PUBLIC MATTER

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STATE BAR COURT

HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of: SARAH HEMBROW, No. 175303, A Member of the State Bar	Case No. 15-O-12102; 15-O-14712; 15-O-15503; 15-O-15537; 16-O-10279; 16-O-10519 NOTICE OF DISCIPLINARY CHARGES

NOTICE - FAILURE TO RESPOND!

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

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

The State Bar of California alleges:

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JURISDICTION

1. SARAH HEMBROW ("respondent") was admitted to the practice of law in the State of California on December 20, 1994, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 15-O-12102
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

2. In or about October, 2013, Brenda Fox employed respondent to perform legal services, namely to complete a dissolution of Fox's marriage, which respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to file with the court the necessary papers so that Fox could receive a Notice of Entry of Judgment of Dissolution.

COUNT TWO

Case No. 15-O-12102
Business and Professions Code, section 6068(m)
[Failure to Respond to Client Inquiries]

3. Respondent failed to respond promptly to eighteen written reasonable status inquiries made by respondent's client, Brenda Fox, between September 2014 and March 2015, that respondent received in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

COUNT THREE

Case No. 15-O-12102
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

4. Between in or about December, 2014 and in or about March, 2015, respondent stated to Brenda Fox that she had submitted the necessary paperwork, that respondent was in contact with the court, and that the court had not yet issued the final judgment, when respondent knew or was grossly negligent in not knowing the statements were false, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and

Professions Code, section 6106.

COUNT FOUR

Case No. 15-O-14712
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

5. In or about October, 2012, Ms. Chris Dunia employed respondent to perform legal services, namely to complete a dissolution of marriage matter, which respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to complete a dissolution of marriage petition or take any other action to complete Dunia's divorce.

COUNT FIVE

Case No. 15-O-14712
Rules of Professional Conduct, rule 3-700(D)(1)
[Failure to Release File]

6. Respondent failed to release promptly, after termination of respondent's employment in or about March, 2015, to respondent's client, Ms. Chris Dunia, all of the client's papers and property following the client's request for the client's file on approximately 25 occasions in March and April, 2015, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

COUNT SIX

Case No. 15-O-14712
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

7. In or about October 2012, respondent received advanced fees from a client, Ms. Chris Dunia, to complete a dissolution of marriage. Respondent failed to complete the dissolution, or perform many of the legal services for which the client hired respondent, and therefore earned only a small portion of the advanced fees paid. Respondent failed to refund promptly, upon respondent's termination of employment in or about March, 2015, any part of the $2,000 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT SEVEN

Case No. 15-O-14712
Business and Professions Code, section 6068(m)
[Failure to Respond to Client Inquiries]

8. Respondent failed to respond promptly to approximately 25 written reasonable status inquiries made by respondent's client, Chris Dunia, between March and April, 2015, that respondent received in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

COUNT EIGHT

Case No. 15-O-15503
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

9. In or about May, 2014, Shannon Staebler employed respondent to perform legal services, namely to represent in Staebler in her pending child custody matter, which respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to substitute into Staebler's pending matter and by failing to appear at an evidentiary hearing on January 29, 2015.

COUNT NINE

Case No. 15-O-15503
Rules of Professional Conduct, rule 3-700(D)(1)
[Failure to Release File]

10. Respondent failed to release promptly, after termination of respondent's employment on or about February 22, 2015, to respondent's client, Shannon Staebler, all of the client's papers and property following the client's request for the client's file on April 6, 2015, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

COUNT TEN

Case No. 15-O-15503
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

11. In or about May 2014, respondent received advanced fees of $1,300 from a client, Shannon Staebler, to represent her in a pending child custody matter. Respondent failed to perform any legal services for the client, and therefore earned none of the advanced fees paid.

Respondent failed to refund promptly, upon respondent's termination of employment on or about February 22, 2015, any part of the $1,300 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT ELEVEN

Case No. 15-O-15503
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

12. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letters of November 18, 2015 and December 17, 2015, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 15-O-15503 in willful violation of Business and Professions Code, section 6068(i).

COUNT TWELVE

Case No. 15-O-15537
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

13. In or about May, 2013, Kelly Waller employed respondent to perform legal services, namely to pursue a contempt matter against her ex-husband, which respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to file for contempt against Waller's ex-husband.

14. In or about October, 2013, Kelly Waller employed respondent to perform legal services, namely to seek a modification of her child custody arrangements, which respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to file a motion seeking a modification of Waller's child custody arrangements.

COUNT THIRTEEN

Case No. 15-O-15537
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

15. In or about May, 2013, respondent received advanced fees of $1,400 from a client, Kelly Waller, to pursue a contempt matter against her ex-husband. Respondent failed to seek a contempt order against Waller's ex-husband, or perform any legal services for the client, and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon respondent's termination of employment on or about April 22, 2014, all of the $1,400 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

16. In or about October 2013, respondent received advanced fees of $2,000 from a client, Kelly Waller, to seek a modification of her child custody arrangements. Respondent failed to seek a modification of Waller's child custody arrangements, or perform any legal services for the client, and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon respondent's termination of employment on or about April 22, 2014, all of the $2,000 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT FOURTEEN

Case No. 15-O-15537
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

17. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of November 24, 2015 and December 2, 2015, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 15-O-15537, in willful violation of Business and Professions Code, section 6068(i).

COUNT FIFTEEN

Case No. 16-O-10279
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

18. In or about August, 2015, James Porter employed respondent to perform legal services, namely represent him regarding a civil restraining order issued against Porter, which respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful

violation of Rules of Professional Conduct, rule 3-110(A), by failing to file a motion to dismiss the pending civil restraining order, or take any further action.

COUNT SIXTEEN

Case No. 16-O-10279
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

19. On or about August 25, 2015, respondent received advanced fees of $2,000 from a client, James Porter, to represent him regarding a civil restraining order issued against Porter. Respondent failed to seek a dismissal of the civil restraining order, or perform any legal services for the client, and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon respondent's termination of employment on or about October 22, 2015, any part of the $2,000 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT SEVENTEEN

Case No. 16-O-10279
Rules of Professional Conduct, rule 3-700(D)(1)
[Failure to Release File]

20. Respondent failed to release promptly, after termination of respondent's employment on or about October 22, 2015, to respondent's client, James Porter, all of the client's papers and property following the client's request for the client's file on November 5, 2015, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

COUNT EIGHTEEN

Case No. 16-O-10279
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

21. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letter of February 4, 2016, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 16-O-10279, in willful violation of Business and Professions Code, section 6068(i).

COUNT NINETEEN

Case No. 16-O-10519
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

22. In or about May, 2015, Roy Mirador and his partner Michael Talento, employed respondent to perform legal services, namely to finalize an adoption, which respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to prepare or file the necessary paperwork with the court or the Department of Social Services.

COUNT TWENTY

Case No. 16-O-10519
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

23. Between on or about May 8, 2015 and on or about August, 2015, respondent received advanced fees of $3,500 from her clients, Roy Mirador and Michael Talento to finalize an adoption. Respondent failed to finalize the adoption, and performed few legal services of any value for the client, and therefore did not earn all of the advanced fees paid. Respondent failed to refund promptly, upon respondent's termination of employment on or about October 13, 2015, any part of the $3,500 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT TWENTY ONE

Case No. 16-O-10519
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

24. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of February 4, 2016, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 16-O-10519, in willful violation of Business and Professions Code, section 6068(i).

NOTICE - INACTIVE ENROLLMENT!

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

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 THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: April 18, 2016

By: Esther Rogers
ESTHER J. ROGERS
Senior Trial Counsel

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 15-O-12102; 15-O-14712; 15-O-15503; 15-O-15537; 16-O-10279; 16-O-10519

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, [State Bar Address], declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

☒ **By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))** ☒ **By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))**

- 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 [County].

☐ **By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))**

- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

☐ **By Fax Transmission: (CCP §§ 1013(e) and 1013(f))**

Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

☐ **By Electronic Service: (CCP § 1010.6)**

Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ *(for U.S. First-Class Mail)* in a sealed envelope placed for collection and mailing at San Francisco, addressed to: *(see below)*

☒ *(for Certified Mail)* in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,
Article No.: 9414 7266 9904 2042 4852 39 *at San Francisco, addressed to: (see below)*

☐ *(for Overnight Delivery)* together with a copy of this declaration, in an envelope, or package designated by UPS,
Tracking No.: addressed to: *(see below)*

Person Served	Business-Residential Address	Fax Number	Courtesy Copy to:
Sarah Hembrow	Law Office of Sarah G. Hembrow 1400 N Dutton Ave., Ste. 21 Santa Rosa, CA 95401	Electronic Address	sarahhembrowlaw@gmail.com

☐ **via inter-office mail regularly processed and maintained by the State Bar of California addressed to:**

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, and overnight delivery by the United Parcel Service ('UPS'). 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, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the 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.

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

DATED: April 18, 2016

SIGNED: V Gotera

Victoria Gotera
Declarant