

PUBLIC MATTER

FILED

1 STATE BAR OF CALIFORNIA
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FEB 29 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case No. 15-O-14244; 15-O-14673
 14 LAUREN M. ARENS,)
 No. 261946,) NOTICE OF DISCIPLINARY CHARGES
 15)
 16 A Member of the State Bar)

NOTICE - FAILURE TO RESPOND!

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

- 20 (1) YOUR DEFAULT WILL BE ENTERED;
- 21 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW;
- 22 (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;
- 23 (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.

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. LAUREN M. ARENS ("Respondent") was admitted to the practice of law in the State
4 of California on January 6, 2009, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 15-O-14244
8 Business and Professions Code, section 6103
[Failure to Obey a Court Order]

9 2. Respondent disobeyed or violated an order of the court requiring Respondent to do or
10 forbear an act connected with or in the course of Respondent's profession which Respondent
11 ought in good faith to do or forbear by failing to comply with a July 17, 2015, Order to Show
12 Cause in *People v. Henderson*, San Diego Superior Court case no. M183273, in willful violation
13 of Business and Professions Code, section 6103, by failing to appear at a July 22, 2015 Order to
14 Show Cause Hearing, or to appear on her client's behalf, or make arrangements to have another
15 attorney appear on her behalf.

16 COUNT TWO

17 Case No. 15-O-14244
18 Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

19 3. Respondent failed to cooperate and participate in a disciplinary investigation pending
20 against Respondent by failing to provide a substantive response to the State Bar's letters of
21 October 5, 2015 and October 20, 2015, which Respondent received, that requested Respondent's
22 response to the allegations of misconduct being investigated in case no. 15-O-14244, in willful
23 violation of Business and Professions Code, section 6068(i).

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COUNT THREE

Case No. 15-O-14244
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

4. On or before October 1, 2014 Respondent was assigned as counsel to perform legal services for Michelle Jennifer Henderson, namely to represent her in the criminal matter of *People v Henderson*, San Diego Superior Court case no. M183237, 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 appear at court hearings, or to make arrangements for another attorney to appear on her behalf, on July 13, 2015, July 17, 2015, and July 22, 2015.

COUNT FOUR

Case No. 15-O-14673
Business and Professions Code, section 6103
[Failure to Obey a Court Order]

5. Respondent disobeyed or violated an order of the court requiring Respondent to do or forbear an act connected with or in the course of Respondent's profession which Respondent ought in good faith to do or forbear by failing to comply with a June 12, 2015, Order to Show Cause re: Sanctions issued by the Court following Respondent's failure to appear at a June 12, 2015, trial in *People v. Franco*, San Diego Superior Court case no. SC276524, in willful violation of Business and Professions Code, section 6103, by failing to appear at a July 26, 2015 Order to Show Cause re: Sanctions Hearing, or to appear on her client's behalf, or make arrangements to have another attorney appear on her behalf.

COUNT FIVE

Case No. 15-O-14673
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

6. 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 October 19, 2015 and January 4, 2016, which Respondent received, that requested Respondent's

1 response to the allegations of misconduct being investigated in case no. 15-O-14673, in willful
2 violation of Business and Professions Code, section 6068(i).

3 COUNT SIX

4 Case No. 15-O-14673
5 Rules of Professional Conduct, rule 3-110(A)
6 [Failure to Perform with Competence]

7 7. On or before February 25, 2015, Respondent was retained as counsel to perform
8 legal services for Julie Franco, namely to represent her in the criminal matter of *People v*
9 *Franco*, San Diego Superior Court case no. SCS276524, which Respondent intentionally,
10 recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of
11 Professional Conduct, rule 3-110(A), by failing to appear at court hearings, or to make
12 arrangements for another attorney to appear on her behalf, on June 12, 2015 and June 26, 2015.

13 NOTICE - INACTIVE ENROLLMENT!

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

22 NOTICE - COST ASSESSMENT!

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

28 Respectfully submitted.

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: 2-29 2016

By: 

R. KEVIN BUCHER
Deputy 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-14244; 15-O-14673

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, 845 South Figueroa Street, Los Angeles, California 90017, 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))

- 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.



By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))



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 Los Angeles, 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 2010 0739 87 at Los Angeles, 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:
LAUREN M. ARENS	Lauren M. Arens 5173 Waring Rd # 442 San Diego, CA 92120	Electronic Address	Lauren M. Arens 5173 Waring Rd # 442 San Diego, CA 92120

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

N/A

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 Los Angeles, California, on the date shown below.

DATED: February 29, 2016

SIGNED:

Genelle De Luca-Suarez
Declarant