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STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 15-Q-13784
)	
CAROLYN AKIYO SASAKI,)	RECOMMENDATION ON
)	RESIGNATION
A Member of the State Bar, No. 139951.)	
_____)	

Respondent Carolyn Akiyo Sasaki filed her resignation with disciplinary charges pending on August 10, 2015. On September 30, 2015, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed its report on the resignation, recommending that the resignation be accepted. In light of the grounds set forth in California Rules of Court, rule 9.21(d),¹ and as set forth in detail below we recommend Sasaki's resignation be accepted.

I. BACKGROUND

Sasaki was admitted to practice law in California on June 6, 1989. She has no prior record of discipline. She was placed on administrative inactive status for failure to comply with her Continuing Legal Education requirement on July 1, 2011.

Sasaki is the subject of a single complaint in case no. 15-O-11356, for which she entered into a stipulation of facts and conclusions of law. Sasaki stipulated to violations of Business and Professions Code section 6068(m) and Rules of Professional Conduct, rules 3-100(A) and 3-700(A)(2) for her: (1) failure to inform her client of her ineligibility to practice law; (2) failure to inform her client of settlement offers and mandatory settlement conferences; (3) cessation of

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

work on her client's matter prior to completion; (4) failure to take reasonable steps to avoid reasonably foreseeable prejudice to her client; and (5) failure to respond to settlement offers.

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

We have considered Sasaki'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 there is no need for perpetuation of the evidence because Sasaki has entered into a stipulation to facts and conclusions of law that resolves all disciplinary matters.

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

OCTC reports that it is not aware that Sasaki has practiced law or held herself out as entitled to practice law since her transfer to administrative inactive status on July 1, 2011.

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

OCTC reports that Sasaki performed the acts specified in rule 9.20(a)-(b).

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

OCTC reports that Sasaki's rule 9.20 compliance declaration was filed on August 10, 2015.

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 Sasaki's disbarment.

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

Sasaki has not previously resigned or been disbarred in California.

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

Sasaki and OCTC entered into a Stipulation as to Facts and Conclusions of Law, which was filed on September 30, 2015.

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

We recommend accepting Sasaki's resignation for the reasons OCTC presented in its filings in this matter because Sasaki: (1) submitted a rule 9.20 compliance declaration; (2) submitted a stipulation to facts and conclusions of law; (3) has no pending Client Security Fund (CSF) claims; (4) is 55 years old and is willing to forfeit her license; and (5) has not been entitled to practice law since July 1, 2011. She has no prior record of discipline, and the single complaint in case no. 15-O-11356 involved relatively low level misconduct. Sasaki is now a school teacher and reports she does not intend to return to the practice of law. We conclude that the acceptance of Sasaki's resignation 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 Carolyn Akiyo Sasaki, State Bar number 139951. 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.

HONN

Acting 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 November 20, 2015, I deposited a true copy of the following document(s):

RECOMMENDATION ON RESIGNATION FILED NOVEMBER 20, 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:

CAROLYN A. SASAKI
PO BOX 2224
MARYSVILLE, CA 95901

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

Dane C. Dauphine, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 20, 2015.



Rosalie Ruiz
Case Administrator
State Bar Court