

# 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**

**MAY 3 1 2016**

**STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES**

## STATE BAR COURT

### HEARING DEPARTMENT - LOS ANGELES

In the Matter of:

JEFFREY ALAN DICKSTEIN,  
No. 70638,

A Member of the State Bar

) Case No. 16-PM- *13677*  
)  
) MOTION TO REVOKE PROBATION;  
) MEMORANDUM OF POINTS AND  
) AUTHORITIES; DECLARATION OF  
) MICHAEL KANTERAKIS; EXHIBITS 1  
) THROUGH 4; PROBATION REVOCATION  
) RESPONSE FORM [Rule 5.310 et seq., Rules  
) of Procedure of the State Bar]

**TO: The State Bar Court and Jeffrey Alan Dickstein, 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 Jeffrey Alan Dickstein ("Respondent") in prior disciplinary case no. 10-C-07932 and to impose upon Respondent the entire period of suspension of one year previously stayed by order no. S228801 of the Supreme Court filed on November 10, 2015. The State Bar 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:

1. As a condition of probation, Respondent was ordered to, within 30 days after the effective day of his discipline—by January 9, 2016, contact the Office of Probation and schedule

1 a meeting with his assigned probation deputy to discuss the terms and conditions of his  
2 probation. He was then to meet with the probation deputy upon the direction of the Office of  
3 Probation. Respondent has not complied in that he has not contacted the Office of Probation to  
4 schedule a meeting; no meeting has been held.

5 2. As a condition of probation, Respondent was ordered to comply with the  
6 provisions of the State Bar Act, the Rules of Professional Conduct, and all of the conditions of  
7 his probation. Respondent was ordered to submit written quarterly reports to the Office of  
8 Probation on each January 10, April 10, July 10, and October 10. Under penalty of perjury he  
9 was to state whether he had so complied. Respondent has not complied in that he has failed to  
10 file his first quarterly report which was due on April 10, 2016.

11 This motion is also based on the attached Memorandum of Points and Authorities, the  
12 attached Declaration of Michael Kanterakis, the attached exhibits, and all documents on file with  
13 the court in this matter.

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

18 **NOTICE – FAILURE TO RESPOND**

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

27 **NOTICE – INACTIVE ENROLLMENT**

28 YOU ARE HEREBY NOTIFIED THAT, PURSUANT TO BUSINESS AND  
PROFESSIONS CODE SECTION 6007(d), IF THE STATE BAR COURT  
RECOMMENDS ACTUAL SUSPENSION ON ACCOUNT OF A PROBATION  
VIOLATION OR OTHER DISCIPLINARY MATTER, 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 STATE BAR COURT.  
SEE RULE 5.315, RULES OF PROCEDURE OF THE STATE BAR.

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**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. SEE RULE 5.129, ET SEQ., RULES OF PROCEDURE OF  
THE STATE BAR.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA  
OFFICE OF PROBATION

DATED: May 31, 2016

By:   
Terrie Goldade  
Supervising Attorney

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MEMORANDUM OF POINTS AND AUTHORITIES

I. RESPONDENT HAS NOT COMPLIED WITH THE TERMS OF PROBATION, AND PROBATION SHOULD BE REVOKED.

By order filed November 10, 2015, the Supreme Court imposed discipline on Respondent in case no. S228801. The Supreme Court suspended Respondent for one year but stayed the execution of the suspension on the condition that Respondent comply with all terms of probation.

As terms of probation, Respondent was ordered as follows:

1. within 30 days after the effective day of his discipline—by January 9, 2016, contact the Office of Probation and schedule a meeting with his assigned probation deputy to discuss the terms and conditions of his probation. He was then to meet with the probation deputy upon the direction of the Office of Probation. Respondent has not complied in that he has not contacted the Office of Probation to schedule a meeting; no meeting has been held.

2. comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation. Respondent was ordered to submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10. Under penalty of perjury he was to state whether he had so complied. Respondent has not complied in that he has failed to file his first quarterly report which was due on April 10, 2016.

Consequently, the State Bar Court should recommend revocation of Respondent’s probation.

Attached hereto as Exhibit 1 is a certified copy of Respondent’s registration card and Respondent’s membership records address history with the State Bar of California. Exhibit 1 will be offered as evidence based upon the certification of Membership Records to show that Respondent was properly served in this proceeding.

A. Respondent Was Served With The Supreme Court Order.

It is presumed that Respondent was served with the disciplinary order of the Supreme Court imposing a period of probation. The clerks of the reviewing courts have a duty to transmit a copy of all decisions of those courts to the parties. (California Rules of Court, rule 8.532(a).)

1 Pursuant to Evidence Code section 664, there is a rebuttable presumption that such official duties  
2 have been regularly performed. Therefore, absent any evidence to the contrary, it is presumed  
3 that the Supreme Court clerk has complied with the duty to transmit to Respondent a copy of the  
4 order placing Respondent on probation. (*In re Linda D.* (1970) 3 Cal.App. 3d 567; *People v.*  
5 *Smith* (1965) 234 Cal.App.2d 407; *Fischer v. Lukens* (1919) 41 Cal.App. 358.)

6 B. Respondent's Violation of Probation Was Willful

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

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

18 II. RESPONDENT'S VIOLATION OF PROBATION WARRANTS THE IMPOSITION  
19 OF THE FULL STAYED SUSPENSION.

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

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

27 In a probation revocation proceeding, the hearing judge may order the involuntary  
28 inactive enrollment of a Respondent upon a finding that each of the elements of Business and

1 Professions Code section 6007(d) have occurred. (Rule 5.315, Rules of Procedure.) Those  
2 elements have occurred where the Respondent is under an order of stayed suspension with a  
3 period of probation and has violated that probation and where the hearing judge recommends a  
4 period of actual suspension. (Business and Professions Code, section 6007(d)(1).) See *In the*  
5 *Matter of Tiernan* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 523, 531-532. The order  
6 enrolling a respondent inactive shall be effective upon service unless otherwise ordered by the  
7 judge. (Rule 5.315, Rules of Procedure.)

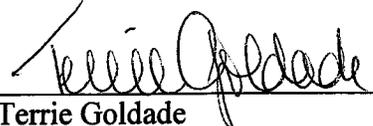
8 CONCLUSION

9 The Supreme Court has stayed Respondent's suspension and placed him on probation,  
10 and Respondent has violated that probation. The State Bar requests that the hearing judge  
11 recommend revocation of Respondent's probation and the imposition of one year of actual  
12 suspension. Furthermore, the hearing judge should order Respondent placed on involuntary  
13 inactive enrollment until the suspension is effective and order Respondent to comply with Rule  
14 9.20, California Rules of Court.

15 Respectfully submitted,

16 THE STATE BAR OF CALIFORNIA  
17 OFFICE OF PROBATION

18  
19 DATED: May 31, 2016

20 By: 

21 Terrie Goldade  
22 Supervising Attorney  
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1           7.       A review of the probation file on Respondent reflects that a disciplinary order  
2 imposing probation is contained therein. A certified copy of said order, filed on November 10,  
3 2015, is attached hereto and incorporated by reference as Exhibit 2. A certified copy of the State  
4 Bar Court Review Department Opinion filed July 15, 2015 is also included within Exhibit 2 for  
5 the Court's convenience. Pursuant to said order, the terms and conditions of probation imposed  
6 on Respondent include the following:

7           a.       within 30 days after the effective day of his discipline—by January 9, 2016, contact  
8 the Office of Probation and schedule a meeting with his assigned probation deputy to  
9 discuss the terms and conditions of his probation. He was then to meet with the  
10 probation deputy upon the direction of the Office of Probation. Respondent has not  
11 complied in that he has not contacted the Office of Probation to schedule a meeting; no  
12 meeting has been held.

13           b.       comply with the provisions of the State Bar Act, the Rules of Professional Conduct,  
14 and all of the conditions of his probation. Respondent was ordered to submit written  
15 quarterly reports to the Office of Probation on each January 10, April 10, July 10, and  
16 October 10. Under penalty of perjury he was to state whether he had so complied.  
17 Respondent has not complied in that he has failed to file his first quarterly report which  
18 was due on April 10, 2016.

19           8.       As Custodian of Records, I have reviewed the entire contents of the probation file  
20 on Respondent which reflects that the relevant portions of the disciplinary orders imposing  
21 probation and a letter confirming the terms and conditions of probation, including suspension,  
22 were provided to the Respondent on November 24, 2015.

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

25           a.       Emails with Respondent on November 19 and 24, 2015 regarding resignation,  
26                etc.

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- b. Reminder letter mailed to Respondent on November 24, 2015 outlining the terms and conditions of his probation to (1) Respondent's membership records address, and (2) the courtesy copy address on the Opinion's proof of service.
- c. Reminder letter mailed on November 24, 2015 to courtesy copy address was returned to sender because the forwarding time had expired.
- d. Letter mailed to Respondent on February 4, 2016 to membership records address setting forth Respondent's noncompliance; a copy of the November 24, 2015 letter was enclosed.

10. Other than the letter described above in paragraph 9.c., none of the other letters mailed to Respondent were returned by the U.S. Postal Service to the Office of Probation as undeliverable, or for any other reason.

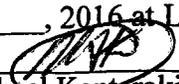
11. Although not due until December 10, 2016, Respondent has not yet submitted proof of completion of Ethics School.

12. Respondent was ordered to provide proof of passage of the Multistate Professional Responsibility Examination during the period of his suspension. Although Respondent was only ordered to be suspended for the first 30 days of his probation (to January 9, 2016), it appears that Respondent is currently not eligible to practice law because he has failed to pay his Bar membership fees. A true and correct copy of the printout of the attorney search results for Respondent on the State Bar of California's website is attached as Exhibit 4.

13. The Office of Probation has not yet referred Respondent's failure to provide proof of passage of the MPRE to the State Bar Court because it appears the order may have been made in error. That is, most Respondents are given a year to provide proof; the MPRE was not offered during Respondent's period of actual suspension.

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

Executed this 31<sup>st</sup> day of May, 2016 at Los Angeles, California.

  
Michael Kanterakis  
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 MICHAEL KANTERAKIS EXHIBITS 1 THROUGH 4; 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 9529 and regular mail mailed at Los Angeles, on the date shown below, addressed to:

Jeffrey Alan Dickstein  
3263 S Erie Ave  
Tulsa, OK 74135

**Courtesy copy by regular mail to:**  
Jeffrey Alan Dickstein  
3263 S Erie Ave  
Tulsa, OK 74135

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: May 31, 2016

SIGNED:   
Mia Hibler  
Declarant

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

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

April 19, 2016

TO WHOM IT MAY CONCERN:

I, Kathan Lambert, 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 JEFFREY ALAN DICKSTEIN, #70638.

THE STATE BAR OF CALIFORNIA

Kathan Lambert  
Custodian of Membership Records

00001

File 5166-  
12/76

LEAVE THIS SECTION  
BLANK  
70638

DICKSTEIN

JEFFREY

ALAN

Surname (Please Print or Type)

Given Name or Names

OFFICE ADDRESS:

Street and number NONE

No. 12-22-76

City - State

Zip Code

Date Admitted

Date of birth MARCH 10, 1947 Place of birth LOS ANGELES, CALIF

If not born in United States, when and where naturalized? N/A

Undergraduate degree from CHAPMAN COLLEGE Law degree from CALIF. WESTERN

Dates and places of prior admission to practice 0139 NONE 7001

Dates and places of actual practice prior to admission in California NONE

Date DEC 7, 1976

**MICROFILMED**

Signature

Jeffrey A. Dickstein

THE STATE BAR OF CALIFORNIA  
REGISTRATION CARD



THE STATE BAR  
OF CALIFORNIA

MEMBER RECORDS & COMPLIANCE

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

April 19, 2016

TO WHOM IT MAY CONCERN:

I, Kathan Lambert, 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 JEFFREY ALAN DICKSTEIN, #70638 from May 1, 1986 to the date of this certificate.

THE STATE BAR OF CALIFORNIA

Kathan Lambert  
Custodian of Membership Records

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MM595R2

MEMBER ADDRESS CHANGE HISTORY

Print Date: 4/19/16

Member #: 070638

Date of Admission: 12/22/1976 Status: Not Eligibl Effective: 7/01/2014

Name: Jeffrey Alan Dickstein

Address: Jeffrey A. Dickstein

Eff: 6/12/2014

3263 S Erie Ave  
Tulsa OK 74135

Jeffrey A. Dickstein

Eff: 5/20/2014

1 Webb Ln  
Bella Vista AR 72714

Jeffrey A. Dickstein

Eff: 4/30/2012

3263 S Erie Ave  
Tulsa OK 74135

Jeffrey A. Dickstein

Eff: 11/28/2011

7027 E 33rd St  
Tulsa OK 74145

Jeffrey A. Dickstein

Eff: 5/06/2010

6515 S 93rd East Ave Apt H  
Tulsa OK 74133

Jeffrey A. Dickstein

Eff: 2/13/2007

500 W Bradley Rd # C-208  
Fox Point WI 53217

Law Office of Robert G. Bernhoft, SC Eff: 10/15/2004

207 E Buffalo St Ste 600  
Milwaukee WI 53202

00004

MM595R2

MEMBER ADDRESS CHANGE HISTORY

Print Date: 4/19/16

Member #: 070638

Date of Admission: 12/22/1976 Status: Not Eligibl Effective: 7/01/2014

Name: Jeffrey Alan Dickstein

Address:

Eff: 8/04/2003

8429 E 81st St South  
Tulsa OK 74133

Eff: 8/01/1996

P O Box 150124  
Tulsa OK 74115

Eff: 8/05/1991

8141 E 31st St #F  
Tulsa OK 74145

Eff: 2/01/1988

P O Box 7306  
Missoula MT 59807

Eff: 11/12/1987

Southgate Mall  
146 Service Express  
Missoula MT 59801

Eff: 5/01/1986

3605 Arctic Blvd, #598

Anchorage AK 99503

NOV 10 2015

State Bar Court No. 10-C-07932

S228801

Frank A. McGuire Clerk  
Deputy

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

In re JEFFREY ALAN DICKSTEIN on Discipline.

The petition for review is denied.

The court orders that Jeffrey Alan Dickstein, State Bar Number 70638, 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. Jeffrey Alan Dickstein is suspended from the practice of law for the first 30 days of probation;
2. Jeffrey Alan Dickstein must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on July 15, 2015; and
3. At the expiration of the period of probation, if Jeffrey Alan Dickstein has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Jeffrey Alan Dickstein must take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles 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.

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

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day of NOV 10 2015 20  
Clerk  
By: [Signature]  
Deputy



## I. FACTUAL BACKGROUND<sup>1</sup>

### A. Dickstein Agrees to Represent the Hirmers

Dickstein was admitted to practice law in California in 1976, and is experienced in representing clients charged with tax avoidance schemes. In 2008, he began defending Claudia and Mark Hirmer on federal charges in Florida of conspiracy to defraud the Internal Revenue Service, conspiracy to commit money laundering, tax evasion, and wire fraud. If convicted, both clients faced 25 years in prison and \$20 million dollars in restitution.

In August 2008, Dickstein initially told the federal district court that his future appearances on behalf of the Hirmers were contingent on making financial arrangements with them for his fees. But in early September 2009, he advised the court he would accept the Hirmers as clients. He acknowledged the complexity of the case, its anticipated duration, and that he might receive little (if any) compensation unless the Hirmers were acquitted of the conspiracy count due to forfeiture allegations. At a September 16, 2008 hearing, the district judge cautioned Dickstein that he was expected to continue representing the Hirmers throughout the entire case. Dickstein agreed. When the court warned that it would not entertain a motion to withdraw based on the Hirmers' failure to pay fees, Dickstein said he understood.

On September 23, 2008, the district court entered its Standing Order and Notice to Retained Criminal Defense Attorneys (Standing Order). The order required counsel to make sufficient financial arrangements to represent their clients and to notify the court within seven days if arrangements could not be made. The order stated that the court expected counsel to represent their clients "until the conclusion of the case" if no notification were provided.

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<sup>1</sup> At the disciplinary hearing, Dickstein appeared telephonically and OCTC did not call witnesses. The federal district court's 14-page Order and Judgment of Criminal Contempt was admitted. We rely on the facts provided therein and the hearing judge's findings of fact, which are entitled to great weight (Rules Proc. of State Bar, rule 5.155(A)), and which Dickstein does not challenge on review (Rules Proc. of State Bar, rule 5.152(C) [factual error not raised on review is waived by parties]).

Dickstein did not withdraw within the seven-day period, but instead filed a notice of his intent to continue representation. For the next 18 months, Dickstein represented the Hirmers, including during a month-long trial, where both clients were ultimately convicted on all counts. Sentencing was set for July 2010.

**B. Dickstein Moves to Withdraw as Counsel**

In April 2010, Dickstein filed a motion to withdraw as counsel on the grounds that the Hirmers failed to pay his fees. He made several claims in his motion. To begin, he revealed that the Hirmers had paid him approximately \$146,000, but still owed \$308,210.67. He asserted this nonpayment of fees placed him in “severe financial straits, rendering him unable to pay current expenses for rent, food, utilities and other bills.” He stated he was living in Wisconsin, and did not have the funds to travel to Florida for the sentencing hearing, to pay fees for an appeal, or to order trial transcripts.<sup>2</sup> Finally, Dickstein asserted that the Hirmers had “rendered him a pauper,” and he was “unwilling” to continue representing them.

The district court denied Dickstein’s motion to withdraw because it violated the Standing Order. However, considering the complexity of the case and Dickstein’s familiarity with it, the court appointed him to continue his representation under the Criminal Justice Act (CJA).<sup>3</sup>

**C. Dickstein Moves for Reconsideration**

Dickstein filed a motion for reconsideration of the district court’s order denying his motion to withdraw and appointing him as CJA counsel. He stated in his motion that he no longer had the best interests of the Hirmers at heart, and was spiritually, emotionally, and physically incapable of providing adequate representation. For the first time, he cited conflicts of interest and irreconcilable differences as bases for his motion.

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<sup>2</sup> When Dickstein began representing the Hirmers, he was a solo practitioner in Wisconsin. He relocated to Florida for the trial from about February through April 2010.

<sup>3</sup> The CJA provides federal funds to enable willing attorneys to represent indigent defendants.

The district court found Dickstein was unwilling to continue representing the Hirmers based on nonpayment of his fees, but concluded it had no choice but to grant the motion and appoint substitute counsel.<sup>4</sup> Consequently, the sentencing was delayed for several months.

**D. The Criminal Contempt Trial**

On August 18, 2010, the district court initiated sua sponte criminal contempt proceedings, charging Dickstein with violating the court's verbal and written orders "advising him he was required to represent the Hirmers even if they could not pay his fees." At trial, Dickstein claimed he did not think he was violating the orders when he sought to withdraw because he was unable to pay rent, buy food, or maintain a law office. He testified that his billable hours for the case far exceeded the \$146,000 he had been paid.

In the district court's written November 2010 order on contempt, it found beyond a reasonable doubt that: (1) its September 16, 2008 verbal order and the September 23, 2008 Standing Order were lawful and reasonably specific; (2) Dickstein violated those orders by moving to withdraw "based explicitly on [the Hirmers'] nonpayment of his fees, which was the very act the court's orders were designed to prevent"; and (3) Dickstein's violation was willful. The court also found Dickstein's "subsequently offered reasons" for his withdrawal were "mere after thought" and "pretextual," and there was no evidence to support his claim of being a homeless pauper. Dickstein's actions, the district court concluded, "hindered the court's processes and disrupted the administration of justice by delaying the Hirmers' sentencing hearings three months and forcing the court to appoint two new attorneys 20 months into the case, following a lengthy trial in which they had not participated." Dickstein was sentenced to 90 days in custody, but was released on his own recognizance pending appeal.

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<sup>4</sup> Claudia Hirmer appeared at the hearing. When the district court asked whether she wanted Dickstein to continue as her attorney, she replied "No. He said he doesn't have our best interest at heart anymore. How can we have an attorney that doesn't care about our position anymore?"

Dickstein unsuccessfully appealed his conviction to the United States Court of Appeals, Eleventh Circuit, which found that he “deliberately and intentionally” filed a motion to withdraw based on the Hirmers’ failure to pay fees, in violation of the district court’s order. The appellate court concluded that, “at a minimum, Dickstein’s actions amounted to reckless disregard for the administration of justice, which is sufficient to support a criminal contempt conviction.”

## II. SUBJECT MATTER JURISDICTION<sup>5</sup>

Dickstein contends that this court and the California Supreme Court lack subject matter jurisdiction. He cites Business and Professions Code section 6102, subdivision (e),<sup>6</sup> which provides that an attorney may be disbarred or suspended if a crime or circumstances of its commission involve moral turpitude; otherwise, the proceeding shall be dismissed. He argues that this authority supports a dismissal because the hearing judge found no moral turpitude in the facts and circumstances surrounding his conviction. His argument is unpersuasive.

Section 6102, subdivision (e), does not limit the Supreme Court’s inherent and primary authority to control the practice of law or to provide procedures for attorney discipline. (§ 6100 [“Nothing in this article limits the inherent power of the Supreme Court to discipline, including to summarily disbar, any attorney”]; *Stratmore v. State Bar* (1975) 14 Cal.3d 887, 889 [legislative standards for admission to practice are minimum as Supreme Court retains inherent power to require additional standards].) After 1973, the Supreme Court instructed that an attorney may be disciplined, *without a finding of moral turpitude*, if the facts and circumstances surrounding a conviction involve “other misconduct warranting discipline.” (*In re Rohan* (1978) 21 Cal.3d 195, 202-203, italics omitted.)

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<sup>5</sup> At oral argument, OCTC objected to Dickstein’s jurisdictional challenge since he did not appeal. The objection was noted. We consider Dickstein’s argument here because it involves subject matter jurisdiction, a fundamental issue we must address under independent review.

<sup>6</sup> All further references to sections are to the Business and Professions Code.

More recently, in *In re Kelley* (1990) 52 Cal.3d 487, 494-495, the Supreme Court confirmed the validity of the "other misconduct warranting discipline" standard for criminal conduct. The *Kelley* Court explained that this standard appropriately "permits discipline of attorneys for misconduct not amounting to moral turpitude as an exercise of our inherent power to control the practice of law and to protect the profession and the public." (*Kelley, supra*, 52 Cal.3d at p. 494; *Emslie v. State Bar* (1974) 11 Cal.3d 210, 224-225 [Supreme Court's inherent power over admission, disbarment, and suspension is long-standing and predates the State Bar Act].) As the Supreme Court has delegated its power to the State Bar Court to act on its behalf in disciplinary matters subject to its review (§ 6087), we have subject matter jurisdiction to recommend discipline in this non-moral turpitude conviction proceeding. (See *Obrien v. Jones* (2000) 23 Cal.4th 40, 49-50; *In re Rose* (2000) 22 Cal.4th 430, 442; Cal. Rules of Court, rule 9.10; §§ 6040, 6043, 6048, 6078, 6079.1, 6081.)

### III. DICKSTEIN'S MISCONDUCT WARRANTS DISCIPLINE

Dickstein's conviction is conclusive proof, for the purpose of attorney discipline, of the elements of the crime. (See § 6101, subs. (a) & (e); *In re Kirschke* (1976) 16 Cal.3d 902, 904.) Thus, his criminal contempt conviction establishes that: (1) the district court entered a lawful order of reasonable specificity; (2) Dickstein violated that order; and (3) the violation was willful. (See *United States v. Robinson* (11th Cir. 1991) 922 F.2d 1531, 1534.)

The hearing judge found that the facts and circumstances surrounding Dickstein's misdemeanor criminal contempt conviction do not involve moral turpitude, and OCTC does not challenge that finding. We agree.<sup>7</sup>

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<sup>7</sup> The hearing judge found the facts and circumstances surrounding Dickstein's conviction also violated section 6103 (failure to obey court order) and rule 3-700(A)(2) of the Rules of Professional Conduct (withdrawing without taking reasonable steps to avoid foreseeable prejudice). We disregard these culpability findings because they were not charged in the Notice

As noted, we may still recommend discipline if “other misconduct warranting discipline” surrounds the conviction, although we examine the facts and circumstances and do not merely rely on the conviction. (See *In re Gross* (1983) 33 Cal.3d 561, 566 [misconduct, not conviction, warrants discipline]; *In the Matter of Respondent O* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 581, 589, fn. 6 [whether acts underlying conviction amount to professional misconduct “is a conclusion that can only be reached by an examination of the facts and circumstances surrounding the conviction”].)

The totality of facts and circumstances surrounding Dickstein’s conviction amounts to “other misconduct warranting discipline.” In no uncertain terms, the district court’s Standing Order and the judge’s verbal warnings explicitly prohibited Dickstein from filing a motion to withdraw due to the Hirmers’ nonpayment of fees. Yet he did so in direct violation of the orders. This delayed the sentencing proceeding and disrupted the orderly administration of justice. We find that Dickstein’s contemptuous disregard of the district court’s order was directly related to his practice of law, and is serious misconduct. “Other than outright deceit, it is difficult to imagine conduct in the course of legal representation more unbecoming an attorney [than willful violation of court order].” (*Barnum v. State Bar* (1990) 52 Cal.3d 104, 112.)

#### IV. AGGRAVATION AND MITIGATION

The appropriate discipline is determined in light of the relevant circumstances, including aggravating and mitigating factors.<sup>8</sup> (*Gary v. State Bar* (1988) 44 Cal.3d 820, 828.) OCTC must

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of Disciplinary Charges, and are not relevant to determine the appropriate discipline in a conviction referral matter.

<sup>8</sup> Rules of Procedure of the State Bar, title IV, Standards for Attorney Sanctions for Professional Misconduct. On July 1, 2015, the standards were revised and renumbered. Because this appeal was submitted for ruling before that date, we apply the prior version of the standards, which was effective January 1, 2014 through June 30, 2015. All further references to standards are to the prior version of this source.

establish aggravation by clear and convincing evidence (std. 1.5), while Dickstein has the same burden to prove mitigating circumstances.<sup>9</sup> (Std. 1.6.)

The hearing judge found no aggravating or mitigating factors. However, our independent review reveals two factors in aggravation and one in mitigation.

As to aggravation, OCTC proved that Dickstein lacked remorse and insight into his wrongdoing. (Std. 1.5(g); *Bach v. State Bar* (1991) 52 Cal.3d 1201, 1208 [aggravation based on persistent lack of insight into deficiencies of attorney's professional behavior].) He flatly denied his wrongdoing, and blamed others for his misconduct, proclaiming that "I never violated a court order," and "[t]his isn't the first time I've been attacked by federal judges." While the law does not require false penitence, Dickstein must "accept responsibility for his acts and come to grips with his culpability." (*In the Matter of Katz* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 502, 511.) He has not done this.

We also find that Dickstein significantly harmed the administration of justice (std. 1.5(f)) by impeding the district court's orderly process and delaying the Hirmers' sentencing. However, our finding does not aggravate this case because we relied on that harm in determining that his misconduct surrounding the conviction warrants discipline. (See *In the Matter of Duxbury* (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 61, 68 [where facts considered for culpability, improper to use for aggravation].)

In mitigation, we find that Dickstein had no prior discipline, at the time of his misconduct, in three decades of practice. (Std. 1.6(a).) But, as OCTC correctly notes, this factor merits only minimal credit because federal courts in other jurisdictions have twice sanctioned

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<sup>9</sup> Clear and convincing evidence leaves no substantial doubt and is sufficiently strong to command the unhesitating assent of every reasonable mind. (*Conservatorship of Wendland* (2001) 26 Cal.4th 519, 552.)

him. In 1987, Dickstein was formally censured for contemptuous conduct during a trial,<sup>10</sup> and in 1996, his *pro hac vice* admission was revoked due to misrepresentations and omissions in his application.<sup>11</sup>

#### V. DICKSTEIN'S DISCIPLINE SHOULD INCLUDE A PERIOD OF STAYED SUSPENSION AND PROBATION

We begin our analysis with the standards. (*In re Silverton* (2005) 36 Cal.4th 81, 91.)

Standard 2.8(a) applies here as it provides that “[d]isbarment or actual suspension is appropriate for disobedience or violation of a court order related to the member’s practice of law.” In particular, we are guided by this standard’s requirement for, at a minimum, an *actual* suspension. We agree with the hearing judge that a 30-day actual suspension is appropriate.

OCTC, however, requests a six-month suspension, arguing that Dickstein’s misconduct falls between cases that involve violations of a court order with a failure to perform (*Layton v. State Bar* (1990) 50 Cal.3d 889 [30-day suspension]; *Harris v. State Bar* (1990) 51 Cal.3d 1082 [90-day suspension]) and violations of a court order with client abandonment (*In the Matter of Wolff* (Review Dept. 2006) 5 Cal. State Bar Ct. Rptr. 1 [18-month suspension for improperly withdrawing and abandoning over 300 clients in violation of court order].) OCTC urges that *Wolff* controls because Dickstein’s misconduct was similarly harmful to the clients and the court system. We do not find *Wolff* applicable; the attorney in that case abandoned 300 clients while Dickstein violated a court order related to two clients.

In determining the proper discipline in this conviction proceeding, we are mindful that it is not our role to punish Dickstein for his criminal conduct; the federal district court has done that. Instead, we emphasize our purpose in imposing discipline — to protect the public and the courts and to maintain high professional standards. (Std. 1.1.) Since Dickstein’s misconduct

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<sup>10</sup> *United States v. Summet* (9th Cir. 1988) 862 F.2d 784.

<sup>11</sup> *United States v. Howell* (D. Kan. 1996) 936 F.Supp. 767.

involved two clients in a single matter and considering that his mitigation balances the aggravation, a 30-day suspension properly falls at the low end of the discipline range suggested by standard 2.8(a). (See Std. 1.2(c)(1) ["Actual suspension is generally for a period of thirty days, sixty days, ninety days, six months, one year, eighteen months, two years, or three years"].)

OCTC requests that, even if we affirm the 30-day suspension, we include a one-year stayed suspension and two years of probation in our recommendation. This point has merit. Given Dickstein's lack of insight, probation is particularly important to serve the critical purpose of protecting the public. (*In the Matter of Rose* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 646, 652.) Moreover, it "permits the State Bar to monitor [Dickstein's] compliance with professional standards" and ensures his rehabilitation is well established. (*Ritter v. State Bar* (1985) 40 Cal.3d 595, 605; see also *Rodgers v. State Bar* (1989) 48 Cal.3d 300, 319.) Dickstein's overall misconduct resulting in his criminal contempt conviction calls for a stayed suspension and a probation period, in addition to the 30-day actual suspension recommended by the hearing judge.

## VI. RECOMMENDATION

For the foregoing reasons, we recommend that Jeffrey Alan Dickstein be suspended from the practice of law for one year, that execution of that suspension be stayed, and that he be placed on probation for two years on the following conditions:

1. He must be suspended from the practice of law for the first 30 days of the period of his probation.
2. He must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation.
3. Within 10 days of any change in the information required to be maintained on the membership records of the State Bar pursuant to Business and Professions Code section 6002.1, subdivision (a), including his current office address and telephone number, or if no office is maintained, the address to be used for State Bar purposes, he must report such change in writing to the Membership Records Office and the State Bar Office of Probation.

4. Within 30 days after the effective date of discipline, he must contact the Office of Probation and schedule a meeting with his assigned probation deputy to discuss the terms and conditions of probation. Upon the direction of the Office of Probation, he must meet with the probation deputy either in person or by telephone. During the period of probation, he must promptly meet with the probation deputy as directed and upon request.
5. He 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, he must state whether he has complied with the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation during the preceding calendar quarter. In addition to all quarterly reports, a final report, containing the same information, is due no earlier than 20 days before the last day of the probation period and no later than the last day of the probation period.
6. Subject to the assertion of applicable privileges, he must answer fully, promptly, and truthfully, any inquiries of the Office of Probation that are directed to him personally or in writing, relating to whether he is complying or has complied with the conditions contained herein.
7. Within one year after the effective date of the discipline herein, he must submit to the Office of Probation satisfactory evidence of completion of the State Bar's Ethics School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and he shall not receive MCLE credit for attending Ethics School. (Rules Proc. of State Bar, rule 3201.)

The period of probation will commence on the effective date of the Supreme Court order imposing discipline in this matter. At the expiration of the period of probation, if Dickstein has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

#### **VII. PROFESSIONAL RESPONSIBILITY EXAMINATION**

We further recommend that Dickstein be ordered to take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year of the effective date of the Supreme Court order in this matter and to provide satisfactory proof of such passage to the Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

**VIII. COSTS**

We further recommend that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, such costs being enforceable both as provided in section 6140.7 and as a money judgment.

PURCELL, P. J.

WE CONCUR:

EPSTEIN, J.

STOVITZ, J.\*

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\* Retired Presiding Judge of the State Bar Court, serving as Review Judge Pro Tem by appointment of the California Supreme 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 July 15, 2015, I deposited a true copy of the following document(s):

OPINION FILED JULY 15, 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:

JEFFREY A. DICKSTEIN  
3263 S ERIE AVE  
TULSA, OK 74135

**COURTESY COPY:**  
JEFFREY A. DICKSTEIN  
1 WEBB LN  
BELLA VISTA, AR 72714

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

CHARLES A. MURRAY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 15, 2015.

  
\_\_\_\_\_  
Rosalie Ruiz  
Case Administrator  
State Bar Court

**PUBLIC MATTER**

**FILED** *JS*

**NOV 25 2013**

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**STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT - SAN FRANCISCO**

In the Matter of	)	Case No.: <b>10-C-07932-PEM</b>
	)	
<b>JEFFREY ALAN DICKSTEIN,</b>	)	<b>DECISION</b>
	)	
<b>Member No. 70638,</b>	)	
	)	
<u>A Member of the State Bar.</u>	)	

**Introduction**<sup>1</sup>

This contested conviction referral proceeding (§§ 6101, 6102; Cal. Rules of Court, rule 9.10(a); Rules Proc. of State Bar, rule 5.340 et seq.) is based upon respondent JEFFREY ALAN DICKSTEIN'S October 25, 2010 conviction of misdemeanor criminal contempt (18 U.S.C. § 401(3)) in the Pensacola Division of the United States District Court for the Northern District of Florida.<sup>2</sup> The Office of the Chief Trial Counsel of the State Bar of California (State Bar) was represented in this proceeding by Deputy Trial Counsel Ross Viselman. Respondent represented himself.

For the reasons stated below, this court finds that the facts and circumstances surrounding respondent's commission of the offense do not involve moral turpitude, but do involve other misconduct warranting discipline. After considering the facts and the law, the court concludes

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<sup>1</sup> Unless otherwise indicated, all references to rules refer to the State Bar Rules of Professional Conduct. Furthermore, all statutory references are to the Business and Professions Code unless otherwise indicated.

<sup>2</sup>In addition to being a member of the State Bar of California, respondent is also a member of the bar of the United States District Court for the Northern District of Florida (district court) and other federal courts.

that the appropriate level of discipline for the found misconduct is 30 days' suspension from the practice of law.

**Significant Procedural History**

On January 17, 2012, the Review Department of the State Bar Court issued an order referring respondent's criminal contempt convictions to the Hearing Department for a hearing and decision recommending the discipline to be imposed if the Hearing Department finds that the facts and circumstances surrounding respondent's criminal violations involved moral turpitude (§ 6102, subd. (c)) or other misconduct warranting discipline (see, e.g., *In re Kelley* (1990) 52 Cal.3d 487, 494). (Cal. Rules of Court, rule 9.10(a); Rules Proc. of State Bar, rule 5.340 et seq.)

On January 27, 2012, this court filed and served on respondent a notice of hearing on conviction (NHOC) in accordance with Rules of Procedure of the State Bar, rule 5.345(A). On April 2, 2012, respondent filed a response to the NHOC.

This matter was first set for trial on October 30, 2012. Respondent, however, failed to appear on October 30, 2012, when the case was called for trial. Thus, the court entered respondent's default under Rules of Procedure of the State Bar, rules 5.81 and 5.345(C) in an order filed and served on respondent that same day.

On November 13, 2012, respondent filed an objection to the court's entry of his default. In an order filed on December 4, 2012, the court construed respondent's objection as both an objection and a motion to set aside respondent's default because of mistake, inadvertence, surprise, or excusable neglect (Rules Proc. of State Bar, rule 5.83(C)). In that order, the court also overruled respondent's objection and denied the motion to set aside his default.

Then, on February 28, 2013, the State Bar filed a request for an order setting aside the entry of respondent's default so that the State Bar could provide, to respondent, a statement of the facts and circumstances surrounding the conviction which the State Bar contends that it has

clear and convincing evidence to prove. Rules of Procedure of the State Bar, rule 5.345(C)(2) expressly requires that, in a conviction referral proceeding, the State Bar include just such a statement in a motion for the entry of the respondent's default based on the respondent's failure to file a response to the NHOC (Rules Proc. of State Bar, rule 5.80). The Rules of Procedure of the State Bar, however, do not require that the State Bar provide such a statement to the respondent in a conviction referral proceeding when the respondent's is entered for failing to appear at trial (Rules Proc. of State Bar, rule 5.81). Nor do the Rules of Procedure prohibit the State Bar from providing such a statement to the respondent in a conviction referral proceeding when the respondent's default is entered for failing to appear at trial.

In an order filed on March 13, 2013, the court granted the State Bar's request and set aside the entry of respondent's default as well as respondent's involuntary inactive enrollment under section 6007, subdivision (e). The court did so because it concluded that, *for purposes of disbarring respondent on a petition for disbarment after default under Rules of Procedure of the State Bar, rule 5.85*, respondent had not been given adequate notice of the facts and circumstances surrounding his conviction that the State Bar relied on to establish moral turpitude or other misconduct warranting discipline. In its March 15, 2013 order, the court also ordered the State Bar to file and serve on respondent a statement of the facts and circumstances surrounding respondent's conviction that it contended it had clear and convincing evidence to prove.

On March 22, 2013, the State Bar served such a statement of facts and circumstances on respondent, and on March 26, 2013, the State Bar filed that statement of facts and circumstances with the court. On April 4, 2013, respondent filed a notice of intent to appear at trial.

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At a May 6, 2013 status conference, the case was set for trial on August 27, 2013.<sup>3</sup>

A one-day trial was held on August 27, 2013. At the conclusion of that trial, the court took the case under submission for decision.

### **Findings of Fact and Conclusions of Law**

Respondent was admitted to the practice of law in California on December 22, 1976, and has been a member of the State Bar of California since that time.

#### **Case Number 10-C-07932**

#### **Respondent's Conviction**

On August 18, 2010, the district court sua sponte initiated a criminal contempt proceeding against respondent by filing a notice and order of criminal-contempt proceedings (notice) against respondent in its case number 3:10-mc-00063-MCR-EMT-1, styled *United States v. Jeffrey Dickstein*. The notice charges respondent with criminal contempt for violating district court orders issued to respondent as the attorney for defendants Mark and Claudia Hirmer (the Hirmers) in district court criminal case number 3:08-cr-79-MCR, styled *United States v. Claudia Constance Hirmer, et al. (United States v. Hirmer)*.<sup>4</sup> Specifically, the notice charges respondent with criminal contempt for willfully violating the district court's order prohibiting respondent from seeking to withdraw from representation of the Hirmers because of lack of compensation and the district court's order directing respondent to make financial arrangements

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<sup>3</sup> The parties stipulated that the trial could be held telephonically because respondent, who is indigent, could not pay to travel from his home in Oklahoma to Los Angeles for trial.

<sup>4</sup> The Hirmers and 11 others were charged in a 15-count indictment with conspiracy to defraud the Internal Revenue Service and commit wire fraud against the United States, conspiracy to commit money laundering, tax evasion, and wire fraud, all arising out of their participation in a scheme to promote anti-tax theories by offering "members" access to lectures, products, and presentations, etc., that promote anti-tax theories, ways to become a "non taxpayer," the use of offshore corporate, and debt elimination tactics.

with the Hirmers that would provide for respondent's continuous representation of the Hirmers through the end of their case.

The charge of criminal contempt was heard by the district court without a jury on October 25, 2010. (See 18 U.S.C. § 401(3); Fed. R. Crim. P. 42(a).) The government was represented by Assistant United States Attorney Stephen M. Kunz. Respondent was represented by court-appointed counsel Joseph L. Mammons.

The government's evidence at the criminal contempt trial consisted of transcripts of portions of the court proceedings together with various pleadings and orders filed in *United States v. Hirmer*. Respondent testified on his own behalf and also introduced into evidence various documents from *United States v. Hirmer* as well as the Florida Rules of Professional Conduct and the State Bar of California Rules of Professional Conduct.

At the close of trial, the district court found beyond a reasonable doubt that respondent was guilty of criminal contempt in violation of title 18 United States Code section 401(c) and Federal Rules of Criminal Procedure, rule 42(a). In addition, the district court ordered that respondent be confined for 90 days in the custody of the United States Marshal. The district court, however, released respondent on his own recognizance pending appeal.

On November 24, 2010, the district court filed its order and judgment of criminal contempt memorializing the findings it made from the bench at the close of respondent's trial on October 25, 2010.

Thereafter, respondent appealed his conviction to the United States Court of Appeals for the Eleventh Circuit contending that the evidence was insufficient to support the district court's finding that respondent willfully violated a court order. The Eleventh Circuit, however, rejected respondent's contention and affirmed his conviction in an unpublished, per curiam opinion filed on August 9, 2011, in its case number 10-15544.

### **Pertinent Background**

Beginning on August 21, 2008, respondent appeared before the district court on behalf of the Hirmers provisionally, stating his appearance was subject to his ability to arrange financing for his attorney's fees. At that time, respondent knew that almost all of the Hirmers' assets were subject to forfeiture if they were convicted on the money laundering count. Respondent was experienced in defending those who sold bogus tax avoidance schemes like the Hirmers. On September 8, 2008, respondent filed a motion to continue the trial in *United States v. Hirmer*. In that motion, respondent advised the district court that he had agreed to represent the Hirmers notwithstanding the admitted complexity of the case and the anticipated length of the proceedings and respondent's stated concern that his clients did not have adequate funds to prepare a defense and respondent's admitted anticipation that he would receive little, if any, compensation for representing the Hirmers if they were convicted.

At the September 16, 2008 hearing on that motion to continue the trial, the district court spoke directly to respondent and reminded him that his clients may never have the funds available to prepare the case as he would like and cautioned respondent that he might never be paid his attorney's fees. The district court made clear that, if respondent stayed in the case, he would be required to represent the Hirmers until the conclusion of their case notwithstanding these foregoing adverse circumstances. Respondent acknowledged the court's directive and stated that he had agreed to represent the Hirmers despite the possibility that he would not be paid.

The district court further specifically told respondent that, having chosen to proceed with knowledge of the Hirmers' precarious financial condition and the other adverse circumstances, the district court would not thereafter entertain a motion for respondent to withdraw from representation "based on lack of compensation" (i.e., the Hirmers' inability or failure to pay

respondent's attorney's fees). Respondent indicated to the district court that he understood the court's requirements for his continued representation of the Hirmers.

On September 23, 2008, the district court entered a standing order and notice to retained criminal defense attorneys (standing order), which was properly served on respondent. Under the standing order, unless respondent withdrew from representation of the Hirmers within seven days, respondent was required to make financial arrangements with the Hirmers sufficient to provide for his continued representation of them until the conclusion of their case. In addition, the standing order was clear that, after the seven-day period expired, the Hirmers' failure to pay respondent's attorney's fees would not constitute cause for respondent's withdrawal from representation. In addition, the district court's local rules unequivocally provide that the nonpayment of attorney's fees "shall not be reason for seeking leave to withdraw if the withdrawal of counsel is likely to cause a continuance of a scheduled trial, hearing, or other court proceeding." (N.D. Florida. Local. R. 11.1(F)(2).)

On October 17, 2008, the Hirmers paid respondent \$100,000 in advanced legal fees. Because of the source of those funds, they would not be subject to forfeiture even if the Hirmers were convicted on the money laundering count. Thereafter, respondent filed a notice of intention to continue his representation of the Hirmers, again confirming that he understood his court-imposed obligation to represent the Hirmers until the conclusion of their case.

Thereafter, respondent continued to represent the Hirmers for the next 18 months, during which a month-long trial was held in their case. At the conclusion of that trial on March 31, 2010, the jury found the Hirmers guilty on all counts.<sup>5</sup> At that point, it was obvious that the Hirmers would be unable to pay any addition legal fees or expenses.

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<sup>5</sup>The Hirmers each faced lengthy sentence. Under the United States Sentencing Guidelines alone, they each faced sentences of 25 or more years of imprisonment and over \$20 million in restitution. Their potential statutory sentences were even greater. Accordingly, it was

### **Respondent's Motion to be Relieved as Counsel**

When respondent took on representation of the Hirmers he was a solo practitioner living in Wisconsin. Because the Hirmers' month-long trial was in Florida, respondent had to relocate to Florida from Wisconsin from about February through April 2010.

On April 26, 2010, while the Hirmers were awaiting sentencing, respondent filed a motion to be relieved as counsel on the grounds that the Hirmers had failed to pay his fees. Respondent asserted that the Hirmers had placed him in "severe financial straits, rendering him unable to pay current expenses for rent, food, utilities and other bills." According to a document that respondent submitted to the district court for in camera review to support of his motion to be relieved, even though the Hirmers had paid respondent a total of about \$146,000 in attorney's fees, they still owed him additional fees of about \$308,000. Respondent represented to the district court in his motion to be relieved that he believed he had fully discharged his duties to the Hirmers and, in light of the Hirmers' nonpayment of the additional \$308,000 in fees, he did "not believe he [could] continue to faithfully represent the Hirmers and to present their best interests." Respondent proffers no explanation as to why he waited until April 26, 2010, to notify the district court of his purported poverty.

Respondent further noted in his motion that, on April 16, 2010, following a bond hearing held a few days after the trial, respondent mailed the Hirmers letters, inquiring about how they intended to pay him to represent them at sentencing, and had received no response.

In May 2010, the district court filed an order denying respondent's motion to be relieved as counsel because the motion was contrary to the district court's September 16, 2009 oral order and the standing order. Nevertheless, the district court, after considering the complexity of the

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extremely important that they be properly represented at sentencing, which was then set for July 2010, by an attorney who was very familiar with the complex trial and the defendants' background.

case, respondent's knowledge of and familiarity with the facts and legal issues, and the amount of time and expense it would take for another court-appointed attorney to be able to adequately represent the Hirmers at their sentencing hearings in July 2010 together with respondent's alleged precarious financial situation and the court's finding that the Hirmers' were financially unable to retain other counsel, appointed respondent to represent the Hirmers under the Criminal Justice Act (CJA).

#### **Respondent's Motion for Reconsideration**

Respondent, however, refused to accept the appointment as CJA counsel to the Hirmers, and on May 17, 2010, respondent filed a motion for reconsideration of the district court's order appointing him CJA counsel to the Hirmers. In his motion for reconsideration, respondent stated that he "can categorically represent to the Court that he no longer has the best interest of the Hirmers at heart, and is not spiritually, emotionally, and physically incapable of providing adequate representation, and is unwilling to do so." Moreover, in his motion for reconsideration, respondent raised several more new grounds or reasons to support his request to be relieved as the Hirmers' counsel. The district court rejected respondent's new grounds/reasons finding that they were, at best, disingenuous afterthoughts and that respondent's intent was clear: respondent was refusing to continue to represent the Hirmers because they failed to pay him the \$308,000 in additional attorney's fees he claimed they owed him.

At the hearing on respondent's motion for reconsideration, which was held on either June 2 or 3, 2010, Claudia Hirmer told the district court that she and her husband felt abandoned by respondent based on the comments respondent made in his various posttrial motions to the effect that he no longer had the Hirmers' best interests at heart and was unwilling to represent them any longer. When Ms. Hirmer asked the district court: "How can we have an attorney that doesn't care about our position anymore?" The district court responded that it was "left with no choice"

but to grant the motion and appoint substitute counsel for each of the Hirmers in an effort to protect their pressing need for competent representation at sentencing.

At the time of the hearing on respondent's motion for reconsideration, respondent's motion to be relieved as counsel and refusal to accept the district court's appointment as the Hirmers' CJA counsel, had already delayed the Hirmers' sentencing by seven weeks.

#### **Respondent's Criminal Contempt Trial**

At respondent's October 25, 2010 criminal-contempt trial, respondent claimed that his conduct did not amount to willful disobedience. He testified that by January or February 2009, his billing for the legal services he had performed for the Hirmers far exceeded the \$146,000 that the Hirmers had paid him, but that he nonetheless continued to represent the Hirmers through their month-long trial. Respondent even went so far as to claim that he did not really refuse to continue representing the Hirmers and that his motion to be relieved as counsel of record was based on personal financial difficulties and professional ethical duties under the Florida and California Rules of Professional Conduct and not the Hirmers' refusal or inability to pay him an additional \$308,000. The district court, however, found that these claims/assertions were nothing but pretexts for the real reason respondent filed the motion to be relieved: the Hirmers could no longer pay him. The district court rejected respondent's testimony claiming he was a homeless pauper when he filed his motion to be relieved. The district court aptly noted that respondent failed to proffer any evidence to support his testimony that he was a pauper.

In addition, the district court found that respondent's actions hindered the court's processes and disrupted the administration of justice by delaying the Hirmers' sentencing hearings three months and by forcing the court to appoint two new attorneys 20 months into the Hirmers' case after a lengthy trial in which they did not participate. The district court found that respondent's deliberate unwillingness to comply with the court's orders was nothing short of

willful and contemptuous. The Eleventh Circuit affirmed concluding that, "at a minimum, Dickstein's actions amounted to reckless disregard for the administration of justice, which is sufficient to support a criminal contempt conviction" under *United States v. Burstyn* (11th Cir. 1989) 878 F.2d 1322, 1324.

### **Conviction Referral Proceedings**

In a conviction referral proceeding, the record of an attorney's conviction is "conclusive evidence of [the attorney's] guilt of the crime of which he or she has been convicted." (§ 6101, subd. (a); *In re Gross* (1983) 33 Cal.3d 561, 567.) In other words, the attorney's conviction conclusively establishes all of the elements (and acts) necessary to constitute the offense. (*Chadwick v. State Bar* (1989) 49 Cal.3d 103, 110; *In re Duggan* (1976) 17 Cal.3d 416, 423.) In addition, no evidence may be introduced to contradict this conclusive presumption. (*In the Matter of Respondent O* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 581, 588.) Nor may the respondent attorney in a conviction referral proceeding collaterally attack criminal court's findings. To conclude otherwise would permit matters that have been adjudicated in the criminal courts beyond a reasonable doubt to be relitigated in the State Bar Court under the lower clear-and-convincing-evidence evidentiary standard. (*Ibid.*)

Under controlling federal law, the following three elements are necessary to constitute the offense of criminal contempt: (1) a lawful and reasonably specific order; (2) a violation of the order; and (3) willfulness. (*Romero v. Drummond Co.* (11th Cir. 2007) 480 F.3d 1234, 1242; see also *United States v. Baldwin* (11th Cir. 1985) 770 F.2d 1550, 1557-1558 ["Criminal contempt is established when it is shown that the defendant is aware of a clear and definite court order and willfully disobeys the order."].) Furthermore, an order is reasonably specific if it clearly, definitely, and unambiguously requires or prohibits the action in question. (*United States v. Straub* (11th Cir. 2007) 508 F.3d 1003, 1011.) With respect to whether there is a

violation of the order, extenuating circumstances are irrelevant so long as “the order in question prohibited” the action taken. (*United States v. Cable News Network, Inc.* (S.D. Fla. 1994) 865 F.Supp. 1549, 1556.) Finally, “[w]illfulness means a deliberate or intended violation, as distinguished from an accidental, inadvertent, or negligent violation of an order.” (*United States v. Straub, supra*, 508 F.3d at p. 1012.) Stated differently, the requisite intent is “the knowing failure to obey the court.” (*United States v. Baldwin, supra*, 770 F.2d at p. 1558.)

In sum, for purposes of this State Bar disciplinary proceeding, respondent's conviction conclusively establishes that the district court's September 16, 2009 oral order and the standing order clearly, definitely, and unambiguously prohibited respondent from filing a motion to be relieved as counsel because of the Hirmers' failure to pay his fees; that respondent willfully violated both the September 16, 2009 oral order and the standing order by filing his motion to be relieved as counsel because of the Hirmers' failure to pay him the addition \$308,000 in fees he claims they owe him; and that respondent further willfully violated the standing order because he failed to make financial arrangements with the Hirmers that were sufficient to last him through the end of the Hirmers' case in the district court.

Whether the facts and circumstances surrounding respondent's conviction involve moral turpitude or other misconduct warranting discipline or both are questions of law for the court. In reviewing the circumstances surrounding respondent's conviction, the court is “ ‘not restricted to examining the elements of the crime, but rather may look to the whole course of [respondent's] conduct which reflects upon his fitness to practice law. [Citations.]’ [Citation.] That is because it is the misconduct underlying respondent's conviction, as opposed to the conviction itself, that warrants discipline. [Citation.]” (*In the Matter of Oheb* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920, 935.)

As noted *ante*, the court concludes that facts and circumstances surrounding respondent's commission of the offense of criminal contempt do not involve moral turpitude, but do involve other misconduct warranting discipline. First, the record clearly establishes that respondent willfully violated section 6103, which provides that an attorney's:

willful disobedience or violation of an order of the court requiring him to do or forbear an act connected with or in the course of his profession, which he ought in good faith to do or forbear, ... constitute causes for disbarment or suspension.

Respondent's criminal conduct itself (i.e., his willful violation of the district court's September 16, 2009 oral order and the standing order) establishes that he willfully violated his professional duties under section 6103. The fact that the district court has already punished respondent for his violations of its orders via the law of criminal contempt does not preclude this court or the California Supreme Court from disciplining respondent for his willful violations of section 6103 that are based on the same acts and omissions. The State of California has an independent interest in disciplining respondent for his violations of section 6103 (e.g., maintaining the highest possible professional standards for California attorneys and in preserving the California public's confidence in the profession [std. 1.3; *Chadwick v. State Bar* (1989) 49 Cal.3d 103, 111]). (Cf. § 6049.1 [providing for California disciplinary proceedings based on discipline imposed in another jurisdiction: reciprocal discipline].)

Second, the record clearly establishes that respondent willfully violated State Bar Rules of Professional Conduct, rule 3-700(D)(2), which provides:

A member shall not withdraw from employment until the member has taken reasonable steps to avoid reasonably foreseeable prejudice to the rights of the client, including giving due notice to the client, allowing time for employment of other counsel, complying with rule 3-700(D), and complying with applicable laws and rules.

Respondent willfully violated rule 3-700(A)(2) when he filed his motion to be relieved as counsel for the Hirmers on April 26, 2010, because respondent sought to withdraw and did in

fact withdraw from representing the Hirmers without taking reasonable steps to avoid reasonably foreseeable prejudice to the Hirmers, without giving the Hirmers adequate notice of his need or intent to withdraw, and without allowing sufficient time for the Hirmers to obtain other counsel without delaying their sentencing for three months. Respondent further willfully violated rule 3-700(A)(2) by failing to notify the district court and the Hirmers in January or February 2009 (or soon thereafter) that he had effectively began representing the Hirmers without compensation in January or February 2009 when he exhausted the \$146,000 in advanced fees the Hirmers paid him. Without question, respondent willfully violated rule 3-700(A)(2) by waiting until April 26, 2010, before he notified the court and the Hirmers of his alleged abject poverty and his alleged need to withdraw from representation.

Further, the facts and circumstances surrounding respondent's commission of the offense of criminal contempt involve other misconduct warranting discipline because respondent refused to continue to represent the Hirmers after the district court appointed respondent as the Hirmers' CJA counsel. Under rule 3-700(A)(2), respondent was required to under take reasonable steps (e.g., accepting the CJA appointment) to avoid foreseeable prejudice to the Hirmers (e.g., a three-month delay in their sentencing). Respondent's willful violations of rule 3-700(A)(2) warrant the imposition of discipline by California to further the goals of California's attorney discipline as set forth in standard 1.3.

#### **Aggravation<sup>6</sup>**

The State Bar failed to establish any aggravating circumstance by clear and convincing evidence.

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<sup>6</sup> All references to standards or stds. are to the Rules of Procedure of the State Bar, title IV, Standards for Attorney Sanctions for Professional Misconduct.

## **Mitigation**

Likewise, respondent failed to establish any mitigating circumstance by clear and convincing evidence. The court takes judicial notice of the State Bar of California official membership records and notes that respondent does not have a prior record of discipline in this state. Nonetheless, the court declines to find that respondent's lack of a prior record of discipline in California is a mitigating circumstance in the proceeding because respondent apparently has a prior record of discipline in federal court.<sup>7</sup> (See, e.g., *United States v. Summet* (9th Cir. 1988) 862 F.2d 784 [Ninth Circuit affirmed federal district court's formal censure of respondent and revocation of its order permitting respondent to represent a tax protestor pro hac vice because, during trial, respondent engaged in contemptuous conduct that constituted obstruction of justice]; *United States v. Howell* (D. Kan. 1996) 936 F.Supp.767, 774 [respondent's admission pro hac vice revoked because respondent's pro hac vice application contained materially misleading misrepresentations and omissions].)

## **Discussion**

The purpose of State Bar disciplinary proceedings is not to punish the attorney, but to protect the public, to preserve public confidence in the profession and to maintain the highest possible professional standards for attorneys. (Std. 1.3; *Chadwick v. State Bar* (1989) 49 Cal.3d 103, 111.) In determining the appropriate level of discipline, the court looks first to the standards for guidance. (*Drociak v. State Bar* (1991) 52 Cal.3d 1085, 1090; *In the Matter of Koehler* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 615, 628.) Second, the court looks to decisional law for guidance. (*Snyder v. State Bar* (1990) 49 Cal.3d 1302, 1310-1311; *In the Matter of Taylor* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 563, 580.)

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<sup>7</sup> "A prior record of discipline comprises an authenticated copy of all charges, stipulations, findings and decisions (final or not) reflecting or recommending that discipline be imposed on a party. It may include: (1) records from any jurisdiction stated in Business and Professions Code § 6049.1." (Rules Proc. of State Bar, rule 5.106(A)(1).)

The applicable sanction in the present proceeding is found in standard 2.10, which applies to respondent's violation of rule 3-700(A)(2). (Std. 3.4.) Standard 2.10 provides:

Culpability of a member ... of a wilful violation of any Rule of Professional Conduct not specified in these standards shall result in reproof or suspension according to the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

Citing to *In re Ross* (1990) 51 Cal.3d 451, the State Bar contends that the appropriate level of disipline for the found misconduct in this proceeding includes a six-month period of actual suspension. In *Ross*, the attorney was convicted of two counts of criminal contempt under title 81 United States Code section 401. There the attorney was placed on two years' stayed suspension and two years' probation on conditions including a six-month actual suspension. The opinion in *Ross*, however, does not indicate the nature or extend of the attorney's convictions or of the facts and circumstances surrounding the them. Accordingly, the court does not find *Ross* to be instructive on the issue of discipline in the present proceeding.

Instead, the court finds that *Wren v. State Bar* (1983) 34 Cal.3d 81 provides some guidance on the issue of discipline. In *Wren* the Supreme Court imposed a 45-day actual suspension on the attorney because he failed to communicate with a client, misrepresented the status of a case to the client, failed and refused to perform, failed to use reasonable diligence, and gave false and misleading testimony during the disciplinary hearing in the State Bar Court.

On balance, the court concludes that the appropriate level of discipline in the present proceeding is a 30-day suspension (with no stayed suspension or probation).

### **Recommendations**

#### **Discipline**

The court recommends that respondent JEFFREY ALAN DICKSTEIN, State Bar number 70638, be suspended from the practice of law in the State of California for 30 days.

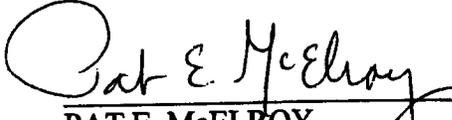
### **Professional Responsibility Examination**

The court also recommends that respondent JEFFREY ALAN DICKSTEIN be ordered to take and pass the Multistate Professional Responsibility Examination (MPRE) administered by the National Conference of Bar Examiners, MPRE Application Department, P.O. Box 4001, Iowa City, Iowa, 52243, (telephone 319-337-1287) and to provide proof of his passage of that examination to the State Bar's Office of Probation in Los Angeles within one year after the effective date of the Supreme Court order in this matter. Failure to pass the MPRE within the specified time may result, without further hearing, in respondent's suspension until passage. (*Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8; but see Cal. Rules of Court, rule 9.10(b); Rules Proc. of State Bar, rules 5.161(A)(2), 5.162(A)&(E).)

### **Costs**

The court also recommends that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and that those costs be enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Dated: November 25, 2013.

  
PATE E. McELROY  
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 San Francisco, On November 25, 2013, I deposited a true copy of the following document(s):

DECISION

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 San Francisco, California, addressed as follows:

JEFFREY ALAN DICKSTEIN  
JEFFREY A. DICKSTEIN  
3263 S ERIE AVE  
TULSA, OK 74135

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

Ross E. Viselman, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on November 25, 2013.

  
Laurretta Cramer  
Case Administrator  
State Bar Court

00032

**FILED**

APR 02 2012

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT

In the Matter of:	)	Case No. 10-C-07932-PEM
	)	
JEFFREY ALAN DICKSTEIN,	)	
	)	
A Member of the State Bar, No. 70638.	)	
_____	)	

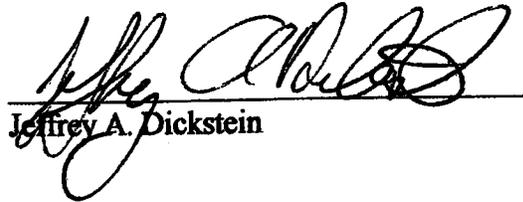
ANSWER

Comes now Jeffrey A. Dickstein, who answers the "Notice to Respondent" filed January 27, 2012, as follows:

1. The address for corresponding with the member is 7027 E. 33rd Street, Tulsa, OK 74145.
2. Admits that he was found guilty of the misdemeanor violation of 18 U.S.C. Sec. 401(3) (criminal contempt) and that said conviction was affirmed on appeal.
3. Denies that said conviction involved moral turpitude or other misconduct warranting discipline in that the conduct for which he was found guilty of contempt was mandated by the Rules of Professional Conduct of the State Bars of California and Florida.
4. Prior to the decision of the District Court, no case law existed holding an attorney guilty of contempt based upon an anticipatory breach of a court order as opposed to an actual violation of a court order.
5. Prior to the decision of the 11th Circuit Court of Appeals holding the mere filing of a motion constituted contempt, existing case law held an attorney who files a motion and waits for the court to rule on said motion does not engage in contemptuous conduct.

00033

Dated: March 30, 2012.

  
Jeffrey A. Dickstein

**AFFIDAVIT OF SERVICE**

I, Chris Dickstein, a person over the age of 18 years and not a party to this action, residing at 7027 E. 33rd Street, Tulsa, OK 74145 in Tulsa County, served by mail in said county, a copy of the foregoing Answer, by depositing in the United States mail, on March 30, 2012, a sealed envelope containing said document with postage thereon fully prepaid, addressed to:

Deputy Trial Counsel William Todd  
State Bar of California  
1149 South Hill Street  
Los Angeles, California 90015-2299

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 30, 2012 at Tulsa, Oklahoma

  
Chris Dickstein

THE STATE BAR OF CALI  
OFFICE OF THE CHIEF TRIAL COUNSEL  
MURRAY B. GREENBERG, No. 142678  
1149 South Hill Street  
Los Angeles, California 90015-2299  
Telephone: (213) 765-1000

**FILED**  
*MOS*  
APR 22 2011

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE ) Case No. 10-C-7932  
CONVICTION OF: )  
) Transmittal of Records of Conviction of Attorney (Bus. & Prof.  
JEFFREY ALAN DICKSTEIN, ) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)  
No. 70638 )  
) [ ] Felony;  
) [ ] Crime(s) involved moral turpitude;  
A Member of the State Bar ) [ ] Probable cause to believe the crime(s) involved moral  
) turpitude;  
) [ X ] Crime(s) which may or may not involve moral turpitude or  
) other misconduct warranting discipline;  
) [ ] Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- [ X ] A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of the Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the State Bar and for such consideration and action as the Court deems appropriate:
- [ X ] B. Notice of Appeal
- [ ] C. Evidence of Finality of Conviction (Notice of Lack of Appeal)
- [ ] D. Other

Name of Member: Jeffrey Alan Dickstein

Date member admitted to practice law in California: December 22, 1976

Member's Address of Record: 6515 S. 93rd East Ave., Apt. H  
Tulsa, OK 74133

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: October 25, 2010

Convicting court: United States District Court, Northern District of Florida

Case number(s): 10MC00063

00035

Crime(s) of which convicted and classification(s): Violation of Title 18 United States Code § 401(3) (Criminal Contempt), one count, a misdemeanor which may or may not involve moral turpitude as in *In re Ross* (1990) 51 Cal. 3d 451.

3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

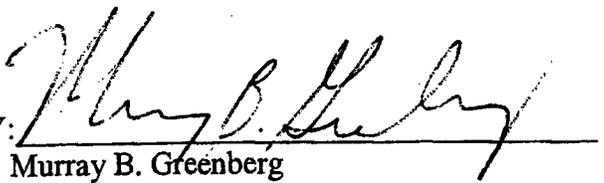
4. Other information to assist the State Bar Court

The State Bar is monitoring Respondent's appeal filed on 10/29/10.

DOCUMENTS TRANSMITTED:

Notice and Order of Criminal Contempt Proceedings  
Bench Trial Minutes of 10/25/10  
Notice of Appeal filed on 10/29/10  
Order and Judgment of Criminal Contempt filed on 11/24/10  
Docket

THE STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL

BY:   
Murray B. Greenberg  
Supervising Trial Counsel

DATED: April 21, 2011

00036

**DECLARATION OF SERVICE BY REGULAR MAIL**

**CASE NUMBER: 10-C-7932**

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California 90015, 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. 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

**Transmittal of Records of Conviction of Attorney  
Notice and Order of Criminal Contempt Proceedings  
Bench Trial Minutes of 10/25/10  
Notice of Appeal filed on 10/29/10  
Order and Judgment of Criminal Contempt filed on 11/24/10  
Docket**

in a sealed envelope placed for collection and mailing as regular mail, at Los Angeles, on the date shown below, addressed to:

**Jeffrey Alan Dickstein  
6515 S. 93rd East Ave., Apt. H  
Tulsa, OK 74133**

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, on the date shown below.

Signed: Mary Ellen Mayer

Date: 4-21-11

00037



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 April 21, 2016

\_\_\_\_\_  
State Bar Court, State Bar of California,  
Los Angeles

By *Charles H. ...*  
Clerk

00038

**Kanterakis, Michael**

---

**From:** Jeff Dickstein <jdlaw47@yahoo.com>  
**Sent:** Thursday, November 19, 2015 9:39 AM  
**To:** Kanterakis, Michael  
**Subject:** Re: State Bar of California - Office of Probation  
**Attachments:** 11-19-2015\_2nd\_Resignation.pdf

Thank you for the e-mail.

Rule 9.21 applies to resignation with charges pending. The disciplinary case is over; the supreme court denied my petition for review thereby ending the case.

In case you have not received it, attached is my second notice of resignation.

I am unable to fathom how anyone in government can compel me to remain a member of the state bar after I quit practicing law.

Furthermore, I have no intention of complying with the conditions of probation since I no longer practice law. The only reason to comply is if I want to continue to practice law.

What are you going to do? Suspend me? Disbar me? Hold me in contempt for choosing not to practice law anymore?

If I could only convey in words how utterly disgusted I am with what passes for law in this country at every level.

We have east german like check points at the airports where one needs traveling papers (a ticket) and government ID to pass.

Every courtroom in America has law enforcement stopping everyone at the entrance in the complete absence of reasonable suspicion for the stop in violation of the Fourth Amendment as pronounced in Terry v. Ohio.

The writ of habeas corpus is gone and people are imprisoned indefinitely and tortured without any trial simply because the government classifies them, a complete violation of the prohibition against bill of attainders.

I could go on and on, but to what point? No one in government seems to give a crap about their oath to support and defend the constitution.

I'm done. I quit several years ago and refuse to any longer enter dens of inequity. Getting close to a courthouse makes the hair on the back of neck stand up.

Jeff Dickstein

---

**From:** "Kanterakis, Michael" <[Michael.Kanterakis@calbar.ca.gov](mailto:Michael.Kanterakis@calbar.ca.gov)>  
**To:** "jdlaw47@yahoo.com" <[jdlaw47@yahoo.com](mailto:jdlaw47@yahoo.com)>  
**Sent:** Thursday, November 19, 2015 11:18 AM  
**Subject:** State Bar of California - Office of Probation

Mr. Dickstein,

I've been forwarded your e-mail chain of November 17 and 18, 2015 regarding your desire to resign from the State Bar of California.

Although the Office of Probation does not handle requests for resignation, the information you received in the response from Louise Turner was correct.

"We ask that you please submit a resignation letter, with an original, hand-written signature, according to the instructions in California Rule of Court 9.21, the link to which is below. Your resignation will be sent to the State Bar Court Review Department, which has the authority to either to decline it, or accept it and recommend it for confirmation by the Supreme Court of California.

[http://www.courts.ca.gov/cms/rules/index.cfm?title=nine&linkid=rule9\\_21](http://www.courts.ca.gov/cms/rules/index.cfm?title=nine&linkid=rule9_21)

**IMPORTANT NOTE:** Rule 9.21 has not been amended since the State Bar Court, in our Los Angeles Office, moved from 1149 South Hill Street.

Please mail your letter to their **new address**:

Office of the Clerk, State Bar Court  
State Bar of California  
845 S. Figueroa Street  
Los Angeles, CA 90017"

You are also reminded to comply with the court order on your disciplinary matter unless/until you receive a Supreme Court Order modifying it or granting your resignation. The Office of Probation has not yet received a copy of the Supreme Court Order on State Bar Court Case No. 10-C-7932; when I do, I will send you a letter reminding you of the conditions ordered. If you have any other questions, please reply to this e-mail.

--  
Michael Angelo Kanterakis | Probation Deputy  
[The State Bar of California](http://www.calbar.ca.gov) | 845 S. Figueroa St. | Los Angeles, CA 90017  
213.765.1410 | [michael.kanterakis@calbar.ca.gov](mailto:michael.kanterakis@calbar.ca.gov)

*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.*

JEFFREY A. DICKSTEIN  
3263 S Erie Ave  
Tulsa, OK 74135  
(918) 271-3374

November 18, 2015

Office of the Clerk, State Bar Court  
State Bar of California  
845 S. Figueroa Street  
Los Angeles, CA 90017

Re: Second Notice of Resignation from State Bar of California  
State Bar No. 70638

To whom it may concern

I ceased practicing law in January, 2011. I sent my first NOTICE OF RESIGNATION to the State Bar in California, via certified mail No. Z 416 168 248.

Despite having sent in my resignation, the State Bar of California ignored it, and continued to bill me for membership. On May 26, 2011 the California Supreme Court suspended me for non-payment of membership dues. Such suspension continues in effect.

Subsequent to receipt of my NOTICE OF RESIGNATION, the State Bar commenced "conviction proceedings" in Case No. 10-C-7932 as a result of a misdemeanor criminal contempt by the Northern District of Florida federal court, which contempt was premised upon my filing a motion mandated to be filed by the California Rules of Professional Conduct.

The misdemeanor criminal contempt did not involve "moral turpitude" according the OCTC, the Hearing Department and the Review Department.

Rather than dismiss the case pursuant to statutory mandate found in Section 6102(e), and in violation of *In re Paguirigan*, 25 Cal.4th 1 (2001) holding the State Bar Court cannot conduct non-statutory prescribed hearings, the State Bar Court held a hearing on the issue of "other misconduct warranting discipline."

Despite numerous attempts to ascertain what that other misconduct was, and despite the Hearing Department's conclusion that I was not given any notice allowing me to mount a defense, I was found guilty of some as of yet unspecified other misconduct.

Such finding was and is premised solely upon the unbridled discretion of the decision maker. The judicial exercise of unbridled discretion violates the requirements of due process of law and results in a Kangaroo Court. See *In re Gault*, 387 U.S. 1, 28 (1967).

00003

State Bar of California

November 19, 2015

Page -2-

On November 10, 2015, the California Supreme Court denied my petition for review, thereby concluding the disciplinary action against me. There exists, therefore, a complete record of my so called unethical conduct necessary to protect the public from any future attempt of me to seek membership in any bar of the country, state or federal.

The California Supreme Court sustained the recommendation of the State Bar Court and placed me on probation with conditions. As a result, I am currently under suspension for 30 days and required, within two years, to attend State Bar Ethics School and pass the Multistate Professional Responsibility Examination.

The State Bar Court, as well as the California Supreme Court, has totally failed to take into account that I ceased practicing law in January, 2011.

I have no intention whatsoever of taking any steps to remain a member of the State Bar of California.

An individual who does not practice law and does not hold himself out to the public as being authorized to practice law has no reason to be licensed, just as an individual who does not currently fly an airplane does not require a pilot's license from the FAA, even if he at one time was so licensed.

Whether or not an individual chooses to practice law is a voluntary choice of freedom. While the State of California, in the interest of "protecting the public," may require those individuals who choose to practice law to be vetted and licensed, neither the State of California, nor the California Supreme Court, can compel an individual who no longer chooses to practice law to maintain membership in the State Bar of California.

The freedom to associate with a licensing authority also presupposes the freedom to not associate when the license is no longer required nor wanted. See *Boy Scouts of America, et al. v Dale*, 530 U.S. 640, 647-48 (2000).

In that I have ceased practicing law in January, 2011, I have no clients to notify of my resignation and am not involved as an attorney of record, or otherwise, in any court in any jurisdiction, and therefore no requirement to notify such courts pursuant to Rule 9.21, even assuming this resignation is deemed to be one while disciplinary charges are pending. I do not accept that Rule 9.21 is even applicable as the disciplinary proceeding is now final. So too, there is no need to reach an agreement as to stipulated facts with the Chief Trial Counsel.

While I do not believe that I need permission from the State of California, the State Bar of California, nor the California Supreme Court to resign from the State Bar of California, nor be required to jump through any hoops to exercise my freedom not to practice law, apparently you

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State Bar of California  
November 19, 2015  
Page -3-

all do so believe, so I am submitting this second, original signed resignation.

I hereby demand that you forthwith strike my name as being a member of the State Bar of California, if not nunc pro tunc to January, 2011, effective immediately.

---

Jeffrey Alan Dickstein  
Bar No. 70638

cc: California Supreme Court

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## **Kanterakis, Michael**

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**From:** Jeff Dickstein <jdlaw47@yahoo.com>  
**Sent:** Tuesday, November 24, 2015 12:24 PM  
**To:** Kanterakis, Michael  
**Subject:** Re: State Bar of California - Office of Probation

Mr. Kanterakis,

I guess you have some difficulty understanding English.

Please re-read all previous e-mails from me, or hire an interpreter in case what I have said in those e-mails is not perfectly clear.

No meetings, no compliance, no nothing. I am 100% done with the State Bar of California, and what passes for law in the country today.

Jeff Dickstein

---

**From:** "Kanterakis, Michael" <Michael.Kanterakis@calbar.ca.gov>  
**To:** 'Jeff Dickstein' <jdlaw47@yahoo.com>  
**Sent:** Tuesday, November 24, 2015 1:52 PM  
**Subject:** RE: State Bar of California - Office of Probation

Mr. Dickstein:

The Office of Probation cannot provide legal advice regarding how you comply or a comparison of the effects of resignation as opposed to disbarment.

The Office of Probation's role is to monitor your compliance with the terms and conditions of your discipline. As set forth previously, when an attorney does not comply, a referral may be prepared, which may result in additional discipline, including the possibility of disbarment, with attendant costs.

The Office of Probation is sending a courtesy reminder letter today regarding your discipline in matter S228801. Please call me at (213) 765 – 1410 after reviewing the letter to schedule the required meeting.

--  
Michael Angelo Kanterakis | Probation Deputy  
The State Bar of California | 845 S. Figueroa St. | Los Angeles, CA 90017  
213.765.1410 | [michael.kanterakis@calbar.ca.gov](mailto:michael.kanterakis@calbar.ca.gov)

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**From:** Jeff Dickstein [mailto:jdlaw47@yahoo.com]  
**Sent:** Tuesday, November 24, 2015 7:57 AM  
**To:** Kanterakis, Michael  
**Subject:** Re: State Bar of California - Office of Probation

Of course the State Bar requires compliance with Rule 9.21 because it allows you all to charge an additional \$5,000 in costs, even though such compliance is totally unnecessary to preserve any conditions associated with compliance with the rule before the disciplinary proceeding is completed; i.e., a record to be used against the attorney should he wish to attempt to obtain membership in another bar.

What compliance is necessary now? I have no clients nor courts to notify. Do you think the office of chief trial counsel is going to stipulate to anything other than has now been decided by the Review Dept and affirmed by the Supreme Court?

I am never going to admit to any wrong doing. All I did was file a motion mandated by the rules of professional conduct.

The scam proceeding against me, finding me guilty of unspecified conduct even though the Supreme Court has held the State Bar has no discretion to conduct a hearing but must comply with Section 6102(e), was clearly designed to extract, and now extort, another \$17,000 from me.

I have been attempting to end my association with the State Bar for several years. Isn't disbarment the same thing? I don't care how my association with you is terminated; I just want it clear that I no longer want to have anything to do with you all or what passes for law.

Finally, my entire source of income is from Social Security which is exempt from seizure. The threat of more costs is meaningless to me.

My only question is how can a person with morals and ethics who took an oath to support and defend the constitution actually work for the State Bar of California?

Jeff Dickstein

---

**From:** "Kanterakis, Michael" <[Michael.Kanterakis@calbar.ca.gov](mailto:Michael.Kanterakis@calbar.ca.gov)>  
**To:** 'Jeff Dickstein' <[jdlaw47@yahoo.com](mailto:jdlaw47@yahoo.com)>  
**Sent:** Tuesday, November 24, 2015 9:34 AM  
**Subject:** RE: State Bar of California - Office of Probation

Mr. Dickstein,

Although the Office of Probation cannot provide legal advice, it has been my observation that attorneys on probation are required to comply with Rule 9.21. To respond to your questions below, non-compliance with disciplinary conditions may be referred which may result in additional discipline, including the possibility of disbarment, and attendant costs. If you have any other questions, please reply to this e-mail.

--  
Michael Angelo Kanterakis | Probation Deputy  
The State Bar of California | 845 S. Figueroa St. | Los Angeles, CA 90017  
213.765.1410 | [michael.kanterakis@calbar.ca.gov](mailto:michael.kanterakis@calbar.ca.gov)

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**From:** Jeff Dickstein [<mailto:jdlaw47@yahoo.com>]  
**Sent:** Thursday, November 19, 2015 9:39 AM  
**To:** Kanterakis, Michael  
**Subject:** Re: State Bar of California - Office of Probation

Thank you for the e-mail.

Rule 9.21 applies to resignation with charges pending. The disciplinary case is over; the supreme court denied my petition for review thereby ending the case.

In case you have not received it, attached is my second notice of resignation.

I am unable to fathom how anyone in government can compel me to remain a member of the state bar after I quit practicing law.

Furthermore, I have no intention of complying with the conditions of probation since I no longer practice law. The only reason to comply is if I want to continue to practice law.

What are you going to do? Suspend me? Disbar me? Hold me in contempt for choosing not to practice law anymore?

If I could only convey in words how utterly disgusted I am with what passes for law in this country at every level.

We have east german like check points at the airports where one needs traveling papers (a ticket) and government ID to pass.

Every courtroom in America has law enforcement stopping everyone at the entrance in the complete absence of reasonable suspicion for the stop in violation of the Fourth Amendment as pronounced in Terry v. Ohio.

The writ of habeas corpus is gone and people are imprisoned indefinitely and tortured without any trial simply because the government classifies them, a complete violation of the prohibition against bill of attainders.

I could go on and on, but to what point? No one in government seems to give a crap about their oath to support and defend the constitution.

I'm done. I quit several years and refuse to any longer enter of inequity. Getting close to a courthouse makes the hair on the back of neck stand up.

Jeff Dickstein

---

**From:** "Kanterakis, Michael" <[Michael.Kanterakis@calbar.ca.gov](mailto:Michael.Kanterakis@calbar.ca.gov)>  
**To:** "jdlaw47@yahoo.com" <[jdlaw47@yahoo.com](mailto:jdlaw47@yahoo.com)>  
**Sent:** Thursday, November 19, 2015 11:18 AM  
**Subject:** State Bar of California - Office of Probation

Mr. Dickstein,

I've been forwarded your e-mail chain of November 17 and 18, 2015 regarding your desire to resign from the State Bar of California.

Although the Office of Probation does not handle requests for resignation, the information you received in the response from Louise Turner was correct.

"We ask that you please submit a resignation letter, with an original, hand-written signature, according to the instructions in California Rule of Court 9.21, the link to which is below. Your resignation will be sent to the State Bar Court Review Department, which has the authority to either to decline it, or accept it and recommend it for confirmation by the Supreme Court of California.

[http://www.courts.ca.gov/cms/rules/index.cfm?title=nine&linkid=rule9\\_21](http://www.courts.ca.gov/cms/rules/index.cfm?title=nine&linkid=rule9_21)

**IMPORTANT NOTE:** Rule 9.21 has not been amended since the State Bar Court, in our Los Angeles Office, moved from 1149 South Hill Street.

Please mail your letter to their **new address:**

Office of the Clerk, State Bar Court  
State Bar of California  
845 S. Figueroa Street  
Los Angeles, CA 90017"

You are also reminded to comply with the court order on your disciplinary matter unless/until you receive a Supreme Court Order modifying it or granting your resignation. The Office of Probation has not yet received a copy of the Supreme Court Order on State Bar Court Case No. 10-C-7932; when I do, I will send you a letter reminding you of the conditions ordered. If you have any other questions, please reply to this e-mail.

--  
Michael Angelo Kanterakis | Probation Deputy  
The State Bar of California | 845 S. Figueroa St. | Los Angeles, CA 90017  
213.765.1410 | [michael.kanterakis@calbar.ca.gov](mailto:michael.kanterakis@calbar.ca.gov)

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**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

FAX: (213) 765-1439

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

**Michael Angelo Kanterakis: (213) 765-1410**

**Michael.Kanterakis@calbar.ca.gov**

November 24, 2015

Jeffrey Alan Dickstein  
3263 S Erie Ave  
Tulsa, OK 74135

**OFFICE OF PROBATION**

**ADDRESS VERIFIED**

**November 24, 2015**

BY: 

Courtesy Address:  
Jeffrey A. Dickstein  
1 Webb Ln  
Bella Vista, AR 72714

In re: **S228801**

In the Matter of **Jeffrey Alan Dickstein**

Dear Jeffrey Alan Dickstein:

This reminder 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. If this is incorrect, please complete the Notice of Counsel Representation form and submit to the Office of Probation within **five days** so that future communications may be directed to your counsel.

As you know, on November 10, 2015, the Supreme Court of California filed an Order, effective December 10, 2015, 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. Further, pursuant to the Order of the Court, you have been placed on actual suspension for the first 30 days of your probation.<sup>1</sup>

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

Rule of Professional Conduct 1-311 requires that a firm or attorney who employs an attorney who is disbarred, resigned, suspended or involuntarily enrolled inactive, provide certain notices to the State Bar and to clients. While there is no prescribed form, in order to assist attorneys to comply with the rule, the State Bar has created notices for the employer's use. If you are or become employed by an attorney or a law firm, please remind your employer of this requirement. Forms are available at the State Bar website under Attorney Forms/Reportable Actions or you may contact the Intake Unit, Office of the Chief Trial Counsel, at (213) 765-1000.

<sup>1</sup> 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.

**You must schedule a meeting with me to discuss the terms and conditions of your discipline within 30 days from the effective date of discipline. Make sure you read this letter including all attachments before the required meeting.**

By court order, you must take and pass the Multi-State Professional Responsibility Examination (MPRE) and provide satisfactory proof of such passage to the Office of Probation during the period of your actual suspension. Satisfactory proof requires that you (1) select California as the jurisdiction to receive your score report, and (2) send a copy of your score release to the Office of Probation. 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 if you do not receive a passing score. The passing scaled score is 86. The MPRE is only offered three (3) times a year, but you may not have three chances to take the MPRE by your particular deadline. Failure to provide proof of passage of this examination by the due date may result in your 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.)

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 a Quarterly Report form for your use. The Office of Probation will not provide you multiple copies of the courtesy Quarterly Report form. Should you happen to lose your Quarterly Report form, you must submit your request for a copy in writing explaining why you could not maintain a copy for yourself.

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.

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 proof of compliance must be received in the Office of Probation by your due date. **Being even one day late** means that you are **NOT** in compliance.

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)**

- |   |                                     |
|---|-------------------------------------|
| 1. Contact Probation Deputy & Schedule Required Meeting | January 9, 2016                     |
| 2. Quarterly Reports                                    | Quarterly, beginning April 10, 2016 |
| 3. State Bar Ethics School                              | December 10, 2016                   |
| 4. MPRE   | During period of actual suspension  |
| 5. Final Report   | December 10, 2017                   |

Jeffrey Alan Dickstein  
November 24, 2015  
Page 3

You are reminded that all Quarterly Reports are due **on or before the 10<sup>th</sup> day** after the end of each quarter. Your Final Report is due on or before **December 10, 2017**.

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 name, office address and telephone number, or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code. The Office of Probation will only send documents to your official membership records address.

Further, please be 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. **Request 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, et seq. 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.

Enclosed are copies of the Supreme Court Order and conditions of probation, which you have already received from the Courts or your counsel, Multi-State Professional Responsibility Examination schedule, Quarterly Report with instructions, and Notice of Counsel Representation form. Also enclosed is scheduling and enrollment information for the State Bar's Ethics School.

It is recommended that you maintain a file containing all orders as well as communication between the Office of Probation and yourself. Keep your file in a convenient location so that if you have contact with the Office of Probation, any question can be quickly addressed.

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.

Sincerely,



Michael Angelo Kanterakis  
Probation Deputy

/mak  
Enclosures

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NOV 10 2015

State Bar Court No. 10-C-07932

S228801

Frank A. McGuire Clerk

Deputy

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

In re JEFFREY ALAN DICKSTEIN on Discipline.

The petition for review is denied.

The court orders that Jeffrey Alan Dickstein, State Bar Number 70638, 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. Jeffrey Alan Dickstein is suspended from the practice of law for the first 30 days of probation;
2. Jeffrey Alan Dickstein must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on July 15, 2015; and
3. At the expiration of the period of probation, if Jeffrey Alan Dickstein has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Jeffrey Alan Dickstein must take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles 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.

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 NOV 10 2015 20

Clerk

By:

Deputy

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involved two clients in a single matter and considering that his mitigation balances the aggravation, a 30-day suspension properly falls at the low end of the discipline range suggested by standard 2.8(a). (See Std. 1.2(c)(1) ["Actual suspension is generally for a period of thirty days, sixty days, ninety days, six months, one year, eighteen months, two years, or three years"].)

OCTC requests that, even if we affirm the 30-day suspension, we include a one-year stayed suspension and two years of probation in our recommendation. This point has merit. Given Dickstein's lack of insight, probation is particularly important to serve the critical purpose of protecting the public. (*In the Matter of Rose* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 646, 652.) Moreover, it "permits the State Bar to monitor [Dickstein's] compliance with professional standards" and ensures his rehabilitation is well established. (*Ritter v. State Bar* (1985) 40 Cal.3d 595, 605; see also *Rodgers v. State Bar* (1989) 48 Cal.3d 300, 319.) Dickstein's overall misconduct resulting in his criminal contempt conviction calls for a stayed suspension and a probation period, in addition to the 30-day actual suspension recommended by the hearing judge.

## VI. RECOMMENDATION

For the foregoing reasons, we recommend that Jeffrey Alan Dickstein be suspended from the practice of law for one year, that execution of that suspension be stayed, and that he be placed on probation for two years on the following conditions:

1. He must be suspended from the practice of law for the first 30 days of the period of his probation.
2. He must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation.
3. Within 10 days of any change in the information required to be maintained on the membership records of the State Bar pursuant to Business and Professions Code section 6002.1, subdivision (a), including his current office address and telephone number, or if no office is maintained, the address to be used for State Bar purposes, he must report such change in writing to the Membership Records Office and the State Bar Office of Probation.

4. Within 30 days after the effective date of discipline, he must contact the Office of Probation and schedule a meeting with his assigned probation deputy to discuss the terms and conditions of probation. Upon the direction of the Office of Probation, he must meet with the probation deputy either in person or by telephone. During the period of probation, he must promptly meet with the probation deputy as directed and upon request.
5. He 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, he must state whether he has complied with the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation during the preceding calendar quarter. In addition to all quarterly reports, a final report, containing the same information, is due no earlier than 20 days before the last day of the probation period and no later than the last day of the probation period.
6. Subject to the assertion of applicable privileges, he must answer fully, promptly, and truthfully, any inquiries of the Office of Probation that are directed to him personally or in writing, relating to whether he is complying or has complied with the conditions contained herein.
7. Within one year after the effective date of the discipline herein, he must submit to the Office of Probation satisfactory evidence of completion of the State Bar's Ethics School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and he shall not receive MCLE credit for attending Ethics School. (Rules Proc. of State Bar, rule 3201.)

The period of probation will commence on the effective date of the Supreme Court order imposing discipline in this matter. At the expiration of the period of probation, if Dickstein has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

#### **VII. PROFESSIONAL RESPONSIBILITY EXAMINATION**

We further recommend that Dickstein be ordered to take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year of the effective date of the Supreme Court order in this matter and to provide satisfactory proof of such passage to the Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

# MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION (“MPRE”)

## 2016 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](http://www.ncbex.org)**

**Registration opens on Monday, December 14, 2015**

Test Dates*	Regular Registration Deadline (\$84)*	Late Registration Deadline (\$168)*	Scores Tentatively Released by
Saturday, March 19, 2016	January 28, 2016	February 4, 2016	April 23, 2016
Saturday, August 13, 2016	June 23, 2016	June 30, 2016	September 17, 2016
Saturday, November 5, 2016	September 15, 2016	September 22, 2016	December 10, 2016

1. The MPRE fee for applications received on or before the regular receipt deadline is \$84. The MPRE fee for applications received after the regular receipt deadline but before the late receipt deadline is \$168.
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 11/17/15*

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<p><b>IN THE MATTER OF</b>  <b>Jeffrey Alan Dickstein</b></p> <p><b>CASE NO(s): S228801</b></p> <p><b>Probation</b></p>	<p><i>(For Office of Probation Use Only)</i></p>
---	--

**QUARTERLY REPORT**

*For each report, mark the box for the correct reporting period and write the correct year.*

**First Report Due: April 10, 2016**  
(for period December 10, 2015 through March 31, 2016)

**Final Report Due: December 10, 2017**  
(for period October 1, 2017 through December 10, 2017)

**Due:**  **January 10, 20\_\_**  **April 10, 20\_\_**  **July 10, 20\_\_**  **October 10, 20\_\_**  
(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)

*Make sufficient copies of this form for future use and transmit reports to the State Bar of California, Attn: Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515, or Fax at (213) 765-1439, or e-mail at Michael.Kanterakis@calbar.ca.gov*

*Place an "X" before each of the statements below that applies to you:*

**Compliance with State Bar Act and Rules**

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

**Or**

During the reporting period above, I have complied with all provisions of the State Bar Act, Rules of Professional Conduct, and all conditions of probation **EXCEPT** (please list **specific violations**):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (attach declaration under penalty of perjury if more space is needed).

**Report on SBC Proceedings**

During the reporting period above, I had proceedings pending against me in the State Bar Court. The case number(s), and current status is as follows:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**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.

**Suspension**

- I did not practice law at any time during the reporting period noted above or applicable portion thereof during which I was suspended pursuant to the Supreme Court order in this case.

**State Bar Ethics School**

- I have registered for the State Bar Ethics School course given on \_\_\_\_\_.
- I have completed the State Bar Ethics School course given on \_\_\_\_\_.  
A copy of my certificate of completion is attached if not previously submitted.

**Multi-State Professional Responsibility Examination**

- I have registered for the MPRE given on \_\_\_\_\_.
- I have taken the MPRE given on \_\_\_\_\_ and am awaiting the results.
- I passed the MPRE given on \_\_\_\_\_. A copy of my results is attached if not previously submitted.
- I did not pass the MPRE given on \_\_\_\_\_ and have re-scheduled to take the examination given on \_\_\_\_\_.

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 of signature)

Signature: \_\_\_\_\_  
Jeffrey Alan Dickstein

**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**. 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 is not compliant if it does not cover the entire reporting period.
5. Your signed and dated report must be **received in the Office of Probation** on or before the 10<sup>th</sup> of January, April, July, and October. For all conditions, being **even one day late** means that you are **not** in compliance.

REPORTING PERIOD	REPORT TO BE RECEIVED IN THE OFFICE OF PROBATION BY
January 1- March 31	April 10 <sup>th</sup>
April 1 - June 30	July 10 <sup>th</sup>
July 1 - September 30	October 10 <sup>th</sup>
October 1 - December 31	January 10 <sup>th</sup>

6. 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 a compliant report in to the Office of Probation by the 10<sup>th</sup>, and because the **Office of Probation does NOT confirm receipt of compliance documents**, you may choose to send your reports in a manner that provides you with proof of delivery, e.g. fax, e-mail, certified mail, etc.
8. You must keep all original reports, compliance documents, and proof of delivery and provide such to the Office of Probation if requested.
9. The Office of Probation files your report and compliance document as of the date it is received, and **NOT** the date you send it.
10. 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.**
11. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.
12. 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 you have any questions regarding this information, please contact Michael Angelo Kanterakis in the Office of Probation at [Michael.Kanterakis@calbar.ca.gov](mailto:Michael.Kanterakis@calbar.ca.gov) or (213)765-1410.

**OFFICE OF PROBATION  
NOTICE OF COUNSEL REPRESENTATION**

Respondent: Jeffrey Alan Dickstein

State Bar Case #: S228801

Member Number: 70638

Counsel Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Respondent Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Counsel Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please complete, sign and return this form to the Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515.

## State Bar of California

# 2015 Ethics/Client Trust Accounting ("CTA") School Schedules

<b>LOS ANGELES</b>			
<b>845 S. Figueroa Street</b>			
<b>Class</b>	<b>Day</b>	<b>Date</b>	<b>Time</b>
Ethics	Thurs	02/19	9a - 4p
CTA	Fri	02/20	9a - 12p
Ethics	Thurs	05/07	9a - 4p
CTA	Fri	05/08	9a - 12p
Ethics	Thurs	06/04	9a - 4p
CTA	Fri	06/05	9a - 12p
Ethics	Thurs	08/20	9a - 4p
CTA	Fri	08/21	9a - 12p
Ethics	Thurs	09/17	9a - 4p
CTA	Fri	09/18	9a - 12p
Ethics	Thurs	10/22	9a - 4p
CTA	Fri	10/23	9a - 12p
Ethics	Thurs	12/10	9a - 4p
CTA	Fri	12/11	9a - 12p

<b>SAN FRANCISCO</b>			
<b>180 Howard Street</b>			
<b>Class</b>	<b>Day</b>	<b>Date</b>	<b>Time</b>
Ethics	Thurs	03/12	9a - 4p
CTA	Fri	03/13	9a - 12p
Ethics	Thurs	06/18	9a - 4p
CTA	Fri	06/19	9a - 12p
Ethics	Thurs	09/17	9a - 4p
CTA	Fri	09/18	9a - 12p
Ethics	Thurs	12/03	9a - 4p
CTA	Fri	12/04	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](http://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 at any time, please check the State Bar website for current information.*

*Revised 10/28/14*



THE STATE BAR  
OF CALIFORNIA

845 S. 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

# 2016 Ethics/Client Trust Accounting ("CTA") School Schedules

<b>LOS ANGELES</b>			
845 S. Figueroa Street			
Class	Day	Date	Time
Ethics	Thurs	02/11	9a - 4p
CTA	Fri	02/12	9a - 12p
Ethics	Thurs	04/07	9a - 4p
CTA	Fri	04/08	9a - 12p
Ethics	Thurs	06/09	9a - 4p
CTA	Fri	06/10	9a - 12p
Ethics	Thurs	08/04	9a - 4p
CTA	Fri	08/05	9a - 12p
Ethics	Thurs	10/06	9a - 4p
CTA	Fri	10/07	9a - 12p
Ethics	Thurs	12/15	9a - 4p
CTA	Fri	12/16	9a - 12p

<b>SAN FRANCISCO</b>			
180 Howard Street			
Class	Day	Date	Time
Ethics	Thurs	02/18	9a - 4p
CTA	Fri	02/19	9a - 12p
Ethics	Thurs	04/21	9a - 4p
CTA	Fri	04/22	9a - 12p
Ethics	Thurs	06/23	9a - 4p
CTA	Fri	06/24	9a - 12p
Ethics	Thurs	08/18	9a - 4p
CTA	Fri	08/19	9a - 12p
Ethics	Thurs	10/20	9a - 4p
CTA	Fri	10/21	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](http://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 at any time, please check the State Bar website for current information.*

Revised 09/21/15

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THE STATE BAR  
OF CALIFORNIA

845 S. 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 Ethics/CTA School Information

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

**LOS ANGELES**  
845 S. 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, Attention: Office of Probation, 845 S. Figueroa Street, Los Angeles, CA 90017-2515.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos  
Administrative Secretary

Enc.

Revised 09/21/15

00026



THE STATE BAR  
OF CALIFORNIA

845 S. 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 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, 845 S. Figueroa Street, Los Angeles, CA, 90017-2515, attention: Letty Ramos, Office of the Chief Trial Counsel. 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 by fax at (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](http://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.**

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THE STATE BAR OF CALIFORNIA  
OFFICE OF PROBATION  
845 S. Figueroa Street  
Los Angeles, CA 90017-2515

PERSONAL & CONFIDENTIAL

DEC 01 2015

RECEIVED  
OFFICE OF PROBATION  
LOS ANGELES

Jeffrey A. Dickstein  
1 Webb Ln  
Bella Vista, CA 90004

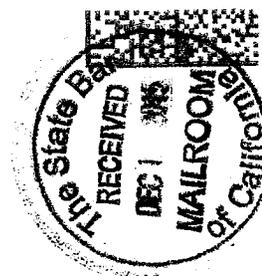
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11/24/2015

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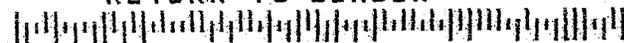
ZIP 90017  
011E12650145



X 918 N7E 100961410211/24/15  
FORWARD TIME EXP RTN TO SEND  
DICKSTEIN JEFFREY  
3263 S ERIE AVE  
TULSA OK 74135-5243

RETURN TO SENDER

72740125271200





**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

FAX: (213) 765-1439

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

**Michael Angelo Kanterakis: (213) 765-1410**

**Michael.Kanterakis@calbar.ca.gov**

November 24, 2015

Jeffrey Alan Dickstein  
3263 S Erie Ave  
Tulsa, OK 74135

**OFFICE OF PROBATION  
ADDRESS VERIFIED  
November 24, 2015**

Courtesy Address:  
Jeffrey A. Dickstein  
1 Webb Ln  
Bella Vista, AR 72714

BY: 

In re: **S228801**

In the Matter of **Jeffrey Alan Dickstein**

Dear Jeffrey Alan Dickstein:

This reminder 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. If this is incorrect, please complete the Notice of Counsel Representation form and submit to the Office of Probation within five days so that future communications may be directed to your counsel.

As you know, on November 10, 2015, the Supreme Court of California filed an Order, effective December 10, 2015, 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. Further, pursuant to the Order of the Court, you have been placed on actual suspension for the first 30 days of your probation.<sup>1</sup>

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

Rule of Professional Conduct 1-311 requires that a firm or attorney who employs an attorney who is disbarred, resigned, suspended or involuntarily enrolled inactive, provide certain notices to the State Bar and to clients. While there is no prescribed form, in order to assist attorneys to comply with the rule, the State Bar has created notices for the employer's use. If you are or become employed by an attorney or a law firm, please remind your employer of this requirement. Forms are available at the State Bar website under Attorney Forms/Reportable Actions or you may contact the Intake Unit, Office of the Chief Trial Counsel, at (213) 765-1000.

<sup>1</sup> 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.

**You must schedule a meeting with me to discuss the terms and conditions of your discipline within 30 days from the effective date of discipline. Make sure you read this letter including all attachments before the required meeting.**

By court order, you must take and pass the Multi-State Professional Responsibility Examination (MPRE) and provide satisfactory proof of such passage to the Office of Probation during the period of your actual suspension. Satisfactory proof requires that you (1) select California as the jurisdiction to receive your score report, and (2) send a copy of your score release to the Office of Probation. 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 if you do not receive a passing score. The passing scaled score is 86. The MPRE is only offered three (3) times a year, but you may not have three chances to take the MPRE by your particular deadline. Failure to provide proof of passage of this examination by the due date may result in your 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.)

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 a Quarterly Report form for your use. The Office of Probation will not provide you multiple copies of the courtesy Quarterly Report form. Should you happen to lose your Quarterly Report form, you must submit your request for a copy in writing explaining why you could not maintain a copy for yourself.

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.

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 proof of compliance must be received in the Office of Probation by your due date. **Being even one day late** means that you are **NOT** in compliance.

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)**

- |   |                                     |
|---|-------------------------------------|
| 1. Contact Probation Deputy & Schedule Required Meeting | January 9, 2016                     |
| 2. Quarterly Reports                                    | Quarterly, beginning April 10, 2016 |
| 3. State Bar Ethics School                              | December 10, 2016                   |
| 4. MPRE   | During period of actual suspension  |
| 5. Final Report   | December 10, 2017                   |

Jeffrey Alan Dickstein  
November 24, 2015  
Page 3

You are reminded that all Quarterly Reports are due **on or before the 10<sup>th</sup> day** after the end of each quarter. Your Final Report is due on or before **December 10, 2017**.

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 name, office address and telephone number, or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code. The Office of Probation will only send documents to your official membership records address.

Further, please be 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. **Request 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, et seq. 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.

Enclosed are copies of the Supreme Court Order and conditions of probation, which you have already received from the Courts or your counsel, Multi-State Professional Responsibility Examination schedule, Quarterly Report with instructions, and Notice of Counsel Representation form. Also enclosed is scheduling and enrollment information for the State Bar's Ethics School.

It is recommended that you maintain a file containing all orders as well as communication between the Office of Probation and yourself. Keep your file in a convenient location so that if you have contact with the Office of Probation, any question can be quickly addressed.

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.

Sincerely,



Michael Angelo Kanterakis  
Probation Deputy

/mak  
Enclosures

00032

NOV 10 2015

State Bar Court No. 10-C-07932

S228801

Frank A. McGuire Clerk

Deputy

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

---

In re JEFFREY ALAN DICKSTEIN on Discipline.

---

The petition for review is denied.

The court orders that Jeffrey Alan Dickstein, State Bar Number 70638, 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. Jeffrey Alan Dickstein is suspended from the practice of law for the first 30 days of probation;

2. Jeffrey Alan Dickstein must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on July 15, 2015; and

3. At the expiration of the period of probation, if Jeffrey Alan Dickstein has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Jeffrey Alan Dickstein must take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles 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.

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 NOV 10 2015 20

By:   
Deputy

00033

involved two clients in a single matter and considering that his mitigation balances the aggravation, a 30-day suspension properly falls at the low end of the discipline range suggested by standard 2.8(a). (See Std. 1.2(c)(1) ["Actual suspension is generally for a period of thirty days, sixty days, ninety days, six months, one year, eighteen months, two years, or three years"].)

OCTC requests that, even if we affirm the 30-day suspension, we include a one-year stayed suspension and two years of probation in our recommendation. This point has merit. Given Dickstein's lack of insight, probation is particularly important to serve the critical purpose of protecting the public. (*In the Matter of Rose* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 646, 652.) Moreover, it "permits the State Bar to monitor [Dickstein's] compliance with professional standards" and ensures his rehabilitation is well established. (*Ritter v. State Bar* (1985) 40 Cal.3d 595, 605; see also *Rodgers v. State Bar* (1989) 48 Cal.3d 300, 319.) Dickstein's overall misconduct resulting in his criminal contempt conviction calls for a stayed suspension and a probation period, in addition to the 30-day actual suspension recommended by the hearing judge.

## VI. RECOMMENDATION

For the foregoing reasons, we recommend that Jeffrey Alan Dickstein be suspended from the practice of law for one year, that execution of that suspension be stayed, and that he be placed on probation for two years on the following conditions:

1. He must be suspended from the practice of law for the first 30 days of the period of his probation.
2. He must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation.
3. Within 10 days of any change in the information required to be maintained on the membership records of the State Bar pursuant to Business and Professions Code section 6002.1, subdivision (a), including his current office address and telephone number, or if no office is maintained, the address to be used for State Bar purposes, he must report such change in writing to the Membership Records Office and the State Bar Office of Probation.

4. Within 30 days after the effective date of discipline, he must contact the Office of Probation and schedule a meeting with his assigned probation deputy to discuss the terms and conditions of probation. Upon the direction of the Office of Probation, he must meet with the probation deputy either in person or by telephone. During the period of probation, he must promptly meet with the probation deputy as directed and upon request.
5. He 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, he must state whether he has complied with the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation during the preceding calendar quarter. In addition to all quarterly reports, a final report, containing the same information, is due no earlier than 20 days before the last day of the probation period and no later than the last day of the probation period.
6. Subject to the assertion of applicable privileges, he must answer fully, promptly, and truthfully, any inquiries of the Office of Probation that are directed to him personally or in writing, relating to whether he is complying or has complied with the conditions contained herein.
7. Within one year after the effective date of the discipline herein, he must submit to the Office of Probation satisfactory evidence of completion of the State Bar's Ethics School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and he shall not receive MCLE credit for attending Ethics School. (Rules Proc. of State Bar, rule 3201.)

The period of probation will commence on the effective date of the Supreme Court order imposing discipline in this matter. At the expiration of the period of probation, if Dickstein has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

#### **VII. PROFESSIONAL RESPONSIBILITY EXAMINATION**

We further recommend that Dickstein be ordered to take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year of the effective date of the Supreme Court order in this matter and to provide satisfactory proof of such passage to the Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

# MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION ("MPRE")

## 2016 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 opens on Monday, December 14, 2015**

Test Dates*	Regular Registration Deadline (\$84)*	Late Registration Deadline (\$168)*	Scores Tentatively Released by
Saturday, March 19, 2016	January 28, 2016	February 4, 2016	April 23, 2016
Saturday, August 13, 2016	June 23, 2016	June 30, 2016	September 17, 2016
Saturday, November 5, 2016	September 15, 2016	September 22, 2016	December 10, 2016

1. The MPRE fee for applications received on or before the regular receipt deadline is \$84. The MPRE fee for applications received after the regular receipt deadline but before the late receipt deadline is \$168.
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.*



**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.

**Suspension**

- I did not practice law at any time during the reporting period noted above or applicable portion thereof during which I was suspended pursuant to the Supreme Court order in this case.

**State Bar Ethics School**

- I have registered for the State Bar Ethics School course given on \_\_\_\_\_.
- I have completed the State Bar Ethics School course given on \_\_\_\_\_.  
A copy of my certificate of completion is attached if not previously submitted.

**Multi-State Professional Responsibility Examination**

- I have registered for the MPRE given on \_\_\_\_\_.
- I have taken the MPRE given on \_\_\_\_\_ and am awaiting the results.
- I passed the MPRE given on \_\_\_\_\_. A copy of my results is attached if not previously submitted.
- I did not pass the MPRE given on \_\_\_\_\_ and have re-scheduled to take the examination given on \_\_\_\_\_.

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 of signature)

Signature: \_\_\_\_\_  
Jeffrey Alan Dickstein

**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.** 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 is not compliant if it does not cover the entire reporting period.
5. Your signed and dated report must be **received in the Office of Probation on or before the 10<sup>th</sup> of January, April, July, and October.** For all conditions, being **even one day late** means that you are **not** in compliance.

REPORTING PERIOD	REPORT TO BE RECEIVED IN THE OFFICE OF PROBATION BY
January 1 - March 31	April 10 <sup>th</sup>
April 1 - June 30	July 10 <sup>th</sup>
July 1 - September 30	October 10 <sup>th</sup>
October 1 - December 31	January 10 <sup>th</sup>

6. 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 a compliant report in to the Office of Probation by the 10<sup>th</sup>, and because **the Office of Probation does NOT confirm receipt of compliance documents,** you may choose to send your reports in a manner that provides you with proof of delivery, e.g. fax, e-mail, certified mail, etc.
8. You must keep all original reports, compliance documents, and proof of delivery and provide such to the Office of Probation if requested.
9. The Office of Probation files your report and compliance document as of the date it is received, and **NOT** the date you send it.
10. 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.
11. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.
12. 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 you have any questions regarding this information, please contact Michael Angelo Kanterakis in the Office of Probation at Michael.Kanterakis@calbar.ca.gov or (213)765-1410.

**OFFICE OF PROBATION  
NOTICE OF COUNSEL REPRESENTATION**

Respondent: Jeffrey Alan Dickstein

State Bar Case #: S228801

Member Number: 70638

Counsel Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Respondent Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Counsel Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please complete, sign and return this form to the Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515.





THE STATE BAR  
OF CALIFORNIA

845 S. 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 2016 Ethics/Client Trust Accounting ("CTA") School Schedules

<b>LOS ANGELES</b> 845 S. Figueroa Street			
Class	Day	Date	Time
Ethics	Thurs	02/11	9a - 4p
CTA	Fri	02/12	9a - 12p
Ethics	Thurs	04/07	9a - 4p
CTA	Fri	04/08	9a - 12p
Ethics	Thurs	06/09	9a - 4p
CTA	Fri	06/10	9a - 12p
Ethics	Thurs	08/04	9a - 4p
CTA	Fri	08/05	9a - 12p
Ethics	Thurs	10/06	9a - 4p
CTA	Fri	10/07	9a - 12p
Ethics	Thurs	12/15	9a - 4p
CTA	Fri	12/16	9a - 12p

<b>SAN FRANCISCO</b> 180 Howard Street			
Class	Day	Date	Time
Ethics	Thurs	02/18	9a - 4p
CTA	Fri	02/19	9a - 12p
Ethics	Thurs	04/21	9a - 4p
CTA	Fri	04/22	9a - 12p
Ethics	Thurs	06/23	9a - 4p
CTA	Fri	06/24	9a - 12p
Ethics	Thurs	08/18	9a - 4p
CTA	Fri	08/19	9a - 12p
Ethics	Thurs	10/20	9a - 4p
CTA	Fri	10/21	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](http://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 at any time, please check the State Bar website for current information.*

Revised 09/21/15

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THE STATE BAR  
OF CALIFORNIA

845 S. 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 Ethics/CTA School Information

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

**LOS ANGELES**  
845 S. 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, Attention: Office of Probation, 845 S. Figueroa Street, Los Angeles, CA 90017-2515.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos  
Administrative Secretary

Enc.

Revised 09/21/15

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THE STATE BAR  
OF CALIFORNIA

845 S. 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 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, 845 S. Figueroa Street, Los Angeles, CA, 90017-2515, attention: Letty Ramos, Office of the Chief Trial Counsel. 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 by fax at (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](http://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.**



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

FAX: (213) 765-1439

http://www.calbar.ca.gov

Michael Angelo Kanterakis: (213) 765-1410

Michael.Kanterakis@calbar.ca.gov

February 4, 2016

Jeffrey Alan Dickstein  
3263 S Erie Ave  
Tulsa, OK 74135

OFFICE OF PROBATION

ADDRESS VERIFIED

February 4, 2016

BY:

In re: S228801

In the Matter of Jeffrey Alan Dickstein

Dear Jeffrey Alan Dickstein:

On November 24, 2015, this office sent to you a letter (copy enclosed) for the purpose of reminding you of the terms and conditions of your probation imposed by the Supreme Court which became effective December 10, 2015.

One of those conditions requires that you contact the Office of Probation and schedule a required meeting with your assigned Probation Deputy. Your contact was due no later than January 9, 2016. *This letter is to advise you that the Office of Probation has no record of your having scheduled or held the required meeting. Please contact me immediately to schedule the meeting.*

Consequently, you are not in compliance with the terms and conditions of your Probation, and you may face a non-compliance referral which may result in the imposition of additional discipline and attendant costs (see attached). Even if you contact the Office of Probation, a referral may still be prepared. The Office of Probation will not send any further reminder letters regarding the aforementioned non-compliance or any future compliance due dates or lack of receipt of compliance documentation.

**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.**

If for any reason, you cannot *timely* comply with the terms and conditions of the discipline imposed, and to avoid a non-compliance referral, *you must* file a motion with the State Bar Court. 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 upon the Office of Probation. *The Office of Probation does not have the authority to extend compliance due dates or modify the terms and conditions of your probation.*

Please note that even if you are referred, you are **STILL REQUIRED TO TIMELY COMPLY** with all probation conditions in this matter. Additional violations may be subject to a separate non-compliance referral. If you have any questions regarding this matter, please contact me at (213) 765-1410.

Sincerely,

Michael Angelo Kanterakis  
Probation Deputy

/mak

Enclosure(s)

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**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

FAX: (213) 765-1439

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

**Michael Angelo Kanterakis: (213) 765-1410**

**Michael.Kanterakis@calbar.ca.gov**

November 24, 2015

Jeffrey Alan Dickstein  
3263 S Erie Ave  
Tulsa, OK 74135

**OFFICE OF PROBATION  
ADDRESS VERIFIED  
November 24, 2015**

Courtesy Address:  
Jeffrey A. Dickstein  
1 Webb Ln  
Bella Vista, AR 72714

BY: 

In re: **S228801**

In the Matter of **Jeffrey Alan Dickstein**

Dear Jeffrey Alan Dickstein:

This reminder 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. If this is incorrect, please complete the Notice of Counsel Representation form and submit to the Office of Probation within five days so that future communications may be directed to your counsel.

As you know, on November 10, 2015, the Supreme Court of California filed an Order, effective December 10, 2015, 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. Further, pursuant to the Order of the Court, you have been placed on actual suspension for the first 30 days of your probation.<sup>1</sup>

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

Rule of Professional Conduct 1-311 requires that a firm or attorney who employs an attorney who is disbarred, resigned, suspended or involuntarily enrolled inactive, provide certain notices to the State Bar and to clients. While there is no prescribed form, in order to assist attorneys to comply with the rule, the State Bar has created notices for the employer's use. If you are or become employed by an attorney or a law firm, please remind your employer of this requirement. Forms are available at the State Bar website under Attorney Forms/Reportable Actions or you may contact the Intake Unit, Office of the Chief Trial Counsel, at (213) 765-1000.

<sup>1</sup> 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.

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**You must schedule a meeting with me to discuss the terms and conditions of your discipline within 30 days from the effective date of discipline. Make sure you read this letter including all attachments before the required meeting.**

By court order, you must take and pass the Multi-State Professional Responsibility Examination (MPRE) and provide satisfactory proof of such passage to the Office of Probation during the period of your actual suspension. Satisfactory proof requires that you (1) select California as the jurisdiction to receive your score report, and (2) send a copy of your score release to the Office of Probation. 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 if you do not receive a passing score. The passing scaled score is 86. The MPRE is only offered three (3) times a year, but you may not have three chances to take the MPRE by your particular deadline. Failure to provide proof of passage of this examination by the due date may result in your 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.)

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 a Quarterly Report form for your use. The Office of Probation will not provide you multiple copies of the courtesy Quarterly Report form. Should you happen to lose your Quarterly Report form, you must submit your request for a copy in writing explaining why you could not maintain a copy for yourself.

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.

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 proof of compliance must be received in the Office of Probation by your due date. Being even one day late means that you are NOT in compliance.

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)**

- |   |                                     |
|---|-------------------------------------|
| 1. Contact Probation Deputy & Schedule Required Meeting | January 9, 2016                     |
| 2. Quarterly Reports                                    | Quarterly, beginning April 10, 2016 |
| 3. State Bar Ethics School                              | December 10, 2016                   |
| 4. MPRE   | During period of actual suspension  |
| 5. Final Report   | December 10, 2017                   |

Jeffrey Alan Dickstein  
November 24, 2015  
Page 3

You are reminded that all Quarterly Reports are due on or before the 10<sup>th</sup> day after the end of each quarter. Your Final Report is due on or before **December 10, 2017**.

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 name, office address and telephone number, or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code. The Office of Probation will only send documents to your official membership records address.

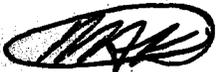
Further, please be advised that the Office of Probation does not have the authority to extend compliance due dates or modify the terms and conditions of the discipline order. **Request for extension of time or modification of the terms and conditions of the discipline order must be filed with the State Bar Court Hearing Department or Review Department.** See, Rules of Procedure of the State Bar of California, rules 5.162 and 5.300, et seq. 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.**

Enclosed are copies of the Supreme Court Order and conditions of probation, which you have already received from the Courts or your counsel, Multi-State Professional Responsibility Examination schedule, Quarterly Report with instructions, and Notice of Counsel Representation form. Also enclosed is scheduling and enrollment information for the State Bar's Ethics School.

It is recommended that you maintain a file containing all orders as well as communication between the Office of Probation and yourself. Keep your file in a convenient location so that if you have contact with the Office of Probation, any question can be quickly addressed.

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.

Sincerely,



Michael Angelo Kanterakis  
Probation Deputy

/mak  
Enclosures

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**NOV 10 2015**

State Bar Court No. 10-C-07932

**S228801**

**Frank A. McGuire Clerk**

**Deputy**

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

**In re JEFFREY ALAN DICKSTEIN on Discipline.**

**The petition for review is denied.**

**The court orders that Jeffrey Alan Dickstein, State Bar Number 70638, 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. Jeffrey Alan Dickstein is suspended from the practice of law for the first 30 days of probation;**
- 2. Jeffrey Alan Dickstein must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on July 15, 2015; and**
- 3. At the expiration of the period of probation, if Jeffrey Alan Dickstein has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.**

**Jeffrey Alan Dickstein must take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles 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.**

**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 **NOV 10 2015** 20

By:   
Deputy

00050

involved two clients in a single matter and considering that his mitigation balances the aggravation, a 30-day suspension properly falls at the low end of the discipline range suggested by standard 2.8(a). (See Std. 1.2(c)(1) ["Actual suspension is generally for a period of thirty days, sixty days, ninety days, six months, one year, eighteen months, two years, or three years"].)

OCTC requests that, even if we affirm the 30-day suspension, we include a one-year stayed suspension and two years of probation in our recommendation. This point has merit. Given Dickstein's lack of insight, probation is particularly important to serve the critical purpose of protecting the public. (*In the Matter of Rose* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 646, 652.) Moreover, it "permits the State Bar to monitor [Dickstein's] compliance with professional standards" and ensures his rehabilitation is well established. (*Ritter v. State Bar* (1985) 40 Cal.3d 595, 605; see also *Rodgers v. State Bar* (1989) 48 Cal.3d 300, 319.) Dickstein's overall misconduct resulting in his criminal contempt conviction calls for a stayed suspension and a probation period, in addition to the 30-day actual suspension recommended by the hearing judge.

## VI. RECOMMENDATION

For the foregoing reasons, we recommend that Jeffrey Alan Dickstein be suspended from the practice of law for one year, that execution of that suspension be stayed, and that he be placed on probation for two years on the following conditions:

1. He must be suspended from the practice of law for the first 30 days of the period of his probation.
2. He must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation.
3. Within 10 days of any change in the information required to be maintained on the membership records of the State Bar pursuant to Business and Professions Code section 6002.1, subdivision (a), including his current office address and telephone number, or if no office is maintained, the address to be used for State Bar purposes, he must report such change in writing to the Membership Records Office and the State Bar Office of Probation.

4. Within 30 days after the effective date of discipline, he must contact the Office of Probation and schedule a meeting with his assigned probation deputy to discuss the terms and conditions of probation. Upon the direction of the Office of Probation, he must meet with the probation deputy either in person or by telephone. During the period of probation, he must promptly meet with the probation deputy as directed and upon request.
5. He 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, he must state whether he has complied with the State Bar Act, the Rules of Professional Conduct, and all of the conditions of his probation during the preceding calendar quarter. In addition to all quarterly reports, a final report, containing the same information, is due no earlier than 20 days before the last day of the probation period and no later than the last day of the probation period.
6. Subject to the assertion of applicable privileges, he must answer fully, promptly, and truthfully, any inquiries of the Office of Probation that are directed to him personally or in writing, relating to whether he is complying or has complied with the conditions contained herein.
7. Within one year after the effective date of the discipline herein, he must submit to the Office of Probation satisfactory evidence of completion of the State Bar's Ethics School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and he shall not receive MCLE credit for attending Ethics School. (Rules Proc. of State Bar, rule 3201.)

The period of probation will commence on the effective date of the Supreme Court order imposing discipline in this matter. At the expiration of the period of probation, if Dickstein has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

#### **VII. PROFESSIONAL RESPONSIBILITY EXAMINATION**

We further recommend that Dickstein be ordered to take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year of the effective date of the Supreme Court order in this matter and to provide satisfactory proof of such passage to the Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

# MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION ("MPRE")

## 2016 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 opens on Monday, December 14, 2015**

Test Dates*	Regular Registration Deadline (\$84)*	Late Registration Deadline (\$168)*	Scores Tentatively Released by
Saturday, March 19, 2016	January 28, 2016	February 4, 2016	April 23, 2016
Saturday, August 13, 2016	June 23, 2016	June 30, 2016	September 17, 2016
Saturday, November 5, 2016	September 15, 2016	September 22, 2016	December 10, 2016

1. The MPRE fee for applications received on or before the regular receipt deadline is \$84. The MPRE fee for applications received after the regular receipt deadline but before the late receipt deadline is \$168.
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.*

<p><b>IN THE MATTER OF</b> <b>Jeffrey Alan Dickstein</b></p> <p><b>CASE NO(s): S228801</b></p> <p><b>Probation</b></p>	<p><i>(For Office of Probation Use Only)</i></p>
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**QUARTERLY REPORT**

*For each report, mark the box for the correct reporting period and write the correct year.*

**First Report Due: April 10, 2016**  
*(for period December 10, 2015 through March 31, 2016)*

**Final Report Due: December 10, 2017**  
*(for period October 1, 2017 through December 10, 2017)*

**Due:**  **January 10, 20\_\_**  **April 10, 20\_\_**  **July 10, 20\_\_**  **October 10, 20\_\_**  
*(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)*

*Make sufficient copies of this form for future use and transmit reports to the State Bar of California, Attn: Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515, or Fax at (213) 765-1439, or e-mail at Michael.Kanterakis@calbar.ca.gov*

*Place an "X" before each of the statements below that applies to you:*

**Compliance with State Bar Act and Rules**

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

**Or**

During the reporting period above, I have complied with all provisions of the State Bar Act, Rules of Professional Conduct, and all conditions of probation **EXCEPT** (please list specific **violations**):

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*(attach declaration under penalty of perjury if more space is needed).*

**Report on SBC Proceedings**

During the reporting period above, I had proceedings pending against me in the State Bar Court. The case number(s), and current status is as follows:

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**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.

**Suspension**

- I did not practice law at any time during the reporting period noted above or applicable portion thereof during which I was suspended pursuant to the Supreme Court order in this case.

**State Bar Ethics School**

- I have registered for the State Bar Ethics School course given on \_\_\_\_\_.
- I have completed the State Bar Ethics School course given on \_\_\_\_\_.  
A copy of my certificate of completion is attached if not previously submitted.

**Multi-State Professional Responsibility Examination**

- I have registered for the MPRE given on \_\_\_\_\_.
- I have taken the MPRE given on \_\_\_\_\_ and am awaiting the results.
- I passed the MPRE given on \_\_\_\_\_. A copy of my results is attached if not previously submitted.
- I did not pass the MPRE given on \_\_\_\_\_ and have re-scheduled to take the examination given on \_\_\_\_\_.

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 of signature)

Signature: \_\_\_\_\_  
Jeffrey Alan Dickstein

**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**. 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 is not compliant if it does not cover the entire reporting period.
5. Your signed and dated report must be **received in the Office of Probation** on or before the 10<sup>th</sup> of January, April, July, and October. For all conditions, being **even one day late** means that you are **not** in compliance.

REPORTING PERIOD	REPORT TO BE RECEIVED IN THE OFFICE OF PROBATION BY
January 1 - March 31	April 10 <sup>th</sup>
April 1 - June 30	July 10 <sup>th</sup>
July 1 - September 30	October 10 <sup>th</sup>
October 1 - December 31	January 10 <sup>th</sup>

6. 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 a compliant report in to the Office of Probation by the 10<sup>th</sup>, and because the Office of Probation does **NOT** confirm receipt of compliance documents, you may choose to send your reports in a manner that provides you with proof of delivery, e.g. fax, e-mail, certified mail, etc.
8. You must keep all original reports, compliance documents, and proof of delivery and provide such to the Office of Probation if requested.
9. The Office of Probation files your report and compliance document as of the date it is received, and **NOT** the date you send it.
10. 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.
11. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.
12. 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 you have any questions regarding this information, please contact Michael Angelo Kanterakis in the Office of Probation at Michael.Kanterakis@calbar.ca.gov or (213)765-1410.

**OFFICE OF PROBATION  
NOTICE OF COUNSEL REPRESENTATION**

Respondent: Jeffrey Alan Dickstein

State Bar Case #: S228801

Member Number: 70638

Counsel Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Bar Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Respondent Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Counsel Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please complete, sign and return this form to the Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515.



## State Bar of California

# 2015 Ethics/Client Trust Accounting ("CTA") School Schedules

<b>LOS ANGELES</b>			
845 S. Figueroa Street			
Class	Day	Date	Time
Ethics	Thurs	02/19	9a - 4p
CTA	Fri	02/20	9a - 12p
Ethics	Thurs	05/07	9a - 4p
CTA	Fri	05/08	9a - 12p
Ethics	Thurs	06/04	9a - 4p
CTA	Fri	06/05	9a - 12p
Ethics	Thurs	08/20	9a - 4p
CTA	Fri	08/21	9a - 12p
Ethics	Thurs	09/17	9a - 4p
CTA	Fri	09/18	9a - 12p
Ethics	Thurs	10/22	9a - 4p
CTA	Fri	10/23	9a - 12p
Ethics	Thurs	12/10	9a - 4p
CTA	Fri	12/11	9a - 12p

<b>SAN FRANCISCO</b>			
180 Howard Street			
Class	Day	Date	Time
Ethics	Thurs	03/12	9a - 4p
CTA	Fri	03/13	9a - 12p
Ethics	Thurs	06/18	9a - 4p
CTA	Fri	06/19	9a - 12p
Ethics	Thurs	09/17	9a - 4p
CTA	Fri	09/18	9a - 12p
Ethics	Thurs	12/03	9a - 4p
CTA	Fri	12/04	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](http://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 at any time, please check the State Bar website for current information.

Revised 10/28/14



## State Bar of California 2016 Ethics/Client Trust Accounting ("CTA") School Schedules

<b>LOS ANGELES</b> 845 S. Figueroa Street			
Class	Day	Date	Time
Ethics	Thurs	02/11	9a - 4p
CTA	Fri	02/12	9a - 12p
Ethics	Thurs	04/07	9a - 4p
CTA	Fri	04/08	9a - 12p
Ethics	Thurs	06/09	9a - 4p
CTA	Fri	06/10	9a - 12p
Ethics	Thurs	08/04	9a - 4p
CTA	Fri	08/05	9a - 12p
Ethics	Thurs	10/06	9a - 4p
CTA	Fri	10/07	9a - 12p
Ethics	Thurs	12/15	9a - 4p
CTA	Fri	12/16	9a - 12p

<b>SAN FRANCISCO</b> 180 Howard Street			
Class	Day	Date	Time
Ethics	Thurs	02/18	9a - 4p
CTA	Fri	02/19	9a - 12p
Ethics	Thurs	04/21	9a - 4p
CTA	Fri	04/22	9a - 12p
Ethics	Thurs	06/23	9a - 4p
CTA	Fri	06/24	9a - 12p
Ethics	Thurs	08/18	9a - 4p
CTA	Fri	08/19	9a - 12p
Ethics	Thurs	10/20	9a - 4p
CTA	Fri	10/21	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](http://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.**

**Information may change at any time, please check the State Bar website for current information.**



THE STATE BAR  
OF CALIFORNIA

845 S. 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 Ethics/CTA School Information

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

**LOS ANGELES**  
845 S. 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, Attention: Office of Probation, 845 S. Figueroa Street, Los Angeles, CA 90017-2515.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos  
Administrative Secretary

Enc.

Revised 09/21/15

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THE STATE BAR  
OF CALIFORNIA

OFFICE OF THE CHIEF TRIAL COUNSEL  
ENFORCEMENT

845 S. 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, 845 S. Figueroa Street, Los Angeles, CA, 90017-2515, attention: Letty Ramos, Office of the Chief Trial Counsel. 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 by fax at (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](http://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.**



Wednesday, May 25, 2016

## ATTORNEY SEARCH

**Jeffrey Alan Dickstein - #70638**

**Current Status: Not eligible to practice law (Not Entitled)**

See below for more details.

### Profile Information

*The following information is from the official records of The State Bar of California.*

<b>Bar Number:</b>	70638		
<b>Address:</b>	<b>Jeffrey A. Dickstein</b>	<b>Phone Number:</b>	Not Available
	3263 S Erie Ave	<b>Fax Number:</b>	Not Available
	Tulsa, OK 74135	<b>e-mail:</b>	Not Available
<b>County:</b>	Non-California	<b>Undergraduate School:</b>	Chapman Univ, Orange CA
<b>District:</b>	Outside California		
<b>Sections:</b>	None	<b>Law School:</b>	California Western SOL; San Diego CA

### Status History

Effective Date	Status Change
Present	Not Eligible To Practice Law
7/1/2014	Not Eligible To Practice Law
6/24/2011	Inactive
12/22/1976	Admitted to The State Bar of California

Explanation of member status

### Actions Affecting Eligibility to Practice Law

Effective Date	Description	Case Number	Resulting Status
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#### Disciplinary and Related Actions

Overview of the attorney discipline system.

12/10/2015	Discipline w/actual suspension	10-C-07932	Not Eligible To Practice Law
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#### Administrative Actions

7/1/2014	Suspended, failed to pay Bar membr. fees		Not Eligible To Practice Law
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Copies of official attorney discipline records are available upon request

Explanation of common actions

### State Bar Court Cases

**NOTE:** The State Bar Court began posting public discipline documents online in 2005. The format and pagination of documents posted on this site may vary from the originals in the case file as a

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result of their translation from the original format into Word and PDF. Copies of additional related documents in a case are available upon request. Only Opinions designated for publication in the State Bar Court Reporter may be cited or relied on as precedent in State Bar Court proceedings. For further information about a case that is displayed here, please refer to the State Bar Court's online docket, which can be found at: <http://apps.statebarcourt.ca.gov/dockets/dockets.aspx>.

**DISCLAIMER:** Any posted Notice of Disciplinary Charges, Conviction Transmittal or other initiating document, contains only allegations of professional misconduct. The attorney is presumed to be innocent of any misconduct warranting discipline until the charges have been proven.

Effective Date	Case Number	Description
12/10/2015	10-C-7932	Opinion [PDF]
3/15/2013	10-C-7932	Order re Inactive Enrollment [PDF]

[Start New Search »](#)

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