

FILED

OCT 20 2017

STATE BAR COURT
CLERK'S OFFICE LOS ANGELES

STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 17-Q-04228
)	
KIMBERLY ALLYSON HANSEN,)	RECOMMENDATION ON
)	RESIGNATION
A Member of the State Bar, No. 167597.)	
_____)	

On July 21, 2017, respondent Kimberley Allyson Hansen filed a resignation with charges pending. On September 1, 2017, the Office of Chief Trial Counsel of the State Bar (OCTC) filed its report on the resignation and the parties' Stipulation as to Facts and Conclusions of Law. OCTC recommends that the resignation be accepted. Based on OCTC's recommendation and in light of the grounds set forth in California Rules of Court, rule 9.21(d),¹ as detailed below, we recommend that the Supreme Court accept the resignation.

I. BACKGROUND

Hansen was admitted to practice law in California on December 10, 1993, and has not been eligible to practice law in California since February 4, 2017. She has three prior records of discipline.

First, on July 27, 2011, (effective August 26, 2011), the Supreme Court ordered Hansen suspended for one year, execution stayed, and placed on probation for two years with conditions including a thirty-day period of actual suspension. (*In re Kimberly Allyson Hansen* (S193233), State Bar Court case no. 07-O-12444.) Hansen stipulated to a violation of Business and

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



Professions Code section 6106 for making a grossly negligent misrepresentation regarding a deed of trust. In mitigation, Hansen had no prior record of misconduct, cooperated with the State Bar, and was involved in community service. No aggravating circumstances were involved.

Second, on September 25, 2012, (effective October 25, 2012), the Supreme Court ordered Hansen's probation revoked and suspended her from the practice of law for one year and placed her on probation for two years. (*In re Kimberly Allyson Hansen* (S193233), State Bar Court case no. 12-PM-12444.) Hansen was found culpable of violating the terms of her probation: failing to meet with her probation officer; failing to file quarterly reports, and failing to provide proof that she had taken six hours of approved legal education courses. No mitigating circumstances were shown. In aggravation, Hansen had a prior record of discipline, committed multiple acts of misconduct, and failed to participate in the probation revocation proceeding.

Third, on January 5, 2017, (effective February 4, 2017), the Supreme Court ordered Hansen suspended from the practice of law for three years and placed on probation for three years with conditions including that she be actually suspended for a minimum of the first 18-months of probation and until she provided proof of her rehabilitation, fitness to practice, and learning and ability in the general law. (*In re Kimberly Allyson Hansen* (S237910), State Bar Court case no. 11-O-17874.) Hansen was found culpable of intentionally making a fraudulent misrepresentation to the Workers Compensation Appeals Board in violation of Business and Professions Code section 6106. In mitigation, Hansen received some credit for limited cooperation and good character. In aggravation, Hansen had two priors record of discipline, caused significant harm to the administration of justice, and showed indifference and lack of insight.

The only discipline proceeding currently pending against Hansen is the probation imposed by Supreme Court order (S237910).² On September 1, 2017, the parties filed a stipulation as to facts and conclusions of law in that Hansen failed to comply with all conditions attached to her disciplinary probation (Bus. & Prof. Code, §6068, subd.(k)), and failed to timely file a declaration of compliance with rule 9.20(c).

OCTC also reports that Hansen is 53 years old and has suffered two debilitating strokes since December 2016. The record shows that Hansen does not intend to seek reinstatement in the future should her resignation be accepted. No Client Security Fund claims are pending against her.

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

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

1. Whether the preservation of testimony is complete.

OCTC reports that the perpetuation of the evidence is not necessary in the pending matters.

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

OCTC reports that there is no evidence that Hansen has practiced law in California or held herself out as entitled to practice law in California since she tendered her resignation or since February 4, 2017, the effective date of her third discipline.

² We consider a pending probation as a "proceeding," as contemplated by rule 5.427(B) of the Rules of Procedure of the State Bar of California.

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

OCTC reports that, consistent with rule 9.20(a)-(b), Hansen has attested she has no clients, no client papers or other property to return, no unearned fees, and no pending client matters. Accordingly, it appears that there were no acts that Hansen was required to perform.

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

Hansen filed a rule 9.20(c) compliance declaration on July 21, 2017.

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

The Supreme Court has not filed a disbarment order.

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

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

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

Hansen has not previously resigned or been disbarred in California.

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

Hansen and OCTC entered into a stipulation as to facts and conclusions of law regarding the pending disciplinary matter.

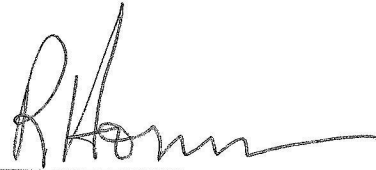
9. Whether accepting Hansen's resignation will reasonably be inconsistent with the need to protect the public, the courts, or the legal profession.

We recommend accepting Hansen's resignation for the reasons OCTC presented in its filings in this matter. Hansen: (1) submitted a rule 9.20 compliance declaration; (2) submitted a stipulation to facts and conclusions of law; (3) has not practiced in California since February 4, 2017 (4) cooperated with OCTC by entering into a stipulation; and (5) has no Client Security Fund claims, or other, claims pending against her. Further, Hansen has serious

health problems and does intend to seek reinstatement. Under these circumstances, we do not believe that public confidence in the discipline system will be undermined by accepting the resignation, and we believe that acceptance would be consistent with the need to protect the public, the courts, and the legal profession.

III. RECOMMENDATION

We recommend that the Supreme Court accept the resignation Kimberley Allyson Hansen, State Bar number 167597. We further recommend that costs be awarded to the State Bar in accordance with Business and Professions Code section 6068.10, and that such costs be enforceable both as provided in section 6140.7 and as a money judgment.

A handwritten signature in black ink, appearing to read "R. Horn", written over a horizontal line.

Acting Presiding Judge

CERTIFICATE OF SERVICE

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

I am an Administrative Assistant 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 October 20, 2017, I deposited a true copy of the following document:

RECOMMENDATION ON RESIGNATION FILED OCTOBER 20, 2017

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:

KIMBERLY ALLYSON HANSEN
3424 CHAFFIN DR
RICHLAND HILLS, TX 76118

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

Scott D. Karpf, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 20, 2017.



Dina Outlaw
Administrative Assistant
State Bar Court