

PUBLIC MATTER



FILED
E.A.
SEP 20 2018
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT - LOS ANGELES

In the Matter of)	Case No. 18-R-11794-YDR
)	
)	ORDER GRANTING PETITION
JAMES COTTER RUH,)	FOR REINSTATEMENT
)	
)	
<u>Petitioner for Reinstatement, Former No. 243483.</u>)	

Introduction

This matter is before the court on the petition for reinstatement to the practice of law that petitioner James Cotter Ruh (Petitioner) filed on March 8, 2018.¹ (Cal. Rules of Court, rule 9.10(f); Bus. & Prof. Code, § 6078; Rules Proc. of State Bar, rule 5.440 et seq.) On July 12, 2018, the Office of Chief Trial Counsel of the State Bar of California (OCTC) filed a response to the petition stating that it does not oppose the petition. (Rules Proc. of State Bar, rule 5.443(B).) Accordingly, the court took the petition under submission for decision without a hearing on July 17, 2018.

For the reasons set forth below, the court will grant the petition and recommend that Petitioner be reinstated to the practice of law in this state.

¹ Petitioner previously filed a petition for reinstatement on June 23, 2017. That petition, however, was dismissed without prejudice on August 14, 2017, because Petitioner had not taken a professional responsibility examination within one of his filing of the June 23, 2017, petition as required by Rules of Procedure of the State Bar, rule 5.445(B)(1).

Requirements for Petitioner's Reinstatement

Petitioner was originally admitted to the practice of law in the State of California on June 13, 2006. Thereafter, effective July 10, 2015, Petitioner resigned from the practice of law in California *without* disciplinary charges pending. The petition establishes that Petitioner has satisfied each of the prefiling requirements set forth in Rules of Procedure of the State Bar, rule 5.441. Even though Petitioner resigned without charges pending, he must still establish (1) that he passed a professional responsibility examination within one year before he filed the present petition on March 8, 2018; (2) that he possesses the requisite moral qualifications for reinstatement; and (3) that he possesses the requisite ability and learning in the general law for reinstatement. (Cal. Rules of Court, rule 9.10(f); Rules Proc. of State Bar, rule 5.445(B).) Because Petitioner resigned less than five years ago, he is not required to prove his present ability and learning in the law by taking and passing the Attorney's Bar Examination. (Cal. Rules of Court, rule 9.10(f)(3); Rules Proc. of State Bar, rule 5.445(B)(3).)

Findings of Fact

Passage of a Professional Responsibility Examination

Petitioner passed the November 2017 Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners.

Present Moral Qualifications

In May 1973, Petitioner graduated from the University of Michigan Law School. He was admitted to the practice of law in Colorado in October of that same year, and he has been licensed to practice law in Colorado since that time. Petitioner practiced law in Colorado from about 1973 until 2015. Even though Petitioner stopped practicing law in Colorado and resigned from the practice of law in California in 2015, Petitioner has continued to work in Colorado as a mediator and arbitrator with the American Arbitration Association, and he has remained on the

panels of the National Association of Distinguished Neutrals in both Colorado and California. Petitioner has no prior record of discipline in California or Colorado.

Moreover, for many years, Petitioner has been involved in a number of non-profit organizations. He is a past Chairman of the Denver Museum of Nature and Science's Hall of Life; a past Chairman of the Colorado Ballet; and a past Chairman of the Vail Symposium. Petitioner, who is also a Vietnam Veteran, wants to be reinstated to the practice of law in California primarily to represent United States Veterans pro bono when he is staying in his Santa Barbara vacation home.

Finally, OCTC's investigation of the present petition for reinstatement did not uncover any evidence or information that would cause a reasonable person to question Petitioner's moral qualifications.

Ability and Learning in the General Law

As noted above, since 2015, Petitioner has continued to work in Colorado as mediator and arbitrator. As part of that work, Petitioner has remained current on the literature and case law developments in the areas of mediation, arbitration, and the general law.

Conclusions of Law

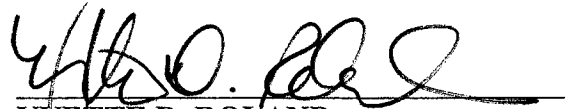
The court finds that the record clearly establishes that Petitioner has passed a professional responsibility examination within one year before he filed the present petition on March 8, 2018; that Petitioner possesses the requisite moral qualifications for reinstatement; and that Petitioner possesses the requisite ability and learning in the general law for reinstatement. Accordingly, the court will grant the present petition.

Order and Recommendation

The court orders petitioner JAMES COTTER RUH'S March 8, 2018, petition for reinstatement to the practice of law is GRANTED. Accordingly, the court recommends that

JAMES COTTER RUH be reinstated to the practice of law in the State of California upon his payment of the required fees and his taking the oath required by law. (Cal. Rules of Court, rule 9.10(f); Bus. & Prof. Code, § 6078; Rules Proc. of State Bar, rule 5.445(B).)

Dated: September 20, 2018.


YVETTE D. ROLAND
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 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 September 20, 2018, I deposited a true copy of the following document(s):

ORDER GRANTING PETITION FOR REINSTATEMENT

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:

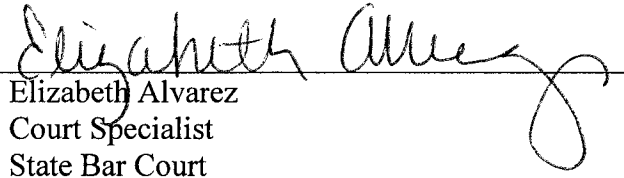
JAMES C. RUH
LAW OFFICES OF JAMES C. RUH, LLC
2076 VERMONT RD
VAIL, CO 81657

JAMES COTTER RUH
P.O. BOX 1354
EDWARDS, CO 81632

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

Drew D. Massey, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 20, 2018.


Elizabeth Alvarez
Court Specialist
State Bar Court