

# **1 California Procedure (5th), Attorneys**

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- (b) [§410] Rules Proposed by Members.

**2. Professional Integrity.**

- (a) [§411] In General (Rules 1-100 to 1-120).
- (b) [§412] False Statements Regarding Admission (Rule 1-200).
- (c) [§413] Unauthorized Practice of Law (Rule 1-300).
- (d) [§414] Dealings With Nonlawyer (Rules 1-310, 1-320).
- (e) [§415] Employment of Disbarred or Suspended Lawyer (Rule 1-311).
- (f) Advertising and Solicitation (Rule 1-400).
  - (1) [§416] Definitions.
  - (2) [§417] Prohibited Solicitation.
  - (3) [§418] State Bar Standards.
- (g) [§419] Agreements Restricting Practice (Rule 1-500).
- (h) [§420] Legal Service Programs (Rule 1-600).
- (h-1) [§420A] (New) Limited Legal Services Programs (Rule 1-650).
- (i) [§421] Attorney as Judicial Candidate or Acting in Judicial Capacity (Rules 1-700, 1-710).

**3. Relationship Among Members.**

- (a) Communications With Represented Party (Rule 2-100).
  - (1) [§422] Prohibited and Authorized Activity.
  - (2) [§423] Nature and Scope of Rule.
- (b) Financial Arrangements (Rule 2-200).
  - (1) Dividing Fees for Legal Services.
    - (aa) [§424] In General.
    - (bb) [§425] Quantum Meruit Recovery.
    - (cc) [§426] Outside Attorney as Associate.
  - (2) [§427] Inducements To Recommend Employment.
- (c) Sale of Law Practice (Rule 2-300).
  - (1) [§428] Sale to Attorney or Law Firm.
  - (2) [§429] Transfer of Responsibility for Work or Files.
- (d) [§430] Discriminatory Conduct in Law Practice (Rule 2-400).

**4. Professional Relationship With Clients.**

- (a) [§431] Confidential Information of Client (Rule 3-100).
- (b) [§432] Failing To Act Competently (Rule 3-110).
- (c) [§433] Sexual Relations With Client (Rule 3-120).
- (d) [§434] Prohibited Objectives of Employment (Rule 3-200).
- (e) [§435] Advising Violation of Law (Rule 3-210).
- (f) Avoiding Interests Adverse to Client (Rule 3-300).
  - (1) [§436] Nature and Scope of Rule.
  - (2) [§437] Illustrations.
- (g) Avoiding Representation of Adverse Interests (Rule 3-310).
  - (1) [§438] In General.
  - (2) [§439] Relationship With Party or Witness or Interest in Subject Matter.
  - (3) [§440] Representation of Multiple Clients.

- (4) [§441] Confidences of Present or Former Clients.
- (5) [§442] Compensation From Person Other Than Client.
- (h) [§443] Relationship With Other Party's Lawyer (Rule 3-320).
- (i) [§444] Limiting Malpractice Liability to Client (Rule 3-400).
- (i-1) [§444A] (New) Disclosure of Lack of Professional Liability Insurance (Rule 3-410).
- (j) [§445] Communications With Client (Rules 3-500, 3-510).
- (k) Organization as Client (Rule 3-600).
  - (1) [§446] General Principle.
  - (2) [§447] Response to Acts of Agents of Organization.
  - (3) [§448] Dealing With Constituents of Organization.
  - (4) [§449] Representation of Constituents.
- (l) Termination of Employment (Rule 3-700).
  - (1) [§450] In General.
  - (2) [§451] Mandatory Withdrawal.
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- 5. Financial Relationship With Client.
  - (a) [§453] Preserving Funds and Property (Rule 4-100).
  - (b) [§454] Fees for Legal Services (Rule 4-200).
  - (c) [§455] Expenses Incurred (Rule 4-210).
  - (d) [§456] Purchasing Property (Rule 4-300).
  - (e) [§457] Gifts From Client (Rule 4-400).
- 6. Advocacy and Representation.
  - (a) [§458] Threatening Charges (Rule 5-100).
  - (b) [§459] Government Attorney Instituting Charges (Rule 5-110).
  - (c) [§460] Publicizing Litigation (Rule 5-120).
  - (d) [§461] Trial Conduct (Rules 5-200, 5-220).
  - (e) [§462] Attorney as Witness (Rule 5-210).
  - (f) [§463] Contact With Officials (Rule 5-300).
  - (g) [§464] Contact With Witnesses (Rule 5-310).
  - (h) [§465] Contact With Jurors (Rule 5-320).

## **IX. CONVICTION OF CRIME**

- A. Conviction of Crime Involving Moral Turpitude.
  - 1. [§466] In General.
  - 2. [§467] Nature of Conviction.
  - 3. Procedure.
    - (a) Temporary Suspension on Conviction.
      - (1) [§468] In General.
      - (2) [§469] Procedural Aspects.
    - (b) Hearing After Conviction Is Final.
      - (1) [§470] Notice and Opportunity To Be Heard.
      - (2) [§471] Review of State Bar Court Decision.
  - 4. What Crimes Involve Moral Turpitude.
    - (a) [§472] Meaning and Tests.
    - (b) Illustrations.
      - (1) [§473] Crimes Against Person or Property.

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(3) [§475] Perjury and Related Offenses.

(4) [§476] Miscellaneous Crimes.

(c) [§477] Conduct of Defendant Is Determinative.

(d) [§478] Unrelated Criminal Conduct.

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(a) [§480] Statutory Framework.

(b) [§481] Meaning of Moral Turpitude.

(c) [§482] Criminal Acquittal Does Not Bar Discipline.

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(a) [§483] Misappropriating Funds or Property.

(b) Fraud.

(1) [§484] Misrepresentations Concerning Case.

(2) [§485] Concealing Personal Interest.

(3) [§486] Borrowing Money From Client.

(4) [§487] Miscellaneous Frauds.

(c) Obtaining Unearned or Excessive Fees.

(1) [§488] Unearned Fees.

(2) [§489] Fees in Excess of Statutory Limits.

(3) [§490] Exorbitant Fees.

(d) [§491] Improper Methods of Collecting Fees.

(e) Negligent Performance of Duties.

(1) [§492] Earlier Cases.

(2) [§493] Later Cases.

(f) [§494] Sexual Relations With Client.

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(a) Fraudulent Acts.

(1) [§495] In General.

(2) [§496] False Pleadings or Documents.

(3) [§497] Misleading Court.

(b) [§498] Disobedience of Order.

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(1) [§500] Conduct Subject to Discipline.

(2) [§501] Distinction: Privileged Criticism.

(3) [§502] Distinction: Courtroom Attire.

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2. [§510] Conduct Close to Misappropriation.
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1. [§513] Representing Adverse Interests.
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2. [§516] First Amendment Right To Advertise.
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  - (a) [§519] In General.
  - (b) [§520] Using Media for Self-Laudatory Statements.
  - (c) [§521] Publicizing Litigation.
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1. Personal Solicitation.
  - (a) [§523] In General.
  - (b) [§524] Constitutionality of Restrictions.
  - (c) [§525] Distinction: Free Services in Civil Liberties Case.
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1. [§530] Statutory Prohibition and Rules.
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1. Development of the Law.
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  - (a) Communication With Adverse Party.
    - (1) [§536] Rules of Professional Conduct.
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- J. Mitigating or Aggravating Circumstances.
  1. [§543] In General.
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## **XI. DISCIPLINARY PROCEEDINGS**

- A. Discipline by the Courts.
  1. Disbarment or Suspension by Supreme Court.
    - (a) [§552] Inherent Power.
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- B. Nature of State Bar Proceedings.
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    - (a) [§561] In General.
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- (a) [§576] Nature and Scope.
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- 1. [§579] Venue.
- 2. [§580] Notice of Charges.
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  - (a) [§605] In General.
  - (b) Recommendation Followed.
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**1. Nature of Review.**

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(b) [§614] Findings and Recommendation of State Bar Court.

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(c) Different Punishment.

(1) [§624] Reduction in Punishment.

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**3. [§634] Court Order Assuming Jurisdiction Over Law Practice.**

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(a) [§636] In General.

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**1. [§645] Nature and Purpose.**

**2. [§646] Procedure.**

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