court Case #: S211542 (12-O-13461)

Member Number: 171900

Counsel Name: _____

Firm Name: _____

Address: _____

Telephone Number: _____

Bar Number: _____

Counsel Signature: _____

Date: _____

Respondent Signature: _____

Date: _____

The Office of Probation is separate from the State Bar Court and the Office of the Chief Trial Counsel; if you are going to be represented for communications with the Office of Probation, please complete and return this form with original signatures to the State Bar of California, Attn: Office of Probation, 1149 S. Hill Street, Los Angeles, CA 90015-2299.

00010

MULTI-STATE PROFESSIONAL RESPONSIBILITY EXAMINATION

2013 Examination Schedule and Information

This document was created as a courtesy by the State Bar of California, Office of Probation.

The State Bar of California does **NOT** administer the MPRE.
**TO REGISTER AND FOR THE MOST RECENT INFORMATION REGARDING MPRE TEST
DATES, DEADLINES, RESOURCES, ETC., YOU MUST CONTACT:**

National Conference of Bar Examiners ("NCBE")

Website: www.ncbex.org

Test Dates*	Regular Registration Deadline*	Late Registration Deadline*	Scores Tentatively Released by
Saturday, April 6, 2013	February 12, 2013	February 28, 2013	May 11, 2013
Saturday, August 17, 2013	June 25, 2013	July 11, 2013	September 21, 2013
Saturday, November 2, 2013	September 10, 2013	September 26, 2013	December 7, 2013

1. For applications received on or before the regular application receipt deadline, the fee is **\$73.00**. For applications after the regular receipt deadline but before the late application receipt deadline, the fee is **\$146.00**.
2. To provide proof of successful passage of the MPRE to the Office of Probation, you **MUST**: a) during registration, select California as the jurisdiction to receive your score report; and b) send a copy of your score release to the Office of Probation **on or before your due date**. Failure to comply with these requirements will delay confirming your passage of the MPRE, and it may result in an automatic suspension in probation matters or a non-compliance referral in all other matters.
3. Requests for special accommodations during the examination must be made to the National Conference of Bar Examiners in advance of the examination.

Passing scaled score 86

2014 MPRE test dates are March 29, August 9, and November 1. Registration for 2014 test dates opens on December 17, 2013.

00011

**Information may change, please check the NCBE's website for most current information.*



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309

FAX: (213) 765-1029

TDD: (213) 765-1566

<http://www.calbar.ca.gov>

State Bar of California 2013 Ethics/Client Trust Accounting ("CTA") School Schedules

LOS ANGELES			
1149 S. Hill St., Los Angeles			
Class	Day	Date	Time
Ethics	Thurs	03/21	9a - 4p
CTA	Fri	03/22	9a - 12p
Ethics	Thurs	05/16	9a - 4p
CTA	Fri	05/17	9a - 12p
Ethics	Thurs	06/13	9a - 4p
CTA	Fri	06/14	9a - 12p
Ethics	Thurs	08/22	9a - 4p
CTA	Fri	08/23	9a - 12p
Ethics	Thurs	09/12	9a - 4p
CTA	Fri	09/13	9a - 12p
Ethics	Thurs	10/24	9a - 4p
CTA	Fri	10/25	9a - 12p
Ethics	Thurs	12/12	9a - 4p
CTA	Fri	12/13	9a - 12p

SAN FRANCISCO			
180 Howard St., San Francisco			
Class	Day	Date	Time
Ethics	Thurs	03/14	9a - 4p
CTA	Fri	03/15	9a - 12p
Ethics	Thurs	06/20	9a - 4p
CTA	Fri	06/21	9a - 12p
Ethics	Thurs	08/08	9a - 4p
CTA	Fri	08/09	9a - 12p
Ethics	Thurs	12/05	9a - 4p
CTA	Fri	12/06	9a - 12p

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on form; or 2) going online at www.calbar.ca.gov: Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. **You are NOT registered until your payment is received.** If you have any questions, please contact Letty Ramos at (213) 765-1309.

00012



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Information

Ethics and Client Trust Accounting classes are given throughout the year in the Los Angeles and San Francisco offices. Ethics School is all day (9:00 a.m. to 4:00 p.m.), with a lunch break. The fee for the course is **\$150.00**. Six (6) hours of MCLE credit are available where the State Bar matter is concluded by an Agreement in Lieu of Discipline. Credit is also available if the member has voluntarily agreed to attend the class in regards to a complaint.

Client Trust Account School is held for three (3) hours, (9:00 a.m. to 12:00 Noon). The fee for the course is **\$100.00**. Three (3) hours of MCLE credit are available where the State Bar matter was concluded by an Agreement in Lieu of Discipline. Credit is also available if the member has voluntarily agreed to attend the class in regards to a complaint.

Please note that, pursuant to Rules of Procedure of the State Bar of California, rule 3201, you will NOT receive Minimum Continuing Legal Education credit if your attendance at Ethics School or Client Trust Accounting School is required by a Decision or Order of the State Bar Court or Supreme Court.

An application form and schedule of classes is enclosed for your convenience. Please fill out the application form and include the reason for your attendance. **Payment MUST be received in order to complete your registration.** Classes for some dates may fill up quickly. Payment for classes must be in the form of a personal check, money order or cashier's check. **CASH PAYMENTS WILL NOT BE ACCEPTED**

If you have a question about probation, please direct your inquiries, in writing to the Office of Probation, State Bar of California, 1149 South Hill Street, Los Angeles, CA 90015-2299.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos
Administrative Secretary

LR:peg

Enc.

00013



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

**State Bar of California
Ethics/CTA School
Application Enrollment Form**

DATE: _____

APPLICANT'S NAME: _____ SBN: _____

APPLICANT'S ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

ETHICS (\$150) DATE OF CLASS: _____ LOCATION: LA OR SF (____)

CTA (\$100) DATE OF CLASS: _____ LOCATION: LA OR SF (____)

Return completed Application Enrollment Form with personal check, money order or cashier's check made payable to the State Bar of California, 1149 S. Hill Street, Los Angeles, CA 90015, attention Letty Ramos. Upon receipt of your application and payment, a confirming reservation letter will be mailed to you. If you have any questions, we can be reached at (213) 765-1309 or by FAX (213) 765-1029.

Indicate below the reason for your attendance:

- 1) _____ Supreme Court Order/State Bar Court Decision after hearing requiring attendance
- 2) _____ Supreme Court Order/State Bar Court Order following stipulated disposition requiring attendance
- 3) _____ Agreement in Lieu of Discipline
- 4) _____ Voluntary Agreement with the Office of the Chief Trial Counsel
- 5) _____ State Bar Applicant for Admission
- 6) _____ Voluntarily

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on form; or 2) going online at www.calbar.ca.gov: Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. **You are NOT registered until your payment is received.** If you have any questions, please contact Letty Ramos at (213) 765-1309

00014

Farfan, Maricruz

From: Farfan, Maricruz
Sent: Thursday, October 31, 2013 1:43 PM
To: 'consiglierea@aol.com'
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard Ackerman,

On October 30, 2013, the Office of Probation received a voice mail message from Leonore Boydkins (sp?), claiming to be your paralegal, requesting that the Office of Probation call her to schedule a meeting with you on November 11-12, 2013. Please be reminded that pursuant to your Order, you are required to contact the Office of Probation and schedule your required meeting to go over the terms and conditions of your discipline. Please note that the Office of Probation can only have communications regarding your matter with you or, if you are represented by counsel, with your counsel.

On October 24, 2013, the Office of Probation received a voice mail message from you that you were following up on an e-mail you sent to the Office of Probation regarding setting up an appointment. On the same date, the Office of Probation returned your call. To date, the Office of Probation has not received any e-mails from you. On October 28, 2013, you returned the Office of Probation's call. On October 29, 2013, the Office of Probation returned your call and noted that you could call or e-mail me the dates/times you would be available for your meeting.

If you would like to schedule your required meeting, I am available anytime on Thursday, November 14th or Friday, November 15th. If you are not available on these dates, let me know the date(s)/time(s) you are available. The required meeting will be held by telephone; it should last approximately 10-15 minutes; you will need to contact me at the number below; and you will need to have the Office of Probation's packet with you for the meeting.

If you have any questions, please let me know.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299

Maricruz Farfan | Probation Deputy | Office of Probation | ☎ P (213) 765-1452 | 📠 F (213) 765-1439 | ✉ E Maricruz.Farfan@calbar.ca.gov

***CONFIDENTIALITY NOTICE:** This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.*

Farfan, Maricruz

From: Microsoft Outlook
To: 'consiglierea@aol.com'
Sent: Thursday, October 31, 2013 1:44 PM
Subject: Relayed: RE: S211542 (12-O-13461) REQUIRED MEETING

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'consiglierea@aol.com' (consiglierea@aol.com) <<mailto:consiglierea@aol.com>>

Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Before the trial, the court will review the evidence and the testimony of the witnesses. The court will then decide whether the defendant is guilty or not guilty. The court will also decide whether the defendant should be sentenced to prison or probation.

RECEIVED

RECEIVED

Farfan, Maricruz

From: consiglierea@aol.com
Sent: Thursday, October 31, 2013 1:44 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

If I have not responded to you within 24 hours, you may contact the office at 951-999-3130. Rich

The following information is for your information only. It is not intended to be used as a basis for any action. It is the policy of the Department to provide this information to the public in a timely and accurate manner.

12/31/13

The following information is for your information only. It is not intended to be used as a basis for any action. It is the policy of the Department to provide this information to the public in a timely and accurate manner.

Farfan, Maricruz

From: Richard D Ackerman <consiglierea@aol.com>
Sent: Friday, November 01, 2013 10:25 AM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

Thank you so much. I will let you know later today which day works better. With regard to the packet, is that something that can be faxed before the meeting or mailed?

Respectfully yours,

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax

-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'consiglierea@aol.com' <consiglierea@aol.com>
Sent: Thu, Oct 31, 2013 1:44 pm
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard Ackerman,

On October 30, 2013, the Office of Probation received a voice mail message from Leonore Boydkins (sp?), claiming to be your paralegal, requesting that the Office of Probation call her to schedule a meeting with you on November 11-12, 2013. Please be reminded that pursuant to your Order, you are required to contact the Office of Probation and schedule your required meeting to go over the terms and conditions of your discipline. Please note that the Office of Probation can only have communications regarding your matter with you or, if you are represented by counsel, with your counsel.

On October 24, 2013, the Office of Probation received a voice mail message from you that you were following up on an e-mail you sent to the Office of Probation regarding setting up an appointment. On the same date, the Office of Probation returned your call. To date, the Office of Probation has not received any e-mails from you. On October 28, 2013, you returned the Office of Probation's call. On October 29, 2013, the Office of Probation returned your call and noted that you could call or e-mail me the dates/times you would be available for your meeting.

If you would like to schedule your required meeting, I am available anytime on Thursday, November 14th or Friday, November 15th. If you are not available on these dates, let me know the date(s)/time(s) you are available. The required meeting will be held by telephone; it should last approximately 10-15 minutes; you will need to contact me at the number below; and you will need to have the Office of Probation's packet with you for the meeting.

If you have any questions, please let me know.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299

Maricruz Farfan | Probation Deputy | Office of Probation | ☎ P (213) 765-1452 | 7 F (213) 765-1439 | 📠 E

Maricruz.Farfan@calbar.ca.gov

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use,

or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

Farfan, Maricruz

From: Richard D Ackerman <consiglierea@aol.com>
Sent: Friday, November 01, 2013 10:27 AM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

Thursday, November 14, 2013, is a good day for our conference. Is there any specific time I should call for this meeting?

Thank you.

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax
-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'consiglierea@aol.com' <consiglierea@aol.com>
Sent: Thu, Oct 31, 2013 1:44 pm
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard Ackerman,

On October 30, 2013, the Office of Probation received a voice mail message from Leonore Boydkins (sp?), claiming to be your paralegal, requesting that the Office of Probation call her to schedule a meeting with you on November 11-12, 2013. Please be reminded that pursuant to your Order, you are required to contact the Office of Probation and schedule your required meeting to go over the terms and conditions of your discipline. Please note that the Office of Probation can only have communications regarding your matter with you or, if you are represented by counsel, with your counsel.

On October 24, 2013, the Office of Probation received a voice mail message from you that you were following up on an e-mail you sent to the Office of Probation regarding setting up an appointment. On the same date, the Office of Probation returned your call. To date, the Office of Probation has not received any e-mails from you. On October 28, 2013, you returned the Office of Probation's call. On October 29, 2013, the Office of Probation returned your call and noted that you could call or e-mail me the dates/times you would be available for your meeting.

If you would like to schedule your required meeting, I am available anytime on Thursday, November 14th or Friday, November 15th. If you are not available on these dates, let me know the date(s)/time(s) you are available. The required meeting will be held by telephone; it should last approximately 10-15 minutes; you will need to contact me at the number below; and you will need to have the Office of Probation's packet with you for the meeting.

If you have any questions, please let me know.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299
Maricruz Farfan | Probation Deputy | Office of Probation | ☎ P (213) 765-1452 | 7 F (213) 765-1439 | ✉ E
Maricruz.Farfan@calbar.ca.gov

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

THE UNIVERSITY OF CHICAGO
LIBRARY
540 EAST 57TH STREET
CHICAGO, ILL. 60637

Farfan, Maricruz

From: Farfan, Maricruz
Sent: Friday, November 01, 2013 5:52 PM
To: 'Richard D Ackerman'
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard D. Ackerman,

Thursday at 9:30 am will work best for me. Please confirm if this time will work for you. If not, please let me know what other times you are available.

Regarding your question about the Office of Probation's packet, please note that the Office of Probation mailed you a courtesy reminder letter on September 25, 2013 at your Membership Records address. This letter has not been returned as undeliverable by the postal authorities. You will need to have the Office of Probation's packet with you for your required meeting. Please let me know if you did not receive the packet.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299

Maricruz Farfan | Probation Deputy | Office of Probation | ☎ P (213) 765-1452 | ☎ F (213) 765-1439 | ✉ E Maricruz.Farfan@calbar.ca.gov

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Richard D Ackerman [<mailto:consiglierea@aol.com>]
Sent: Friday, November 01, 2013 10:27 AM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

Thursday, November 14, 2013, is a good day for our conference. Is there any specific time I should call for this meeting?

Thank you.

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax

-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'consiglierea@aol.com' <consiglierea@aol.com>
Sent: Thu, Oct 31, 2013 1:44 pm
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard Ackerman,

On October 30, 2013, the Office of Probation received a voice mail message from Leonore Boydkins (sp?), claiming to be your paralegal, requesting that the Office of Probation call her to schedule a meeting with you on November 11-12, 2013. Please be reminded that pursuant to your Order, you are required to contact the Office of Probation and schedule your required meeting to go over the terms and conditions of your discipline. Please note that the Office of Probation can only have communications regarding your matter with you or, if you are represented by counsel, with your counsel.

On October 24, 2013, the Office of Probation received a voice mail message from you that you were following up on an e-mail you sent to the Office of Probation regarding setting up an appointment. On the same date, the Office of Probation returned your call. To date, the Office of Probation has not received any e-mails from you. On October 28, 2013, you returned the Office of Probation's call. On October 29, 2013, the Office of Probation returned your call and noted that you could call or e-mail me the dates/times you would be available for your meeting.

If you would like to schedule your required meeting, I am available anytime on Thursday, November 14th or Friday, November 15th. If you are not available on these dates, let me know the date(s)/time(s) you are available. The required meeting will be held by telephone; it should last approximately 10-15 minutes; you will need to contact me at the number below; and you will need to have the Office of Probation's packet with you for the meeting.

If you have any questions, please let me know.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299

Maricruz Farfan | Probation Deputy | Office of Probation | ☎ P (213) 765-1452 | 7 F (213) 765-1439 | ✉ E Maricruz.Farfan@calbar.ca.gov

CONFIDENTIALITY NOTICE: *This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.*

Farfan, Maricruz

From: Microsoft Outlook
To: 'Richard D Ackerman'
Sent: Friday, November 01, 2013 5:55 PM
Subject: Relayed: RE: S211542 (12-O-13461) REQUIRED MEETING

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'Richard D Ackerman' (consiglierea@aol.com) <<mailto:consiglierea@aol.com>>

Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Farfan, Maricruz

From: Richard D Ackerman <consiglierea@aol.com>
Sent: Wednesday, November 13, 2013 1:31 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

I will be calling at this time. Thank you.

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax

-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'Richard D Ackerman' <consiglierea@aol.com>
Sent: Fri, Nov 1, 2013 5:54 pm
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard D. Ackerman,

Thursday at 9:30 am will work best for me. Please confirm if this time will work for you. If not, please let me know what other times you are available.

Regarding your question about the Office of Probation's packet, please note that the Office of Probation mailed you a courtesy reminder letter on September 25, 2013 at your Membership Records address. This letter has not been returned as undeliverable by the postal authorities. You will need to have the Office of Probation's packet with you for your required meeting. Please let me know if you did not receive the packet.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299

Maricruz Farfan | Probation Deputy | Office of Probation | ☎ P (213) 765-1452 | 7 F (213) 765-1439 | ✉ E Maricruz.Farfan@calbar.ca.gov

CONFIDENTIALITY NOTICE: *This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.*

From: Richard D Ackerman [<mailto:consiglierea@aol.com>]
Sent: Friday, November 01, 2013 10:27 AM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

Thursday, November 14, 2013, is a good day for our conference. Is there any specific time I should call for this meeting?

Thank you.

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip

(951) 224-6825 fax

-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>

To: 'consiglierea@aol.com' <consiglierea@aol.com>

Sent: Thu, Oct 31, 2013 1:44 pm

Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard Ackerman,

On October 30, 2013, the Office of Probation received a voice mail message from Leonore Boydkins (sp?), claiming to be your paralegal, requesting that the Office of Probation call her to schedule a meeting with you on November 11-12, 2013. Please be reminded that pursuant to your Order, you are required to contact the Office of Probation and schedule your required meeting to go over the terms and conditions of your discipline. Please note that the Office of Probation can only have communications regarding your matter with you or, if you are represented by counsel, with your counsel.

On October 24, 2013, the Office of Probation received a voice mail message from you that you were following up on an e-mail you sent to the Office of Probation regarding setting up an appointment. On the same date, the Office of Probation returned your call. To date, the Office of Probation has not received any e-mails from you. On October 28, 2013, you returned the Office of Probation's call. On October 29, 2013, the Office of Probation returned your call and noted that you could call or e-mail me the dates/times you would be available for your meeting.

If you would like to schedule your required meeting, I am available anytime on Thursday, November 14th or Friday, November 15th. If you are not available on these dates, let me know the date(s)/time(s) you are available. The required meeting will be held by telephone; it should last approximately 10-15 minutes; you will need to contact me at the number below; and you will need to have the Office of Probation's packet with you for the meeting.

If you have any questions, please let me know.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299

Maricruz Farfan | Probation Deputy | Office of Probation | P (213) 765-1452 | F (213) 765-1439 | E Maricruz.Farfan@calbar.ca.gov

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

Farfan, Maricruz

From: Farfan, Maricruz
Sent: Thursday, November 14, 2013 8:48 AM
To: 'Richard D Ackerman'
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard D. Ackerman,

I need to change your meeting time from 9:30 am to 10:00 am today. Please let me know if this time will work for you as soon as possible. If not, we will need to reschedule your meeting.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299

As of January 2014: THE STATE BAR OF CALIFORNIA | 845 South Figueroa Street | Los Angeles | CA | 90017-2515

Maricruz Farfan | Probation Deputy | Office of Probation | ☎ P (213) 765-1452 | ☎ F (213) 765-1439 | ✉ E Maricruz.Farfan@calbar.ca.gov

***CONFIDENTIALITY NOTICE:** This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.*

From: Richard D Ackerman [<mailto:consiglierea@aol.com>]
Sent: Wednesday, November 13, 2013 1:31 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

I will be calling at this time. Thank you.

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax

-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'Richard D Ackerman' <consiglierea@aol.com>
Sent: Fri, Nov 1, 2013 5:54 pm
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard D. Ackerman,

Thursday at 9:30 am will work best for me. Please confirm if this time will work for you. If not, please let me know what other times you are available.

Regarding your question about the Office of Probation's packet, please note that the Office of Probation mailed you a courtesy reminder letter on September 25, 2013 at your Membership Records address. This letter has not been returned as undeliverable by the postal authorities. You will need to have the Office of Probation's packet with you for your required meeting. Please let me know if you did not receive the packet.

Farfan, Maricruz

From: Microsoft Outlook
To: 'Richard D Ackerman'
Sent: Thursday, November 14, 2013 8:49 AM
Subject: Relayed: RE: S211542 (12-O-13461) REQUIRED MEETING

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'Richard D Ackerman' (consiglierea@aol.com) <<mailto:consiglierea@aol.com>>

Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Farfan, Maricruz

From: consiglierea@aol.com
Sent: Thursday, November 14, 2013 8:49 AM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

If I have not responded to you within 24 hours, you may contact the office at 951-999-3130. Rich

Farfan, Maricruz

From: Farfan, Maricruz
Sent: Thursday, November 14, 2013 1:37 PM
To: 'Richard D Ackerman'
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING/QR/2014 ES & MPRE schedules
Attachments: Ackerman Richard PRB mtg 11 14 13.pdf; Ackerman Richard revised Quarterly Report.pdf; 2014 Ethics & CTA Schedule.pdf; 2014 MPRE Schedule.pdf

Dear Richard D. Ackerman,

As a courtesy, attached for your file is a copy of the Required Meeting Record held by telephone on November 14, 2013. If you believe there is an error, or if you have any questions, please contact me immediately. Additionally, as a courtesy to you, please find attached a revised Quarterly Report form with the new address as of January 2014; and 2014 Ethics School and MPRE schedules.

If you have any questions, please let me know.



THE STATE BAR OF CALIFORNIA | 1149 S. Hill Street | Los Angeles | CA | 90015-2299

As of January 2014 the new address will be: THE STATE BAR OF CALIFORNIA | 845 South Figueroa Street | Los Angeles | CA | 90017-2515

Maricruz Farfan | Probation Deputy | Office of Probation | ☎ P (213) 765-1452 | ☎ F (213) 765-1439 | ✉ E Maricruz.Farfan@calbar.ca.gov

***CONFIDENTIALITY NOTICE:** This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.*

From: Richard D Ackerman [mailto:consiglierea@aol.com]
Sent: Wednesday, November 13, 2013 1:31 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

I will be calling at this time. Thank you.

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax

-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'Richard D Ackerman' <consiglierea@aol.com>
Sent: Fri, Nov 1, 2013 5:54 pm
Subject: RE: S211542 (12-O-13461) REQUIRED MEETING

Dear Richard D. Ackerman,

Thursday at 9:30 am will work best for me. Please confirm if this time will work for you. If not, please let me know what other times you are available.

Office of Probation
REQUIRED MEETING RECORD

Respondent:	<u>Richard D. Ackerman</u>	Member No:	<u>171900</u>
Case Number:	<u>S211542 (12-O-13461)</u>	Compliance Date:	<u>October 27, 2013</u>
R contacted OP on:	<u>October 24, 2013</u>	Date of Meeting:	<u>November 14, 2013</u>

- ☐ In Person Meeting (State Bar Offices - LA) ☒ **Telephonic Meeting**
- ☒ Verified Respondent received copy of initial reminder letter & supporting documents
- ☒ Discussed conditions of **probation** and reporting schedule/due dates as follows:
- | | |
|---|--------------------|
| 1. QRS/SBC PEND PROC; Quarterly, commencing | January 10, 2014 |
| 2. ETHICS SCHOOL | September 27, 2014 |
| 3. MPRE | September 27, 2014 |
| 4. FINAL REPORT | September 27, 2015 |
- ☒ Reminded Respondent that: 1) the MPRE is offered 3 times each year, but not all Respondents will have 3 chances to take the MPRE by their particular deadline; 2) Respondent must send a copy of the test results to the Office of Probation; 3) request NCBE report the results to the California jurisdiction; 4) will be automatically suspended (in Probation matters) if MPRE is not passed by the due date until proof of proof passage is provided.
- ☒ Notified Respondent that compliance documents must be received by the Office of Probation on or before the due date, **NOT** signed or postmarked on the due date.
- ☒ Verified Respondent's current mailing address & telephone number
- | |
|--|
| <input checked="" type="checkbox"/> Same as SB Membership Records address & telephone number |
| <input checked="" type="checkbox"/> Alternate address/telephone number |
- Office (951) 999-3130 Cell (951) 231-8841
- ☒ Advised Respondent that filing of a motion with State Bar Court should be considered if unable to meet conditions by the deadlines and if so, to serve the Office of Probation.
- ☒ Notified Respondent that a non-compliance referral will be made if conditions are not met by deadlines, which may result in additional discipline and attendant costs.
- ☒ Instructed Respondent to contact the Office of Probation if any questions or concerns arise regarding Respondent's disciplinary orders and compliance thereof.

Comments: As a courtesy, the Office of Probation will e-mail to respondent Ethics School and MPRE 2014 schedules and Quarterly Report with State Bar's new address as of January 2014.

BY: Marionus Farfan
Probation Deputy

November 14, 2013
Date

00040

Office of Probation

QUARTERLY REPORT INSTRUCTIONS

1. The enclosed Quarterly Report form has been tailored to reflect the conditions of your discipline that are to be reported to the Office of Probation. Please review it carefully. If you believe that it does not accurately reflect your conditions, immediately contact the Office of Probation. Note that even if the Office of Probation makes an error, **you are required to timely complete all of your ordered conditions**. The report form is provided as a courtesy only, and you are not required to use it.

2. The Office of Probation will **NOT** provide you with multiple copies of the courtesy Quarterly Report form. **YOU MUST MAKE ENOUGH COPIES TO USE FOR ALL FUTURE QUARTERLY AND FINAL REPORTS.** This form is **NOT** available online. In the future, one additional copy **may** be provided if you make a written request with an explanation under penalty of perjury why you need such copy made.

3. For each quarter's report, mark the box for the correct reporting period and write in the correct year. Place an "X" in front of each condition that applies to your activities during each respective reporting period. Provide all required information.

4. Your report may be signed and mailed at the end of your business day on the last day of the month of each calendar quarter (i.e., March 31st, June 30th, September 30th and December 31st). **YOUR REPORT WILL BE REJECTED IF YOU DATE, SIGN, AND/OR SEND IT BEFORE THE LAST DAY OF THE LAST MONTH OF EACH CALENDAR QUARTER.**

REPORTING PERIOD	REPORT MUST BE RECEIVED BY THE OFFICE OF PROBATION ON OR BEFORE
January 1 – March 31	April 10 th
April 1 – June 30	July 10 th
July 1 – September 30	October 10 th
October 1 – December 31	January 10 th

5. Your original signed and dated report must be physically **received in the Office of Probation on or before the tenth of January, April, July, and October.** If the tenth falls on a weekend or holiday, you must send your report so that it is received no later than the last State Bar business day **before the tenth; the State Bar is not open on weekends or holidays and does not receive mail on those days.** State Bar observed holidays include, among others, New Year's day, Cesar Chavez day, Independence day, and Columbus day. For all conditions, being **even one day late** means that you are **NOT** in compliance.

6. The report must contain an **original signature** in order to be filed with the Office of Probation. It is recommended that you sign each report using blue ink. Because your report must be made under penalty of perjury, **you must date it the date you sign it** and not pre-date it or post-date it. See Code of Civil Procedure section 2015.5.

7. Because it is your responsibility to have an original, compliant report in to the Office of Probation by the tenth, and because some Respondents have claimed that their reports were lost in the mail, you may choose to send your reports in a manner that provides you with proof of delivery.

8. The Office of Probation files your report as of the date it is received, and **NOT** the date you mail it.

9. The Office of Probation will **NOT** contact you before and/or after each quarterly report is due. You must calendar all of **your** deadlines to ensure timely receipt by the Office of Probation.

10. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.

11. Each of your reports must be a clear and unequivocal statement of your compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

If you have any questions regarding this information, please contact Probation Deputy Maricruz Farfan in the Office of Probation at (213) 765-1452 or by e-mail at Maricruz.Farfan@calbar.ca.gov.

00041

IN THE MATTER OF
RICHARD D. ACKERMAN

(For Office of Probation Use Only)

CASE NO: S211542 (12-O-13461)

(PROBATION/SUSPENSION)

QUARTERLY REPORT

Use blue ink. For each quarter, mark the box for the correct reporting period and write in the correct year.

Due: ☐ First Report Due: January 10, 2014
(for period September 27, 2013 through December 31, 2013)

☐ Final Report Due: September 27, 2015
(for period July 1, 2015 through September 27, 2015)

☐ January 10, _____
(for period 10/1 through 12/31)

☐ April 10, _____
(for period 01/01 through 3/31)

☐ July 10, _____
(for period 4/1 through 6/30)

☐ October 10, _____
(for period 7/1 through 9/30)

Please make sufficient copies of this form for future use and mail reports to the State Bar of California, Attn: Office of Probation, 845 South Figueroa Street, Los Angeles, CA 90017-2515.

Place an "X" in front of each condition that applies to your activities during EACH respective reporting period.

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation; and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

-OR-

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation, **EXCEPT:**

_____ (attach declaration under penalty of perjury if more space is needed);
and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

Current Address

- ☐ Within 10 days of any change, I reported to the Membership Records Office and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

State Bar Ethics School (*proof due September 27, 2014*)

- ☐ I have registered for the State Bar Ethics School course to be given on _____.
- ☐ I have completed the State Bar Ethics School course given on _____ and have provided or attached is proof of successful passage.

Multi-State Professional Responsibility Examination (*proof due September 27, 2014*)

- ☐ I have registered for the MPRE to be given on _____.
- ☐ I have taken the MPRE given on _____ and am awaiting the results.
- ☐ I did not pass the MPRE given on _____ and have re-scheduled to take the examination to be given on _____.
- ☐ I passed the MPRE given on _____ and have provided or attached is proof of successful passage.

I declare under penalty of perjury under the laws of the State of California that all of the information provided in this report is true and accurate.

Date: _____ Signature: _____
(actual date you sign this report) Richard D. Ackerman (original signature in blue ink required)



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299 ((AS OF JANUARY 2014, THE
NEW ADDRESS WILL BE: 845 SOUTH FIGUEROA STREET, LOS ANGELES, CA 90017-2515)

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California 2014 Ethics/Client Trust Accounting ("CTA") School Schedule

LOS ANGELES			
845 S. Figueroa St., Los Angeles			
Class	Day	Date	Time
Ethics	Thurs	02/20	9a - 4p
CTA	Fri	02/21	9a - 12p
Ethics	Thurs	04/24	9a - 4p
CTA	Fri	04/25	9a - 12p
Ethics	Thurs	06/19	9a - 4p
CTA	Fri	06/20	9a - 12p
Ethics	Thurs	08/21	9a - 4p
CTA	Fri	08/22	9a - 12p
Ethics	Thurs	10/23	9a - 4p
CTA	Fri	10/24	9a - 12p
Ethics	Thurs	12/18	9a - 4p
CTA	Fri	12/19	9a - 12p

SAN FRANCISCO			
180 Howard St., San Francisco			
Class	Day	Date	Time
Ethics	Thurs	03/13	9a - 4 p
CTA	Fri	03/14	9a - 12p
Ethics	Thurs	06/19	9a - 4p
CTA	Fri	06/20	9a - 12p
Ethics	Thurs	09/18	9a - 4 p
CTA	Fri	09/19	9a - 12p
Ethics	Thurs	12/04	9a - 4p
CTA	Fri	12/05	9a - 12p

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on the form; or 2) going online at www.calbar.ca.gov: Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. **You are NOT registered until your payment is received.** If you have any questions, please contact Letty Ramos at (213) 765-1309.

Information may change, please check the State Bar website for the most current information.



THE STATE BAR
OF CALIFORNIA

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299 ((**AS OF JANUARY 2014, THE
NEW ADDRESS WILL BE: 845 SOUTH FIGUEROA STREET, LOS ANGELES, CA 90017-2515**))

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Information

Ethics and Client Trust Accounting classes are given throughout the year at the State Bar offices:

LOS ANGELES
845 South Figueroa Street
Los Angeles, CA 90017-2515

SAN FRANCISCO
180 Howard Street
San Francisco, CA 94105

Ethics School is all day (9:00 a.m. to 4:00 p.m.), with a lunch break. The fee for the course is **\$150.00**. Client Trust Account School is held for three (3) hours, (9:00 a.m. to 12:00 Noon). The fee for the course is **\$100.00**.

Please note that pursuant to Rules of Procedure of the State Bar of California, rule 3201, you will NOT receive Minimum Continuing Legal Education credit if your attendance at Ethics School or Client Trust Accounting School is required by a Decision or Order of the State Bar Court or Supreme Court.

If your attendance at Ethics School is not required by a Decision or Order of the State Bar court or Supreme Court, you may receive six (6) hours of Minimum Continuing Legal Education credit upon successful completion of the class. If your attendance at CTA School is not required by a Decision or Order of the State Bar Court or Supreme Court, you may receive three (3) hours of Minimum Continuing Legal Education credit upon successful completion of the class.

An application form and a schedule of classes are enclosed for your convenience. Fees **MUST** be submitted **with the application in order to secure a seat in the class**. Classes for some dates may fill up quickly. Payment for classes must be in the form of a personal check, money order or cashier's check. **CASH PAYMENTS WILL NOT BE ACCEPTED.**

Please indicate on the application form, by checking the appropriate space, whether you are attending the class as a result of a Decision of the Court after a hearing; as a result of a stipulated disposition; pursuant to an Agreement in Lieu of Discipline; voluntarily by letter agreement with the Office of Chief Trial Counsel or the Committee of Bar Examiners for Bar applicants, or voluntarily for some other reason.

If you have a question about probation, please direct your inquiries in writing to: The State Bar of California, Attn: Office of Probation, at the following address: 1149 S. Hill St., Los Angeles, CA, 90015. **As of January 2014**, the new address will be: 845 South Figueroa Street, Los Angeles, CA 90017-2515.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos
Administrative Secretary

Enc.

00045



THE STATE BAR
OF CALIFORNIA

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299 ((**AS OF JANUARY 2014, THE
NEW ADDRESS WILL BE: 845 SOUTH FIGUEROA STREET, LOS ANGELES, CA 90017-2515**))

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Application Enrollment Form

DATE: _____

APPLICANT'S NAME: _____ SBN: _____

APPLICANT'S ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

LOS ANGELES
845 South Figueroa Street
Los Angeles, CA 90017-2515

SAN FRANCISCO
180 Howard Street
San Francisco, CA 94105

ETHICS (\$150) DATE OF CLASS: _____ LOCATION (LA OR SF): _____
CTA (\$100) DATE OF CLASS: _____ LOCATION (LA OR SF): _____

Return completed Application Enrollment Form with personal check, money order or cashier's check made payable to The State Bar of California, attention Letty Ramos at the following address: 1149 South Hill Street, Los Angeles, CA, 90015-2299. **As of January 2014**, the new address will be: 845 South Figueroa Street, Los Angeles, CA, 90017-2515. Upon receipt of your application and payment, a confirming reservation letter will be mailed to you. If you have any questions, please contact Letty Ramos at (213) 765-1309 or at fax (213) 765-1029.

Please indicate below the reason for your attendance:

- ☐ Supreme Court Order/State Bar Court Decision after hearing requiring attendance
- ☐ Supreme Court Order/State Bar Court Order following stipulated disposition requiring attendance
- ☐ Agreement in Lieu of Discipline
- ☐ Voluntary Agreement with the Office of the Chief Trial Counsel
- ☐ State Bar Applicant for Admission
- ☐ Voluntarily

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on the form; or 2) going online at www.calbar.ca.gov: Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. You are **NOT registered until your payment is received. If you have any questions, please contact Letty Ramos at (213) 765-1309.**

00046

MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION ("MPRE")

2014 Examination Schedule and Information

This document was created as a courtesy by the State Bar of California, Office of Probation.

The State Bar of California does **NOT** administer the MPRE.
**TO REGISTER AND FOR THE MOST RECENT INFORMATION REGARDING MPRE TEST
DATES, DEADLINES, RESOURCES, ETC., YOU MUST CONTACT:**

National Conference of Bar Examiners ("NCBE")

Website: www.ncbex.org

Registration for the 2014 test dates opens on December 16, 2013

Test Dates*	Regular Registration Deadline (\$80)*	Late Registration Deadline (\$160)*	Scores Tentatively Released by
Saturday, March 29, 2014	February 4, 2014	February 20, 2014	May 3, 2014
Saturday, August 9, 2014	June 17, 2014	July 3, 2014	September 13, 2014
Saturday, November 1, 2014	September 10, 2014	September 25, 2014	December 6, 2014

1. The MPRE fee for applications received on or before the regular receipt deadline is \$80. The MPRE fee for applications received after the regular receipt deadline but before the late receipt deadline is \$160.
2. To provide proof of successful passage of the MPRE to the Office of Probation, you **MUST**: a) during registration, select California as the jurisdiction to receive your score report; and b) send a copy of your score release to the Office of Probation on or before your due date. Failure to comply with these requirements will delay confirming your passage of the MPRE, and it may result in an automatic suspension in probation matters or a non-compliance referral in all other matters.
3. Requests for special accommodations during the examination must be made to the National Conference of Bar Examiners in advance of the examination.

Passing scaled score 86

**Information may change, please check the NCBE's website for the most current information.*

Revised 10/31/13

00047

Farfan, Maricruz

From: Microsoft Outlook
To: 'Richard D Ackerman'
Sent: Thursday, November 14, 2013 1:39 PM
Subject: Relayed: RE: S211542 (12-O-13461) REQUIRED MEETING/QR/2014 ES & MPRE schedules

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'Richard D Ackerman' (consiglierea@aol.com) <<mailto:consiglierea@aol.com>>

Subject: RE: S211542 (12-O-13461) REQUIRED MEETING/QR/2014 ES & MPRE schedules

Farfan, Maricruz

From: consiglierea@aol.com
Sent: Thursday, November 14, 2013 8:49 AM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) REQUIRED MEETING

If I have not responded to you within 24 hours, you may contact the office at 951-999-3130. Rich

IN THE MATTER OF
RICHARD D. ACKERMAN

CASE NO: S211542 (12-O-13461)

(PROBATION/SUSPENSION)

(For Office of Probation Use Only)

RECEIVED

JAN 10 2014 (No)
(Defective - no original signature)
OFFICE OF PROBATION
LOS ANGELES

QUARTERLY REPORT

Use blue ink. For each quarter, mark the box for the correct reporting period and write in the correct year.

Due: ☒ First Report Due: January 10, 2014
(for period September 27, 2013 through December 31, 2013)

☐ Final Report Due: September 27, 2015
(for period July 1, 2015 through September 27, 2015)

☒ January 10, _____
(for period 10/1 through 12/31)

☐ April 10, _____
(for period 01/01 through 3/31)

☐ July 10, _____
(for period 4/1 through 6/30)

☐ October 10, _____
(for period 7/1 through 9/30)

Please make sufficient copies of this form for future use and mail reports to the State Bar of California, Attn: Office of Probation, 1149 South Hill Street, Los Angeles, California 90015-2299.

Place an "X" in front of each condition that applies to your activities during EACH respective reporting period.

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☒ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation; and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

-OR-

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation, EXCEPT:

_____ (attach declaration under penalty of perjury if more space is needed);
and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

Current Address

- ☒ Within 10 days of any change, I reported to the Membership Records Office and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

State Bar Ethics School (proof due September 27, 2014)

- ☐ I have registered for the State Bar Ethics School course to be given on in process.
- ☐ I have completed the State Bar Ethics School course given on _____ and have provided or attached is proof of successful passage.

Multi-State Professional Responsibility Examination (proof due September 27, 2014)

- ☐ I have registered for the MPRE to be given on in process.
- ☐ I have taken the MPRE given on _____ and am awaiting the results.
- ☐ I did not pass the MPRE given on _____ and have re-scheduled to take the examination to be given on _____.
- ☐ I passed the MPRE given on _____ and have provided or attached is proof of successful passage.

I declare under penalty of perjury under the laws of the State of California that all of the information provided in this report is true and accurate.

Date: 1/9/2014
(actual date you sign this report)

Signature: _____


Richard D. Ackerman (original signature in blue ink required)

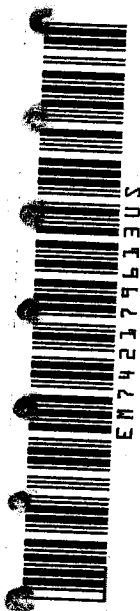
PRESS FIRMLY TO SEAL



U.S. POSTAGE
PAID
RIVERSIDE, CA
92501
JAN 09 14
AMOUNT

1007

\$19.95
00028746-30



EN742174613US

Addresssee Copy
Label 11-F, April 2004



FOR MAILING

UNITED STATES POSTAL SERVICE® Post Office To Address

ORIGIN (POSTAL SERVICE USE ONLY)		Day of Delivery		Postage	Return Receipt Fee
PO Zip Code	<input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Day	<input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Day		\$	\$
Date Accepted	Scheduled Date of Delivery	Month	Day		
Mo. Day Year					
Time Accepted	Scheduled Time of Delivery	<input type="checkbox"/> Noon <input type="checkbox"/> 3 PM			
<input type="checkbox"/> AM <input type="checkbox"/> PM					
Flat Rate <input type="checkbox"/> or Weight	Military	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day			
	Int'l Alpha Country Code				
lbs. ozs.	Acceptance Emp. Initials				
CUSTOMER USE ONLY					

RECEIVED
JAN 10 2014
OFFICE OF PROBATION
RIVERSIDE, CA 92501
4127 1/2 St. # 317

TO: (PLEASE PRINT)

PHONE

Fulton County - Probation
California State Bar
945 E. Lincoln St.
Los Angeles CA 90017-2515

FOR PICKUP OR TRACKING: Visit www.usps.com or Call 1-800-222-1811

LOS ANGELES



* Money Back Guarantee for U.S. destinations only.

VISIT US AT USPS.COM®
ORDER FREE SUPPLIES ONLINE



UNITED STATES
POSTAL SERVICE

00054

Farfan, Maricruz

From: Farfan, Maricruz
Sent: Thursday, March 06, 2014 6:00 PM
To: 'consiglierea@aol.com'
Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Dear Richard D. Ackerman,

On January 10, 2014, the Office of Probation received a Quarterly Report for the period January 10, 2014. Please note that this report is defective and was not filed because your report did not have an original signature. Please be reminded that all of your reports must bear an original signature. If you would like to file late your Quarterly Report which was due January 10, 2014, please mail it immediately to the Office of Probation at the new address below, with the correct reporting period checked off, the actual date of your signature, and your original signature in blue ink.

If you have any questions, please contact the Office of Probation.



THE STATE BAR OF CALIFORNIA | Office of Probation | 845 S. Figueroa Street | Los Angeles | CA 90017-2515
Maricruz Farfan | Probation Deputy | ☎ (213) 765-1452 | 📠 (213) 765-1439 | ✉ Maricruz.Farfan@calbar.ca.gov

Please change your records to reflect the Los Angeles Office new address as of January 6, 2014, and direct all future correspondence to the new address above

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

Farfan, Maricruz

From: Microsoft Outlook
To: 'consiglierea@aol.com'
Sent: Thursday, March 06, 2014 6:00 PM
Subject: Relayed: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'consiglierea@aol.com' (consiglierea@aol.com) <<mailto:consiglierea@aol.com>>

Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Farfan, Maricruz

From: consiglierea@aol.com
Sent: Thursday, March 06, 2014 6:00 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

If I have not responded to you within 24 hours, you may contact the office at 951-999-3130. Rich

Farfan, Maricruz

From: Richard D Ackerman <consiglierea@aol.com>
Sent: Thursday, March 06, 2014 6:06 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Thank you for the reminder. I'm sorry if it got signed in black ink. Your graciousness is appreciated.

Rich Ackerman

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax

-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'consiglierea@aol.com' <consiglierea@aol.com>
Sent: Thu, Mar 6, 2014 5:59 pm
Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Dear Richard D. Ackerman,

On January 10, 2014, the Office of Probation received a Quarterly Report for the period January 10, 2014. Please note that this report is defective and was not filed because your report did not have an original signature. Please be reminded that all of your reports must bear an original signature. If you would like to file late your Quarterly Report which was due January 10, 2014, please mail it immediately to the Office of Probation at the new address below, with the correct reporting period checked off, the actual date of your signature, and your original signature in blue ink.

If you have any questions, please contact the Office of Probation.



THE STATE BAR OF CALIFORNIA | Office of Probation | 845 S. Figueroa Street | Los Angeles | CA 90017-2515
Maricruz Farfan | Probation Deputy | ☎ (213) 765-1452 | 7 (213) 765-1439 | ✉ Maricruz.Farfan@calbar.ca.gov

Please change your records to reflect the Los Angeles Office new address as of January 6, 2014, and direct all future correspondence to the new address above

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.



**THE STATE BAR
OF CALIFORNIA**

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

PROBATION FAX: (213) 765-1439

MARICRUZ FARFAN: (213) 765-1452

Maricruz.Farfana@calbar.ca.gov

http://www.calbar.ca.gov

March 10, 2014

NOTICE OF CHANGE OF ADDRESS

To Whom It May Concern:

This letter is to notify you that effective **January 6, 2014**, the Los Angeles office of the State Bar of California, including the Office of Probation, relocated to the following address:

**The State Bar of California
Office of Probation
845 South Figueroa Street
Los Angeles, CA 90017-2515**

Please change your records to reflect our new address and direct all future correspondence to the new address above.

Please note that all State Bar telephone numbers, fax numbers, and e-mail addresses will remain the same.

Thank you for your cooperation and courtesy.

Very truly yours,

**OFFICE OF PROBATION
STATE BAR OF CALIFORNIA**



THE STATE BAR OF CALIFORNIA
OFFICE OF PROBATION

845 S. Figueroa Street
Los Angeles, CA 90017-2515

Maricruz Farfan
PERSONAL & CONFIDENTIAL

OFFICE OF PROBATION
ADDRESS VERIFIED
March 10, 2014

BY: _____

A handwritten signature, likely of Maricruz Farfan, written over a horizontal line.

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main St., Ste. B17
Riverside, CA 92501

PERSONAL & CONFIDENTIAL

00064

Farfan, Maricruz

From: RDA <consiglierea@aol.com>
Sent: Thursday, July 10, 2014 4:19 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Dear Ms. Farfan:

Please be advised that I am preparing my quarterly report for your office. Due to a number of compelling circumstances, I did not timely get it to your office and would like to speak with you about any procedures that I may be able to employ to overcome this deficiency on my part. I deeply apologize for the tardiness and wish to rectify the situation immediately.

Farfan, Maricruz

From: RDA <consiglierea@aol.com>
Sent: Thursday, July 10, 2014 4:37 PM
To: Farfan, Maricruz
Subject: Copy of July Report (SBN 171900)
Attachments: photo 1.JPG; ATT00001.txt; photo 2.JPG; ATT00002.txt

Original to follow by US Mail service.

RECEIVED

U.S. DEPARTMENT OF JUSTICE

00069



THE STATE BAR
OF CALIFORNIA

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

PROBATION FAX: (213) 765-1439

MARICRUZ FARFAN: (213) 765-1452

Maricruz.Farfan@calbar.ca.gov

http://www.calbar.ca.gov

By regular mail and e-mail at consiglierea@aol.com

July 21, 2014

OFFICE OF PROBATION
ADDRESS VERIFIED

July 21, 2014

Richard D. Ackerman
Law Offices of R.D. Ackerman
27638 Moonridge Dr.
Menifee, CA 92585

BY: 

In Re: S211542 (12-O-13461)

In the Matter of: Richard D. Ackerman

Dear Richard D. Ackerman:

On September 25, 2013, the Office of Probation mailed you a letter (copy attached) at your Membership Records address for the purpose of reminding you of the terms and conditions of your probation imposed by the Supreme Court which became effective September 27, 2013. This letter has **NOT** been returned as undeliverable by the postal authorities.

One of your conditions requires that within 10 days of any change, you report all changes of information including current address and telephone number to Membership Records **and** to the Office of Probation pursuant to section 6002.1 of the Business and Professions Code. According to Membership Records, your contact information was updated as of June 30, 2014; however, you did not report this new contact information to the Office of Probation.

Another condition requires that you submit to the Office of Probation Quarterly Reports on or before each January 10th, April 10th, July 10th, and October 10th, of every year during the period of your probation, commencing January 10, 2014.

On January 10, 2014, the Office of Probation received your Quarterly Report due January 10, 2014; however, this report was **NOT** filed because it was defective in that it did not have an original signature.

On March 6, 2014, the Office of Probation sent you an e-mail (copy attached) to advise you of the defective report. On the same date, you replied to the Office of Probation's e-mail. No compliant Quarterly Report was received for January 10, 2014, and no Quarterly Report was received for April 10, 2014.

On July 10, 2014, you sent an e-mail to the Office of Probation stating that you were preparing your Quarterly Report for the Office of Probation and apologizing for the tardiness. On the same date, you sent an e-mail to the Office of Probation attaching a copy of your Quarterly Report due July 10, 2014, and stating that the original was to follow by US mail service. No original Quarterly Report was received for July 10, 2014.

To date, you have **NOT** filed with the Office of Probation your Quarterly Reports which were due January 10, 2014; April 10, 2014; and July 10, 2014.

If you would like to **file late** your Quarterly Reports which were due January 10, 2014; April 10, 2014; and July 10, 2014, please send them to the Office of Probation immediately with your original signature **in blue ink** and the actual date of your signature.

00072

Richard D. Ackerman
S211542 (12-O-13461)
July 21, 2014
Page 2

Consequently, because you **are not in compliance** with the terms and conditions of your probation matter, you are facing a referral for your non-compliance, which may result in the imposition of additional discipline and attendant costs (attached). Even if you submit the required reports to the Office of Probation, a non-compliance referral may still be prepared.

Please be reminded that LATE completion, submission, or filing of proof/documents does not mean you are in compliance. You will **never** be in compliance because being even one day late means that you are not in compliance with the terms and conditions of your probation matter.

Please be reminded that your proof of Ethics School and proof of successful passage of the Multi-State Professional Responsibility Examination are due on or before September 17, 2014; and your next Quarterly Report is due on or before October 10, 2014.

The Office of Probation **will not** send any further reminder letters regarding compliance due dates or lack of receipt of compliance documentation. In the future, your non-compliance may be automatically referred for review and determination of further action.

Please note that even if you are referred, you are STILL REQUIRED TO TIMELY COMPLY with all probation conditions in this matter. Additional probation violations may be subject to a separate non-compliance referral.

*The Office of Probation does **NOT** have the authority to extend compliance due dates or modify the terms and conditions of a discipline order.* Please be reminded that if you cannot *timely* comply with the terms and conditions of the discipline imposed *for any* reason, and to avoid a non-compliance referral, *you must* file the proper motion with the Hearing Department *prior* to the compliance due date. (See rules 5.162 and 5.300 et seq., Rules of Procedure of the State Bar of California.) **A copy of the motion must be served on the Office of Probation.**

You are reminded that the Court has determined that the repeated need of the State Bar to actively intervene to seek compliance with disciplinary terms and conditions is inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney disciplinary system. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 567, 573.

If you have any questions, please contact the Office of Probation.

Sincerely,



Maricruz Farfan
Probation Deputy

/mf

Enclosures: Copy of Office of Probation's letter dated September 25, 2013
Copy of e-mail correspondence dated March 6, 2014
2014 Discipline Costs printout

00073



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CALIFORNIA 90015-2299

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

PROBATION FAX: (213) 765-1439

MARICRUZ FANFAN: (213) 765-1452

Maricruz.Fanfan@calbar.ca.gov

<http://www.calbar.ca.gov>

September 25, 2013

OFFICE OF PROBATION
ADDRESS VERIFIED

SEP 25 2013

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main St., Ste. B17
Riverside, CA 92501

BY: 

In Re: S211542 (12-O-13461)

In the Matter of: Richard D. Ackerman

Dear Richard D. Ackerman:

This letter is sent to you as a courtesy and based upon information that you are not currently represented by counsel in this matter--the enforcement of your probation terms and conditions. Please note that the Office of Probation is separate from the State Bar Court and the Office of the Chief Trial Counsel; if you are going to be represented during your probation, please mail the attached Notice of Counsel Representation with original signatures within five days so that future communications may be directed to your counsel.

The Office of Probation prepares a reminder letter and documents as a courtesy to each respondent; however, respondents are ultimately responsible for fulfilling their requirements whether or not the Office of Probation has sent them a letter or contacted them.

As you know, on August 28, 2013, the Supreme Court of California filed an Order, effective September 27, 2013, suspending you from the practice of law for a period of one year, staying execution and placing you on probation upon certain conditions for a period of two years.¹

Please take notice that attorneys are not relieved of MCLE requirements during the pendency of their disciplinary period.

In order to comply with the terms and conditions of your probation, you must report the status of your compliance, in each and every respect, by letter with any attachments, executed under penalty of perjury, and addressed to the Office of Probation.

As a courtesy, the Office of Probation has prepared and attached a Quarterly Report form and Attendance Sheet for your use. The Office of Probation will NOT provide you with multiple copies of the courtesy Quarterly Report form. Please make sufficient copies of this report to use for all your filings. This form is NOT available on-line. Each of your reports must be a clear and unequivocal statement of compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

¹ Please review your stipulation or decision carefully. You may have been ordered to remain on actual suspension until you have fully paid the costs imposed as a result of your discipline. The Office of Probation does NOT monitor costs. If you have questions, contact Membership Billing at (415) 538-2340.

00074

Richard D. Ackerman
S211542 (12-O-13461)
September 25, 2013
Page 2

Please read the Instructions and review the Quarterly Report carefully to determine whether you believe that it accurately reflects the required terms and conditions. If you believe there is an error, or if there are any questions, please notify me immediately. **You are responsible for timely complying with each and every term and condition whether or not it is reflected in this letter and/or the Quarterly Report form.** You are reminded that for all conditions, **being even one date late** means that you are **NOT** in compliance.

Within 30 days from the effective date of discipline you MUST contact AND schedule a meeting with me to discuss the terms and conditions of your discipline.

The conditions of your probation with compliance due dates are outlined below. Please note this summary **only** reflects those conditions and compliance due dates that require submission of proof of compliance to the Office of Probation. For a thorough review of all conditions, please refer to the enclosed copy of that portion of the disciplinary order setting forth the conditions of probation.

Condition	Deadline(s)
Contact and schedule a meeting with Probation Deputy	On or before October 27, 2013
Quarterly Reports and report any p	Quarterly, commencing January 10, 2014
State Bar Ethics School	On or before September 27, 2014
Multi-State Professional Responsibility Examination	On or before September 27, 2014
Final Report	On or before September 27, 2015

You are reminded that all Quarterly Reports are **due on or before the 10th day after the end of each quarter.** If the 10th day falls on a holiday or a weekend, the report must be received by the Office of Probation **prior** to that holiday or weekend. Your Final Report is due on or before **September 27, 2015.**

You are required to report, and in no event in more than ten (10) days, to the Membership Records Office of the State Bar and the Office of Probation, all changes of information including current office or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code.

By Court Order, you must take and provide proof of successful passage of the MPRE to the Office of Probation **on or before September 27, 2014.** It is important that you plan to take this examination well in advance of the due date so that you can re-take the examination should you not receive a passing score. **The passing scaled score is 86. The MPRE is only offered three times a year,** but you may not have three chances to take it by your particular deadline. Failure to provide proof of passage of this examination by the due date may result in indefinite suspension until you provide proof that you have passed the examination. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.)

00075

Richard D. Ackerman
S211542 (12-O-13461)
September 25, 2013
Page 3

Further, you are advised that the Office of Probation **does not** have the authority to extend compliance due dates or modify the terms and conditions of the discipline order. **Requests for extension of time or modification of the terms and conditions of the discipline order must be filed with the State Bar Court Hearing Department or Review Department.** See, Rules of Procedure of the State Bar of California, rules 5.162 and 5.300. **A copy of the motion must be served upon the Office of Probation.** Failure to timely submit reports or any other proof of compliance may result in a non-compliance referral which may lead to the imposition of additional discipline and attendant costs.

Please note that the Court has determined that the repeated need of the State Bar to actively intervene to seek compliance with disciplinary terms and conditions is inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney discipline system. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 567, 573.

It is recommended that you maintain a file containing all orders as well as communication from the Office of Probation. You should keep his file in a convenient location so that any question can be quickly addressed. It is further recommended that you **sign all original documents in blue** so that the Office of Probation will immediately be able to ascertain whether the required originals have been provided.

Enclosed are copies of the Supreme Court Order and conditions of probation (which you have already received from the Courts or your counsel); Quarterly Report instructions and form; Notice of Counsel Representation; 2013 MPRE schedule; and 2013 Ethics School scheduling and enrollment information.

Sincerely,



Maricruz Farfan
Probation Deputy

/mf

Enclosures

00076

SUPREME COURT
FILED

AUG 28 2013

(State Bar Court No. 12-O-13461)

S211542

Frank A. McGuire Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re RICHARD D. ACKERMAN on Discipline

The court orders that Richard D. Ackerman, State Bar Number 171900, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. Richard D. Ackerman must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 2, 2013; and
2. At the expiration of the period of probation, if Richard D. Ackerman has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Richard D. Ackerman must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2014, 2015, and 2016. If Richard D. Ackerman fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

CANTIL-SAKAUYE

Chief Justice

I, Frank A. McGuire, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.

Witness my hand and the seal of the Court this

day of AUG 28 2013 20

Frank A. McGuire
Clerk

00077

(Do not write above this line.)

D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of one year.

i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(II), Standards for Attorney Sanctions for Professional Misconduct.

ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii. ☐ and until Respondent does the following:

The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent is placed on probation for a period of two years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court.)

E. Additional Conditions of Probation:

(1) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

(2) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

(3) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

(4) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

(5) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

(Effective January 1, 2011)

(Do not write above this line.)

- (6) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (7) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the State Bar Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason:
- (8) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (9) ☐ The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) ☒ **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.
- ☐ No MPRE recommended. Reason:
- (2) ☐ **Other Conditions:**

00079

Office of Probation

QUARTERLY REPORT INSTRUCTIONS

1. The enclosed Quarterly Report form has been tailored to reflect the conditions of your discipline that are to be reported to the Office of Probation. Please review it carefully. If you believe that it does not accurately reflect your conditions, immediately contact the Office of Probation. Note that even if the Office of Probation makes an error, **you are required to timely complete all of your ordered conditions**. The report form is provided as a courtesy only, and you are not required to use it.
2. The Office of Probation will **NOT** provide you with multiple copies of the courtesy Quarterly Report form. **YOU MUST MAKE ENOUGH COPIES TO USE FOR ALL FUTURE QUARTERLY AND FINAL REPORTS.** This form is **NOT** available online. In the future, one additional copy may be provided if you make a written request with an explanation under penalty of perjury why you need such copy made.
3. For each quarter's report, mark the box for the correct reporting period and write in the correct year. Place an "X" in front of each condition that applies to your activities during each respective reporting period. Provide all required information.
4. Your report may be signed and mailed at the end of your business day on the last day of the month of each calendar quarter (i.e., March 31st, June 30th, September 30th and December 31st). **YOUR REPORT WILL BE REJECTED IF YOU DATE, SIGN, AND/OR SEND IT BEFORE THE LAST DAY OF THE LAST MONTH OF EACH CALENDAR QUARTER.**

REPORTING PERIOD	REPORT MUST BE RECEIVED BY THE OFFICE OF PROBATION ON OR BEFORE
January 1 – March 31	April 10 th
April 1 – June 30	July 10 th
July 1 – September 30	October 10 th
October 1 – December 31	January 10 th

5. Your original signed and dated report must be physically **received in the Office of Probation** on or before the tenth of January, April, July, and October. If the tenth falls on a weekend or holiday, you must send your report so that it is received no later than the last State Bar business day before the tenth; the State Bar is not open on weekends or holidays and does not receive mail on those days. State Bar observed holidays include, among others, New Year's day, Cesar Chavez day, Independence day, and Columbus day. For all conditions, being **even one day late** means that you are **NOT** in compliance.
6. The report must contain an **original signature** in order to be filed with the Office of Probation. It is recommended that you sign each report using blue ink. Because your report must be made under penalty of perjury, **you must date it the date you sign it** and not pre-date it or post-date it. See Code of Civil Procedure section 2015.5.
7. Because it is your responsibility to have an original, compliant report in to the Office of Probation by the tenth, and because some Respondents have claimed that their reports were lost in the mail, you may choose to send your reports in a manner that provides you with proof of delivery.
8. The Office of Probation files your report as of the date it is received, and **NOT** the date you mail it.
9. The Office of Probation will **NOT** contact you before and/or after each quarterly report is due. You must calendar all of your deadlines to ensure timely receipt by the Office of Probation.
10. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.
11. Each of your reports must be a clear and unequivocal statement of your compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

If you have any questions regarding this information, please contact Probation Deputy Maricruz Farfan in the Office of Probation at (213) 765-1452.

IN THE MATTER OF
RICHARD D. ACKERMAN

(For Office of Probation Use Only)

CASE NO: S211542 (12-O-13461)

(PROBATION/SUSPENSION)

QUARTERLY REPORT

Use blue ink. For each quarter, mark the box for the correct reporting period and write in the correct year.

Due: ☐ First Report Due: January 10, 2014
(for period September 27, 2013 through December 31, 2013)

☐ Final Report Due: September 27, 2015
(for period July 1, 2015 through September 27, 2015)

☐ January 10, _____ ☐ April 10, _____ ☐ July 10, _____ ☐ October 10, _____
(for period 10/1 through 12/31) (for period 01/01 through 3/31) (for period 4/1 through 6/30) (for period 7/1 through 9/30)

Please make sufficient copies of this form for future use and mail reports to the State Bar of California, Attn: Office of Probation, 1149 South Hill Street, Los Angeles, California 90015-2299.

Place an "X" in front of each condition that applies to your activities during EACH respective reporting period.

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation; and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

-OR-

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation, **EXCEPT:**

_____ (attach declaration under penalty of perjury if more space is needed);
and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

Current Address

- ☐ Within 10 days of any change, I reported to the Membership Records Office and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

State Bar Ethics School (*proof due September 27, 2014*)

- ☐ I have registered for the State Bar Ethics School course to be given on _____.
- ☐ I have completed the State Bar Ethics School course given on _____ and have provided or attached is proof of successful passage.

Multi-State Professional Responsibility Examination (*proof due September 27, 2014*)

- ☐ I have registered for the MPRE to be given on _____.
- ☐ I have taken the MPRE given on _____ and am awaiting the results.
- ☐ I did not pass the MPRE given on _____ and have re-scheduled to take the examination to be given on _____.
- ☐ I passed the MPRE given on _____ and have provided or attached is proof of successful passage.

I declare under penalty of perjury under the laws of the State of California that all of the information provided in this report is true and accurate.

Date: _____ Signature: _____
(actual date you sign this report) **Richard D. Ackerman (original signature in blue ink required)**

Office of Probation
NOTICE OF COUNSEL REPRESENTATION

Respondent:

Richard D. Ackerman

State Bar/Supreme Court Case #:

S211542 (12-O-13461)

Member Number:

171900

Counsel Name:

Firm Name:

Address:

Telephone Number:

Bar Number:

Counsel Signature:

Date:

Respondent Signature:

Date:

The Office of Probation is separate from the State Bar Court and the Office of the Chief Trial Counsel; if you are going to be represented for communications with the Office of Probation, please complete and return this form with original signatures to the State Bar of California, Attn: Office of Probation. 1149 S. Hill Street, Los Angeles, CA 90015-2299.

00083

MULTI-STATE PROFESSIONAL RESPONSIBILITY EXAMINATION

2013 Examination Schedule and Information

This document was created as a courtesy by the State Bar of California, Office of Probation.
The State Bar of California does NOT administer the MPRE.
TO REGISTER AND FOR THE MOST RECENT INFORMATION REGARDING MPRE TEST
DATES, DEADLINES, RESOURCES, ETC., YOU MUST CONTACT:
National Conference of Bar Examiners ("NCBE")
Website: www.ncbex.org

Test Dates*	Regular Registration* Deadline*	Late Registration* Deadline*	Scores Tentatively Released by
Saturday, April 6, 2013	February 12, 2013	February 28, 2013	May 11, 2013
Saturday, August 17, 2013	June 25, 2013	July 11, 2013	September 21, 2013
Saturday, November 2, 2013	September 10, 2013	September 26, 2013	December 7, 2013

1. For applications received on or before the regular application receipt deadline, the fee is \$73.00. For applications after the regular receipt deadline but before the late application receipt deadline, the fee is \$146.00.
2. To provide proof of successful passage of the MPRE to the Office of Probation, you MUST: a) during registration, select California as the jurisdiction to receive your score report; and b) send a copy of your score release to the Office of Probation on or before your due date. Failure to comply with these requirements will delay confirming matters or a non-compliance referral in all other matters.
3. Requests for special accommodations during the examination must be made to the National Conference of Bar Examiners in advance of the examination.

Passing scaled score 86

2014 MPRE test dates are March 29, August 9, and November 1. Registration for 2014 test dates opens on December 17, 2013.

**Information may change, please check the NCBE's website for most current information.*
00084



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California 2013 Ethics/Client Trust Accounting ("CTA") School Schedules

LOS ANGELES			
1149 S. Hill St., Los Angeles			
Class	Day	Date	Time
Ethics	Thurs	03/21	9a - 4p
CTA	Fri	03/22	9a - 12p
Ethics	Thurs	05/16	9a - 4p
CTA	Fri	05/17	9a - 12p
Ethics	Thurs	06/13	9a - 4p
CTA	Fri	06/14	9a - 12p
Ethics	Thurs	08/22	9a - 4p
CTA	Fri	08/23	9a - 12p
Ethics	Thurs	09/12	9a - 4p
CTA	Fri	09/13	9a - 12p
Ethics	Thurs	10/24	9a - 4p
CTA	Fri	10/25	9a - 12p
Ethics	Thurs	12/12	9a - 4p
CTA	Fri	12/13	9a - 12p

SAN FRANCISCO			
180 Howard St., San Francisco			
Class	Day	Date	Time
Ethics	Thurs	03/14	9a - 4p
CTA	Fri	03/15	9a - 12p
Ethics	Thurs	06/20	9a - 4p
CTA	Fri	06/21	9a - 12p
Ethics	Thurs	08/08	9a - 4p
CTA	Fri	08/09	9a - 12p
Ethics	Thurs	12/05	9a - 4p
CTA	Fri	12/06	9a - 12p

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on form; or 2) going online at www.calbar.ca.gov: Home > Attorney > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. **You are NOT registered until your payment is received.** If you have any questions, please contact Letty Ramos at (213) 765-1309.

00005



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1305
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Information

Ethics and Client Trust Accounting classes are given throughout the year in the Los Angeles and San Francisco offices. Ethics School is all day (9:00 a.m. to 4:00 p.m.), with a lunch break. The fee for the course is \$150.00. Six (6) hours of MCLE credit are available where the State Bar matter is concluded by an Agreement in Lieu of Discipline. Credit is also available if the member has voluntarily agreed to attend the class in regards to a complaint.

Client Trust Account School is held for three (3) hours, (9:00 a.m. to 12:00 Noon). The fee for the course is \$100.00. Three (3) hours of MCLE credit are available where the State Bar matter was concluded by an Agreement in Lieu of Discipline. Credit is also available if the member has voluntarily agreed to attend the class in regards to a complaint.

Please note that, pursuant to Rules of Procedure of the State Bar of California, rule 3201, you will NOT receive Minimum Continuing Legal Education credit if your attendance at Ethics School or Client Trust Accounting School is required by a Decision or Order of the State Bar Court or Supreme Court.

An application form and schedule of classes is enclosed for your convenience. Please fill out the application form and include the reason for your attendance. Payment MUST be received in order to complete your registration. Classes for some dates may fill up quickly. Payment for classes must be in the form of a personal check, money order or cashier's check. CASH PAYMENTS WILL NOT BE ACCEPTED

If you have a question about probation, please direct your inquiries, in writing to the Office of Probation, State Bar of California, 1149 South Hill Street, Los Angeles, CA 90015-2299.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos
Administrative Secretary

LR:peg

Enc.

00086

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

THE STATE BAR
OF CALIFORNIA



1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.caltb.ca.gov>

State Bar of California Ethics/CTA School Application Enrollment Form

DATE: _____

APPLICANT'S NAME: _____

SBN: _____

APPLICANT'S ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____

FAX: _____

E-MAIL ADDRESS: _____

ETHICS (\$150) DATE OF CLASS: _____

LOCATION: LA OR SF ()

CTA (\$100) DATE OF CLASS: _____

LOCATION: LA OR SF ()

Return completed Application Enrollment Form with personal check, money order or cashier's check made payable to the State Bar of California, 1149 S. Hill Street, Los Angeles, CA 90015, attention Letty Ramos. Upon receipt of your application and payment, a confirming reservation letter will be mailed to you. If you have any questions, we can be reached at (213) 765-1309 or by FAX (213) 765-1029.

Indicate below the reason for your attendance:

- 1) _____ Supreme Court Order/State Bar Court Decision after hearing requiring attendance
- 2) _____ Supreme Court Order/State Bar Court Order following stipulated disposition requiring attendance
- 3) _____ Agreement in Lieu of Discipline
- 4) _____ Voluntary Agreement with the Office of the Chief Trial Counsel
- 5) _____ State Bar Applicant for Admission
- 6) _____ Voluntarily

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on form; or 2) going online at www.caltb.ca.gov; Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. You are NOT registered until your payment is received. If you have any questions, please contact Letty Ramos at (213) 765-1309.

00087

Farfan, Maricruz

From: Farfan, Maricruz
Sent: Thursday, March 06, 2014 6:00 PM
To: 'consiglierea@aol.com'
Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Dear Richard D. Ackerman,

On January 10, 2014, the Office of Probation received a Quarterly Report for the period January 10, 2014. Please note that this report is defective and was not filed because your report did not have an original signature. Please be reminded that all of your reports must bear an original signature. If you would like to file late your Quarterly Report which was due January 10, 2014, please mail it immediately to the Office of Probation at the new address below, with the correct reporting period checked off, the actual date of your signature, and your original signature in blue ink.

If you have any questions, please contact the Office of Probation.



THE STATE BAR OF CALIFORNIA | Office of Probation | 845 S. Figueroa Street | Los Angeles | CA 90017-2515
Maricruz Farfan | Probation Deputy | ☎ (213) 765-1452 | 📠 (213) 765-1439 | ✉ Maricruz.Farfan@calbar.ca.gov

Please change your records to reflect the Los Angeles Office new address as of January 6, 2014, and direct all future correspondence to the new address above

***CONFIDENTIALITY NOTICE:** This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.*

Farfan, Maricruz

From: Microsoft Outlook
To: 'consiglierea@aol.com'
Sent: Thursday, March 06, 2014 6:00 PM
Subject: Relayed: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'consiglierea@aol.com' (consiglierea@aol.com) <<mailto:consiglierea@aol.com>>

Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Farfan, Maricruz

From: Richard D Ackerman <consiglierea@aol.com>
Sent: Thursday, March 06, 2014 6:06 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Thank you for the reminder. I'm sorry if it got signed in black ink. Your graciousness is appreciated.

Rich Ackerman

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax

-----Original Message-----

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'consiglierea@aol.com' <consiglierea@aol.com>
Sent: Thu, Mar 6, 2014 5:59 pm
Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Dear Richard D. Ackerman,

On January 10, 2014, the Office of Probation received a Quarterly Report for the period January 10, 2014. Please note that this report is defective and was not filed because your report did not have an original signature. Please be reminded that all of your reports must bear an original signature. If you would like to file late your Quarterly Report which was due January 10, 2014, please mail it immediately to the Office of Probation at the new address below, with the correct reporting period checked off, the actual date of your signature, and your original signature in blue ink.

If you have any questions, please contact the Office of Probation.



THE STATE BAR OF CALIFORNIA | Office of Probation | 845 S. Figueroa Street | Los Angeles | CA 90017-2515
Maricruz Farfan | Probation Deputy | ☎ (213) 765-1452 | 7 (213) 765-1439 | ✉ Maricruz.Farfan@calbar.ca.gov

Please change your records to reflect the Los Angeles Office new address as of January 6, 2014, and direct all future correspondence to the new address above

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

Discipline Costs – 2014

Pursuant to action by the State Bar's governing board in January 2011 and May 2012, the costs assessed for disciplinary matters are adjusted annually to account for changes in labor and other resource costs. The adjustment is calculated by combining 40% of the year-on-year percentage change in the Consumer Price Index¹ with 60% of the annual percentage change in the Employment Cost Index for Management, Professional and Related Occupations². For 2014, the adjustment is an increase of 2.31%.

For matters filed on or after January 1, 2014, the costs assessed are as follows:

Original Proceedings (Stage at which the matter settles)	Cost Assessment
Matters that go in Default	\$4,343
Matters that Settle Prior to Filing of a Notice of Disciplinary Charges	\$2,992
Matters that Settle during first 120 days of proceeding	\$3,497
Matters that Settle before Pretrial Statement is filed	\$5,543
Matters that Settle before trial but after Pretrial Statement is filed	\$7,252
Matters that proceed to a One-day trial	\$7,252
Matters that proceed to a Multi-day trial	\$16,354
Matters that proceed to the Review Department	\$20,005

Conviction Referrals (Stage at which the matter settles)	Cost Assessment
Matters that go into Default	\$2,930
Matters that Settle during the first 120 days of proceeding	\$2,447
Matters that Settle before Pretrial Statement is filed	\$5,249
Matters that Settle before trial but after Pretrial Statement is filed	\$6,890
Matters that proceed to a One-day trial	\$6,890
Matters that proceed into a Multi-day trial	\$12,545
Matters that proceed to the Review Department	\$17,932

Other Matters	Cost Assessment
Probation Revocation Proceedings	\$2,344
Rule 9.20 Proceedings	\$2,488

Additional Costs (as appropriate)	Cost Assessment
Each investigation matter over one	\$955
Each resignation	\$134
Consolidation cost equal to the minimum cost for the consolidated case type	
Transcript costs incurred by the Office of the Chief Trial Counsel (BPC § 6086.10(b)(1))	
Taxable costs incurred by the Office of the Chief Trial Counsel (BPC § 6086.10(b)(2))	

¹ Specifically, the December-to-December change in U.S. Bureau of Labor Statistics series CUURA422SA0.

² Specifically, the Q4-to-Q4 change in U.S. Bureau of Labor Statistics series CIU20100001000001.

Farfan, Maricruz

From: Farfan, Maricruz
Sent: Monday, July 21, 2014 5:19 PM
To: Richard Ackerman
Subject: RE: S211542 (12-O-13461) NON-COMPLIANCE letter 07 21 14
Attachments: Ackerman Richard NON COMPLIANCE letter 07 21 14.pdf

Dear Richard D. Ackerman,

Please refer to the attached Office of Probation's letter being sent to you at your Membership Records address and by e-mail as a courtesy.

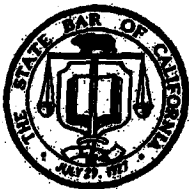
If you have any questions, please contact the Office of Probation.

--
Maricruz Farfan | Probation Deputy | Office of Probation

The State Bar of California | 845 S. Figueroa St. | Los Angeles, CA 90017

Phone 213.765.1452 | Fax 213.765.1439 | Maricruz.Farfan@calbar.ca.gov

CONFIDENTIALITY NOTICE: *This message may contain confidential information that may also be privileged. Unless you are the intended recipient or are authorized to receive information for the intended recipient, you may not use, copy, or disclose the message in whole or in part. If you have received this message in error, please advise the sender by reply e-mail and delete all copies of the message. Thank you.*



THE STATE BAR
OF CALIFORNIA

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

PROBATION FAX: (213) 765-1439

MARICRUZ FARFAN: (213) 765-1452

Maricruz.Farfana@calbar.ca.gov

<http://www.calbar.ca.gov>

By regular mail and e-mail at consiglierea@aol.com

July 21, 2014

OFFICE OF PROBATION

ADDRESS VERIFIED

July 21, 2014

Richard D. Ackerman
Law Offices of R.D. Ackerman
27638 Moonridge Dr.
Menifee, CA 92585

BY: 

In Re: S211542 (12-O-13461)

In the Matter of: Richard D. Ackerman

Dear Richard D. Ackerman:

On September 25, 2013, the Office of Probation mailed you a letter (copy attached) at your Membership Records address for the purpose of reminding you of the terms and conditions of your probation imposed by the Supreme Court which became effective September 27, 2013. This letter has **NOT** been returned as undeliverable by the postal authorities.

One of your conditions requires that within 10 days of any change, you report all changes of information including current address and telephone number to Membership Records and to the Office of Probation pursuant to section 6002.1 of the Business and Professions Code. According to Membership Records, your contact information was updated as of June 30, 2014; however, you did not report this new contact information to the Office of Probation.

Another condition requires that you submit to the Office of Probation Quarterly Reports on or before each January 10th, April 10th, July 10th, and October 10th, of every year during the period of your probation, commencing January 10, 2014.

On January 10, 2014, the Office of Probation received your Quarterly Report due January 10, 2014; however, this report was **NOT** filed because it was defective in that it did not have an original signature.

On March 6, 2014, the Office of Probation sent you an e-mail (copy attached) to advise you of the defective report. On the same date, you replied to the Office of Probation's e-mail. No compliant Quarterly Report was received for January 10, 2014, and no Quarterly Report was received for April 10, 2014.

On July 10, 2014, you sent an e-mail to the Office of Probation stating that you were preparing your Quarterly Report for the Office of Probation and apologizing for the tardiness. On the same date, you sent an e-mail to the Office of Probation attaching a copy of your Quarterly Report due July 10, 2014, and stating that the original was to follow by US mail service. No original Quarterly Report was received for July 10, 2014.

To date, you have **NOT** filed with the Office of Probation your Quarterly Reports which were due January 10, 2014; April 10, 2014; and July 10, 2014.

If you would like to file late your Quarterly Reports which were due January 10, 2014; April 10, 2014; and July 10, 2014, please send them to the Office of Probation immediately with your original signature in blue ink and the actual date of your signature.

00094

Richard D. Ackerman
S211542 (12-O-13461)
July 21, 2014
Page 2

Consequently, because you are not in compliance with the terms and conditions of your probation matter, you are facing a referral for your non-compliance, which may result in the imposition of additional discipline and attendant costs (attached). Even if you submit the required reports to the Office of Probation, a non-compliance referral may still be prepared.

Please be reminded that LATE completion, submission, or filing of proof/documents does not mean you are in compliance. You will never be in compliance because being even one day late means that you are not in compliance with the terms and conditions of your probation matter.

Please be reminded that your proof of Ethics School and proof of successful passage of the Multi-State Professional Responsibility Examination are due on or before September 17, 2014; and your next Quarterly Report is due on or before October 10, 2014.

The Office of Probation will not send any further reminder letters regarding compliance due dates or lack of receipt of compliance documentation. In the future, your non-compliance may be automatically referred for review and determination of further action.

Please note that even if you are referred, you are STILL REQUIRED TO TIMELY COMPLY with all probation conditions in this matter. Additional probation violations may be subject to a separate non-compliance referral.

The Office of Probation does NOT have the authority to extend compliance due dates or modify the terms and conditions of a discipline order. Please be reminded that if you cannot *timely* comply with the terms and conditions of the discipline imposed for any reason, and to avoid a non-compliance referral, *you must* file the proper motion with the Hearing Department *prior* to the compliance due date. (See rules 5.162 and 5.300 et seq., Rules of Procedure of the State Bar of California.) **A copy of the motion must be served on the Office of Probation.**

You are reminded that the Court has determined that the repeated need of the State Bar to actively intervene to seek compliance with disciplinary terms and conditions is inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney disciplinary system. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 567, 573.

If you have any questions, please contact the Office of Probation.

Sincerely,



Maricruz Farfan
Probation Deputy

/mf

Enclosures: Copy of Office of Probation's letter dated September 25, 2013
Copy of e-mail correspondence dated March 6, 2014
2014 Discipline Costs printout

00095



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CALIFORNIA 90015-2299

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

PROBATION FAX: (213) 765-1439

MARICRUZ FARFAN: (213) 765-1452

Maricruz.Farfan@calbar.ca.gov

<http://www.calbar.ca.gov>

September 25, 2013

OFFICE OF PROBATION
ADDRESS VERIFIED

SEP 25 2013

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main St., Ste. B17
Riverside, CA 92501

BY: 

In Re: S211542 (12-O-13461)

In the Matter of: Richard D. Ackerman

Dear Richard D. Ackerman:

This letter is sent to you as a courtesy and based upon information that you are not currently represented by counsel in this matter--the enforcement of your probation terms and conditions. Please note that the Office of Probation is separate from the State Bar Court and the Office of the Chief Trial Counsel; if you are going to be represented during your probation, please mail the attached Notice of Counsel Representation with original signatures within five days so that future communications may be directed to your counsel.

The Office of Probation prepares a reminder letter and documents as a courtesy to each respondent; however, respondents are ultimately responsible for fulfilling their requirements whether or not the Office of Probation has sent them a letter or contacted them.

As you know, on August 28, 2013, the Supreme Court of California filed an Order, effective September 27, 2013, suspending you from the practice of law for a period of one year, staying execution and placing you on probation upon certain conditions for a period of two years.¹

Please take notice that attorneys are not relieved of MCLE requirements during the pendency of their disciplinary period.

In order to comply with the terms and conditions of your probation, you must report the status of your compliance, in each and every respect, by letter with any attachments, executed under penalty of perjury, and addressed to the Office of Probation.

As a courtesy, the Office of Probation has prepared and attached a Quarterly Report form and Attendance Sheet for your use. The Office of Probation will NOT provide you with multiple copies of the courtesy Quarterly Report form. Please make sufficient copies of this report to use for all your filings. This form is NOT available on-line. Each of your reports must be a clear and unequivocal statement of compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

¹ Please review your stipulation or decision carefully. You may have been ordered to remain on actual suspension until you have fully paid the costs imposed as a result of your discipline. The Office of Probation does NOT monitor costs. If you have questions, contact Membership Billing at (415) 538-2360.

00096

Richard D. Ackerman
S211542 (12-O-13461)
September 25, 2013
Page 2

Please read the Instructions and review the Quarterly Report carefully to determine whether you believe that it accurately reflects the required terms and conditions. If you believe there is an error, or if there are any questions, please notify me immediately. You are responsible for timely complying with each and every term and condition whether or not it is reflected in this letter and/or the Quarterly Report form. You are reminded that for all conditions, being even one date late means that you are NOT in compliance.

Within 30 days from the effective date of discipline you **MUST** contact AND schedule a meeting with me to discuss the terms and conditions of your discipline.

The conditions of your probation with compliance due dates are outlined below. Please note this summary only reflects those conditions and compliance due dates that require submission of proof of compliance to the Office of Probation. For a thorough review of all conditions, please refer to the enclosed copy of that portion of the disciplinary order setting forth the conditions of probation.

Condition	Deadline(s)
Contact and schedule a meeting with Probation Deputy	On or before October 27, 2013
Quarterly Reports and report any p	Quarterly, commencing January 10, 2014
State Bar Ethics School	On or before September 27, 2014
Multi-State Professional Responsibility Examination	On or before September 27, 2014
Final Report	On or before September 27, 2015

You are reminded that all Quarterly Reports are due on or before the 10th day after the end of each quarter. If the 10th day falls on a holiday or a weekend, the report must be received by the Office of Probation prior to that holiday or weekend. Your Final Report is due on or before **September 27, 2015.**

You are required to report, and in no event in more than ten (10) days, to the Membership Records Office of the State Bar and the Office of Probation, all changes of information including current office or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code.

By Court Order, you must take and provide proof of successful passage of the MPRE to the Office of Probation on or before **September 27, 2014.** It is important that you plan to take this examination well in advance of the due date so that you can re-take the examination should you not receive a passing score. The passing scaled score is 86. The MPRE is only offered three times a year, but you may not have three chances to take it by your particular deadline. Failure to provide proof of passage of this examination by the due date may result in indefinite suspension until you provide proof that you have passed the examination. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.)

00097

Richard D. Ackerman
S211542 (12-O-13461)
September 25, 2013
Page 3

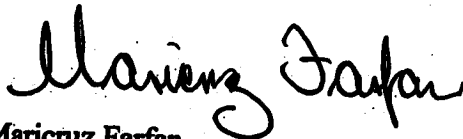
Further, you are advised that the Office of Probation does not have the authority to extend compliance due dates or modify the terms and conditions of the discipline order. **Requests for extension of time or modification of the terms and conditions of the discipline order must be filed with the State Bar Court Hearing Department or Review Department. See, Rules of Procedure of the State Bar of California, rules 5.162 and 5.300. A copy of the motion must be served upon the Office of Probation. Failure to timely submit reports or any other proof of compliance may result in a non-compliance referral which may lead to the imposition of additional discipline and attendant costs.**

Please note that the Court has determined that the repeated need of the State Bar to actively intervene to seek compliance with disciplinary terms and conditions is inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney discipline system. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 567, 573.

It is recommended that you maintain a file containing all orders as well as communication from the Office of Probation. You should keep his file in a convenient location so that any question can be quickly addressed. It is further recommended that you sign all original documents in blue so that the Office of Probation will immediately be able to ascertain whether the required originals have been provided.

Enclosed are copies of the Supreme Court Order and conditions of probation (which you have already received from the Courts or your counsel); Quarterly Report instructions and form; Notice of Counsel Representation; 2013 MPRE schedule; and 2013 Ethics School scheduling and enrollment information.

Sincerely,



Maricruz Farfan
Probation Deputy

/mf

Enclosures

00098

SUPREME COURT
FILED

AUG 28 2013

(State Bar Court No. 12-O-13461)

S211542

Frank A. McGuire Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re RICHARD D. ACKERMAN on Discipline

The court orders that Richard D. Ackerman, State Bar Number 171900, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. Richard D. Ackerman must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 2, 2013; and
2. At the expiration of the period of probation, if Richard D. Ackerman has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Richard D. Ackerman must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2014, 2015, and 2016. If Richard D. Ackerman fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

I, Frank A. McGuire, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.
Witness my hand and the seal of the Court this

CANTIL-SAKAUYE

Chief Justice

day of AUG 28 2013

20

Clerk

Frank A. McGuire

00099

(Do not write above this line.)

D. Discipline:

(1) ☒ Stayed Suspension:

(a) ☒ Respondent must be suspended from the practice of law for a period of one year.

i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.

ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii. ☐ and until Respondent does the following:

The above-referenced suspension is stayed.

(2) ☒ Probation:

Respondent is placed on probation for a period of two years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court.)

E. Additional Conditions of Probation:

(1) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

(2) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

(3) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

(4) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

(5) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

(Effective January 1, 2011)

(Do not write above this line.)

- (6) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are complied with the probation conditions.
- (7) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the State Bar Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason:
- (8) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (9) ☐ The following conditions are attached hereto and incorporated:

- ☐ Substance Abuse Conditions
- ☐ Medical Conditions
- ☐ Law Office Management Conditions
- ☐ Financial Conditions

F. Other Conditions Negotiated by the Parties:

- (1) ☒ Multistate Professional Responsibility Examination: Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.
- ☐ No MPRE recommended. Reason:
- (2) ☐ Other Conditions:

(Effective January 1, 2011)

Office of Probation

QUARTERLY REPORT INSTRUCTIONS

1. The enclosed Quarterly Report form has been tailored to reflect the conditions of your discipline that are to be reported to the Office of Probation. Please review it carefully. If you believe that it does not accurately reflect your conditions, immediately contact the Office of Probation. Note that even if the Office of Probation makes an error, you are required to timely complete all of your ordered conditions. The report form is provided as a courtesy only, and you are not required to use it.
2. The Office of Probation will **NOT** provide you with multiple copies of the courtesy Quarterly Report form. **YOU MUST MAKE ENOUGH COPIES TO USE FOR ALL FUTURE QUARTERLY AND FINAL REPORTS.** This form is **NOT** available online. In the future, one additional copy may be provided if you make a written request with an explanation under penalty of perjury why you need such copy made.
3. For each quarter's report, mark the box for the correct reporting period and write in the correct year. Place an "X" in front of each condition that applies to your activities during each respective reporting period. Provide all required information.
4. Your report may be signed and mailed at the end of your business day on the last day of the month of each calendar quarter (i.e., March 31st, June 30th, September 30th and December 31st). **YOUR REPORT WILL BE REJECTED IF YOU DATE, SIGN, AND/OR SEND IT BEFORE THE LAST DAY OF THE LAST MONTH OF EACH CALENDAR QUARTER.**

REPORTING PERIOD	REPORT MUST BE RECEIVED BY THE OFFICE OF PROBATION ON OR BEFORE
January 1 – March 31	April 10 th
April 1 – June 30	July 10 th
July 1 – September 30	October 10 th
October 1 – December 31	January 10 th

5. Your original signed and dated report must be physically received in the Office of Probation on or before the tenth of January, April, July, and October. If the tenth falls on a weekend or holiday, you must send your report so that it is received no later than the last State Bar business day before the tenth; the State Bar is not open on weekends or holidays and does not receive mail on those days. State Bar observed holidays include, among others, New Year's day, Cesar Chavez day, Independence day, and Columbus day. For all conditions, being even one day late means that you are **NOT** in compliance.
6. The report must contain an original signature in order to be filed with the Office of Probation. It is recommended that you sign each report using blue ink. Because your report must be made under penalty of perjury, you must date it the date you sign it and not pre-date it or post-date it. See Code of Civil Procedure section 2015.5.
7. Because it is your responsibility to have an original, compliant report in to the Office of Probation by the tenth, and because some Respondents have claimed that their reports were lost in the mail, you may choose to send your reports in a manner that provides you with proof of delivery.
8. The Office of Probation files your report as of the date it is received, and **NOT** the date you mail it.
9. The Office of Probation will **NOT** contact you before and/or after each quarterly report is due. You must calendar all of your deadlines to ensure timely receipt by the Office of Probation.
10. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.
11. Each of your reports must be a clear and unequivocal statement of your compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

If you have any questions regarding this information, please contact Probation Deputy Maricruz Farfan in the Office of Probation at (213) 765-1452.

IN THE MATTER OF
RICHARD D. ACKERMAN

(For Office of Probation Use Only)

CASE NO: S211542 (12-O-13461)

(PROBATION/SUSPENSION)

QUARTERLY REPORT

Use blue ink. For each quarter, mark the box for the correct reporting period and write in the correct year.

Due: ☐ **First Report Due: January 10, 2014**
(for period September 27, 2013 through December 31, 2013)

☐ **Final Report Due: September 27, 2015**
(for period July 1, 2015 through September 27, 2015)

☐ **January 10, _____**
(for period 10/1 through 12/31)

☐ **April 10, _____**
(for period 01/01 through 3/31)

☐ **July 10, _____**
(for period 4/1 through 6/30)

☐ **October 10, _____**
(for period 7/1 through 9/30)

Please make sufficient copies of this form for future use and mail reports to the State Bar of California, Attn: Office of Probation, 1149 South Hill Street, Los Angeles, California 90015-2299.

Place an "X" in front of each condition that applies to your activities during EACH respective reporting period.

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation; and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

-OR-

Compliance with State Bar Act and Rules; and Report on SBC Pending Proceedings

- ☐ During the reporting period noted above, I have complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of probation, **EXCEPT:**

(attach declaration under penalty of perjury if more space is needed);
and there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

Richard D. Ackerman

S211542 (12-O-13461)

Current Address

- ☐ Within 10 days of any change, I reported to the Membership Records Office and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

State Bar Ethics School (proof due September 27, 2014)

- ☐ I have registered for the State Bar Ethics School course to be given on _____.
- ☐ I have completed the State Bar Ethics School course given on _____ and have provided or attached is proof of successful passage.

Multi-State Professional Responsibility Examination (proof due September 27, 2014)

- ☐ I have registered for the MPRE to be given on _____.
- ☐ I have taken the MPRE given on _____ and am awaiting the results.
- ☐ I did not pass the MPRE given on _____ and have re-scheduled to take the examination to be given on _____.
- ☐ I passed the MPRE given on _____ and have provided or attached is proof of successful passage.

I declare under penalty of perjury under the laws of the State of California that all of the information provided in this report is true and accurate.

Date: _____
(actual date you sign this report)

Signature: _____

Richard D. Ackerman (original signature in blue ink required)

Office of Probation
NOTICE OF COUNSEL REPRESENTATION

Respondent: Richard D. Ackerman

State Bar/Supreme Court Case #: S211542 (12-O-13461)

Member Number: 171900

Counsel Name: _____

Firm Name: _____

Address: _____

Telephone Number: _____

Bar Number: _____

Counsel Signature: _____

Date: _____

Respondent Signature: _____

Date: _____

The Office of Probation is separate from the State Bar Court and the Office of the Chief Trial Counsel; if you are going to be represented for communications with the Office of Probation, please complete and return this form with original signatures to the State Bar of California, Attn: Office of Probation, 1149 S. Hill Street, Los Angeles, CA 90015-2299.

MULTI-STATE PROFESSIONAL RESPONSIBILITY EXAMINATION

2013 Examination Schedule and Information

This document was created as a courtesy by the State Bar of California, Office of Probation.

The State Bar of California does NOT administer the MPRE.
**TO REGISTER AND FOR THE MOST RECENT INFORMATION REGARDING MPRE TEST
DATES, DEADLINES, RESOURCES, ETC., YOU MUST CONTACT:**

National Conference of Bar Examiners ("NCBE")
Website: www.ncbex.org

Test Dates*	Regular Registration Deadline*	Late Registration Deadline*	Scores Tentatively Released by
Saturday, April 6, 2013	February 12, 2013	February 28, 2013	May 11, 2013
Saturday, August 17, 2013	June 25, 2013	July 11, 2013	September 21, 2013
Saturday, November 2, 2013	September 10, 2013	September 26, 2013	December 7, 2013

1. For applications received on or before the regular application receipt deadline, the fee is **\$73.00**. For applications after the regular receipt deadline but before the late application receipt deadline, the fee is **\$146.00**.
2. To provide proof of successful passage of the MPRE to the Office of Probation, you **MUST**: a) during registration, select California as the jurisdiction to receive your score report; and b) send a copy of your score release to the Office of Probation **on or before your due date**. Failure to comply with these requirements will delay confirming matters or a non-compliance referral in all other matters.
3. Requests for special accommodations during the examination must be made to the National Conference of Bar Examiners in advance of the examination.

Passing scaled score 86

2014 MPRE test dates are March 29, August 9, and November 1. Registration for 2014 test dates opens on December 17, 2013.

**Information may change, please check the NCBE's website for most current information.*



**THE STATE BAR
OF CALIFORNIA**

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

**OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT**

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California

2013 Ethics/Client Trust Accounting ("CTA") School Schedules

LOS ANGELES 1149 S. Hill St., Los Angeles			
Class	Day	Date	Time
Ethics	Thurs	03/21	9a - 4p
CTA	Fri	03/22	9a - 12p
Ethics	Thurs	05/16	9a - 4p
CTA	Fri	05/17	9a - 12p
Ethics	Thurs	06/13	9a - 4p
CTA	Fri	06/14	9a - 12p
Ethics	Thurs	08/22	9a - 4p
CTA	Fri	08/23	9a - 12p
Ethics	Thurs	09/12	9a - 4p
CTA	Fri	09/13	9a - 12p
Ethics	Thurs	10/24	9a - 4p
CTA	Fri	10/25	9a - 12p
Ethics	Thurs	12/12	9a - 4p
CTA	Fri	12/13	9a - 12p

SAN FRANCISCO 180 Howard St., San Francisco			
Class	Day	Date	Time
Ethics	Thurs	03/14	9a - 4p
CTA	Fri	03/15	9a - 12p
Ethics	Thurs	06/20	9a - 4p
CTA	Fri	06/21	9a - 12p
Ethics	Thurs	08/08	9a - 4p
CTA	Fri	08/09	9a - 12p
Ethics	Thurs	12/05	9a - 4p
CTA	Fri	12/06	9a - 12p

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on form; or 2) going online at www.calbar.ca.gov. Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. You are **NOT** registered until your payment is received. If you have any questions, please contact Letty Ramos at (213) 765-1309.

00107



**THE STATE BAR
OF CALIFORNIA**

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

**OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT**

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calsba.ca.gov>

State Bar of California Ethics/CTA School Information

Ethics and Client Trust Accounting classes are given throughout the year in the Los Angeles and San Francisco offices. Ethics School is all day (9:00 a.m. to 4:00 p.m.), with a lunch break. The fee for the course is \$150.00. Six (6) hours of MCLE credit are available where the State Bar matter is concluded by an Agreement in Lieu of Discipline. Credit is also available if the member has voluntarily agreed to attend the class in regards to a complaint.

Client Trust Account School is held for three (3) hours, (9:00 a.m. to 12:00 Noon). The fee for the course is \$100.00. Three (3) hours of MCLE credit are available where the State Bar matter was concluded by an Agreement in Lieu of Discipline. Credit is also available if the member has voluntarily agreed to attend the class in regards to a complaint.

Please note that, pursuant to Rules of Procedure of the State Bar of California, rule 3201, you will NOT receive Minimum Continuing Legal Education credit if your attendance at Ethics School or Client Trust Accounting School is required by a Decision or Order of the State Bar Court or Supreme Court.

An application form and schedule of classes is enclosed for your convenience. Please fill out the application form and include the reason for your attendance. Payment **MUST** be received in order to complete your registration. Classes for some dates may fill up quickly. Payment for classes must be in the form of a personal check, money order or cashier's check. **CASH PAYMENTS WILL NOT BE ACCEPTED**

If you have a question about probation, please direct your inquiries, in writing to the Office of Probation, State Bar of California, 1149 South Hill Street, Los Angeles, CA 90015-2299.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos
Administrative Secretary

LR:peg

Enc.

00108



THE STATE BAR
OF CALIFORNIA

1149 SOUTH HILL STREET, LOS ANGELES, CA 90015-2299

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Application Enrollment Form

DATE: _____

APPLICANT'S NAME: _____ SBN: _____

APPLICANT'S ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

ETHICS (\$150) DATE OF CLASS: _____ LOCATION: LA OR SF (_____)
CTA (\$100) DATE OF CLASS: _____ LOCATION: LA OR SF (_____)

Return completed Application Enrollment Form with personal check, money order or cashier's check made payable to the State Bar of California, 1149 S. Hill Street, Los Angeles, CA 90015, attention Letty Ramos. Upon receipt of your application and payment, a confirming reservation letter will be mailed to you. If you have any questions, we can be reached at (213) 765-1309 or by FAX (213) 765-1029.

Indicate below the reason for your attendance:

- 1) _____ Supreme Court Order/State Bar Court Decision after hearing requiring attendance
- 2) _____ Supreme Court Order/State Bar Court Order following stipulated disposition requiring attendance
- 3) _____ Agreement in Lieu of Discipline
- 4) _____ Voluntary Agreement with the Office of the Chief Trial Counsel
- 5) _____ State Bar Applicant for Admission
- 6) _____ Voluntarily

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on form; or 2) going online at www.calbar.ca.gov: Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. You are **NOT** registered until your payment is received. If you have any questions, please contact Letty Ramos at (213) 765-1309.

00109

Farfan, Maricruz

From: Farfan, Maricruz
Sent: Thursday, March 06, 2014 6:00 PM
To: 'consiglierea@aol.com'
Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Dear Richard D. Ackerman,

On January 10, 2014, the Office of Probation received a Quarterly Report for the period January 10, 2014. Please note that this report is defective and was not filed because your report did not have an original signature. Please be reminded that all of your reports must bear an original signature. If you would like to file late your Quarterly Report which was due January 10, 2014, please mail it immediately to the Office of Probation at the new address below, with the correct reporting period checked off, the actual date of your signature, and your original signature in blue ink.

If you have any questions, please contact the Office of Probation.



THE STATE BAR OF CALIFORNIA | Office of Probation | 845 S. Figueroa Street | Los Angeles | CA 90017-2515
Maricruz Farfan | Probation Deputy | ☎ (213) 765-1452 | 📠 (213) 765-1439 | ✉ Maricruz.Farfan@calbar.ca.gov

Please change your records to reflect the Los Angeles Office new address as of January 6, 2014, and direct all future correspondence to the new address above

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

Farfan, Maricruz

From: Microsoft Outlook
To: 'consiglierea@aol.com'
Sent: Thursday, March 06, 2014 6:00 PM
Subject: Relayed: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'consiglierea@aol.com' (consiglierea@aol.com) <<mailto:consiglierea@aol.com>>

Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Farfan, Maricruz

From: Richard D Ackerman <consiglierea@aol.com>
Sent: Thursday, March 06, 2014 6:06 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Thank you for the reminder. I'm sorry if it got signed in black ink. Your graciousness is appreciated.

Rich Ackerman

Richard D. Ackerman
Law Offices of R.D. Ackerman
4129 Main Street, Suite B17
Riverside, CA 92501
(951) 999-3130 voip
(951) 224-6825 fax

—Original Message—

From: Farfan, Maricruz <Maricruz.Farfan@calbar.ca.gov>
To: 'consiglierea@aol.com' <consiglierea@aol.com>
Sent: Thu, Mar 6, 2014 5:59 pm
Subject: RE: S211542 (12-O-13461) - DEFECTIVE QUARTERLY REPORT DUE 01/10/14

Dear Richard D. Ackerman,

On January 10, 2014, the Office of Probation received a Quarterly Report for the period January 10, 2014. Please note that this report is defective and was not filed because your report did not have an original signature. Please be reminded that all of your reports must bear an original signature. If you would like to file late your Quarterly Report which was due January 10, 2014, please mail it immediately to the Office of Probation at the new address below, with the correct reporting period checked off, the actual date of your signature, and your original signature in blue ink.

If you have any questions, please contact the Office of Probation.



THE STATE BAR OF CALIFORNIA | Office of Probation | 845 S. Figueroa Street | Los Angeles | CA 90017-2515
Maricruz Farfan | Probation Deputy | ☎ (213) 765-1452 | 7 (213) 765-1439 | ✉ Maricruz.Farfan@calbar.ca.gov

Please change your records to reflect the Los Angeles Office new address as of January 6, 2014, and direct all future correspondence to the new address above

CONFIDENTIALITY NOTICE: This communication with its content may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

Discipline Costs - 2014

Pursuant to action by the State Bar's governing board in January 2011 and May 2012, the costs assessed for disciplinary matters are adjusted annually to account for changes in labor and other resource costs. The adjustment is calculated by combining 40% of the year-on-year percentage change in the Consumer Price Index¹ with 60% of the annual percentage change in the Employment Cost Index for Management, Professional and Related Occupations². For 2014, the adjustment is an increase of 2.31%.

For matters filed on or after January 1, 2014, the costs assessed are as follows:

Original Proceedings (Stage at which the matter settles)	Cost Assessment
Matters that go in Default	\$4,543
Matters that Settle Prior to Filing of a Notice of Disciplinary Charges	\$2,992
Matters that Settle during first 120 days of proceeding	\$3,497
Matters that Settle before Pretrial Statement is filed	\$5,543
Matters that Settle before trial but after Pretrial Statement is filed	\$7,252
Matters that proceed to a One-day trial	\$7,252
Matters that proceed to a Multi-day trial	\$16,354
Matters that proceed to the Review Department	\$20,005

Conviction Referrals (Stage at which the matter settles)	Cost Assessment
Matters that go into Default	\$2,930
Matters that Settle during the first 120 days of proceeding	\$2,447
Matters that Settle before Pretrial Statement is filed	\$5,249
Matters that Settle before trial but after Pretrial Statement is filed	\$6,890
Matters that proceed to a One-day trial	\$6,890
Matters that proceed into a Multi-day trial	\$12,545
Matters that proceed to the Review Department	\$17,932

Other Matters	Cost Assessment
Probation Revocation Proceedings	\$2,344
Rule 9.20 Proceedings	\$2,488

Additional Costs (as appropriate)	Cost Assessment
Each investigation matter over one	\$955
Each resignation	\$134
Consolidation cost equal to the minimum cost for the consolidated case type	
Transcript costs incurred by the Office of the Chief Trial Counsel (BPC § 6086.10(b)(1))	
Taxable costs incurred by the Office of the Chief Trial Counsel (BPC § 6086.10(b)(2))	

¹ Specifically, the December-to-December change in U.S. Bureau of Labor Statistics series CUURA422SA0.

² Specifically, the Q4-to-Q4 change in U.S. Bureau of Labor Statistics series CIU20100001000001.

Farfan, Maricruz

From: Microsoft Outlook
To: Richard Ackerman
Sent: Monday, July 21, 2014 5:20 PM
Subject: Relayed: RE: S211542 (12-O-13461) NON-COMPLIANCE letter 07 21 14

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

Richard Ackerman (consiglierea@aol.com) <<mailto:consiglierea@aol.com>>

Subject: RE: S211542 (12-O-13461) NON-COMPLIANCE letter 07 21 14

Farfan, Maricruz

From: consiglierea@aol.com
Sent: Monday, July 21, 2014 5:20 PM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) NON-COMPLIANCE letter 07 21 14

If I have not responded to you within 24 hours, you may contact the office at 951-999-3130. Rich

Farfan, Maricruz

From: Rich Ackerman <consiglierea@aol.com>
Sent: Wednesday, July 23, 2014 9:42 AM
To: Farfan, Maricruz
Subject: Re: S211542 (12-O-13461) NON-COMPLIANCE letter 07 21 14

Thank you for sending this email copy.

Richard D. Ackerman
4129 Main Street, Suite B17
Riverside, Ca 92501
(951) 951-231-8841 Telephone / VOIP

On Jul 21, 2014, at 5:19 PM, "Farfan, Maricruz" <Maricruz.Farfan@calbar.ca.gov> wrote:

Dear Richard D. Ackerman,

Please refer to the attached Office of Probation's letter being sent to you at your Membership Records address and by e-mail as a courtesy.

If you have any questions, please contact the Office of Probation.

--

Maricruz Farfan | Probation Deputy | Office of Probation

The State Bar of California | 845 S. Figueroa St. | Los Angeles, CA 90017

Phone 213.765.1452 | Fax 213.765.1439 | Maricruz.Farfan@calbar.ca.gov

CONFIDENTIALITY NOTICE: *This message may contain confidential information that may also be privileged. Unless you are the intended recipient or are authorized to receive information for the intended recipient, you may not use, copy, or disclose the message in whole or in part. If you have received this message in error, please advise the sender by reply e-mail and delete all copies of the message. Thank you.*

<Ackerman Richard NON COMPLIANCE letter 07 21 14.pdf>