

State Bar Court of California Hearing Department Los Angeles REPROVAL		Public Matter
Counsel for the State Bar Christina R. Mitchell Supervising Attorney 845 South Figueroa St. Los Angeles, CA 90017 (213) 765-1077 State Bar # 245120	Case Number(s): SBC-23-O-31018 (OCTC case number 17- O-01322)	For Court use only FILED ^{P.B} JAN 04 2024 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
Counsel For Respondent David Mitchel Majchrzak Klindinst PC 501 W Broadway Ste 1100 San Diego, CA 92101 (619) 400-8000 State Bar # 220860	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING PUBLIC REPROVAL <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: Lisa Helfend Meyer State Bar # 106105 (Respondent)	PUBLIC REPROVAL <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., “Facts,” “Dismissals,” “Conclusions of Law,” “Supporting Authority,” etc.

A. Parties’ Acknowledgments:

- (1) Respondent is an attorney of the State Bar of California, admitted **December 3, 1982**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.

- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under “Dismissals.” The stipulation consists of **12** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under “Facts.”
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under “Conclusions of Law.”
- (6) The parties must include supporting authority for the recommended level of discipline under the heading “Supporting Authority.”
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§ 6086.10 & 6140.7. (Check one option only):
- It is ordered that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law.
 - Case ineligible for costs (private reproof).
 - It is ordered that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law. SELECT ONE of the costs must be paid with Respondent’s annual fees for each of the following years:

If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance will be due and payable immediately.
- Costs are waived in part as set forth in a separate attachment entitled “Partial Waiver of Costs.”
 - Costs are entirely waived.
- (9) The parties understand that:
- (a) A private reproof imposed on a Respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the Respondent’s official State Bar records, but is not disclosed in response to public inquiries and is not reported on the State Bar’s web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
 - (b) A private reproof imposed on a Respondent after initiation of a State Bar Court proceeding is part of the Respondent’s official State Bar records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar’s web page.

- (c) A public reproof imposed on a Respondent is publicly available as part of the Respondent's official State Bar records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline:**
- (a) State Bar Court case # of prior case:
- (b) Date prior discipline effective:
- (c) Rules of Professional Conduct/ State Bar Act violations:
- (d) Degree of prior discipline:
- (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3) **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by misrepresentation.
- (4) **Concealment:** Respondent's misconduct was surrounded by, or followed by concealment.
- (5) **Overreaching:** Respondent's misconduct was surrounded by, or followed by overreaching.
- (6) **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code or the Rules of Professional Conduct.
- (7) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of Respondent's misconduct.
- (10) **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of Respondent's misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11) **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing.
- (12) **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13) **Restitution:** Respondent failed to make restitution.

- (14) **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15) **No aggravating circumstances** are involved. **See page 9.**

Additional aggravating circumstances:

C. Mitigating Circumstances [Standards 1.2(i) & 1.6]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2) **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of Respondent's misconduct or to the State Bar during disciplinary investigation and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of Respondent's misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced Respondent.
- (7) **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct, Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish were directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by Respondent, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress resulting from circumstances which were not reasonably foreseeable or were beyond Respondent's control and were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in Respondent's personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of Respondent's misconduct. **See page 9.**
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.

- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

No Prior Record of Discipline, see page 9.

Pro Bono and Community Service, see pages 9-10.

Rehabilitation, see page 10.

Prefiling Stipulation, see page 10.

D. Discipline:

Discipline – Reproval

Respondent is publicly reprovved. This reprovval will be effective as set forth in rule 5.127(A) of the Rules of Procedure of the State Bar. Furthermore, pursuant to rule 9.19(a) of the California Rules of Court and rule 5.128 of the Rules of Procedure, the court finds that the protection of the public and the interests of Respondent will be served by the following conditions being attached to this reprovval. Failure to comply with any condition attached to this reprovval may constitute cause for a separate disciplinary proceeding for willful breach of rule 8.1.1 of the California Rules of Professional Conduct. Respondent is ordered to comply with the following conditions attached to this reprovval for 1 year (Reprovval Conditions Period) following the effective date of the reprovval.

- (1) **Review Rules of Professional Conduct:** Within 30 days after the effective date of the order imposing discipline in this matter, Respondent must read the California Rules of Professional Conduct (Rules of Professional Conduct) and Business and Professions Code sections 6067, 6068, and 6103 through 6126. Respondent must provide a declaration, under penalty of perjury, attesting to Respondent's compliance with this requirement, to the State Bar's Office of Probation in Los Angeles (Office of Probation) with Respondent's first quarterly report.
- (2) **Comply with State Bar Act, Rules of Professional Conduct, and Reproval Conditions:** Respondent must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of Respondent's reprovval.
- (3) **Maintain Valid Official State Bar Record Address and Other Required Contact Information:** Within 30 days after the effective date of the order imposing discipline in this matter, Respondent must make certain that the State Bar Attorney Regulation and Consumer Resources Office (ARCR) has Respondent's current office address, email address, and telephone number. If Respondent does not maintain an office, Respondent must provide the mailing address, email address, and telephone number to be used for State Bar purposes. Respondent must report, in writing, any change in the above information to ARCR within ten (10) days after such change, in the manner required by that office.
- (4) **Meet and Cooperate with Office of Probation:** Within 30 days after the effective date of the order imposing discipline in this matter, Respondent must schedule a meeting with Respondent's assigned Probation Case Coordinator to discuss the terms and conditions of Respondent's discipline and, within 45 days after the effective date of the court's order, must participate in such meeting. Unless otherwise instructed by the Office of Probation, Respondent may meet with the Probation Case Coordinator in person or by telephone. During the Reproval Conditions Period, Respondent must promptly meet with representatives of the Office of Probation as requested by it and, subject to the assertion of applicable privileges, must fully, promptly, and truthfully answer any inquiries by it and provide to it any other information requested by it.

- (5) **State Bar Court Retains Jurisdiction/Appear Before and Cooperate with State Bar Court:** During Respondent's Repeval Conditions Period, the State Bar Court retains jurisdiction over Respondent to address issues concerning compliance with repeval conditions. During this period, Respondent must appear before the State Bar Court as required by the court or by the Office of Probation after written notice mailed to Respondent's official State Bar record address, as provided above. Subject to the assertion of applicable privileges, Respondent must fully, promptly, and truthfully answer any inquiries by the court and must provide any other information the court requests.
- (6) **Quarterly and Final Reports:**
- a. **Deadlines for Reports.** Respondent must submit written quarterly reports to the Office of Probation no later than each January 10 (covering October 1 through December 31 of the prior year), April 10 (covering January 1 through March 31), July 10 (covering April 1 through June 30), and October 10 (covering July 1 through September 30) within the Repeval Conditions Period. If the first report would cover less than 30 days, that report must be submitted on the next quarter date and cover the extended deadline. In addition to all quarterly reports, Respondent must submit a final report no earlier than ten (10) days before the last day of the Repeval Conditions Period and no later than the last day of the Repeval Conditions Period.
 - b. **Contents of Reports.** Respondent must answer, under penalty of perjury, all inquiries contained in the quarterly report form provided by the Office of Probation, including stating whether Respondent has complied with the State Bar Act and the Rules of Professional Conduct during the applicable quarter or period. All reports must be: (1) submitted on the form provided by the Office of Probation; (2) signed and dated after the completion of the period for which the report is being submitted (except for the final report); (3) filled out completely and signed under penalty of perjury; and (4) submitted to the Office of Probation on or before each report's due date.
 - c. **Submission of Reports.** All reports must be submitted by: (1) fax or email to the Office of Probation; (2) personal delivery to the Office of Probation; (3) certified mail, return receipt requested, to the Office of Probation (postmarked on or before the due date); or (4) other tracked-service provider, such as Federal Express or United Parcel Service, etc. (physically delivered to such provider on or before the due date).
 - d. **Proof of Compliance.** Respondent is directed to maintain proof of Respondent's compliance with the above requirements for each such report for a minimum of one year after the Repeval Conditions Period has ended. Respondent is required to present such proof upon request by the State Bar, the Office of Probation, or the State Bar Court.
- (7) **State Bar Ethics School:** Within one year after the effective date of the order imposing discipline in this matter, Respondent must submit to the Office of Probation satisfactory evidence of completion of the State Bar Ethics School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and Respondent will not receive MCLE credit for attending this session.
- (8) **State Bar Ethics School Not Recommended:** It is not recommended that Respondent be ordered to attend the State Bar Ethics School because .
- (9) **State Bar Client Trust Accounting School:** Within one year after the effective date of the order imposing discipline in this matter, Respondent must submit to the Office of Probation satisfactory evidence of completion of the State Bar Client Trust Accounting School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and Respondent will not receive MCLE credit for attending this session.

- (10) **Minimum Continuing Legal Education (MCLE) Courses – California Legal Ethics [Alternative to State Bar Ethics School for Out-of-State Residents]:** Because Respondent resides outside of California, within _____ after the effective date of the order imposing discipline in this matter, Respondent must either submit to the Office of Probation satisfactory evidence of completion of the State Bar Ethics School and passage of the test given at the end of that session or, in the alternative, complete _____ hours of California Minimum Continuing Legal Education-approved participatory activity in California legal ethics and provide proof of such completion to the Office of Probation. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for this activity.
- (11) **Criminal Probation:** Respondent must comply with all probation conditions imposed in the underlying criminal matter and must report such compliance under penalty of perjury in all quarterly and final reports submitted to the Office of Probation covering any portion of the period of the criminal probation. In each quarterly and final report, if Respondent has an assigned criminal probation officer, Respondent must provide the name and current contact information for that criminal probation officer. If the criminal probation was successfully completed during the period covered by a quarterly or final report, that fact must be reported by Respondent in such report and satisfactory evidence of such fact must be provided with it. If, at any time before or during the Repeval Conditions Period, Respondent's criminal probation is revoked, Respondent is sanctioned by the criminal court, or Respondent's status is otherwise changed due to any alleged violation of the criminal probation conditions by Respondent, Respondent must submit the criminal court records regarding any such action with Respondent's next quarterly or final report.
- (12) **Minimum Continuing Legal Education (MCLE):** Within _____ after the effective date of the order imposing discipline in this matter, Respondent must complete _____ hour(s) of California Minimum Continuing Legal Education-approved participatory activity in SELECT ONE _____ and must provide proof of such completion to the Office of Probation. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for this activity.
- (13) **Other:** Respondent must also comply with the following additional reprobation conditions: **Complete E-Learning Course Reviewing Rules and Statutes on Professional Conduct. Within 90 days after the effective date of this reprobation, Lisa Helfend Meyer must complete the e-learning course entitled "California Rules of Professional Conduct and State Bar Act Overview." Respondent must provide a declaration, under penalty of perjury, attesting to respondent's compliance with this requirement, to the Office of Probation no later than the deadline for respondent's first quarterly report..**
- (14) **Multistate Professional Responsibility Examination Within One Year:** It is further ordered that Respondent take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year after the effective date of the order imposing discipline in this matter and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)
- (15) **The following conditions are attached hereto and incorporated:**
- Financial Conditions Medical Conditions
- Substance Abuse Conditions

Attachment language (if any):

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: LISA HELFEND MEYER

CASE NUMBER: 17-O-01322

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that she is culpable of violations of the specified statute.

Case No. 17-O-01322 (Complainant: Hon. John R. Smiley)

FACTS:

1. Respondent represented Anna Yeager in post-dissolution of marriage litigation against her ex-husband Louis Yeager, in *Yeager v. Yeager*, Ventura County Superior Court, case number SD032322, filed on May 16, 2005.

2. On July 26, 2008, Ms. Yeager married Paul Anka and thereafter changed her name to Anna Anka.

3. On July 9, 2009, during the course of litigating child custody issues in *Yeager v. Yeager*, Dr. Ian Russ, Ph.D. prepared a Child Custody Evaluation Report (“Report”), a confidential document governed by Family Code section 3025.5 and 3111(d). The Report contains summaries of interviews done with the parents, the minor child, other witnesses to the marriage, as well as a psychological evaluation by Dr. Carl Hoppe.

4. Through her representation of Ms. Anka during the *Yeager v. Yeager* dissolution of marriage, respondent had knowledge of the contents of the Report.

5. On December 4, 2009, Mr. Anka filed for dissolution of marriage against Ms. Anka in *Anka v. Anka*, Ventura County Superior Court, case number SD039867. Respondent again represented Ms. Anka in the dissolution of marriage.

6. On June 21, 2016, while litigating *Anka v. Anka*, respondent conducted a deposition of Ms. Anka’s first husband, Louis Yeager.

7. During the deposition, respondent questioned Mr. Yeager about confidential information contained in the Report. Respondent asked approximately 20 questions that, due to the nature of the questions, disclosed confidential information contained within the Report.

8. Of the individuals present at the deposition, only Mr. Yeager, Ms. Anka, and respondent were aware of the contents of the Report prior to the deposition.

9. On September 6, 2016, Mr. Yeager, through his counsel, filed a Request for Order in *Yeager v. Yeager*, Ventura County Superior Court, case number SD032322, seeking sanctions against respondent in the amount of \$50,000 for violating Family Code sections 3025.5 and 3111(d).

10. On February 10, 2017, the trial court held that the disclosures were made maliciously, recklessly, without substantial justification, and were not in the best interest of the child. The court sanctioned respondent and Ms. Anka jointly in the amount of \$50,000 for the breaches of the confidentiality provisions of Family Code sections 3025.5 and 3111(d).

11. On April 6, 2017, respondent file a Notice of Appeal of the sanction order.

12. On February 4, 2019, the Court of Appeal issued a decision in *In re Marriage of Anka and Yeager* (2019) 31 Cal.App.5th 1115, affirming the trial court's sanctions against respondent, but reversing the sanctions against Ms. Anka.

CONCLUSIONS OF LAW:

13. By questioning Mr. Yeager regarding the information contained within the confidential Child Custody Evaluation Report in *Yeager v. Yeager*, information respondent knew was confidential and a prohibited area for questions, respondent violated Family Code sections 3025.5 and 3111(d), and thereby failed to support the laws of this state, in violation of Business and Professions Code section 6068(a).

AGGRAVATING CIRCUMSTANCES.

None.

MITIGATING CIRCUMSTANCES.

No Prior Record of Discipline: Respondent was admitted to the State Bar of California on December 3, 1982, and has no record of prior discipline. At the time of respondent's misconduct, respondent had 34 years of discipline-free practice. (See *Friedman v. State Bar* (1990) 50 Cal.3d 235, 245 [more than twenty years of discipline-free practice entitled to significant mitigation].)

Good Character (Std. 1.6(f)): Respondent provided ten letters of good character describing her good character. The letters were attested to by a wide range of references in the legal community as well as outside the legal community, including from seven attorneys and three members of his community, who have known respondent from seven to 29 years. Each witness demonstrated knowledge of respondent's misconduct and nevertheless have high praise for respondent's character and professionalism. (See *In the Matter of Davis* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 576, 591-592 [significant mitigation for good character for three witnesses, two attorneys and a fire chief, who had long-standing familiarity with attorney and broad knowledge of good character, work habits, and professional skills].)

Pro Bono and Community Service: Respondent has mentored many students, including those from disadvantaged backgrounds, provided internship and part time employment opportunities for college and law school students, and mentored young attorneys. Respondent also volunteers for the Volunteer Attorneys Settlement Team (VAST) mediation program, where she works collaboratively with parties to help them resolve their complex family law matters. Respondent also has been involved for decades with issues and organizations focused on autism, including supporting the Glennwood House and

serving on the Board for Autism Speaks. Respondent is additionally involved with Tower Cancer Research Foundation, where she supports an annual fundraising event. (See *Calvert v. State Bar* (1991) 54 Cal.3d 765, 785 [pro bono work and community service warrant mitigation credit]).

Rehabilitation: Since the trial court’s ruling in 2017, respondent has personally ensured that in matters at her firm where a Confidential Child Custody Evaluation is required that the parties’ have entered into an *Anka* waiver, a document that respondent ensured complies with the Court of Appeal opinion in *Anka v. Anka*. (See *In the Matter of Crane and DePew* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 139, 157.)

Prefiling Stipulation: By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney's stipulation to facts and culpability was held to be a mitigating circumstance].)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct “set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances.” (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to standards are to this source.) The standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silverton* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member’s willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

Standard 2.12(a) applies to respondent’s violation of Family Code section 3025.5 and 3111(d). Standard 2.12(a) provides: “Disbarment or actual suspension is the presumed sanction for disobedience or violation of a court or tribunal order related to the lawyer’s practice of law, the attorney’s oath, or the duties required of an attorney under Business and Professions Code section 6068, subdivisions (a)(b)(d)(e)(f), or (h), and rule 3.4(f) of the Rules of Professional Conduct.”

Here, respondent is culpable of violating Family Code sections 3025.5 and 3111, laws which are designed to protect minor children and the confidential information related to their home life and relationships with their parents. Respondent repeatedly questioned Mr. Yeager regarding the information contained within the confidential Child Custody Evaluation Report in *Yeager v. Yeager*, information respondent knew was confidential and a prohibited area for questions. Accordingly, respondent is culpable of violating Business and Professions Code section 6068(a).

To determine the appropriate level of discipline, consideration must be given to the aggravating and mitigating circumstances. In mitigation, respondent had 34 years of discipline-free practice at the time of her misconduct. This lack of prior discipline warrants significant mitigation. Respondent has also presented ten letters that attest to her good character. Additionally, respondent is entitled to mitigation for her pro bono work and community service and rehabilitation. She is further entitled to mitigation for acknowledging her misconduct by entering into a prefiling stipulation, thereby saving the State Bar time and resources. There is no aggravation present. Taking into account both the lack of aggravation and respondent's extensive mitigation, respondent's misconduct warrants a downward deviation from Standard 2.12(a). A public reproof with one (1) year of reproof conditions is the appropriate discipline to protect the public, the courts and the legal profession, maintain high professional standards, and preserve public confidence in the legal profession.

Case law supports this level of discipline. In *In the Matter of Collins* (Review Dept. 2018), 5 State Bar Ct. Rptr. 551, the Review Department recommended a 30-day actual suspension for an attorney's "intentional disobedience of five unchallenged sanction orders" for discovery in a single client matter, under Standard 2.12(a). The Review Department assigned moderate weight to the aggravation of multiple acts of wrongdoing, given Collins' intentional failure to comply with five distinct superior court orders, and assigned mitigating credit to Collins' 22-year career with no prior discipline and cooperation with the State Bar. The Review Department imposed a 30-day actual suspension.

In the instant matter, respondent's misconduct — violating Family Code section 3025.5 in a single-client matter — is comparable to the misconduct in *Collins*. The court found Collins to have intentionally disobeyed court orders, similar to respondent's violation of the protections in place by the Family Code to protect minors. Unlike the misconduct in *Collins*, respondent's misconduct occurred in a single day, over the course of a few hours. Furthermore, respondent has presented more significant mitigation than Collins. In mitigation, respondent had 34 years of discipline-free practice at the time of her misconduct. Additionally, respondent has demonstrated good character, engaged in pro bono work and community service, demonstrated rehabilitation, and entered into a prefiling stipulation. On balance, weighing respondent's extensive mitigation against the lack of aggravation, a public reproof with one (1) year of reproof conditions is consistent with the purposes of discipline and will serve to protect the public, the courts, and the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of December 14, 2023, the discipline costs of this matter are \$3,864. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

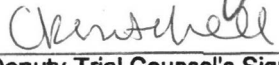
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In the Matter of:
LISA HELFEND MEYER

Case Number(s):

SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

<u>12-19-23</u> Date	<u></u> Respondent's Signature	<u>Lisa Helfend Meyer</u> Print Name
<u>19 December 2023</u> Date	<u></u> Respondent's Counsel Signature	<u>David M. Majchrzak</u> Print Name
<u>12/19/23</u> Date	<u></u> Deputy Trial Counsel's Signature	<u>Christina Mitchell</u> Print Name

(Do not write above this line.)

In the Matter of: LISA HELFEND MEYER	Case Number(s):
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REPROVAL ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See Rules Proc. of State Bar, rule 5.58(E) & (F).) **Otherwise, the stipulation shall be effective as set forth in rule 5.127(A).**

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 8.1.1, California Rules of Professional Conduct.

Date

Judge of the State Bar Court

DECLARATION OF SERVICE

CASE NUMBER(s): 17-O-01322

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, Alicia.Bubion@calbar.ca.gov, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a)) By U.S. Certified Mail: (CCP §§ 1013 and 1013(a)) - in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.

By Overnight Delivery: (CCP §§ 1013(e) and 1013(d)) - I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ("UPS").

By Fax Transmission: (CCP §§ 1013(e) and 1013(f)) Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

By Electronic Service: (CCP § 1010.6 and Rules of Proc. of State Bar, rule 5.26.2) Based on rule 5.26.2, a court order, or an agreement of the parties to accept service by electronic transmission, I caused the above-named document(s) to be transmitted by electronic means to the person(s) at the electronic address(es) listed below. If there is a signature on the document(s), I am the signer of the document(s), I am the agent of, or I am serving the document(s) at the direction of, the signer of the document(s). I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)

(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article at Los Angeles, addressed to: (see below) No.:

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking addressed to: (see below) No.:

Table with 4 columns: Person Served, Business Address, Fax Number, Courtesy Copy to: and 3 rows of recipient information including David Mitchel Majchrzak, Heather Linn Rosing, and Ellen A. Pansky.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ("UPS"). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

DATED: December 19, 2023

SIGNED: Alicia Bubion ALICIA BUBION Declarant

In the Matter of: LISA HELFEND MEYER	Case Number(s): SBC-23-O-31018
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REPROVAL ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
 - The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
 - All court dates in the Hearing Department are vacated.
1. On page 7 of the stipulation, item D(13), "no later than the deadline for respondent's first quarterly report" is deleted and is replaced with "no later than the deadline for respondent's next quarterly report due immediately after course completion";
 2. On page 7 of the stipulation, item D(14), the last sentence and corresponding rule is deleted;
 3. On page 8 of the stipulation, numbered paragraph 3, line 3, "section" is deleted and replaced with "sections";
 4. On page 9 of the stipulation, numbered paragraph 11, "file" is deleted and replaced with "filed";
 5. On page 11 of the stipulation, paragraph 3, line 1, "5 State Bar" is deleted and replaced with "5 Cal. State Bar";
 6. On page 11 of the stipulation, paragraph 4, line 1, "section 3025.5" is deleted and replaced with "sections 3025.5 and 3111";
 7. On page 12 of the stipulation in the upper right box "SBC-23-O-31018" is inserted; and
 8. On page 13 of the stipulation in the upper right box "SBC-23-O-31018" is inserted.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See Rules Proc. of State Bar, rule 5.58(E) & (F).) **Otherwise, the stipulation shall be effective as set forth in rule 5.127(A).**

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 8.1.1, California Rules of Professional Conduct.

January 4, 2024
Date


CYNTHIA VALENZUELA
Judge of the State Bar Court