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STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 17-Q-06242
)	
WILLIAM LARRY MEEK,)	RECOMMENDATION ON
)	RESIGNATION
A Member of the State Bar, No. 66824.)	
_____)	

On October 10, 2017, respondent William Larry Meek filed a resignation with charges pending. On December 14, 2017, the Office of Chief Trial Counsel of the State Bar (OCTC) filed its initial report on the resignation. On December 27, 2017, OCTC filed the parties' Stipulation as to Facts and Conclusions of Law. On January 16, 2018, OCTC filed an amended report which recommended that the resignation be accepted. On January 31, 2018, OCTC filed a second amended report which recommended that respondent's resignation be rejected based on information OCTC received that Meek continued to practice law after his resignation was filed. Pursuant to court order, OCTC filed a third amended report on March 26, 2018, providing further evidence regarding the extent of respondent's practice after his resignation and analysis to support its recommendation. OCTC recommends that the resignation be rejected. On April 4, 2018, Meek filed a response stating that he felt his ethical duties to his clients required him to close out their cases despite the fact that he was on inactive status. 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 reject the resignation.

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

I. BACKGROUND

Meek was admitted to practice law in California on December 23, 1975, and has not been eligible to practice law in California since October 10, 2017.

There is one pending disciplinary proceeding against Meek. (State Bar Court Case Nos. 16-O-17712; 17-O-01705; and 17-O-02370.) On December 27, 2017, the parties filed a Stipulation as to Facts and Conclusions of Law in which Meek stipulated to culpability in three client matters for the following violations of the State Bar Rules of Professional Conduct: (1) two counts of failure to perform with competence in violation of rule 3-110(A); (2) failing to keep his client reasonably informed in violation of section 6068(m); (3) two counts of failing to respond to reasonable status inquiries in violation of section 6068(m); (4) two counts of failing to make an accounting in violation of rule 4-100(B)(3); (5) two counts of failing to refund unearned fees in violation of rule 3-700(D)(2); (6) two counts of failure to cooperate in a disciplinary investigation in violation of section 6068(i); and (7) failure to take reasonable steps to avoid prejudice to his client in violation of rule 3-700(A)(2). The stipulation included aggravation for multiple acts and mitigation for Meek's 40 years of practice without prior discipline.

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

We have considered Meek'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 matter.

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

OCTC reports that there is evidence that Meek has practiced law in California or held himself out as entitled to practice law in California after he tendered his resignation, and was placed on inactive status pursuant to the terms of the resignation. Meek's resignation explicitly provided that he would be transferred to inactive status as of the filing of the resignation, and that he acknowledged he would be ineligible to practice law. OCTC filed a declaration and evidence showing that Meek filed multiple documents in five client matters after his resignation was filed, and appeared in court in one client matter, all in Shasta County Superior Court.

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

OCTC reports that Meek submitted a rule 9.20 compliance declaration stating under penalty of perjury that he performed the acts required by rule 9.20(a)-(b). OCTC also states that, given the evidence provided by OCTC that Meek continued to practice law as late as January 16, 2018, the representations made in the declaration are false and Meek did not properly comply with the requirements of rule 9.20.

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

Meek filed a rule 9.20(c) compliance declaration on January 29, 2018. OCTC also states that, given the evidence provided by OCTC that Meek continued to practice law as late as January 16, 2018, the representations made in the declaration are false and Meek did not properly comply with the requirements of rule 9.20.

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 Meek previously resigned or has been disbarred and reinstated to the practice of law.

Meek has not previously resigned or been disbarred in California.

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

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

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

We recommend rejecting Meek's resignation for the reasons OCTC presented in its filings in this matter. Meek continued to practice law for three months after he filed his resignation, filing multiple documents and appearing in one client matter. In addition, his rule 9.20 declaration was filed late and contained representations that were inconsistent with his continued practice of law. Under these circumstances, we believe that acceptance of his resignation would not be consistent with the need to protect the public, the courts, or the legal profession. Given Meek's conduct since the filing of his resignation, he should not be allowed to avoid the pending disciplinary proceedings or any additional discipline that may be filed.

III. RECOMMENDATION

We recommend that the Supreme Court reject the resignation of William Larry Meek, State Bar number 66824.

PURCELL

Presiding Judge

CERTIFICATE OF SERVICE

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

I am a Court Specialist 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 May 1, 2018, I deposited a true copy of the following document(s):

RECOMMENDATION ON RESIGNATION FILED MAY 1, 2018

in a sealed envelope for collection and mailing on that date as follows:

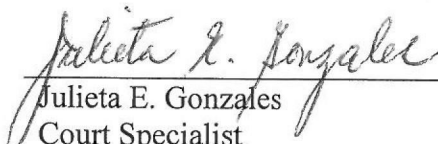
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

RUSSELL J. SWARTZ
SWARTZ AND JONES
1824 WEST ST
REDDING, CA 96001

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

Carla L. Cheung, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 1, 2018.



Julieta E. Gonzales
Court Specialist
State Bar Court