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STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

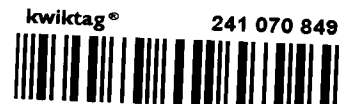
IN BANK

In the Matter of)	Case No. 18-Q-15214
)	
WILLIAM SARO PAPAZIAN,)	RECOMMENDATION ON
)	RESIGNATION
A Member of the State Bar, No. 127220.)	
_____)	

On August 6, 2018, William Saro Papazian filed a resignation with charges pending. On October 11, 2018, the Office of Chief Trial Counsel of the State Bar (OCTC) filed a stipulation as to facts and conclusions of law (Stipulation) and a report and recommendation (Report) that Papazian's resignation be accepted. On November 20, 2018, OCTC filed a supplemental report, that included a Notice of Disciplinary Charges (NDC) and no updates. 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

Papazian was admitted to practice law in California on December 22, 1986, and has been ineligible to practice since November 1, 2014 for noncompliance with Minimum Continuing Legal Education (MCLE) requirements. Papazian has no prior record of discipline, and has one pending proceeding against him in California.



¹ Further references to rule(s) are to this source unless otherwise noted.

II. UNDERLYING MISCONDUCT IN ARIZONA

Papazian was licensed to practice law in Arizona on October 23, 2000, and on June 23, 2015, he was suspended from the practice of law in Arizona for nonpayment of dues and subsequently closed his law office. On April 18, 2017, Papazian was found culpable in Arizona of violating Arizona Rules of Professional Conduct in his handling of three immigration matters.

In the first, he failed to communicate or diligently represent the client. In the second, he accepted a fee and terminated representation after having performed no work for the client. In the third, he filed some documents, but failed to communicate with the clients and failed to supervise his legal assistant during representation of the clients. In all three matters, he did not refund the client's fees until after a bar charge was filed. Papazian's culpability and discipline were based on the Agreement for Discipline by Consent (Agreement) filed by the Arizona State Bar on March 21, 2017, wherein Papazian stipulated to facts, conclusions of law, and discipline.² (*In the Matter of a Suspended Member of the State Bar of Arizona, William S. Papazian* (PDJ 2016-9120), State Bar File Nos. 16-0199, 16-0622, 16-1362). In mitigation, Papazian had practiced in Arizona for 13 years without a prior record of discipline and had personal or emotional problems at the time of the misconduct. In aggravation, there were multiple offenses, and Papazian had substantial experience in the practice of law. Papazian was ordered reprimanded for his misconduct.

III. PENDING CHARGES IN CALIFORNIA

On September 21, 2018, OCTC filed a Notice of Disciplinary Charges (NDC) in State Bar Court Case number 17-J-06981, charging Papazian with professional misconduct in Arizona,

² On April 5, 2017, the PDJ of the Arizona Supreme Court recommended the Agreement be modified to reflect that Papazian acted with a knowing mental state, rather than negligently; to indicate that Papazian filed a separate sworn statement to supplement the mitigating factors; and to include conditions of reinstatement for Papazian's summary suspension for non-payment of dues. On April 11, 2017, the parties filed a Notice of Acceptance of Recommended Modifications to Agreement.

a foreign jurisdiction. Specifically, the NDC indicated that Papazian failed to respond to client inquiries (Bus. & Prof. Code § 6068, subd. (m)); failed to perform (Rules Prof. Conduct, rule 3-110(A)); failed to supervise (Rules Prof. Conduct, rule 3-110(A)); improperly terminated employment (Rules Prof. Conduct, rule 3-700(A)(1)); and failed to promptly return unearned fees (Rules Prof. Conduct, rule 3-700(D)(2)). On October 11, 2018, Papazian and OCTC stipulated as to facts and conclusions of law that the underlying misconduct in the Arizona proceedings violated those ethical violations charged in the NDC. In mitigation, Papazian had practiced in California for 26 years and in Arizona for 13 years without a prior record of discipline. In aggravation, there were multiple acts of misconduct.

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

We have considered Papazian's resignation under the grounds set forth in rule 9.21(d). We summarize below the relevant information for each ground that was provided in OCTC's pleadings submitted to the court:

1. Whether the preservation of testimony is complete.

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

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

OCTC reports that it has no evidence that Papazian has practiced law in California or held himself out as entitled to practice law in California since he tendered his resignation on August 6, 2018.

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

OCTC reports that on August 27, 2018, Papazian submitted a rule 9.20 compliance declaration indicating he had no clients, had no papers or property to which clients were entitled,

had earned all fees paid to him, and did not represent any clients in pending matters. Thus, it appears that Papazian had no acts to perform pursuant to rule 9.20(a)-(b).

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

Papazian filed a rule 9.20(c) compliance declaration with the State Bar Court on August 27, 2018.

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 or opinion recommending Papazian's disbarment.

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

Papazian has not previously resigned or been disbarred in California.

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

Papazian and OCTC entered into a stipulation as to facts and conclusions of law for State Bar Case No. 18-Q-15214, which was filed on October 11, 2018.

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

We recommend accepting Papazian's resignation for the reasons OCTC presented in this matter. Papazian: (1) currently resides in Scottsdale, Arizona; (2) is 56 years old and has retired from the practice of law; (3) earns a living by other means; (4) does not intend to return to California to seek reinstatement and practice law; (5) has cooperated with the State Bar by entering into a stipulation as to facts and conclusions of law which provides a complete account

of Papazian's misconduct in a foreign jurisdiction and is available to the public and any licensing agency or other jurisdiction; and (6) has no pending Client Security Fund claims, or other claims pending against him. Under these circumstances, we do not believe that public confidence in the discipline system will be undermined by accepting the resignation, and that acceptance would be consistent with the need to protect the public, the courts, and the legal profession.

V. RECOMMENDATION

We recommend that the Supreme Court accept the resignation of William Saro Papazian, State Bar number 127220. We further recommend that costs be awarded to the State Bar in accordance with Business and Professions Code section 6068.10,³ and that such costs be enforceable both as provided in section 6140.7 and as a money judgment.

PURCELL

Presiding Judge

³ Further reference to section is to this source.

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 December 14, 2018, I deposited a true copy of the following document(s):

RECOMMENDATION ON RESIGNATION FILED DECEMBER 14, 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:

WILLIAM S. PAPAIZAN
6501 E GREENWAY PARKWAY
STE 103-705
SCOTTSDALE, AZ 85254

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

Jaime M. Vogel, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on December 14, 2018.



Mel Zavala
Court Specialist
State Bar Court