

## ATTACHMENT D

1. Modify Rule of Court 9.10 to confer authority on the State Bar Court to approve stipulations to modify conditions of probation entered into by the Office of Case Management & Supervision and a respondent.
2. Add new Rule of Court 9.24 abrogating *Segretti* so the Supreme Court may, but is not required to, order a respondent to take and pass a professional responsibility examination following a disciplinary order suspending respondent from the practice of law.

Comment #	Name or Organization	Attorney or Public Member?	Position on 1. (A/AM/D/NP) <sup>1</sup>	Position on 2. (A/AM/D/NP)	Public comments	Topic
1	Nadia Heshmati, M.S.	Public member	D	A	<p>The state Bar of California has failed to protect the public from extortionist, unethical, unprofessional and inept attorneys that commit fraud upon the court, abuse the due process, abuse their law license and perjury themselves on their moving papers! These psychopath intelligent attorneys take advantage of their law license to extort, and abuse the public &amp; defraud them in courts! They lie, cheat, and force their way into millions of dollars like Tom Girardi</p> <p>It's time for the CA BAR association to protect the public from these wolves instead of covering them from the crimes against humanities!</p> <p>Tougher sanctions, suspension of their law licenses and removal of their license must happen so the public can be safe from these thieves with a law license!</p> <p>Investigate them all &amp; make every investigation open to public &amp; display it on their license information so the public can see it &amp; make a wise decision to hire them or stay clear away! Step up and do your job!</p> <p>Have the ca Supreme Court get involved!</p> <p>Make these inept attorneys take a ethical course, substance abuse course and courses on fiduciary duties &amp; responsibility to clients</p>	N/A
2	John E. Karayan	Attorney	D	D	I am strongly opposed to the proposed changes. All members of the California State Bar who are disciplined should always be required to pass the Multistate	2.

<sup>1</sup> A = Agree with proposal; AM = Agree if modified; D = Disagree with proposal; NP = No position on proposal

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					<p>Professional Responsibility Examination as a precondition to being reinstated as a member of the California State Bar.</p> <p>Of course, being disciplined by the California State Bar does not mean that the individual being disciplined does not know what the professional responsibilities of members of the California State Bar are. The individual seeking reinstatement could, for example, have acted with full knowledge of these responsibilities. Nevertheless, reinstatement should be conditioned on an assurance to the public that the attorney being reinstated at least knows what (s)he is not supposed to do.</p>	
3		Attorney	D	D	<p>It is my opinion that we should leave the requirement that they have to take the professional responsibility exam again in place. These attorneys that come in from out of state seem to have few ethics in addition to little knowledge of CCP and Court rules. If they didn't have to take one on Entry they should definitely be taking one if they get disciplined.</p> <p>Leave rule in place. Out of state attys now licensed here (who knows how) have little or no ethics, especially in probate.</p>	2.
4		Attorney	A	A	Makes sense to not have such a blanket rule. It still allows requiring such attorneys to do so, but not have to add it in whatever suspensions where it isn't necessary	2.
5	James I. Ham of the Law Office of James I. Ham A Professional Corporation	Attorney	A	AM	For many years, I have pointed out during State Bar Court settlement conferences, and to others in and outside of the Bar, that requiring lawyers who have been disciplined to learn the wrong set of rules and then pass a test on the wrong set of rules, was suboptimal. The usual response I received was shrugged shoulders and some half-acknowledgement that in many cases, requiring the taking of any ethics examination is mere punishment since the misconduct did not arise from a rule violation. It is time that the MPRE examination requirement be dumped entirely, and other educational resources used instead.	2.

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6	Austin Trickey	Attorney	A	AM	Unfortunately, COVID interfered with a lot of young lawyers learning. I don't think we should punish lawyers outright but do our best to steer them in the right direction. Assistance over punishment. Lift everyone up don't penalize those who are struggling.	2.
7	Hallie Spaulding	Attorney	A	A	The system needs a reproof and expungement process. There should be a process of expunging public approvals after a completion of probation, and additional rehab rehabilitation, etc. the lack of expungement procedures, especially when those would already be available for the same offenses at the criminal level, is very troubling.	N/A
8		Attorney	A	A		N/A
9	William Clark	Attorney	A	A	Stipulations in any litigated matter should be encouraged. Failure to know the rules may determine the need for the Exam.	Both
10		Attorney	A	A		N/A
11	Megan Zavieh	Attorney	A	A	I strongly support the proposal. I am a full time State Bar defense attorney handling attorney discipline matters. The MPRE does nothing to further the State Bar's mission of protecting the public, but it does place an unnecessary burden on attorneys returning to practice. It also creates a burden on the State Bar to police the passage of the exam. There are several problems with requiring it, including its lack of practical application and the infrequency of its offerings.  Moreover, the other part of the proposal would solve a problem we often have related to the MPRE requirement, though it applies to other conditions as well. The lack of authority at the State Bar and State Bar Court to make simple modifications to probation conditions is a hindrance to efficient management of the discipline	Both

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					system. It also stalls lawyers from going back to active status due to ministerial or minor probation conditions not yet being met. I urge the passage of the proposal."	
12	Jeawoo Jung	Decline to state	A	NP	<p>I'm here to raise a critical fairness issue from the February 2025 California Bar Exam—specifically, the failure of the cut-and-paste function during the Performance Test (PT) for in-person examinees.</p> <p>The PT is not a test of memorization, but a practical writing task requiring examinees to analyze and apply legal materials provided during the exam. Without cut-and-paste, it became extremely difficult to structure and paraphrase rules and facts, causing significant time loss and resulting in incomplete responses.</p> <p>Given that the PT counts for twice the weight of a single essay, the harm was substantial—especially since many remote examinees retained full functionality.</p> <p>I understand that the problems during this exam were varied and widespread, and that designing a universal remedy is difficult. But I respectfully urge the Board to examine individual cases and ensure that qualified applicants who would likely have passed but for these technical issues are not unfairly denied licensure.</p>	N/A