CALIFORNIA COMPENDIUM ON PROFESSIONAL RESPONSIBILITY INDEX

Rossman v. State Bar (1985) 39 Cal.3d 539 [216 Cal.Rptr. 919]

<u>Smith v. State Bar</u> (1985) 38 Cal.3d 525, 537-538 [Cal.Rptr. 236]

<u>Trousil v. State Bar</u> (1985) 38 Cal.3d 337, 340-341 Cal.Rptr. 525]

<u>Smith v. State Bar</u> (1984) 37 Cal.3d 17 [206 Cal.Rptr 15] <u>Wren v. State Bar</u> (1983) 34 Cal.3d 81 [192 Cal.Fptr 743, 665 P.2d 515]

In the Matter of Dahlz (Review Dept. 2001) 4 Captate Bar Ct. Rptr. 269

In the Matter of Phillips (Review Dept. 2001) 4 1. State Bar Ct. Rptr. 315

In the Matter of Johnson (Review Dept. 200 4 Cal. State Bar Ct. Rptr. 179

In the Matter of Hertz (Review Dept. 1991 Cal. State Bar Ct. Rptr. 456

ignoring pro bono clients

<u>Segal v. State Bar</u> (1988) 44 Cal.39 077 [245 Cal.Rptr. 404]

Willful violation of court order

Nilsson v. Louisiana Hydrolec (9th C 1988) 854 F.2d 1538 Ainsworth v. State Bar (1988) 46 C 3d 1218 [252 Cal.Rptr. 267]

People v. Chong (1999) 76 Cal. p.4th 232 [90 Cal.Rptr.2d 198]

Willful violation of oath and duties ___attorney

failure to notify client of conge of address, telephone number

Ainsworth v. State Ba (1988) 46 Cal.3d 1218 [252 Cal.Rptr. 267]

practicing law while susp

<u>Ainsworth v. State</u> (1988) 46 Cal.3d 1218 [252 Cal.Rptr. 267]

tendering checks with sufficient funds

<u>Ainsworth v. Str. Bar</u> (1988) 46 Cal.3d 1218 [252 Cal.Rptr. 267]

Willful violation of oath and duties of attorney in court of law People v. Chong 1989) 76 Cal.App.4th 232 [90 Cal.Rptr.2d 198]

Willful violation of resolvent of Professional Conduct

established be showing attorney acted or omitted to act proposely

<u>Beery variate Bar</u> (1987) 43 Cal.3d 802 [239 Cal.Rptr. 21]

the latter of respondent G (Review Dept. 1992) 2 al. 1. te Bar 1. Aptr. 175

Writ of about s cor

jud and without adequate information to help a friend atter of Jenkins (Review Dept. 2000) 4 Cal. State 1. Rptr. 157

MODEL OF PROFESSIONAL RESPONSIBILITY [See American Bar Association Model Code of Professional Responsibility.]

MORAL TURPITUDE

Business and Professions Code section 6106

Abandonment of clients" interest

Mackey v. Hoffman (9th Cir. 2012) 682 F.3d 1247
Stanley v. State Bar (1990) 50 Cal.3d 555 [788 P.2d 697]
In re Billings (1990) 50 Cal.3d 358 [787 P.2d 617]
Walker v. State Bar (1989) 49 Cal.3d 1107 [783 P.2d 184]
Phillips v. State Bar (1989) 49 Cal.3d 944 [782 P.2d 587]
Sands v. State Bar (1989) 49 Cal.3d 919 [782 P.2d 595]
Slavkin v. State Bar (1989) 49 Cal.3d 894 [264 Cal.Rptr. 131]
Baker v. State Bar (1989) 49 Cal.3d 804 [781 P.2d 1344]
Matthew v. State Bar (1989) 49 Cal.3d 784 [263 Cal.Rptr. 660]

<u>Pineda v. State Bar</u> (1989) 49 Cal.3d 753 [263 Cal.Rptr. 377] <u>Bowles v. State Bar</u> (1989) 48 Cal.3d 100 [255 Cal.Rptr. 846] <u>Van Sloten v. State Bar</u> (1989) 48 Cal.3d 921 [258 Cal.Rptr. 235

Natali v. State Bar (1988) 45 Cal.3d 456 [247 Cal.Rptr. 165] Gary v. State Bar (1988) 44 Cal.3d 820 [244 Cal.Rptr. 482]

MODEL CODE OF PROFESSIONAL RESPONSIBILITY

<u>Hunniecutt v. State Bar</u> (1988) 44 Cal.3d 362 [748 P.2d 1161]

<u>Franklin v. State Bar</u> (1986) 41 Cal.3d 700 [224 Cal.Rptr. 738]

<u>Stuart v. State Bar</u> (1985) 40 Cal.3d 838, 842-843 [221 Cal.Rptr. 557]

<u>Baranowski v. State Bar</u> (1979) 24 Cal.3d 153, 162-163 [154 Cal.Rptr. 752, 593 P.2d 613]

<u>Hansen v. State Bar</u> (1978) 23 Cal.3d 68, 70 [151 Cal.Rptr. 343, 587 P.2d 1156]

Wells v. State Bar (1978) 20 Cal.3d 708, 714 [144 Cal.Rptr. 133, 575 P.2d 285]

In re Brockway (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 944

refusal of defense counsel to pursue client's desire to withdraw guilty plea not abandonment when done for ethical reasons

<u>People v. McLeod</u> (1989) 210 Cal.App.3d 585 [258 Cal.Rptr. 496]

Abortion, procuring

<u>In re Plotner</u> (1971) 5 Cal.3d 714, 726-727 [97 Cal.Rptr. 193, 488 P.2d 385]

Acceptance of employment adverse to a former client

Sheffield v. State Bar (1943) 22 Cal.2d 627 [140 P.2d 376] Accepting a bribe

In re Bar Association of San Francisco (1921) 185 Cal. 621, 636 [dismissal] [198 P.7]

Accepting fees without performing work [See Fees.]

<u>Alkow v. State Bar</u> (1971) 3 Cal.3d 924, 934-935 [92 Cal.Rptr. 278]

Advancing untrue facts prejudicial to opposing party

In the Matter of Wyshak (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 70

Adverse interests

<u>Lee v. State Bar</u> (1970) 2 Cal.3d 927, 941 [88 Cal.Rptr. 361] acquisition of

Marlowe v. State Bar (1965) 63 Cal.2d 304, 308-309 [46 Cal.Rptr. 3226, 405 P.2d 150]

Advertising [See Advertising and Solicitation of Business.]

<u>In re Kelley</u> (1990) 52 Cal.3d 487 [801 P.2d 1126] <u>In re Billings</u> (1990) 50 Cal.3d 358 [787 P.2d 617]

Allowing non-attorney to sign up clients

In the Matter of Tamir Oheb (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920

Alteration of evidence presented in a criminal trial

<u>Price v. State Bar</u> (1982) 30 Cal.3d 537, 541, 547-548 [179 Cal.Rptr. 914, 638 P.2d 1311]

Alteration of name of grantee on deed

<u>Hinds v. State Bar</u> (1941) 19 Cal.2d 87, 89-93 [119 P.2d 134]

Altering will so as to be admitted to probate

<u>Bar Association of San Francisco v. DeVall</u> (1922) 59 Cal.App. 230 [210 P. 279]

Assignment of chose in action for legal malpractice

<u>Goodley v. Wank & Wank, Inc.</u> (1976) 62 Cal.App.3d 389 [133 Cal.Rptr. 83]

Attempted child molestation

<u>In re Lesansky</u> (2001) 25 Cal.4th 11 [104 Cal.Rptr.2d 409, 17 P.3d 764]

Attempt to extort money

Barton v. State Bar (1935) 2 Cal.2d 294

Attempt to receive stolen property

<u>In re Conflenti</u> (1981) 29 Cal.3d 120 [172 Cal.Rptr. 203, 624 P.2d 253]

Attorney's attempt to kill former client equals moral turpitude In re Mostman (1989) 47 Cal.3d 725 [254 Cal.Rptr. 286]

Attorney's name, allowing lay employee to use McGregor v. State Bar (1944) 24 Cal.2d 283, 288-289 [148 P.2d 865]

Bar examination

taking Bar examination for another

In re Lamb (1989) 49 Cal.3d 239 [260 Cal.Rptr. 856]

MORAL TURPITUDE

Borrowing money without intent to repay it Conversion of client trust account funds In the Matter of Peavey (Review Dept. 2002) 4 Cal. State Bar Bernstein v. State Bar (1972) 6 Cal.3d 909, 917 [101 Ct. Rptr. 483 Cal.Rptr. 369, 495 P.2d 1289] In the Matter of Petilla (Review Dept. 2001) 4 Cal. State Bar Converting estate funds Ct. Rptr. 231 Breach of fiduciary duty Fall v. State Bar(1944) 25 Cal.2d 149,159 [153 P.2d 1] civil judgment for fraud and breach of fiduciary duty establishes moral turpitude In the Matter of Kittrell (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 195 OC 2011-02 Bribery Sands v. State Bar (1989) 49 Cal.3d 919 [782 P.2d 595] In re Severo (1986) 41 Cal.3d 493 [224 Cal.Rptr. 106] In re Hanley (1975) 13 Cal.3d 445, 451 [119 Cal.Rptr. 5, 530 P.2d 13811 Toll v. State Bar (1974) 12 Cal.3d 824, 826-830 [117 Cal.Rptr. 427, 528 P.2d 351 Skelly v. State Bar (1973) 9 Cal.3d 502 [dismissal] [108 Cal.Rptr. 6, 509 P.2d 950] Werner v. State Bar (1944) 24 Cal.2d 611, 616-618 [150 P.2d 8921 judge accepted In the Matter of Jenkins (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 157 Burglary In re Hurwitz (1976) 17 Cal.3d 562, 567-568 [131 Cal.Rptr. 402, 551 P.2d 1234] Charging and accepting exorbitant fee Goldstone v. State Bar (1931) 214 Cal. 490, 496-497 [6 P.2d 513] Checks issued with insufficient funds in client trust account Read v. State Bar (1991) 53 Cal.3d 394, modified at 53 Rhodes v. State Bar (1989) 49 Cal.3d 50 [260 Cal.Rptr. 266] CAL 2005-169 Commingling funds Fitzpatrick v. State Bar (1977) 20 Cal.3d 73, 79 [141 Cal.Rptr. 169, 569 P.2d 763] Bernstein v. State Bar (1972) 6 Cal.3d 909, 916-917 [101 Cal.Rptr. 3691 Clark v. State Bar (1952) 39 Cal.2d 161, 166, 168 [246 P.2d Pearlin v. State Bar (1941) 18 Cal.2d 682 [117 P.2d 341] Bar Association of San Francisco v. Cantrell (1920) 49 Cal.App. 468, 471-472 [193 P. 598] In the Matter of Doran (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 871 Concealing material information In the Matter of Field (Review Dept. 2010) 5 Cal. State Bar Ct. Rptr. 171 Concealment of material facts from client Barreiro v. State Bar (1970) 2 Cal.3d 912 [88 Cal.Rptr. 192] Clancy v. State Bar (1969) 71 Cal.2d 140, 148 [77 Cal.Rptr. 657, 454 P.2d 329] In the Matter of Kittrell (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 195 Confidential settlement disclosed In the Matter of Gillis (Review Dept. 2002) 4 Cal. State Bar

Ridge v. State Bar (1989) 47 Cal.3d 952 [254 Cal.Rptr. 803] Conviction conspiracy to distribute cocaine In re Meacham (1988) 47 Cal.3d 510 [253 Cal.Rptr. 572] conspiracy to structure currency transactions to evade federal currency reporting requirements In the Matter of Curtis (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 601 crimes inherently involving moral turpitude versus those where and element of the crime is moral turpitude In the Matter of Tamir Oheb (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920 crimes involving moral turpitude Bercovich v. State Bar (1990) 50 Cal.3d 116 [785 P.2d In re Lesansky (2001) 25 Cal.4th 11 [104 Cal.Rptr.2d In re Aquino (1989) 49 Cal.3d 1122 [783 P.2d 192] In re Rivas (1989) 49 Cal.3d 794 [781 P.2d 946] In re Chernik (1989) 49 Cal.3d 467 [261 Cal.Rptr. 595] In re Young (1989) 49 Cal 3d 257 In re Lamb (1989) 49 Cal.3d 239 [260 Cal.Rptr. 856] Chadwick v. State Bar (1989) 49 Cal.3d 103 [260 Cal.Rptr. 538] In re Meacham (1988) 47 Cal.3d 510 [253 Cal.Rptr. 572] In re Ford (1988) 44 Cal.3d 810 [244 Cal.Rptr. 476] In re Nadrich (1988) 44 Cal.3d 271 [243 Cal.Rptr. 218, 747 P.2d 1146] In re Bloom (1987) 44 Cal.3d 128 [241 Cal.Rptr.726] In re Chira (1986) 42 Cal.3d 904 [727 P.2d 753] In re Severo (1986) 41 Cal.3d 493 [224 Cal.Rptr. 106] In re Possino (1984) 37 Cal.3d 163 [207 Cal.Rptr. 543, 689 P.2d 115] In re Strick (1983) 34 Cal.3d 891 [238 Cal.Rptr 397] In re Giddens (1981) 30 Cal.3d 110 [177 Cal.Rptr. 673, 635 P.2d 166] In re Arnoff (1978) 22 Cal.3d 740, 743 [150 Cal.Rptr. 479, 586 P.2d 960] In re Hurwitz (1976) 17 Cal.3d 562 [131 Cal.Rptr. 402, 551 P.2d 1234] In re Duggan (1976) 17 Cal.3d 416 [130 Cal.Rptr. 715, 551 P.2d 19] In the Matter of Sullivan II (Review Dept. 2010) 5 Cal. State Bar Ct. Rptr. 189 In the Matter of Kreitenberg (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 469 In the Matter of Weber (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 942 In the Matter of Segal (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 71 In the Matter of Distefano (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 668 In the Matter of Meza (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 608 In the Matter of Deierling (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 552 In the Matter of Frascinella (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 543 -felony convictions Business and Professions Code section 6102(c)

Bar Ct. Rptr. 601

Bar Ct. Rptr. 601

crimes not per se involving moral turpitude

P.2d 417]

Contributory negligence of client

Conspiracy to defraud United States

In re Crooks (1990) 51 Cal.3d 1090 [800 P.2d 898]

In re Chernik (1989) 49 Cal.3d 467 [261 Cal.Rptr. 595]

In the Matter of Kreitenberg (Review Dept. 2002) 4 Cal. State

Theobald v. Byers (1961) 193 Cal.App.2d 147 [13 Cal.Rptr.

Conspiracy to obstruct justice
In the Matter of Sullivan II (Review Dept. 2010) 5 Cal. State

Ct. Rptr. 387

Bar Ct. Rptr. 469

Bar Ct. Rptr. 189

In the Matter of Curtis (Review Dept. 2003) 4 Cal. State

In re Utz (1989) 48 Cal.3d 468 [256 Cal.Rptr. 561, 769

In the Matter of Curtis (Review Dept. 2003) 4 Cal. State

In re Strick (1987) 43 Cal.3d 644 [238 Cal.Rptr. 397]

In the Matter of Duxbury (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 61

-driving under influence of alcohol, conviction for

In re Kelley (1990) 52 Cal.3d 487 [801 P.2d 1126]

In re Carr (1988) 46 Cal.3d 1089

In the Matter of Respondent I (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 260

In the Matter of Anderson (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 208

In the Matter of Carr (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 108

In the Matter of Anderson (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 39

dismissal or acquittal of criminal charges does not bar disciplinary proceedings covering the same facts

In the Matter of Jenkins (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 157

for failure to pay federal marijuana transfer tax

In re Higbie (1972) 6 Cal.3d 562, 572-573 [99 Cal.Rptr.

need not be in California

People v. Davis (1985) 166 Cal.App.3d 760, 764 fn.2 [212 Cal.Rptr. 673]

Court

duty not to mislead

In the Matter of Reiss (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 206

In the Matter of Chestnut (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 166

In the Matter of Maloney and Virsik (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 774

Credit card abuse

In the Matter of Petilla (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 231

Criminal proceedings

Best v. State Bar (1962) 57 Cal.2d 633, 638 [21 Cal.Rptr. 589, 371 P.2d 325]

Deceit to State Bar

Borré v. State Bar (1991) 52 Cal.3d 1047

Chang v. State Bar (1989) 49 Cal.3d 114

Warner v. State Bar (1983) 34 Cal.3d 36 [192 Cal.Rptr. 244, 664 P.2d 148]

In the Matter of Fahy (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 141

In the Matter of Mitchell (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 332

Deception, acts of

Business and Professions Code section 6106

Stanley v. State Bar (1990) 50 Cal.3d 555 [788 P.2d 697]

<u>In re Aquino</u> (1989) 49 Cal.3d 1122

Silva-Vidor v. State Bar (1989) 49 Cal.3d 1071

Slavkin v. State Bar (1989) 49 Cal.3d 894 [264 Cal.Rptr. 131] Baker v. State Bar (1989) 49 Cal.3d 804

Chang v. State Bar (1989) 49 Cal.3d 114

Chadwick v. State Bar (1989) 49 Cal.3d 103 [260 Cal.Rptr.

Segal v. State Bar (1988) 44 Cal.3d 1077 [245 Cal.Rptr. 404] Rossman v. State Bar (1985) 39 Cal.3d 539 [216 Cal.Rptr. 919, 703 P.2d 390]

Segretti v. State Bar (1976) 15 Cal.3d 878, 888 [126 Cal.Rptr. 793]

In re Gruanu (2008) 169 Cal.App.4th 997 [86 Cal.Rptr.3d 908]

In the Matter of Reiss (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 206

In the Matter of Fahy (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 141

In the Matter of Conner (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 93

In the Matter of Valinoti (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 498

In the Matter of Peavey (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 483

In the Matter of Kittrell (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 195

In the Matter of Lais (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 112

In the Matter of Moriarty (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 9

In the Matter of Lilly (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 185

In the Matter of Hertz (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 456

Foote v. State Bar (1951) 37 Cal.2d 127, 129 [230 P.2d 617] Allen v. State Bar (1951) 36 Cal.2d 683, 685-686

Hallinan v. State Bar (1948) 33 Cal.2d 246

CAL 1982-68, SD 2011-2

concealed payments to non-attorney

In the Matter of Tamir Oheb (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920

intentional deception in over-zealous efforts to effect a legal strategy

In the Matter of Maloney and Virsik (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 774

no distinction among concealment, half-truth, and false statement of facts

In the Matter of Chestnut (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 166

signing under penalty of perjury pleadings containing omissions and outright misstatements of fact and law

In the Matter of Maloney and Virsik (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 774

Defamation

Hogan v. State Bar (1951) 36 Cal.2d 807, 808

Defenses, good faith

Call v. State Bar (1955) 45 Cal.2d 104, 110-111 [287 P.2d 7611

Defined

Chadwick v. State Bar (1989) 49 Cal.3d 103 [260 Cal.Rptr. 538]

In re Lesansky (2001) 25 Cal.4th 11 [104 Cal.Rptr.2d 409, 17 P.3d 764]

In re Mostman (1989) 47 Cal.3d 725 [254 Cal.Rptr. 286]

Gendron v. State Bar (1983) 35 Cal.3d 409

<u>Kitsis v. State Bar</u> (1979) 23 Cal.3d 857, 865-866 [153 Cal.Rptr. 836, 592 P.2d 323]

In re Cadwell (1975) 15 Cal.3d 762, 771, fn. 4 [125 Cal.Rptr. 889, 543 P.2d 257]

In re Fahey (1973) 8 Cal.3d 842, 849 [106 Cal.Rptr. 313, 505 P.2d 1369]

In re Higbie (1972) 6 Cal.3d 562 [99 Cal.Rptr. 865]

Marlowe v. State Bar (1965) 63 Cal.2d 304, 308 [46 Cal.Rptr. 326, 405 P.2d 150]

Noland v. State Bar (1965) 63 Cal.2d 298, 302 [46 Cal.Rptr. 305, 405 P.2d 129]

Arden v. State Bar (1959) 52 Cal.2d 310, 321 [341 P.2d 6] Call v. State Bar (1955) 45 Cal.2d 104, 109-110 [287 P.2d 761]

Jacobs v. State Bar (1933) 219 Cal. 59, 64 [25 P.2d 401]

In the Matter of Pasyanos (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 746

In the Matter of Gillis (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 387

In the Matter of Priamos (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 824

In the Matter of Myrdall (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 363

In the Matter of Anderson (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 208

In the Matter of Frascinella (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 543

Henry H. v. Board of Pension Comrs. (1983) 149 Cal.App.3d

In re Kling (1919) 44 Cal.App. 267 [186 P. 152]

In the Matter of Rech (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 310

MORAL TURPITUDE

may be exhibited by habitual disregard by an attorney of clients" interests combined with failure to communicate with such clients

In the Matter of Alvin Gilbert Tenner (Review Dept. 2004) 4 Cal. State Bar Ct. Rptr. 688

Defrauding client; defrauding third parties to advance a client's interest

Allen v. State Bar (1977) 20 Cal.3d 172, 174, 177-179 Defrauding insurance company

<u>In re Petty</u> (1981) 29 Cal.3d 356 [173 Cal.Rptr. 461, 627 P.2d 191]

In the Matter of Tamir Oheb (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920

Deliberate (willful) violation of attorney"s oath and duties

Ainsworth v. State Bar (1988) 46 Cal.3d 1218

<u>Kitsis v. State Bar</u> (1979) 23 Cal.3d 857, 866 [153 Cal.Rptr. 836, 592 P.2d 323]

Dishonesty

In re Rivas (1989) 49 Cal.3d 794

<u>Chefsky v. State Bar</u> (1984) 36 Cal.3d 116, 120-121, 123 [202 Cal.Rptr. 349]

In the Matter of Reiss (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 206

In the Matter of Field (Review Dept. 2010) 5 Cal. State Bar Ct. Rptr. 171

In the Matter of Regan (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 844

In the Matter of Alvin Gilbert Tenner (Review Dept. 2004) 4 Cal. State Bar Ct. Rptr. 688

In the Matter of Dahlz (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 269

In the Matter of Petilla (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 231

In the Matter of Phillips (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 315

In the Matter of Chestnut (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 166

In the Matter of Kittrell (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 195

In the Matter of Johnson (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179

In the Matter of Wyshak (Review Dept. 1999) 4 Cal State Bar Ct. Rptr. 70

In the Matter of Moriarty (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 9

habeas petitioner may be entitled to equitable tolling of statute where attorney had engaged in dishonesty and bad faith in representation of prisoner

Porter v. Ollison (9th Cir. 2010) 620 F.3d 952

judge systematically and routinely sold his office and his public trust

 $\underline{\text{In the Matter of Jenkins}}$ (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 157

prohibited by Business and Professions Code section 6106 whether or not committed while acting as an attorney

In the Matter of Fahy (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 141

In the Matter of Lilly (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 185

Dishonesty and other untruthful conduct in course of State Bar investigation

Friedman v. State Bar (1990) 50 Cal.3d 235

In the Matter of Gillis (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 387

In the Matter of Dahlz (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 269

Disobedience of client's instructions

Lally v. Kuster (1918) 177 Cal. 783 [171 P. 961]

Disobedience of court order

<u>Spevak v. Kline</u> (1967) 385 U.S. 511 [87 S.Ct. 625, 17 L.Ed.2d 574]

<u>Cohen v. Hurley</u> (1961) 366 U.S. 117 [81 S.Ct. 954, 6 L.Ed.2d 156]

Weber v. State Bar (1988) 47 Cal.3d 492

Ainsworth v. State Bar (1988) 46 Cal.3d 1218

In re Sadicoff (1929) 208 Cal. 555 [282 P. 952]

In the Matter of Field (Review Dept. 2010) 5 Cal. State Bar Ct. Rptr. 171

In the Matter of Wyshak (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 70

even where order void

Maltaman v. State Bar (1987) 43 Cal.3d 924

Distinguished from breach of oath and duties under Business and Professions Code section 6103

In the Matter of Burckhardt (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 343

Documents

destruction of

<u>Lady v. State Bar</u> (1946) 28 Cal.2d 497, 501-504 [170 P.2d 460]

omission of material facts

<u>Crane v. State Bar</u> (1981) 30 Cal.3d 117, 121-122 [177 Cal.Rptr. 670, 635 P.2d 163]

*<u>Sullivan v. State Bar</u> (1946) 28 Cal.2d 488, 496 [170 P.2d 888]

Drawing usurious documents

Bryant v. State Bar (1942) 21 Cal.2d 285 [131 P.2d 523]

Drug possession

In re Cohen (1974) 11 Cal.3d 416, 421-22 [113 Cal.Rptr. 485, 521 P.2d 477]

<u>In re Possino</u> (1984) 37 Cal.3d 163 [207 Cal.Rptr. 543, 689 P.2d 115]

In the Matter of Deierling (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 552

cocaine trafficking in large quantities prior to bar admission

In the Matter of Passenheim (Review Dept. 1992) 2 Cal.

State Bar Ct. Rptr. 62

conspiracy to distribute marijuana

<u>In re Kreamer</u> (1975) 14 Cal.3d 524 [121 Cal.Rptr. 600, 535 P.2d 728]

conviction of felony narcotics offenses while a judge

In re Scott (1991) 52 Cal.3d 968

distribution of amphetamines

<u>In re Giddens</u> (1981) 30 Cal.3d 110 [177 Cal.Rptr. 673, 635 P.2d 166]

possession of heroin and cocaine with intent to distribute In re Leardo (1991) 53 Cal.3d 1

possession of LSD prior to ingestion may be a possession conviction

<u>People v. Palaschak</u> (1995) 9 Cal.4th 1236 [40 Cal.Rptr.2d 722]

Duty of confidentiality \hat{v} . duty of candor to the court SD 2011-1

Duty owed in favor of third persons

children of client in dissolution

<u>Haldane v. Freedman</u> (1962) 204 Cal.App.2d 475 [22 Cal.Rptr. 445]

Embezzlement

In re Ford (1988) 44 Cal.3d 810 [244 Cal.Rptr. 476]

<u>Bradpiece v. State Bar</u> (1974) 10 Cal.3d 742, 745 [111 Cal.Rptr. 905, 518 P.2d 337]

Encouraging action for corrupt motive

In the Matter of Scott (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 446

In the Matter of Wyshak (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 70

Extortion

<u>Bluestein v. State Bar</u> (1974) 13 Cal.3d 162, 166-170 [118 Cal.Rptr. 175, 529 P.2d 599]

Arden v. State Bar (1959) 52 Cal.2d 310, 320-321 [341 P.2d 6]

<u>Libarian v. State Bar</u> (1952) 38 Cal.2d 328, 329-330 [239 P.2d 865]

<u>Lindenbaum v. State Bar</u> (1945) 26 Cal.2d 565, 573 [160 P.2d 9]

threatening phone calls

In re Elkins (Review Dept. 2009) 5 Cal. State Bar Ct. Rotr. 160

Failure to disclose to client interest held in real property sold to same client

Gallagher v. State Bar (1981) 28 Cal.3d 832, 836

False documents, filing See Trial Conduct.]

Weir v. State Bar (1979) 23 Cal.3d 564

In the Matter of Johnson (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179

False intimations regarding promiscuous sexual conduct do not establish moral turpitude

In the Matter of Torres (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 138

False or fraudulent statements in banking transactions

In the Matter of Sawyer (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 765

False pleadings

Penaat v. State Bar (1944) 25 Cal.2d 26, 30 [152 P.2d 442] False statements, filing

Weber v. State Bar (1988) 47 Cal.3d 492

Ainsworth v. State Bar (1988) 46 Cal.3d 1218

Phillips v. State Bar (1975) 14 Cal.3d 492, 500 [121 Cal.Rptr. 605, 535 P.2d 733]

<u>Sturr v. State Bar</u> (1959) 52 Cal.2d 125, 133 [338 P.2d 897] <u>Pickering v. State Bar</u> (1944) 24 Cal.2d 141, 142-144 [148 P.2d 1]

In the Matter of Johnson (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179

filing false election documents

In re Rivas (1989) 49 Cal.3d 794

Falsely maligning judge

Matter of Humphrey (1917) 174 Cal. 290 [163 P. 60] In re Graves (1923) 64 Cal.App. 176 [221 P. 411]

Fees

unconscionable

 $\underline{\text{In the Matter of Conner}}$ (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 93

Fiduciary duties, breach of

T & R Foods, Inc. v. Rose (1996) 47 Cal.App.4th Supp. 1 [56 Cal.Rptr.2d 41]

Ainsworth v. State Bar (1988) 46 Cal.3d 1218

<u>Baranowski v. State Bar</u> (1979) 24 Cal.3d 153, 162 [154 Cal.Rptr. 752, 593 P.2d 613]

<u>Benson v. State Bar</u> (1975) 13 Cal.3d 581, 588-590 [119 Cal.Rptr. 297, 531 P.2d 1081]

<u>Tomlinson v. State Bar</u> (1975) 13 Cal.3d 567, 576 [119 Cal.Rptr. 335, 531 P.2d 1119]

In re Casey (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 117

In the Matter of Conner (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 93

In the Matter of Wyshak (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 70

OC 2011-02

improper solicitation of loan

Beery v. State Bar (1987) 43 Cal.3d 802 [239 Cal.Rptr. 121]

safeguard client funds

In the Matter of Malek-Yonan (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 627

Filing and execution of self-signed judgments

Woodard v. State Bar (1940) 16 Cal.2d 755 [108 P.2d 407] filing false election documents

In re Rivas (1989) 49 Cal.3d 794

Firearm exhibited in a threatening fashion

In the Matter of Frascinella (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 543

Forgery

In re Paguirigan (2001) 25 Cal.4th 1 [104 Cal.Rptr.2d 402, 17 P.3d 758]

Porter v. State Bar (1990) 52 Cal.3d 518

Aronin v. State Bar (1990) 52 Cal.3d 276

Bambic v. State Bar (1985) 40 Cal.3d 314 [219 Cal.Rptr. 489]

Weir v. State Bar (1979) 23 Cal.3d 564, 576

<u>Fitzpatrick v. State Bar</u> (1977) 20 Cal.3d 73, 79 [141 Cal.Rptr. 169, 569 P.2d 763]

Montalto v. State Bar (1974) 11 Cal.3d 231 [113 Cal.Rptr. 97, 520 P.2d 721]

+In the Matter of Paguirigan (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 936

In the Matter of Salameh (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 729

In the Matter of Brazil (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 679

no violation found when successor attorney authorizes an employee to simulate the prior attorney's signature on a settlement draft

In the Matter of Respondent H (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 234

Fraud [See Fraud.]

U.S. v. Sullivan (9th Cir. 2008) 522 F.3d 967

<u>Hulland v. State Bar</u> (1972) 8 Cal.3d 440 [105 Cal.Rptr. 152]

Monroe v. State Bar (1961) 55 Cal.2d 145 [10 Cal.Rptr. 257, 358 P.2d 529]

<u>Choate v. State Bar</u> (1953) 41 Cal.2d 399 [260 P.2d 609] <u>Sunderlin v. State Bar</u> (1949) 33 Cal.2d 785 [205 P.2d 382] <u>Wood v. State Bar</u> (1938) 11 Cal.2d 139 [78 P.2d 429]

Lantz v. State Bar (1931) 212 Cal. 213 [298 P. 497]

Aydelotte v. State Bar (1930) 209 Cal. 737, 740 [290 P. 41] California Housing Finance Agency v. Hanover/California Management And Accounting Center, Inc., et al. (2007) 148 Cal.App.4th 682 [56 Cal.Rptr.3d 92]

accepted fees for legal services but failed to perform such services or return the fees

Ridley v. State Bar (1972) 6 Cal.3d 551 [99 Cal.Rptr. 873]

advising the conveyance of property for the purpose of defrauding the creditor of his client

Townsend v. State Bar (1948) 32 Cal.2d 592 [197 P.2d 326]

arranging sham marriages

In re Aquino (1989) 49 Cal.3d 1122

attorney delayed informing client on receipt of payment of judgment, then misappropriated such funds

Himmel v. State Bar (1971) 4 Cal.3d 786 [94 Cal.Rptr. 825]

attorney failed to reveal extent of his pre-existing indebtedness and financial distress to client

<u>Benson v. State Bar</u> (1975) 13 Cal.3d 581 [119 Cal.Rptr. 297]

attorney induced a woman to purchase royalty interest that he should have known had only speculative value

In re Langford (1966) 64 Cal.2d 489 [50 Cal.Rptr. 661, 413 P.2d 437]

business dealings whereby the attorney benefits are closely scrutinized

Marlowe v. State Bar (1965) 63 Cal.2d 304 [46]

Cal.Rptr.326, 405 P.2d 150] characterizations of "moral turpitude, dishonesty, or

corruption" must be made with intent to mislead Wallis v. State Bar (1942) 21 Cal.2d 322 [131 P.2d 531]

<u>Wallis v. State Bar</u> (1942) 21 Cal.2d 322 [131 P.2d 531] civil judgment for fraud and breach of fiduciary duty establishes moral turpitude

In the Matter of Kittrell (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 195

committed forgery, misappropriated funds, and numerous acts of deceit and other dishonest conduct

<u>Tardiff v. State Bar</u> (1971) 3 Cal.3d 903 [92 Cal.Rptr. 301]

In the Matter of Reiss (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 206

concealing adverse and material facts when he obtained the money from his client

<u>Clancy v. State Bar</u> (1969) 71 Cal.2d 140 [77 Cal.Rptr. 657, 454 P.2d 329]

deceiving clients as to the status of their cases, and issuing insufficiently funded checks

Alkow v. State Bar (1971) 3 Cal.3d 924 [92 Cal.Rptr. 278] defrauded a client and misappropriated her funds

Allen v. State Bar (1977) 20 Cal.3d 172 [141 Cal.Rptr. 808]

deleting language in a statement obtained from the beneficiary of a trust deed on real property

<u>Crane v. State Bar</u> (1981) 30 Cal.3d 117, 121-122 [177 Cal.Rptr. 670, 635 P.2d 163]

endorsing the draft and fabricating a "loan agreement" intending to deceive the bank

McKinney v. State Bar (1964) 62 Cal.2d 194, 196 [41 Cal.Rptr. 665, 397 P.2d 425]

fees requested where non incurred and no supervision of non-attorneys

LA 522 (2009)

filing false involuntary bankruptcy petitions

<u>Snyder v. State Bar</u> (1976) 18 Cal.3d 286, 291 [133 Cal.Rptr. 864, 555 P.2d 1104]

insider trading

<u>Chadwick v. State Bar</u> (1989) 49 Cal.3d 103 [260 Cal.Rptr. 538]

insurance fraud

In the Matter of Tamir Oheb (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920

invoices and binders of memoranda were created after thefact in an attemptto justify respondent"s fees

In the Matter of Conner (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 93

judge intentionally misstated his address for improper financial benefit

In the Matter of Jenkins (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 157

knowingly tried to take advantage of a relationship of personal trust and confidence

Sodikoff v. State Bar (1975) 14 Cal.3d 422 [121 Cal.Rptr. 467]

loan from client obtained under false pretenses

Slavkin v. State Bar (1989) 49 Cal.3d 894 [264 Cal.Rptr. 131]

misappropriated money received for posting of cash bond and funds delivered for use in settlement negotiations

<u>Fitzpatrick v. State Bar</u> (1977) 20 Cal.3d 73 [141 Cal.Rptr. 169]

misappropriated payment of a judgment that he had won for his clients

<u>Sevin v. State Bar</u> (1973) 8 Cal.3d 641, 646-647 [105 Cal.Rptr. 513, 504 P.2d 449]

misrepresentations made to opposing counsel and the court LA 482 (1995)

misrepresentation and concealment of adverse and material facts

Krieger v. State Bar (1954) 43 Cal.2d 604, 610 [275 P.2d 459]

misrepresented the status of the contest proceeding and kept clients ignorant of his unauthorized dismissal

<u>Foote v. Štate Bar</u> (1951) 37 Cal.2d 127 [230 P.2d 617] obtained a loan from the estate without securing approval of the probate court

<u>Laney v. State Bar</u> (1936) 7 Cal.2d 419, 422 [60 P.2d 845] petitioner's greater offense was his fraudulent and contrived misrepresentations to the State Bar

Worth v. State Bar (1978) 22 Cal.3d 707, 711 [150 Cal.Rptr. 273]

practiced fraud and deceit on clients and a judge, and engaged in fraud on creditors

In re Wright (1973) 10 Cal.3d 374 [515 P.2d 292]

repeated practices of forgery, fraud, and deceit with clients and the Immigration and Naturalization Service

Weir v. State Bar (1979) 23 Cal.3d 564 [152 Cal.Rptr. 921]

repeatedly misrepresented facts to clients and made statements about their lawsuits which he knew were false

<u>Stephens v. State Bar</u> (1942) 19 Cal.2d 580, 583 [122 P.2d 549]

use of false medical reports in personal injury claims

<u>In re Arnoff</u> (1978) 22 Cal.3d 740, 744 [150 Cal.Rptr. 479, 586 P.2d 960]

using a fictitious name for purpose to defraud and obtain property by false pretense

In re Schwartz (1982) 31 Cal.3d 395 [182 Cal.Rptr. 640, 644 P.2d 833]

In the Matter of Kreitenberg (Review Dept. 2002) 4 Cal. State Bar Ct. Rotr. 469

Furnishing marijuana/controlled substance to minor

In re Fudge (1989) 49 Cal.3d 643

Gifts and favors from litigants and counsel

judge improperly accepted

In the Matter of Jenkins (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 157

Grand theft

In re Ewaniszyk (1990) 50 Cal.3d 543 [788 P.2d 690]

Bercovich v. State Bar (1990) 50 Cal.3d 116 [785 P.2d 889] In re Demergian (1989) 48 Cal.3d. 284 [256 Cal.Rptr. 392]

In re Vaughn (1985) 38 Cal 3d 614

<u>In re Cannon</u> (1983) 33 Cal.3d 417 [189 Cal.Rptr. 49, 657 P.2d 827]

Ambrose v. State Bar (1982) 31 Cal.3d 184 [181 Cal.Rptr. 903, 643 P.2d 486]

<u>In re Cadwell</u> (1975) 15 Cal.3d 762, 772 [125 Cal.Rptr. 889, 543 P.2d 257]

<u>In re Honoroff</u> (1975) 15 Cal.3d 755, 760 [126 Cal.Rptr. 229, 545 P.2d 597]

<u>In re Urias</u> (1966) 65 Cal.2d 258, 262 [53 Cal.Rptr. 881, 418 P.2d 849]

In the Matter of Brazil (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 679

Gross carelessness and negligence [See Professional liability.]

<u>Giovanazzi v. State Bar</u> (1980) 28 Cal.3d 465, 475 [169 Cal.Rptr. 581, 619 P.2d 1005]

<u>Simmons v. State Bar</u> (1970) 2 Cal.3d 719 [87 Cal.Rptr. 368] <u>Trusty v. State Bar</u> (1940) 16 Cal.2d 550 [107 P.2d 10]

Waterman v. State Bar (1936) 8 Cal.2d 17 [63 P.2d 1135] In the Matter of Gillis (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 387

Gross negligence [See Professional liability.]

Lai v. State of California (9th Cir. 2010) 610 F.3d 518

<u>Schullman v. State Bar</u> (1976) 16 Cal.3d 631, 633 [128 Cal.Rptr. 671, 547 P.2d 447]

<u>Spindell v. State Bar</u> (1975) 13 Cal.3d 253, 262 [118 Cal.Rptr. 480, 530 P.2d 168]

*<u>Schullman v. State Bar</u> (1973) 10 Cal.3d 526, 528 [111 Cal.Rptr. 161, 516 P.2d 865]

Rock v. State Bar (1962) 57 Cal.2d 639, 642 [21 Cal.Rptr. 572, 371 P.2d 308]

Sullivan v. State Bar (1955) 45 Cal.2d 112, 114 [287 P.2d

Gelberg v. State Bar (1938) 11 Cal.2d 141 [78 P.2d 430]

Marsh v. State Bar (1934) 2 Cal.2d 75 [39 P.2d 403]

In re Casey (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 117
In the Matter of Dale (Review Dept. 2005) 4 Cal. State Bar
Ct. Rptr. 798

In the Matter of Lantz (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 126

In the Matter of Doran (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 871

In the Matter of Hagen (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 153

breach of fiduciary duty

-failure to disburse settlement funds

<u>Black v. State Bar</u> (1972) 7 Cal.3d 676, 692 [103 Cal.Rptr. 288, 499 P.2d 968]

-failure to give proper accounting

<u>Clark v. State Bar</u> (1952) 39 Cal.2d 161, 174 [246 P.2d 1]

-misappropriation

Gassman v. State Bar (1976) 18 Cal.3d 125, 130 [132 Cal.Rptr. 675, 553 P.2d 1147]

In the Matter of McCarthy (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 364

-overdrawing client trust account

<u>Lowe v. State Bar</u> (1953) 40 Cal.2d 564, 570 [254 P.2d 506]

failure to file cause of action

<u>Sanchez v. State Bar</u> (1976) 18 Cal.3d 280, 285 [133 Cal.Rptr. 768, 555 P.2d 889]

<u>Grove v. State Bar</u> (1967) 66 Cal.2d 680, 683-685 [58 Cal.Rptr. 564, 427 P.2d 164]

-in dissolution

Waterman v. State Bar (1936) 8 Cal.2d 17, 20 [63 P.2d 133]

Marsh v. State Bar (1930) 210 Cal. 303, 307 [291 P.2d 583]

-in will contest

<u>Call v. State Bar</u> (1955) 45 Cal.2d 104, 109-110 [287 P.2d 761]

failure to give reasonable attention to clients" matters

In the Matter of Tamir Oheb (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920

failure to supervise employees

<u>Gassman v. State Bar</u> (1976) 18 Cal.3d 125, 130 [132 Cal.Rptr. 675, 553 P.2d 1147]

<u>Hu v. Fang</u> (2002) 104 Cal.App.4th 61 [127 Cal.Rptr.2d 756]

-associate attorney

<u>Gadda v. State Bar</u> (1990) 50 Cal.3d 344 [787 P.2d 95]

<u>Moore v. State Bar</u> (1964) 62 Cal.2d 74, 81 [41 Cal.Rptr. 161, 396 P.2d 577]

-bookkeeper

In the Matter of Respondent E (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 716

-office staff

<u>Vaughn v. State Bar</u> (1972) 6 Cal.3d 847, 859 [100 Cal.Rptr. 713]

In the Matter of Valinoti (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 498

-secretary

<u>Sanchez v. State Bar</u> (1976) 18 Cal.3d 280, 282 [133 Cal.Rptr. 768, 555 P.2d 889]

false verification

In the Matter of Downey (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 151

instigating a conversation with potential adverse party under false pretenses

In re Loftus (Review Dept. 2007) 5 Cal. State Bar Ct. Rotr. 80

mere ignorance of law is not moral turpitude

<u>Friday v. State Bar</u> (1943) 23 Cal.2d 501 [144 P.2d 564] neglect of client matters

<u>Gassman v. State Bar</u> (1976) 18 Cal.3d 125, 130 [132 Cal.Rptr. 675, 553 P.2d 1147]

<u>Doyle v. State Bar</u> (1976) 15 Cal.3d 973, 978 [126 Cal.Rptr. 801, 544 P.2d 937]

Moore v. State Bar (1964) 62 Cal.2d 74, 81 [41 Cal.Rptr. 161, 396 P.2d 577]

trust account duties

In the Matter of Malek-Yonan (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 627

Gross negligence in overseeing client trust account procedures

In the Matter of Blum (Review Dept. 2002) 4 Cal. State Bar
Ct. Rptr. 403

Habitual neglect of client"s interests

Walker v. State Bar (1989) 49 Cal.3d 1107

Blair v. State Bar (1989) 49 Cal.3d 762

Pineda v. State Bar (1989) 49 Cal.3d 753

Coombs v. State Bar (1989) 49 Cal.3d 679 [262 Cal.Rptr. 554]

Kent v. State Bar (1987) 43 Cal.3d 729 [239 Cal.Rptr. 77]

In re Morales (1983) 35 Cal.3d 1, 9-10

Marcus v. State Bar (1980) 27 Cal.3d 199, 202 [165 Cal.Rptr. 121, 611 P.2d 462]

<u>Martin v. State Bar</u> (1978) 20 Cal.3d 717, 722 [144 Cal.Rptr. 214, 575 P.2d 757]

In the Matter of Gadda (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 416

In the Matter of Valinoti (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 498

In the Matter of Kaplan (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 547

Harassment of client

In the Matter of Torres (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 138

Harboring a fugitive

In the Matter of DeMassa (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 737

Honest and reasonable belief, though mistaken, precludes a finding of moral turpitude

In the Matter of Silverton (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 252

Honesty required in the practice of law

In re Gossage (2000) 23 Cal.4th 1080 [99 Cal.Rptr.2d 130]

Borré v. State Bar (1991) 52 Cal.3d 1047

<u>Levin v. State Bar</u> (1989) 47 Cal.3d 1140 [255 Cal.Rptr. 422, 767 P.2d 689]

<u>Segal v. State Bar</u> (1988) 44 Cal.3d 1077 [245 Cal.Rptr. 404] <u>Hamilton v. State Bar</u> (1979) 23 Cal.3d 868, 876 [153 Cal.Rptr. 602, 591 P.2d 1254]

In the Matter of Chestnut (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 166

In the Matter of Johnson (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179

Identity theft

In the Matter of Kreitenberg (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 469

Ignoring pro bono clients

Segal v. State Bar (1988) 44 Cal.3d 1077 [245 Cal.Rptr. 404] Income taxes, failure to file return

In re Grimes (1990) 51 Cal.3d 199 [793 P.2d 61]

In re Fahey (1973) 8 Cal.3d 842, 849-854 [106 Cal.Rptr. 313, 505 P.2d 1369]

advocating civil disobedience

CAL 2003-162

Inducing client to offer attorney free use of client's vacation rental property

CAL 2011-180

Inducing client to withdraw disciplinary complaint

In the Matter of Lais (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 907

Insider trading

<u>Chadwick v. State Bar</u> (1989) 49 Cal.3d 103 [260 Cal.Rptr. 538]

Instructing client to testify falsely concerning fee arrangement <u>Medoff v. State Bar</u> (1969) 71 Cal.2d 535 [78 Cal.Rptr. 696] Intentional infliction of emotional distress

In the Matter of Torres (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 138

Intimidation of witness

soliciting intimidation of witness

In re Lee (1988) 47 Cal.3d 471 [253 Cal.Rptr. 570]

Involuntary manslaughter not per se moral turpitude

In re Strick (1987) 43 Cal.3d 644 [238 Cal.Rptr. 397]

MORAL TURPITUDE

Involving acts whether or not committed in the course of relations as attorney

In re Elkins (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 160

Justifies disbarment

In re Possino (1984) 37 Cal.3d 163, 168-169 [207 Cal.Rptr. 543, 689 P.2d 115]

In the Matter of Jenkins (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 157

Knowing and false representations to client

<u>Gaffney v. State Bar</u> (1942) 20 Cal.2d 735 [128 P.2d 516] <u>Propp v. State Bar</u> (1942) 20 Cal.2d 387 125 P.2d 825]

Lying on lease

<u>Marquette v. State Bar</u> (1988) 44 Cal.3d 253 [242 Cal.Rptr. 886, 746 P.2d 1289]

Lying to client regarding case status

In the Matter of Reiss (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 206

In the Matter of Alvin Gilbert Tenner (Review Dept. 2004) 4 Cal. State Bar Ct. Rptr. 688

Mail fraud

In re Utz (1989) 48 Cal.3d.468 [256 Cal.Rptr. 561]

<u>In re Schwartz</u> (1982) 31 Cal.3d 395, 399 [182 Cal.Rptr. 640, 644 P.2d 833]

In the Matter of Weber (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 942

In the Matter of Segal (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 71

Manslaughter

<u>In re Alkow</u> (1966) 64 Cal.2d 838 [51 Cal.Rptr. 912, 415 P.2d 800]

Merits severe punishment

Alberton v. State Bar (1984) 37 Cal.3d 1 [206 Cal.Rptr. 373] Misappropriation of check

Morales v. State Bar (1988) 44 Cal.3d 1037 [245 Cal.Rptr. 398]

Misappropriation of firm funds during breakup of law firm

Morales v. State Bar (1988) 44 Cal.3d 1037 [245 Cal.Rptr. 398]

Misappropriation of funds [See Client trust account, misappropriation.]

Bates v. State Bar (1990) 51 Cal.3d 1056

Bercovich v. State Bar (1990) 50 Cal.3d 116 [785 P.2d 889]

Walker v. State Bar (1989) 49 Cal.3d 1107

<u>Baker v. State Bar</u> (1989) 49 Cal.3d 804 <u>Pineda v. State Bar</u> (1989) 49 Cal.3d 753

Chang v. State Bar (1989) 49 Cal.3d 114 [260 Cal.Rptr. 280] In re Basinger (1988) 45 Cal.3d 1348 [249 Cal.Rptr. 110, 756 P.2d 833]

In re Ford (1988) 44 Cal.3d 810 [244 Cal.Rptr. 476]

Garlow v. State Bar (1988) 44 Cal.3d 689 [244 Cal.Rptr. 452, 749 P.2d 1807]

Smith v. State Bar (1984) 37 Cal.3d 17, 25

<u>Bate v. State Bar</u> (1983) 34 Cal.3d 920 [196 Cal.Rptr. 209, 671 P.2d, 360]

Rimel v. State Bar (1983) 34 Cal.3d 128 [192 Cal.Rptr. 866, 665 P.2d 956]

<u>In re Mudge</u> (1982) 33 Cal.3d 152 [187 Cal.Rptr. 779, 654 P.2d 1307]

<u>Ambrose v. State Bar</u> (1982) 31 Cal.3d 184 [187 P.2d 741] <u>Cain v. State Bar</u> (1979) 25 Cal.3d 956, 961 [160 Cal.Rptr. 362, 603 P.2d 464]

Worth v. State Bar (1978) 22 Cal.3d 707, 711 [150 Cal.Rptr. 273, 586 P.2d 588]

<u>Codiga v. State Bar</u> (1978) 20 Cal.3d 788, 794-795 [144 Cal.Rptr. 404, 575 P.2d 1186]

<u>Athearn v. State Bar</u> (1977) 20 Cal.3d 232, 234 [142 Cal.Rptr. 171, 571 P.2d 628]

<u>Allen v. State Bar</u> (1977) 20 Cal.3d 172, 174 [141 Cal.Rptr. 808, 570 P.2d 1226]

<u>Jackson v. State Bar</u> (1975) 15 Cal.3d 372, 374 [124 Cal.Rptr. 185, 540 P.2d 25]

Wells v. State Bar (1975) 15 Cal.3d 367, 369 [124 Cal.Rptr. 218, 540 P.2d 58]

<u>Silver v. State Bar</u> (1974) 13 Cal.3d 134, 137 [117 Cal.Rptr. 821, 528 P.2d 1157]

Oliver v. State Bar (1974) 12 Cal.3d 318, 320-321 [115 Cal.Rptr. 639, 525 P.2d 79]

<u>Yokozeki v. State Bar</u> (1974) 11 Cal.3d 436, 441-445 [113 Cal.Rptr. 602, 521 P.2d 858]

Brody v. State Bar (1974) 11 Cal.3d 347, 350-351 [113 Cal.Rptr. 371, 521 P.2d 107]

<u>Sevin v. State Bar</u> (1973) 8 Cal.3d 641, 646 [105 Cal.Rptr. 513, 504 P.2d 449]

<u>Crooks v. State Bar</u> (1970) 3 Cal.3d 346 [90 Cal.Rptr. 600] <u>Monroe v. State Bar</u> (1969) 70 Cal.2d 301, 309 [74 Cal.Rptr. 733]

<u>In re Urias</u> (1966) 65 Cal.2d 258, 262 [53 Cal.Rptr. 881, 418 P.2d 849]

<u>Dreyfus v. State Bar</u> (1960) 54 Cal.2d 799, 804 [8 Cal.Rptr. 469, 356 P.2d 213]

Hennessy v. State Bar (1941) 18 Cal.2d 685

Russill v. State Bar (1941) 18 Cal.2d 321 [115 P.2d 464]

Prime v. State Bar (1941) 18 Cal.2d 56 [112 P.2d 881]

Rohe v. State Bar (1941) 17 Cal.2d 445 [110 P.2d 389]

Flaherty v. State Bar (1940) 16 Cal.2d 483 [106 P.2d 617] Stanford v. State Bar (1940) 15 Cal.2d 721 [104 P.2d 635]

In re Andreani (1939) 14 Cal.2d 736 [97 P.2d 456]

Irons v. State Bar (1938) 11 Cal.2d 14 [77 P.2d 221]

Gale v. State Bar (1937) 8 Cal.2d 147 [64 P.2d 145]

Oster v. State Bar (1935) 2 Cal.2d 625 [43 P.2d 627]

In the Matter of Conner (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 93

In the Matter of Davis (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 576

In the Matter of Blum (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 403

In the Matter of McCarthy (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 364

In the Matter of Freydl (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 349

In the Matter of Lantz (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 126

In the Matter of Moriarty (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 9

In the Matter of Steele (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 708

In the Matter of Ward (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 47

In the Matter of Robins (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 708

In the Matter of Kueker (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 583

Misleading statements in order to induce criminal defendant to sign a confession

In the Matter of Dale (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 798

Misleading the court

U.S. v. Sullivan (9th Cir. 2008) 522 F.3d 967

Ainsworth v. State Bar (1988) 46 Cal.3d 1218

Bach v. State Bar (1987) 43 Cal.3d 848 [239 Cal.Rptr. 302] Worth v. State Bar (1978) 22 Cal.3d 707, 711 [150 Cal.Rptr. 273, 586 P.2d 588]

<u>Sullins v. State Bar</u> (1975) 15 Cal.3d 609, 618-621 [125 Cal.Rptr. 471, 542 P.2d 631]

Reznik v. State Bar (1969) 1 Cal.3d 198 [81 Cal.Rptr. 769] Grove v. State Bar (1965) 63 Cal.2d 312, 315 [46 Cal.Rptr. 513, 405 P.2d 553]

Paonessa v. State Bar (1954) 43 Cal.2d 222, 227 [272 P.2d 510]

<u>Lowe v. State Bar</u> (1953) 40 Cal.2d 564, 566-567 [254 P.2d 506]

Griffith v. State Bar (1953) 40 Cal.2d 470, 475 [254 P.2d 22]

McMahon v. State Bar (1952) 39 Cal.2d 367, 373 [246 P.2d 931]
Clark v. State Bar (1952) 39 Cal.2d 161, 174 [246 P.2d 1]
Vickers v. State Bar (1948) 32 Cal.2d 247 [196 P.2d 10]
Lady v. State Bar (1946) 28 Cal.2d 497, 501-504 [170 P.2d 460]

In the Matter of Field (Review Dept. 2010) 5 Cal. State Bar Ct. Rptr. 171

 $\underline{\text{In the Matter of Regan}}$ (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 844

In the Matter of Chestnut (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 166

In the Matter of Johnson (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179

In the Matter of Moriarty (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 9

 $\underline{\text{In the Matter of Hertz}}$ (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 456

creating a false impression by concealment and affirmative misrepresentations to State Bar investigator

In the Matter of Wells (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 896

making misrepresentations to judge while attorney served on a jury

In the Matter of Fahy (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 141

misrepresentations made out-of-state investigator regarding possible UPL

In the Matter of Wells (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 896

Misrepresentation on resume

In the Matter of Wyrick (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 83

In the Matter of Mitchell (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 332

Misrepresentation to client

Harford v. State Bar (1990) 52 Cal 3d 93

Gold v. State Bar (1989) 49 Cal.3d 908

<u>Pineda v. State Bar</u> (1989) 49 Cal.3d 753

Ainsworth v. State Bar (1988) 46 Cal.3d 1218

Natali v. State Bar (1988) 45 Cal.3d 456 [247 Cal.Rptr. 165]
Prantil v. State Bar (1979) 23 Cal.3d 243 [152 Cal.Rptr. 425, 590 P.2d 1]

<u>Nizinski v. State Bar</u> (1975) 14 Cal.3d 587, 595 [121 Cal.Rptr. 824, 536 P.2d 72]

Benson v. State Bar (1975) 13 Cal.3d 581, 588-590

<u>Glickman v. State Bar</u> (1973) 9 Cal.3d 179, 183-184 [107 Cal.Rptr. 65, 507 P.2d 953]

<u>Krieger v. State Bar</u> (1954) 43 Cal.2d 604 [275 P.2d 459] <u>Alkow v. State Bar</u> (1952) 38 Cal.2d 257, 263-264 [239 P.2d 871]

Foote v. State Bar (1951) 37 Cal.2d 127, 129 [230 P.2d 617] In the Matter of Reiss (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 206

In the Matter of Peavey (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 483

In the Matter of Johnson (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179

In the Matter of Kueker (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 583

deceiving client regarding status of case

Lipson v. State Bar (1991) 53 Cal.3d 1010

Conroy v. State Bar (1991) 53 Cal.3d 495

Stevens v. State Bar (1990) 51 Cal.3d 283

Pineda v. State Bar (1989) 49 Cal.3d 753

Carter v. State Bar (1988) 44 Cal.3d 1091

In the Matter of Frazier (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 676

In the Matter of Miller (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 131

deception and concealment

In the Matter of Davis (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 576

In the Matter of Kittrell (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 195

failure to disclose facts in soliciting client loan

Beery v. State Bar (1987) 43 Cal.3d 802 [239 Cal.Rptr. 121]

false statement of association with other attorneys

Stanley v. State Bar (1990) 50 Cal.3d 555 [788 P.2d 697] Misrepresentation to a CPA who rendered services on a client matter

Read v. State Bar (1991) 53 Cal.3d 394, mod. at 53 Cal.3d 1009

Misrepresentations to client's new attorney

Bates v. State Bar (1990) 51 Cal.3d 1056

Misrepresentations to opposing counsel

In the Matter of Hertz (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 456

Mistake of law

Butts v. State Bar (1948) 31 Cal.2d 453, 457-458 [189 P.2d 1]

Misuse of client funds

<u>In re Vaughn</u> (1985) 38 Cal.3d 614, 617 [213 Cal.Rptr. 583] <u>Griffith v. State Bar</u> (1945) 26 Cal.2d 273, 277 [158 P.2d 1]

Money laundering scheme

In re Berman (1989) 48 Cal.3d. 517 [256 Cal.Rptr. 802]

Offensive or disrespectful acts [See Trial Conduct.]

In re Sawyer (1959) 360 U.S. 622 [79 S.Ct. 1376]

Opposing counsel, misleading

<u>Coviello v. State Bar</u> (1955) 45 Cal.2d 57, 65-66 [286 P.2d 357]

In the Matter of Hertz (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 456

Overreaching

In the Matter of Dale (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 798

moral turpitude found when attorney deceived his client by overreaching when client had limited English-speaking ability

In re Brockway (Review Dept. 2006) 4 Cal. State Bar Ct.

Rptr. 944

Perjury

In the Matter of Katz (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 502

judge solicited the commission of perjury in a federal investigation

In the Matter of Jenkins (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 157

Practice of deceipt

concealed payments to non-attorney

In the Matter of Tamir Oheb (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920

Prior criminal acquittal; no bar to discipline

<u>Zitny v. State Bar</u> (1966) 64 Cal.2d 787, 790 fn. 1 [51 Cal.Rptr. 825, 415 P.2d 521]

Prior to admission to the State Bar

Stratmore v. State Bar (1975) 14 Cal.3d 887 [123 Cal.Rptr. 101] In the Matter of Pasyanos (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 746

In the Matter of Lybbert (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 297

In the Matter of Passenheim (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 62

Procuring loans from a former client

Wallis v. State Bar (1942) 21 Cal.2d 322 [131 P.2d 531]

Prosecutorial misconduct

<u>Price v. State Bar</u> (1982) 30 Cal.3d 537, 547-548 [179 Cal.Rptr. 914, 638 P.2d 1311]

Noland v. State Bar (1965) 63 Cal.2d 298, 301-303 [46 Cal.Rptr. 305, 405 P.2d 129]

Purchase of client property at probate hearing

Eschwig v. State Bar (1969) 1 Cal.3d 8, 15-17 [81 Cal.Rptr. 352, 459 P.2d 904]

Purpose of standard -- protection of public

<u>In re Fahey</u> (1973) 8 Cal.3d 842, 849 [106 Cal.Rptr. 313, 505 P 2d 1369]