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MAR 05 2015

STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 14-Q-04570
)	
MICHAEL PATRICK RIDLEY,)	RECOMMENDATION ON
)	RESIGNATION
A Member of the State Bar, No. 54409.)	
_____)	

On August 26, 2014, Michael Patrick Ridley, filed his resignation with disciplinary charges pending. In light of the grounds set forth in California Rules of Court, rule 9.21(d),¹ we recommend Ridley's resignation be accepted because (1) he cooperated in this proceeding by complying with rule 9.20, stipulating as to facts and conclusions of law, and executing an authorization for public disclosure of pending complaints, investigations and proceedings; (2) he has no other unresolved disciplinary or investigation matters; (3) there are no Client Security Fund (CSF) claims against him, and (4) he is 67 years old, willing to forfeit his license, and is unlikely to return to the practice of law. We see no harm to the public under the circumstances presented here. We conclude that the acceptance of Ridley's resignation would be consistent with the need to protect the public, the courts, and the legal profession.

I. BACKGROUND

A. Prior Records of Discipline (02-C-15965, et al.; 08-C-10827, et al.)

Ridley was admitted to practice law in California on December 14, 1972. He has two prior records of discipline.

¹ All further references to rules are to this source unless otherwise noted.



First, on March 11, 2005, Ridley was publicly reprovved with conditions in *In the Matter of Michael Patrick Ridley*, State Bar Court case numbers 02-C-15965, 04-C-14735. Ridley stipulated to the public reprovval following his misdemeanor convictions for violating Vehicle Code section 23103, subdivision (a) (reckless driving involving consumption of alcohol pursuant to Veh. Code, § 23103.5) and Vehicle Code section 23152, subdivisions (a) (driving under the influence) and (b) (driving with a blood alcohol level of .08% or more). Second, on May 17, 2012, the Supreme Court ordered Ridley suspended for three years, execution stayed, and placed on probation for four years subject to conditions, including actual suspension for the first six months of probation. (*In re Michael Patrick Ridley on Discipline* (S198709) State Bar Court case nos. 08-C-10827; 08-H-13057.)² The discipline was based on a hearing department's decision following Ridley's participation in the State Bar Court's Alternative Discipline Program. Ridley stipulated that he was convicted of a misdemeanor violation of Vehicle Code section 23152, subdivision (a) and an infraction for violating Vehicle Code section 23223, subdivision (a) (driver in possession of open container in motor vehicle), and willfully violated rule 1-110 of the Rules of Professional Conduct by failing to comply with the conditions attached to his prior reprovval.

B. Pending Discipline (12-C-15441; 13-O-10654; 14-O-04366)

Ridley has two consolidated cases pending in the hearing department (State Bar Court case nos. 12-C-15441, 13-O-10654), and an unfiled State Bar investigation matter (Case no. 14-O-04366). In November 2014, the parties entered into a Stipulation as to Facts and Conclusions of Law. Ridley stipulated that State Bar Court case number 12-C-15441 arose from his felony convictions for violating Vehicle Code sections 23152, subdivisions (a) and (b). He admitted

² The Supreme Court order and the State Bar Court's decision mistakenly identify case number 08-H-13057 as 18-O-13057.

that his blood alcohol level was .17% and that he had three prior convictions for driving under the influence of alcohol within the last 10 years. As a result of the transmittal of his felony convictions in State Bar Court case number 12-C-15441, on April 15, 2013, the Review Department of the State Bar court placed him on interim suspension and ordered to perform the acts specified by subdivisions (a) and (c) of rule 9.20. Ridley failed to file a rule 9.20 compliance declaration causing the investigation in Case number 14-O-04366. Ridley stipulated that by failing to file a rule 9.20 compliance declaration as required by the April 15, 2013 Review Department order, he willfully violated Business and Professions Code section 6103. State Bar Court case number 13-O-10654 arose from Ridley's failure to comply with the conditions of probation imposed by the Supreme Court order filed in case number S198709. Ridley stipulated that he willfully violated Business and Professions Code section 6068, subdivision (k) by failing to comply with the conditions of his probation such as the requirement for timely submission of quarter reports, filing proof of completion of his mental and physical examination, submitting proof of compliance with the treatment/monitoring plan, and attending and passing a session of the State Bar Ethics School.

C. Office of the Chief Trial Counsel's Recommendation

On December 1, 2014, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a report recommending that the resignation be accepted. On January 20, 2015, OCTC filed a Supplemental Report reiterating its recommendation to accept Ridley's resignation with charges pending. OCTC states that acceptance of Ridley's resignation is consistent with the need to protect the public, the courts, and the legal profession because there is no evidence that Ridley has practiced law since his suspension on June 16, 2012, and because he entered into a stipulation that resolves all pending disciplinary matters pending at the time of his resignation; filed a rule 9.20 compliance declaration; fully executed an Authorization for Public Disclosure

Concerning Pending Complaints, Investigations and Proceedings dated August 19, 2014; has no other unresolved disciplinary matters or investigations pending; has no CSF claims; and is almost 68 years old, is willing to forfeit his license has advised the State Bar that “he has no intention of ever practicing again.”

II. CONSIDERATION OF THE GROUNDS SET FORTH IN RULE 9.21(d)

We have considered Ridley’s resignation under the grounds set forth in rule 9.21(d). We summarize below the relevant information for each ground:

1. Whether the preservation of testimony is complete.

OCTC reports that preservation of testimony is not necessary in any of the pending matters.

2. Whether after transfer to inactive status, Ridley has practiced law or has advertised or held himself out as entitled to practice law.

OCTC reports that “[t]he State bar has no evidence that Mr. Ridley has practiced law and/or held himself out as entitled to practice law following the tender of his resignation or at any time since he was suspended effective June 16, 2012.”

3. Whether Ridley performed the acts specified in rule 9.20(a)-(b).

Ridley filed a rule 9.20 compliance declaration, stating that he had no clients, no client papers or other property to return, no unearned fees, and no pending client matters.

4. Whether Ridley provided proof of compliance with rule 9.20(c).

Ridley’s rule 9.20 compliance declaration was submitted on September 2, 2014.

5. Whether the Supreme Court has filed a disbarment order.

The Supreme Court has not filed a disbarment order.

6. Whether the State Bar Court has filed a decision recommending disbarment.

The State Bar Court has not filed a decision recommending Ridley’s disbarment.

7. Whether Ridley previously resigned or has been disbarred and reinstated to the practice of law.

Ridley has not previously resigned, been reinstated, or been disbarred in California.

8. Whether Ridley entered a stipulation with OCTC as to facts and conclusions of law regarding pending disciplinary matters.

In November 2014, the parties entered into a Stipulation as to Facts and Conclusions of Law regarding the pending disciplinary matters.

9. Whether accepting Ridley's resignation will reasonably be inconsistent with the need to protect the public, the courts, or the legal profession.

We recommend accepting Ridley's resignation. Ridley cooperated with OCTC by entering into a stipulation regarding the facts and conclusions of law as to the pending disciplinary matter, submitting a rule 9.20 compliance declaration, and executing an authorization for public disclosure concerning pending complaints, investigations and proceedings. The stipulation provides a complete account of his misconduct and is available to the public and any licensing agency or other jurisdiction.

Further, Ridley is 67 years old, is willing to forfeit his license, and has advised the State Bar that he has no intention of practicing law again. If he decided to return to the practice of law, he would be at least 72 years old before he is eligible to seek reinstatement. (Rules Proc. of State Bar, rule 5.442(B) [earliest reinstatement petition after resignation with charges pending is five years after filing date of resignation].) No other unresolved discipline matters or investigations are pending against him, and there are no outstanding issues concerning clients, restitution, or unearned fees. Under these circumstances, we do not believe that public confidence in the discipline system will be undermined by accepting Ridley's resignation.

Permitting him to resign would be consistent with the need to protect the public, the courts and the legal profession.

III. RECOMMENDATION

We recommend that the Supreme Court accept the resignation of Michael Patrick Ridley, State Bar number 54409. We further recommend that costs be awarded to the State Bar in accordance with Business and Professions Code section 6068.10, and that such costs be enforceable both as provided in section 6140.7 and as a money judgment.

PURCELL

Presiding Judge

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court 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 March 5, 2015, I deposited a true copy of the following document(s):

RECOMMENDATION ON RESIGNATION FILED MARCH 5, 2015

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

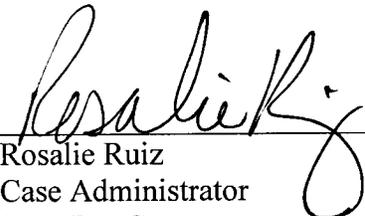
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

MICHAEL PATRICK RIDLEY
903 W 17TH ST
COSTA MESA, CA 92627

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

KRISTEN L. RITSEMA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 5, 2015.



Rosalie Ruiz
Case Administrator
State Bar Court