



## Attorney Misconduct Complaint

To file an attorney misconduct complaint, please read the instructions below, complete the attached complaint form, and mail to:

Office of Chief Trial Counsel Intake  
845 South Figueroa Street  
Los Angeles, CA 90017

## Instructions

### Your Information

- Please provide your name, address, zip code, email address (if available), and telephone numbers (work, home, and cell). Complaints are confidential unless charges are filed. So that we may promptly communicate with you, please provide an email address to which you have exclusive access and that is not shared with others.
- If you are an attorney submitting a complaint about another attorney, please let us know on page 5 of this form. Indicate whether your complaint is about opposing counsel and whether you are filing the complaint based on your duty to report professional misconduct under [Rule of Professional Conduct 8.3](#).

### Attorney's Information

- You may use the State Bar's online Attorney Search ([www.calbar.ca.gov](http://www.calbar.ca.gov)) to see whether an attorney has a public record of prior discipline in California and whether the attorney is licensed to practice law in California.
- Provide the full name, address, and phone number of the attorney you are complaining about.
- If you wish to complain about more than one attorney, complete a separate statement of complaint for each attorney.
- If any of the blank spaces do not apply to your case, write N/A (Not Applicable). If you do not know the size of the attorney's law firm, please state "Unknown" for Size of Law Firm.
- In the Statement of Complaint section, tell us in your own words what the attorney did or failed to do that you believe may warrant disciplinary action. We need to know the background of your case.

- If your complaint is about the attorney you hired, tell us: When did you hire the attorney? What agreement did you make with the attorney? Was the agreement verbal or in writing?
- If the complaint is about an attorney who has not represented you, please tell us: What is the connection you have with this attorney? If the attorney is representing a person or entity in a dispute with you, please identify that person or entity and explain the nature of the dispute.

### **Court Information**

- If your complaint involves a court case, please provide information (if known) in this section.

### **Attachments**

- Provide any helpful documents. Send only copies and keep the originals. All documents you send, originals or copies, become the property of the State Bar and are subject to future destruction.
  - If you are complaining about an attorney who represented you, provide copies of written fee agreements, payments, or other communications (written or electronic) to the attorney. It may be helpful to provide copies of the front and back sides of all canceled checks and/or copies of receipts showing your payments to the attorney.
  - If you are complaining about some other attorney, provide any court documents or communications with the attorney which will help to explain your complaint.
  - If you are represented by counsel in the matter involving the attorney, please provide your attorney's name, address, and telephone number.

### **Translation Information**

The State Bar accepts complaints in over 200 languages. If you need translation services to communicate with the State Bar, please let us know by completing the Translation Information section. We will communicate with you through a translation service in the language of your choice. If you have a trusted friend or family member whom you would prefer to provide translation assistance and that person will accept communications from the State Bar in English, please provide their contact information in the Translation Information section.

### **After You Submit**

The State Bar will review and evaluate your complaint to determine whether investigation and prosecution is appropriate. You will be notified of our decision in writing. [This chart explains what happens after you file a complaint.](#) Thank you for your cooperation.

### **Important Information You Should Know**

The State Bar's Office of Chief Trial Counsel (OCTC) reviews complaints of unethical conduct by attorneys licensed to practice in California. Should OCTC prosecute allegations contained in your complaint, you may be required to testify before the State Bar Court in order to prove

charges against the attorney(s) involved. Below is a list of what OCTC can and cannot do when it considers a complaint against an attorney:

- OCTC can recommend that an attorney be disciplined only for a violation of the California State Bar Act or the California Rules of Professional Conduct.
- OCTC cannot act as your attorney or otherwise help you in legal matters connected with your complaint. For example, OCTC cannot give you legal advice or perform legal service for you (such as pursuing damages or other legal action against the attorney(s) involved in your complaint). You may have legal remedies available to you, but OCTC cannot advise you on your rights in a given situation or what you should do. The State Bar is not a court that can provide civil remedies to you.
- OCTC cannot give you the name of a particular attorney to help you with your legal matters. The State Bar does certify lawyer referral services, and a [list of certified lawyer referral services is available on the State Bar's website \(www.calbar.ca.gov\)](#) or by calling 800-843-9053. The State Bar pamphlet [Finding the Right Lawyer](#) is also available online.
- OCTC can seek discipline for an attorney's failure to refund an unearned fee or failure to account for fees. Please keep in mind, however, that attorney fees are not refundable simply because you are dissatisfied with your attorney's services. In other words, OCTC cannot decide whether an attorney's fee is reasonable. If you are disputing your attorney's fees, you may seek to resolve the dispute through a fee arbitration process. Information about [fee arbitration is available online](#) or by calling 800-843-9053.
- OCTC can seek an order of restitution if an attorney has misappropriated client funds. In addition, the State Bar's Client Security Fund (CSF) may reimburse funds dishonestly taken by the attorney (but not simply because the lawyer acted incompetently, committed malpractice or failed to take certain action). CSF cannot process applications for reimbursement until final discipline has been ordered against the attorney by the California Supreme Court. An [application for reimbursement from CSF is available online](#) or by calling 800-843-9053.
- If you have further questions, you may call the call center at 800-843-9053. Also, the State Bar pamphlet [Having A Problem With Your Lawyer is available online](#). The pamphlet has helpful answers to questions about dealing with an attorney.



### Attorney Misconduct Complaint Form

Your Information		
Title:		
First Name:	Middle Name:	
Last Name:		
Address:		
City:	State:	Zip Code:
Email:		
Home Phone:	Work Phone:	Cell Phone:

If you prefer to communicate by email, please provide an email address. Complaints are confidential unless charges are filed. So that we may promptly communicate with you, please provide an email address to which you have exclusive access is not share with others.

Attorney's Information		
First Name:	Middle Name:	
Last Name:		
Address:		
City:	State:	Zip Code:
Email:	CA Bar License #:	
Primary Phone:	Other Phone:	
Cell Phone:	Website:	

### Complaint Information

To better achieve the State Bar's mission to protect the public, please answer the following questions:

**Have you or a member of your family complained to the State Bar about this attorney previously?**

Yes       No

**Did you hire this attorney?**

Yes       No

**Does this complaint involve allegations of theft?**

Yes       No

**Does this complaint involve allegations of attorney misconduct where a person 65 years of age or older was victimized?**

Yes       No

**Does this complaint involve allegations of attorney misconduct where a person who is incapacitated, infirm, disabled, incarcerated, an immigrant, or a minor was victimized?**

Yes       No

**Does this complaint involve allegations that the attorney has abandoned a client?**

Yes       No

**Are you an attorney?**

Yes       No

**If you are an attorney:**

**Does this complaint involve allegations against an opposing counsel?**

Yes       No

**Are you filing this complaint based on your duty to report professional misconduct under Rule of Professional Conduct 8.3?**

Yes       No

## **Statement of Complaint**

Include with your submission a statement of what the attorney did or did not do that is the basis of your complaint. Please state the facts as you understand them. Do not include opinions or arguments. If you hired the attorney(s), state what you hired the attorney(s) to do. Additional information may be requested.

**Related Court Case Information (If known)**

**Name of Court:**

**Case Name:**

**Case Number:**

**Approx. date case was filed:**

**Size of law firm complained about:**

**If you are not a party to this case, what is your connection with it? Explain briefly.**

**Translation Information**

**Not Applicable**

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**Do you need translation services?**

**Yes**

**No**

**Please state the language in which you need formal translation:**

The State Bar’s mission is to protect complainants regardless of their immigration status. Complainants who are unable to complete this form due to disability, language restrictions, or other circumstances may obtain help by calling the complaint line at 800-843-9053.

**Submission**

**By checking this box I certify that all information on this form is true and correct. I understand that the content of my complaint can be disclosed to the attorney. I understand that I waive the attorney client privilege and any other applicable privilege between myself and the attorney to the extent necessary for the investigation and prosecution of the allegations.**

**Signature:**

**Date:**