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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-07538
)	
GLORIA MARIA MAS,)	RECOMMENDATION ON
)	RESIGNATION
A Member of the State Bar, No. 132429.)	
_____)	

On December 20, 2017, respondent Gloria Maria Mas filed a resignation with charges pending. On February 16, 2018, 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 (Stipulation). 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

Mas was admitted to practice law in California on December 11, 1987, and has not been eligible to practice law in California since November 3, 2017, which was the effective date of the discipline in her prior disciplinary matter.

Mas has one prior record of discipline. On October 4, 2017, (effective November 3, 2017), the Supreme Court ordered Mas suspended for two years, execution stayed, and placed on probation for three years subject to conditions, including a 60-day period of actual suspension. (*In re Gloria Maria Mas* (S243418), State Bar Court Case No. 15-C-15374.) Mas was further

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

ordered to take and pass the Multistate Professional Responsibility Examination and comply with substance abuse conditions.

On September 25, 2015, Mas was convicted of driving under the influence (DUI) (Veh. Code, § 23152, subd. (a)) and driving with a blood alcohol content of .08 percent or more (Veh. Code, § 23152, subd. (b)), along with special allegations of driving with a blood alcohol content of .20 percent or more, and having a prior DUI conviction. While driving intoxicated, she caused a traffic accident involving two other vehicles. Later, when questioned by police, she dishonestly denied drinking alcohol prior to driving. The results of two preliminary alcohol screens were both greater than .40 percent blood alcohol content. In aggravation, Mas stipulated that when questioned by police she was dishonest about consuming alcohol prior to the collision, and she held a special position of higher expectations, awareness, and responsibility due to her previous employment as a criminal prosecutor for the State of California. In mitigation, Mas: had no prior record of discipline in 24 years of practice before her first DUI conviction (in 2011), and in 28 years of practice before her second DUI conviction (in 2015); did not harm a client, the public, or the administration of justice; demonstrated good character; displayed candor and cooperation with the State Bar; and entered into a prefiling stipulation.

One matter is currently pending against Mas—violations of the disciplinary probation imposed upon her in *In re Gloria Maria Mas* (S243418), State Bar Court Case No. 15-C-15374. The parties entered into the Stipulation establishing that by failing to schedule a meeting with the Office of Probation, failing to timely submit a quarterly report, failing to obtain written approval for a self-help abstinence-based group, failing to provide proof of attendance at three or more self-help abstinence-based group meetings per month, failing to provide a medical waiver, and failing to provide screening reports of blood or urine samples to show abstinence from alcohol, Mas failed to comply with the conditions attached to her disciplinary probation. (Bus. & Prof.

Code, § 6068, subd. (k).) No aggravating or mitigating circumstances were noted in the Stipulation.

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

We have considered Mas'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 testimony is not necessary in the pending matter.

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

OCTC reports that it has no evidence that Mas has practiced law in California or held herself out as entitled to practice law in California since she tendered her resignation or since she was placed on not eligible to practice status on November 3, 2017.

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

Mas filed a rule 9.20 compliance declaration (signed on November 21, 2017) on December 20, 2017, in which she averred under penalty of perjury that she had no clients, had no papers or property to which clients were entitled, had earned all fees paid to her, and did not represent any clients in pending matters. Accordingly, it appears that there were no acts that Mas was required to perform pursuant to rule 9.20(a)-(b).

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

Mas filed a rule 9.20 compliance declaration on December 20, 2017, as noted above.²

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

The Supreme Court has not filed a disbarment order.

² OCTC reports that Mas served OCTC with her Authorization for Public Disclosure Concerning Pending Complaints, Investigations and Proceedings form on February 8, 2018.

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

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

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

Mas has not previously resigned or been disbarred and reinstated.

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

Mas and OCTC entered into the Stipulation, which was filed on February 16, 2018, as an attached exhibit to OCTC's report on the resignation.

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

We recommend accepting Mas's resignation for the reasons OCTC presented in its filings in this matter. Mas: (1) has not practiced law in California since being placed on not eligible to practice law status on November 3, 2017; (2) filed a rule 9.20 compliance declaration; (3) cooperated with OCTC by entering into the Stipulation regarding the discipline imposed upon her in *In re Gloria Maria Mas* (S243418), State Bar Court Case No. 15-C-15374, which provides a complete account of her failure to comply with her disciplinary probation requirements and is available to the public and any licensing agency or other jurisdiction; and (4) has no other unresolved disciplinary matters, investigations, or Client Security Fund claims pending against her. Further, OCTC reports that Mas completed the probation requirements imposed in the criminal matter underlying her prior discipline in State Bar Court Case No. 15-C-15374 and has provided some evidence to show that she has taken necessary steps to control her substance abuse (though the evidence is insufficient to meet the requirements of her

disciplinary probation). Finally, her misconduct did not involve the practice of law. 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 of Gloria Maria Mas, State Bar number 132429. 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.

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 April 17, 2018, I deposited a true copy of the following document(s):

RECOMMENDATION ON RESIGNATION FILED APRIL 17, 2018

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

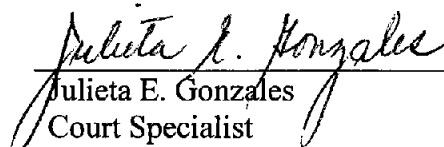
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

GLORIA M. MAS
GLORIA MAS LAW
2082 WOOD MAR DR
EL DORADO HILLS, CA 95762 - 3721

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

Desiree M. Fairly, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 17, 2018.



Julieta E. Gonzales
Court Specialist
State Bar Court