

Case No. _____

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

**APPENDIX OF EXHIBITS IN SUPPORT OF
REQUEST THAT THE SUPREME COURT OF
CALIFORNIA REVIEW AND APPROVE PROPOSED
CALIFORNIA RULES OF COURT, RULE 9.33**

(Vol. 2 of 2)



PREPARED BY
THE STATE BAR OF CALIFORNIA

OFFICE OF GENERAL COUNSEL
Ellin Davtyan (238608), General Counsel
Kirsten Galler (227171), Deputy General Counsel
Brady R. Dewar (252776), Assistant General Counsel

180 Howard Street
San Francisco, CA 94105
Telephone: (415) 538-2369

845 South Figueroa Street
Los Angeles, CA 90017
Telephone: (213) 765-1000

Facsimile: (415) 538-2321
Email: OGC@calbar.ca.gov

TABLE OF CONTENTS

Vol.	Ex.	Description	Page
1	1	Proposed California Rules of Court, rule 9.33	5
1	2	Ad Hoc Commission on the Discipline System: Final Report and Recommendations	8
1	3	September 21, 2023 – Board of Trustees Agenda Item 60-1: Ad Hoc Commission on the Discipline System Recommendations: Status Update Regarding Board-Directed Follow-Up Work	190
2	4	May 16, 2024 – Board of Trustees Agenda Item 60-3: Ad Hoc Commission on the Discipline System: Approval of Recommendations for Website Removal and Expungement	229
2	5	May 16, 2024 – Resolution Adopted by the Board of Trustees on Agenda Item 60-3	242
2	6	July 18, 2024 – Board of Trustees Agenda Item 5.1: Proposed Amendments to Rules 9.8 and 9.31 of the Rules of Court and Proposed New Rule 9.33 Relating to Expungement of Attorney Discipline and Administrative Actions: Request to Circulate for Public Comment	245

2	7	July 18, 2024 – Resolution Adopted by the Board of Trustees on Agenda Item 5.1	256
2	8	November 14, 2024 – Board of Trustees Agenda Item 6.1: Proposed New Rule 9.33 Relating to Expungement of Attorney Discipline: Return from Public Comment, Request to Approve and Submit to the Supreme Court for Adoption; Deferral of Adoption of the State Bar Policy on Website Removal; and Direct Staff to Develop a Legislative Priorities Proposal Related to Confidentiality of Expunged Records Under the California Public Records Act	258
2	9	November 14, 2024 – Resolution Adopted by the Board of Trustees on Agenda Item 6.1	273
2	10	Compilation of Public Comment on Proposed Rule of Court 9.33 Obtained and Presented to Board of Trustees for November 2024 Meeting	276
2	11	Compilation of Additional Attorney Public Comment Obtained After November 2024 Board of Trustees Meeting	307
2	12	May 22, 2025 – Board of Trustees Agenda Item 7.4:	345

		Consideration of Legislative Priorities for 2025; Update of Guiding Principles for Legislative Program	
2	13	May 22, 2025 – Resolution Adopted by the Board of Trustees on Agenda Item 7.4	352
2	14	March 6, 2025 – Update Re: Recidivism Data	354
2	15	July 3, 2025 – Further Update Regarding Recidivism Data	358

EXHIBIT 4

Document received by the CA Supreme Court.



The State Bar of California

OPEN SESSION AGENDA ITEM 60-3 MAY 2024

DATE: May 16, 2024

TO: Members, Board of Trustees
Sitting as the Regulation and Discipline Committee

FROM: Steve Moawad, Special Counsel, Division of Regulation
Mia Ellis, Deputy Special Counsel, Division of Regulation

SUBJECT: Ad Hoc Commission on the Discipline System: Approval of Recommendations for Website Removal and Expungement

EXECUTIVE SUMMARY

Consistent with the Board direction at its September 2023 meeting, this item seeks adoption of proposals related to (1) Timelines for Removal of Discipline History from Attorney Profile Pages; (2) Attorney Discipline on State Bar Website and Expungement of Discipline; (3) Removal of Criminal Conviction Transmittals and Discipline from Profile Page; and (4) Profile Page Display for Attorneys who Resign without Charges Pending. The Board also directed that staff return with proposals related to removing administrative inactive enrollments from the attorney profile page and removal of discipline from the profile page of attorneys who resign with charges pending. Those items will be presented to the Board at a future meeting.

BACKGROUND and DISCUSSION

The Board established the Ad Hoc Commission on the Discipline System in November 2020 to assess reforms implemented by the State Bar to further the efficiency, effectiveness, and fairness of the discipline system and to identify any additional improvements needed.

On September 22, 2022, the Board received the commission's final report and recommendations. The commission's final recommendations included timelines for removing discipline history from attorney profile pages and expungement of discipline records. Addressing both website removal and the expungement process were viewed by the commission as a means of redressing historical racial disparities in discipline and aligning the State Bar with California's current criminal justice trends and the practices of other regulatory agencies.

The commission did not clearly define expungement, recommended the same timeframes for website removal and expungement, and recommended timeframes for website removal that were considerably shorter and more expansive than any comparator agency.

Ad Hoc Commission on the Discipline System Recommendations for Expungement and Attorney Discipline History Removal from the Attorney Profile Page	
Private Repeal	1 year or when conditions are met
Public Repeal	3 years
Probation with Stayed Suspension	3 years of conclusion of probation
Probation with Actual Suspension	5 years from reinstatement
Disbarment	Public indefinitely (no change)

The Board directed staff to issue the Ad Hoc Commission recommendations for a 60-day public comment period. The commission convened on December 5, 2022, to review public comments received. Public comments to the commission recommendations raised two other situations in which removal of information from an attorney's profile page may be appropriate: (1) removing discipline history when an attorney resigns with or without charges pending, and (2) removing administrative inactive enrollments. The commission asked staff to develop proposals for website removal in these situations.

At its January 2023, meeting, and after consideration of the Ad Hoc Commission's recommendations, the Board directed staff to:

1. Propose timelines for the removal of discipline from attorney profile pages on the State Bar website that are consistent with the practices of California regulatory agencies and other state attorney licensing agencies that currently have policies in place for both the display and removal of discipline histories from their respective websites;
2. Propose a definition of expungement of attorney discipline;
3. Develop a proposal that addresses the website posting of discipline history for attorneys who resign with or without charges pending and the implications of future reinstatement;
4. Develop a timeline and procedure for removing administrative inactive enrollments from attorney profiles on the State Bar website; and
5. Explore the removal of criminal conviction transmittals and discipline from the profile page where the sole underlying basis for discipline was a criminal conviction that was expunged pursuant to Penal Code section 1203.4.

At the September 2023 meeting, staff presented the Board with several options for each proposal. The Board directed staff to further develop the proposals in consideration of recidivism data. The Board also requested greater specificity on the definition of expungement and information on the impact of expungement. The Board also asked for data on how many attorneys would be impacted on an annual basis by the expungement proposals.

A. Timelines for Removal of Discipline History from Attorney Profile Pages

The Board directed staff to propose timelines for removal of discipline from attorney profile pages on the State Bar website that are consistent with the practices of California regulatory agencies and other state attorney licensing agencies that currently have policies in place for the removal of

discipline histories from their respective websites. The Board also asked staff to consider proposals in light of recidivism data from attorney discipline.

1. California Regulatory Agencies

The Medical Board’s public disclosure information policy specifies that public reprimands are removed from the physician’s profile 10 years from the effective date of the decision and all other discipline is available on the physician’s public profile indefinitely. The website removal policy for both public reprovals and other discipline is based on [Business and Professions Code section 2027](#).

The California Board of Registered Nursing’s Policy on Internet Discipline Document Retention specifies that a decision resulting in a public reprimand will remain posted for three years from the date the action was final and, with the exception of licensee revocations, matters resulting in greater discipline remain posted for 10 years. License revocations remain posted indefinitely.

The posting of real estate appraiser discipline information is regulated by Business and Professions Code section 11317.2, which, as currently drafted, requires information on suspensions and revocations of licenses be posted to the Bureau of Real Estate Appraisers website. California [Senate Bill 1225](#), currently pending (2023–2024 Regular Session), if signed into law, would authorize the Bureau of Real Estate Appraisers to remove from the posting of discipline an item that has been posted on the bureau’s internet website for at least 10 years.

The website removal policies for the Medical Board of California, the California Board of Registered Nursing, and the Bureau of Real Estate Appraisers are as follows:

Intervention or Type of Discipline	Doctors (Medical Board of California)	Nurses (California Board of Registered Nursing)	Real Estate Appraisers (Bureau of Real Estate Appraisers)
Private Reapproval	Not applicable	Not applicable	Not Applicable
Public Reapproval	10 years from the effective date	3 years from effective date	Unknown
Discipline including probation or probation with a stayed suspension	Indefinitely	10 years from effective date	Currently: Indefinitely Under SB 1225: at least 10 years
Discipline including probation with an actual suspension	Indefinitely (if this suspension is part of an interim suspension order or similar type order, indefinitely but only posted on the website while in place)	10 years from effective date	Currently: Indefinitely Under SB 1225: at least 10 years
Disbarment or Revocation	Indefinitely	Indefinitely	Currently: Indefinitely Under SB 1225: at least 10 years

Document received by the CA Supreme Court.

2. Attorney Licensing Agencies in other Jurisdictions

The attorney regulators in all states with exception of two (Mississippi and South Dakota) make discipline history available on their websites. Of the United States jurisdictions that display attorney discipline information on a public website, two jurisdictions limit the timeframe for website display of discipline information. Florida only posts to their website discipline that occurred in the last 10 years. The discipline section of the Florida attorney profile page is called the “10-Year Discipline History.” In Idaho, discipline information is posted to the public website for one to five years depending on the level of discipline. The final report and recommendations of the Ad Hoc Commission on the Discipline System also cited Texas as a jurisdiction that removed discipline information from the website after 10 years. However, that practice was changed in 2017 and discipline history now remains posted indefinitely in Texas.

3. State Bar Recidivism Data

Following the September 2023 Board meeting, staff examined recidivism data for 10 1-year cohorts of disciplined attorneys. The cohorts included all attorneys disciplined in 2004–2013. The rationale for choosing those years was to provide at least a 10-year period in which to evaluate recidivism trends. The selection of those years reduced the recidivism rate in the “more than 10 years” category because the opportunity for attorneys disciplined in later 1-year cohorts (e.g., 2012, 2013) to recidivate after more than 10 years was reduced. It is important to note that the 10 1-year cohorts include only attorneys disciplined for the first time in each 1-year period and do not include, for example, attorneys disciplined in 1998 and subsequently disciplined in 2005. The rationale is that once an attorney recidivates their rate of recidivism significantly diverges from other attorneys.

The below table shows the time between the first and subsequent discipline for all 10 1-year cohort attorneys, excluding those attorneys with no subsequent discipline from the sum of the attorneys in the 10 1-year cohorts.

Subsequent Discipline Rates

10 YEAR COHORT SUM				FIRST DISCIPLINE TYPE											
10-Year Total		Overall		Actual Suspension 90+ days			Actual Suspension <90 days			Stayed Suspension			Public Reproval		
Time between first and subsequent discipline	N	%	Cum. %	N	%	Cum. %	N	%	Cum. %	N	%	Cum. %	N	%	Cum. %
1 Year and less	69	9.1	9	47	18.7	19	7	8.4	8	9	6.4	6	6	2.1	2
1-3 Years	353	46.7	56	116	46.2	65	44	53.0	61	56	40.0	46	137	48.6	51
3-5 Years	142	18.8	75	41	16.3	81	12	14.5	76	36	25.7	72	53	18.8	70
5-6 Years	56	7.4	82	15	6.0	87	6	7.2	83	14	10.0	82	21	7.4	77
6-7 Years	30	4.0	86	11	4.4	92	1	1.2	84	4	2.9	85	14	5.0	82
7-8 Years	29	3.8	90	6	2.4	94	3	3.6	88	6	4.3	89	14	5.0	87
8-9 Years	14	1.9	92	2	0.8	95	2	2.4	90	4	2.9	92	6	2.1	89
9-10 Years	16	2.1	94	3	1.2	96	1	1.2	92	2	1.4	94	10	3.5	93
More than 10 years	47	6.2	100	10	4.0	100	7	8.4	100	9	6.4	100	21	7.4	100
Total Cohort	756	100		251	100		83	100		140	100		282	100	

Of all the licensees who were disciplined over a ten-year period and who were also subsequently disciplined, 75 percent of the licensees were disciplined again by the fifth year (see “Cum. %”). By the tenth year, this cumulative recidivism rate increases to 94 percent, with nearly 20 percent of the 10 1-year cohort licensees receiving subsequent discipline between 5 and 10 years after their initial discipline. Based on this table the vast majority (94 percent) of the licensees who will recidivate will be disciplined by the 10-year mark.

Staff also looked at whether the nature of the first discipline impacted the cumulative discipline rate. Because the subsequent discipline rates across the discipline types are relatively the same, staff does not recommend different website removal periods depending on the nature of the first discipline. However, staff have provided an alternative policy with a shorter time frame for removal of discipline from the website where the first discipline was a public reproof.

PROPOSAL A1: Website Removal of Nondisbarment Discipline After 10 years

Based on the policies of other California regulatory agencies, attorney licensing agencies in other jurisdictions, and the recidivism data, subject to the limitations below, staff recommends the Board adopt a policy that non-disbarment discipline be removed from the website after 10 years from the effective date of the initial discipline.

Limitation on Website Removal

To have nondisbarment discipline removed from their licensee profile page after 10 years, the licensee must:

1. Have a status of “Active,” “Inactive,” or “Resigned (without charges pending)”;
2. Only have one discipline;
3. Not previously had discipline expunged or removed from their attorney profile page; and
4. Not have disciplinary matters pending in State Bar Court at the time the discipline would otherwise become eligible for removal from the website.

If a licensee has a disciplinary matter pending in State Bar Court at the time their prior discipline would otherwise be eligible for website removal, they must wait until the State Bar Court matter is closed or dismissed without discipline.

PROPOSAL A2: Website Removal of Public Reprovals after 8 Years

An alternative policy would be to allow a shorter time frame for removal of public reprovals from the attorney profile. This policy would be subject to the same limitations set forth in option A1, above.

Intervention or Type of Discipline	Option A1	Option A2
Public Reproof (including “public-private reprovals” that are imposed after formal charges are filed, making the matter public)	10 years	8 years
Discipline including probation or probation with a stayed suspension	10 years	10 years
Discipline including probation with an actual suspension	10 years	10 years

Intervention or Type of Discipline	Option A1	Option A2
Disbarment	Indefinitely	Indefinitely

Licensees Impacted

Proposal A1 would grant website removal relief to 1,642 licensees immediately and to additional attorneys over time.

Option A1. Licensees Eligible to have discipline removed from the website*

Status	Total
Active	1,178
Inactive	393
Resigned (w/o Charges Pend.)	71
Total	1,642

*As of 05/02/2024.

An additional 48 licensees would receive relief under Proposal A2 immediately and additional attorneys would be granted relief over time.

Option A2. Public reprovals between 8 and 10 years*

Status	Total
Active	39
Inactive	7
Resigned (w/o Charges Pend.)	2
Total	48

*As of 05/02/2024

Impact of Removal from the Attorney profile page

The removal from the licensee's State Bar of California profile page would not constitute an expungement and would not relieve the licensee of an obligation to disclose the discipline in response to any questions related to license status or discipline history, including on applications for other professional licenses or in determining the licensee's eligibility for a judgeship under the California Constitution, article VI, section 15. Discipline removed from the licensee's profile page would still be included on Certificates of Standing and available to members of the public inquiring about the licensee's record of public discipline. The removal from the licensee profile page also would not remove documents from State Bar Court online docket search. Discipline removed from the website can still be used either as an aggravating circumstance or as prior discipline pursuant to Standards 1.5 and 1.8 of the California Standards for Attorney Sanctions for Professional Misconduct in a future disciplinary prosecution.

Discipline History Removal from the Attorney Profile by Demographic

Given the intent of removal of discipline history information was, at least in part, to attempt to redress historical racial disparities in discipline system, staff looked at the demographic make-up of the licensees that would be granted relief under these proposals and compared those numbers to the overall attorney population (from the 2022 Diversity Report Card) and the population of disciplined attorneys (from both the 2023 Annual Discipline Report (ADR) and the 2018 Farkas Study). The table does not account for whether the licensee has a matter pending in State Bar Court.

From the available data and recognizing the small population size, it appears that Black attorneys would in particular benefit from website removal, with the percent of attorneys impacted exceeding overall population numbers and rates of discipline reflected in the most recent ADR.

	Total No. of Attorneys	Percent	Percent (excluding missing)
Records Removal - 10 Years*			
<i>Missing</i>	318	19%	
White	948	58%	72%
Hispanic/Latino	89	5%	7%
Asian	60	4%	5%
Black/African American	77	5%	6%
Multiracial	80	5%	6%
Other	70	4%	5%
Total	1642	100%	100%

Records Removal - Public Reapproval 8 -10 Years*			
<i>Missing</i>	3	6%	
White	28	58%	62%
Hispanic/Latino	1	2%	2%
Asian	6	13%	13%
Black/African American	2	4%	4%
Multiracial	5	10%	11%
Other	3	6%	7%
Total	48	100%	100%

	2022 Diversity Report Card (Active Attorneys)	Annual Discipline Report FY2023 (Probation & Reprovals)	Farkas Study 2018 (Probation)
<i>Missing</i>		1%	
White	65%	69%	68%
Hispanic/Latino	6%	9%	12%
Asian	14%	6%	9%
Black/African American	3%	2%	10%
Other	3%	13%	
Multiracial	8%		
	100%	100%	100%

Rule and/or Statutory Changes Needed

This policy would require a new State Bar rule. Staff does not believe a statutory change is required.

B. Expungement

1. Approach and Define Expungement Broadly

To differentiate expungement from the removal of discipline history from the attorney's profile page on the State Bar website, staff chose to define expungement broadly. The proposed definition of expungement is removal of discipline from the licensee's record of public discipline.

Impact of Expungement

Expunged discipline will be removed from the State Bar Court online docket search and would not appear on Certificates of Standing. Further, the State Bar would not provide information about the discipline to members of the public inquiring about the licensee's record of public discipline or in response to a CPRA request. The expunged discipline could not be used either as an aggravating circumstance or prior discipline pursuant to Standards 1.5 and 1.8 of the California Standards for Attorney Sanctions for Professional Misconduct in a future disciplinary prosecution.¹

Depending on the question asked, expungement may relieve the licensee of an obligation to disclose the discipline in response to any question relating to their license status or discipline history, including on applications for other professional licenses, clients and potential clients, prospective employers, malpractice insurers, etc.

The State Bar internal records would be sealed and, with three exceptions, the discipline would be deemed not to have occurred. First, the proposed definition of expungement does not relieve the licensee of their duty to disclose the discipline for purpose of determining the licensee's eligibility for a judgeship under the California Constitution, article VI, section 15. Consistent with the licensee's duty, the State Bar would continue to maintain a record of expunged discipline to report to the Commission on Judicial Nominees Evaluation or appropriate governmental entities involved in judicial elections the licensee's eligibility for a judgeship under the California Constitution, article VI, section 15. Second, the Office of Chief Trial Counsel (OCTC) would be entitled to consider expunged discipline for internal investigatory purposes, including assessments of whether a particular respondent has a pattern of prior conduct warranting heightened scrutiny of a current complaint and to determine a licensee's eligibility for the new disciplinary diversion program. Third, the State Bar, consistent with its statutory duties, would continue to compile and maintain aggregate statistics on attorney discipline to aid in the administration of the discipline system and report to stakeholders.

PROPOSAL B: Expunge Discipline History After 20 Years

Data shows that of attorneys disciplined over a ten-year period, nearly 20percent of the 10 1-year cohort licensees received subsequent discipline between 5 and 10 years after their initial discipline.² Expungement is designed to provide greater relief than removal from the State Bar public profile. Therefore, the timeframe to seek expungement should be greater than the time from which discipline is removed from the website. Due to the broad relief envisioned, staff recommends the Board adopt a policy that nondisbarment discipline be automatically expunged 20 years from the effective date of the discipline, subject to the limitations below.

Limitation on Expungement

To have nondisbarment discipline expunged after 20 years, the licensee must:

1. Have a status of "Active," "Inactive," or "Resignation without Charges Pending";
2. Only have one discipline;
3. Not previously had discipline expunged; and
4. Not have disciplinary matters pending in State Bar Court at the time the discipline would

¹ Prohibiting the use of prior discipline is a significant departure from the way prior discipline has been used in the past. Nonetheless, prohibiting the use of an expunged prior in a future disciplinary proceeding serves to differentiate the relief granted under expungement from removal from the attorney profile page. Further, given the requirement of a twenty-year period of discipline-free conduct, the hope is that very few, if any, licensees who have discipline expunged will be the subject of subsequent disciplinary proceedings.

² See Subsequent Discipline Rates table, above.

otherwise become eligible for expungement.

If a licensee has a disciplinary matter pending in State Bar Court at the time their prior discipline would otherwise be eligible for expungement, they must wait until the State Bar Court matter is closed or dismissed without discipline.

Licensees Impacted

Proposal B would grant expungement relief to 1,895 licensees immediately and additional attorneys over time.

Proposal B. Licensees Eligible to have Discipline Expunged*

Status	Total
Active	554
Deceased	308
Inactive	284
Presumed Deceased	694
Resigned (w/o Charges Pend.)	55
Total	1,895

*As of 05/02/2024.

Expungement by Demographic

Using a methodology similar to that for the website removal analysis, above, an initial look at the data suggests that Black attorneys would also particularly benefit from a new expungement policy when compared to overall population and rates of discipline in the most recent ADR.

	Total No. of Attorneys	Percent	Percent (excluding missing)
Expungement - 20 Years*			
<i>Missing</i>	1135	60%	
White	585	31%	77%
Hispanic/Latino	46	2%	6%
Asian	34	2%	4%
Black/African American	35	2%	5%
Multiracial	33	2%	4%
Other	27	1%	4%
Total	1895	100%	100%
	2022 Diversity Report Card (Active Attorneys)	Annual Discipline Report FY2023 (Probation & Reprovals)	Farkas Study 2018 (Probation)
<i>Missing</i>		1%	
White	65%	69%	68%
Hispanic/Latino	6%	9%	12%
Asian	14%	6%	9%
Black/African American	3%	2%	10%
Other	3%	13%	
Multiracial	8%		
	100%	100%	100%

Document received by the CA Supreme Court.

Rule or Statutory Changes Needed

The adoption of a new definition of and a new process for expungement will require a new Rule of Court. Statutory changes will also be required. For example, although the records will be expunged, because the State Bar will still have the records, a statutory amendment protecting the information from disclosure in response to a CPRA request would be required. Similarly, a change to [Business and Professions Code section 6094.5\(f\)](#) and other statutes may also be required.

C. Removal of Criminal Conviction Transmittals and Discipline from the Attorney Profile Page in Specified Circumstances

Conviction proceedings are initiated in the Review Department of the State Bar Court generally when the Office of Chief Trial Counsel transmits, or files, a certified copy of the record of conviction. Generally, convictions resulting in transmittals to SBC that are not subsequently dismissed are available on the licensee's profile page indefinitely. The Board directed staff to explore the removal of criminal conviction transmittals and discipline from the attorney profile page where the sole underlying basis for discipline was a conviction for which relief was granted pursuant to Penal Code section 1203.4.

Business and Professions Code section 6102(c), (e) specifically authorizes the State Bar to pursue discipline based on a criminal conviction irrespective of any order for "expungement" under Penal Code section 1203.4 or any similar statutory provision. This is because discipline based on a determination that the conduct underlying a criminal conviction involves moral turpitude or other facts and circumstances warranting discipline is distinct from the criminal conviction itself. Expungement of the criminal conviction does not alter the determination that the attorney's conduct warranted discipline.

PROPOSAL C: Removal of Criminal Conviction Transmittals from the Attorney Profile Page

If a disciplinary proceeding based on the transmitted conviction has concluded, within six months of receipt from a licensee of a certified copy of an order granting relief pursuant to sections [1203.4](#), [1203.4a](#), [1203.41](#), [1203.42](#), or [1203.425](#) of the Penal Code, the State Bar would remove the transmittal from the licensee's public profile page. If the certified copy of an order granting relief pursuant to sections [1203.4](#), [1203.4a](#), [1203.41](#), [1203.42](#), or [1203.425](#) of the Penal Code is received before the disciplinary proceeding is concluded, the transmittal would not be removed until the proceeding is concluded. In either case, the State Bar would post an additional notification stating that such relief was granted in the underlying criminal action on the licensee's profile page.

If the transmittal results in discipline, the discipline shall remain posted to the licensee's profile page for the timeframe established by the Board for removal of discipline from the licensee's profile page under proposal A, regardless of whether the conviction transmittal is removed under this proposal. Further, discipline imposed as a result of a conviction transmittal can be used as a prior record of discipline, including pursuant to Standards 1.5 and 1.8 of the [Standards For Attorney Sanctions For Professional Misconduct](#) regardless of an order granting relief pursuant to sections [1203.4](#), [1203.4a](#), [1203.41](#), [1203.42](#), or [1203.425](#) of the Penal Code, unless and until the discipline is expunged pursuant to proposal B.

Rule and/or Statutory Changes Needed

No statutory changes required. A new State Bar rule should be adopted to implement this policy.

D. Proposal for Attorney Profile Page Display for Licensees who Resign without Charges Pending

Licensees may resign with no prior discipline and no charges pending, with prior discipline but without charges pending; with prior discipline and charges pending, or with no prior discipline but with charges pending. All resignations are reviewed by the Supreme Court and upon acceptance of the request by the Supreme Court, the Supreme Court issues a resignation order.

PROPOSAL D: Removal of Discipline History from the Attorney Profile Page of Licensees Who Resign without Charges Pending

The below would apply to resignation without charges pending, with or without prior discipline:

- Remove all discipline from the website.
- Post a disclaimer on the licensee profile page of all resigned attorneys that states if the resigned attorney was disciplined, State Bar policy prohibits discipline history from being displayed on the profile page of a resigned attorney.
- Unless eligible for expungement, any discipline history remains a public record and is available upon request.
- If the licensee is ever reinstated, the discipline history would be reposted to the licensee's profile page unless the discipline is eligible to be removed from the website or expunged under proposals A or B.

The Impact of Removal from the Attorney profile page

Removal from the website under proposal D would have the same impact as removal from the attorney profile page in proposal A.

Rule and/or Statutory Changes Needed

No statutory changes required. A new State Bar rule should be adopted to implement this policy.

FISCAL/PERSONNEL IMPACT

Each of the proposals outlined above would require an information technology investment to develop a solution to automate the expungement and the removal of discipline history from the attorney profile page. In the short term, significant manual work, including by State Bar Court staff, would be required to provide the relief granted by these proposals. Additionally, there may be ongoing costs associated with receipt and processing of requests for records that remain public but have been removed from the attorney profile page. The impact of these costs would depend on the volume of requests received.

AMENDMENTS TO RULES

Rule Amendments will be drafted should the Board adopt the resolutions below.

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

Goal 1. Protect the Public by Strengthening the Attorney Discipline System

- d. 1. Align and implement recommendations of the Special Discipline Case Audit Committee and the Ad Hoc Commission on the Discipline System.

RECOMMENDATIONS

Should the Board of Trustees, sitting as the Regulation and Discipline Committee, concur in the proposed action, passage of the following resolutions is recommended:

RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff, consistent with the limitations set forth in this item, to draft a new rule of the State Bar to effectuate website removal of nondisbarment discipline after 10 years from the effective date of the initial discipline and return the draft rule to the Board for further action; and it is

[ALTERNATIVE] RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff, consistent with the limitations set forth in this item, to draft a new rule of the State Bar to effectuate website removal of nondisbarment discipline after 10 years from the effective date of the initial discipline and, in the case of public reprovos, after 8 years from the effective date of the initial discipline and return the draft rule to the Board for further action; and it is

FURTHER RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff to draft a new Rule of Court regarding expungement of nondisbarment discipline after 20 years from the effective date of the initial discipline consistent with the limitations set forth in this item and return the draft rule to the Board for further action; and it is

FURTHER RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff to draft proposed statutory amendments regarding expungement of nondisbarment discipline and return the draft statutory amendments to the Board for further action; and it is

FURTHER RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff to draft a new rule of the State Bar, consistent with the limitations set forth in this item, to effectuate website removal of criminal conviction transmittals within six months of receipt of an order granting relief pursuant to sections [1203.4](#), [1203.4a](#), [1203.41](#), [1203.42](#), or [1203.425](#) of the Penal Code and return the draft rule to the Board for further action; and it is

FURTHER RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff to draft a new rule of the State Bar, consistent with the limitations set forth in this item, to effectuate website removal of discipline history from the attorney profile page of licensees resigned without charges pending and to return the draft rule to the Board for further action.

Document received by the CA Supreme Court.

ATTACHMENT LIST

None

EXHIBIT 5

Document received by the CA Supreme Court.



The State Bar of California

RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES

AGENDA ITEM 60-3: Ad Hoc Commission on the Discipline System: Approval of Recommendations for Website Removal and Expungement

RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff to draft a new Rule of Court regarding expungement of nondisbarment discipline after 8 years from the effective date/completion of the initial discipline consistent with the limitations set forth in this item and as discussed during the May 16, 2024, meeting of the Board of Trustees, and return the draft rule to the Board for further action; and it is

FURTHER RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff to draft proposed statutory amendments regarding expungement of nondisbarment discipline and return the draft statutory amendments to the Board for further action; and it is

FURTHER RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff to draft a new rule of the State Bar, consistent with the limitations set forth in this item, to effectuate website removal of criminal conviction transmittals within six months of receipt of an order granting relief pursuant to sections 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code and return the draft rule to the Board for further action; and it is

FURTHER RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, directs staff to draft a new rule of the State Bar, consistent with the limitations set forth in this item, to effectuate website removal of discipline history from the attorney profile page of licensees resigned without charges pending and to return the draft rule to the Board for further action.

I hereby certify that the foregoing is full, true and correct copy of the resolution adopted by the Board of Trustees, sitting as the Regulation and Discipline committee, at its meeting held on May 16, 2024, by Zoom.

Louisa Ayrapetyan, Board Secretary

VOTE

Moved by Good, seconded by Buenaventura

Ayes – (11) Barahona, Buenaventura, Chen, Cisneros, Good, Huser, Shelby, Stephens, Sowell, Toney, Trejo

Noes – (1) Stallings

Abstain – (0)

Absent – (0)

Motion carried.

EXHIBIT 6

Document received by the CA Supreme Court.



The State Bar of California

OPEN SESSION AGENDA ITEM 5.1 JULY 2024 BOARD OF TRUSTEES

DATE: July 18, 2024

TO: Members, Board of Trustees
Sitting as the Regulation and Discipline Committee

FROM: Steven Moawad, Special Counsel, Division of Regulation
Mia Ellis, Deputy Special Counsel, Division of Regulation

SUBJECT: Proposed Amendments to Rules 9.8 and 9.31 of the Rules of Court and
Proposed New Rule 9.33 Relating to Expungement of Attorney Discipline and
Administrative Actions: Request to Circulate for Public Comment

EXECUTIVE SUMMARY

Consistent with Board of Trustees direction provided at meetings in 2023 and in May 2024, this item seeks Board approval to circulate for public comment proposed new rule 9.33 of the Rules of Court related to expungement of discipline. This item also advances recommendations previously considered by the Board regarding nondisciplinary, administrative, suspensions.

When originally noticed for the present meeting of the Board this item was slated to include amendments to rules 9.8 and 9.31 of the Rules of Court to effectuate administrative suspension related proposals. In lieu of those amendments, staff now proposes to address the administrative suspension component of the recommendations through policy alone. In that vein, this item describes a policy covering website removal of both disciplinary and administrative suspension (and other discipline information) as well as staff's plan to issue that policy out for public comment.

RECOMMENDED ACTION

Staff recommends the Board circulate for public comment proposed new rule 9.33 of the Rules of Court related to expungement.

DISCUSSION

The Board established the Ad Hoc Commission on the Discipline System (commission) in November 2020 to assess reforms implemented by the State Bar to further the efficiency, effectiveness, and fairness of the discipline system and to identify any additional improvements needed. The Board considered the Ad Hoc Commission's recommendations at its January 2023 and September 2023 meetings. Pursuant to those discussions staff recommended policies on removal of nondisbarment discipline from the attorney profile page, expungement, removal of criminal conviction transmittals from the attorney profile page, and removal of discipline history from the attorney profile page of licensees who resign without charges pending to the Board at its May 2024 meeting. After considering staff recommendations and the recidivism data presented, the Board directed staff to draft a proposed Rule of Court regarding expungement of nondisbarment discipline after 8 years. This item also discusses a policy on removal of nondisbarment discipline and administrative inactive enrollments from the attorney profile page, based on similar previous Board discussions stemming from the work of the commission.

Proposed New Rule of Court 9.33 Regarding Expungement of Nondisbarment Discipline After Eight Years

In response to the Board's directive to draft a proposed Rule of Court regarding expungement of nondisbarment discipline after 8 years, the State Bar staff proposes new Rule of Court 9.33. Subdivision (a) of rule 9.33 defines terms applicable to expungement. Subdivision (b) defines the effect of expungement. Consistent with the discussion at the May 2024 Board of Trustees meeting, expunged records would be removed from the attorney's public record of discipline, but the prior discipline could still be used as an aggravating circumstance and as prior discipline under Standards 1.5 and 1.8 of the Standards for Attorney Sanctions for Professional Misconduct, respectively. Subdivision (c) requires the State Bar to maintain internal records of expunged information. Subdivision (d) provides the requirements to be eligible for expungement of discipline:

- (1) Expungement is one-time relief
- (2) Only licensees with one discipline are eligible for expungement
- (3) The licensee must be active, voluntary inactive, or resigned (with or without charges pending)
- (4) The licensee must not have any disciplinary matters pending in State Bar Court or before the Supreme Court at the time their prior discipline is expunged – pending matters must be dismissed or resolved without discipline to be eligible for expungement
- (5) At least eight years have passed from the:
 - (A) Effective date of a public or private reproof
 - (B) Termination of a term of probation with a stayed suspension, when there is no actual suspension imposed
 - (C) Termination of probation or reinstatement following termination of the actual suspension, whichever is later

Proposed new Rule of Court 9.33 also includes a proposal that the Board has not formally adopted: expunging discipline from the profile page of attorneys who resign with charges pending. Attorneys may resign with no prior or pending discipline¹; with prior discipline but without charges pending; or with charges pending. All resignations are reviewed by the Supreme Court and upon acceptance of the request by the Supreme Court, the Supreme Court issues a resignation order.

Staff proposes that licensees who resign with charges pending, like all other licensees, be eligible to have one prior discipline expunged after eight years.

It is important to note that even if the proposed amendments to the Rules of Court are adopted by the Supreme Court, statutory amendments may be required to effectuate the expungement policy. For example, absent an exemption, the California Public Records Act may require disclosure of expunged discipline upon a request for those records.

Should the Supreme Court ultimately adopt proposed new rule 9.33, expungement relief would be realized by 3,680 licensees.

Removal of Discipline and Administrative Suspensions and Administrative Inactive Enrollments from the Licensee's Attorney Profile Pages

The Rules of Court, State Bar Act, and the Rules of the State Bar impose several obligations on State Bar licensees. If attorneys fail to comply with certain obligations, they may be involuntarily enrolled as inactive. This enrollment is administrative, and no hearing is required. Currently, Rule of Court [9.8\(b\)](#) (nonpayment of fees) and Rule of Court [9.31\(f\)](#) (MCLE) permit a one-time removal of a period of inactive enrollment from an attorney's public record. There are no similar provisions for other rules authorizing administrative inactive enrollment or administrative suspension (e.g., the Client Trust Account Protection Program (CTAPP), fingerprinting, Rule 2.2 reporting, etc.).²

In addition to a proposed new rule 9.33 of the Rules of Court effectuating discipline-related expungement, staff proposes a new State Bar policy to remove nondisbarment public discipline and administrative suspensions from the licensee's attorney profile page. Removal of nondisbarment public discipline and administrative suspensions from the attorney profile page would not constitute expungement and the information would still be available upon request.

¹ To voluntarily resign without charges pending, attorneys must submit a Voluntary Resignation form. The State Bar forwards the completed resignation form to State Bar Court, which, in turn, transmits these to the Supreme Court. Upon acceptance of the request by the Supreme Court, the Supreme Court issues a resignation order. This process is the same whether the licensee has prior discipline or not.

² Proposed new rule 9.33 provides one-time automatic expungement of nondisbarment discipline in specified circumstances. Existing Rules of Court 9.8 and 9.31 permit one-time expungement of administrative suspension for nonpayment and involuntary inactive enrollment for MCLE noncompliance. Staff did not include expungement of administrative suspensions/inactive enrollments in proposed new rule 9.33, or propose amendments to rules 9.8 or 9.31, to effectuate recommendations regarding administrative suspensions, but this remains an option in the future based on an assessment of implementation pursuant to policy alone.

Currently, there are 38,110 total number of licensees with at least one involuntarily inactive enrollment. Here is a breakdown of administrative inactive enrollment by type:

Description	% of All Administrative Inactive Enrollments
MCLE Noncompliance	22%
Fingerprint Noncompliance	1%
CTAPP Noncompliance	3%
Child & Family Support Noncompliance	1%
Failed to Pay Annual Fees	73%

In developing a proposal to remove administrative inactive enrollments and administrative suspensions from the website, staff considered the timeframe between administrative inactive enrollments/administrative suspensions and a licensee's first subsequent discipline.

Of the 38,110 licensees who have had at least one administrative inactive enrollment, 5,015 (13 percent) had subsequent discipline. On average, it took about 4 years (1,509 days) between the initial administrative inactive enrollment and the first subsequent discipline. The median time was about 2 years (718 days).

Discipline	Licensees	Percent
Private reproof, restricted	198	4%
Private reproof, public disclosure	90	2%
Public reproof	66	1%
Public reproof with/duties	211	4%
Discipline w/actual suspension	1,883	38%
Discipline, probation; no actual susp.	415	8%
Interim suspension after conviction	422	8%
Disbarment	1,218	23%
Resignation with charges pending	602	12%
Total	5,015	100%

There is a correlation between the number of administrative inactive enrollments and the probability of discipline. Licensees with five or more administrative suspensions are 31.9 percent more likely to be disciplined.

No. of Admin Inactive Enrollments	% Increase in Probability of Discipline
1 or more	5.2%
2 or more	9.9%
3 or more	14.6%
4 or more	20.4%
5 or more	31.9%

Based on the correlation between administrative actions and discipline, staff proposes the automatic removal of the first two administrative inactive enrollments/administrative suspensions when the administrative action ends. Beginning with the third administrative action, staff proposes the licensee is eligible to have each subsequent inactive enrollment expunged four years from the date the inactive enrollment period ends. All contemporaneously served administrative inactive enrollments or administrative suspensions that occurred within 60 days of each other count as one inactive enrollment.

Contemporaneous with whatever action the Board takes on proposed Rule 9.33 of the Rules of Court, staff will send out for public comment a policy on removal of nondisbarment public discipline and administrative suspensions from the licensee's attorney profile page.

AMENDMENTS TO RULES OF COURT

Title 9, Division 2, of the California Rules of Court

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

Goal 1. Protect the Public by Strengthening the Attorney Discipline System

- d. 1. Align and implement recommendations of the Special Discipline Case Audit Committee and the Ad Hoc Commission on the Discipline System.

RESOLUTIONS

Should the Board of Trustees sitting as the Regulation and Discipline Committee concur, it is:

RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, authorizes staff to make available for public comment, for a period of 60 days, new rule 9.33 of the Rules of Court, as set forth in Attachment A.

ATTACHMENTS LIST

- A.** Proposed New Rule 9.33 of the California Rules of Court
- B.** Proposed State Bar of California Policy on Removal of Public Discipline and Administrative Suspensions from the Attorney Profile Page

Proposed Rule 9.33 of Proposed Chapter 5 (Expungements) of the Rules of Court**Rule 9.33. Expungement of records of discipline****(a) Definitions**

As used in this chapter, unless context otherwise requires:

- (1) "Discipline" means any of the following sanctions imposed upon a finding of misconduct:
 - (A) Actual suspension;
 - (B) Stayed suspension;
 - (C) Public reproof;
 - (D) Private reproof; or
 - (E) Any interim remedies or other final discipline authorized by the Business and Professions Code.
- (2) "Expungement" or "expunge" means the removal of information from a licensee's public record of discipline maintained by the State Bar.
- (3) "Former licensee" is a licensee who resigned their license to practice law in this state.
- (4) "Voluntary inactive" is the license status for a licensee who has voluntarily changed their license status from active to inactive and whose license is not currently suspended.

(b) Effect of Expungement

- (1) Expungement of information from the public record of discipline does not seal the record and expunged information can be used as an aggravating circumstance and as prior discipline under Standards 1.5 and 1.8 of the Standards for Attorney Sanctions for Professional Misconduct, respectively.
- (2) Expungement of a licensee's public record of discipline does not relieve the licensee or former licensee of their duty to disclose the suspension for purpose of determining the licensee's eligibility for a judgeship under the California Constitution, article VI, section 15.
- (3) Expungement of a licensee's public record of discipline does not absolve a licensee from prosecution by the State Bar for the unauthorized practice of law during the time period in which the licensee was not eligible to practice law. If expunged, the licensee's public

record of discipline will remain available to the Office of Chief Trial Counsel for the purpose of prosecuting a licensee for the unauthorized practice of law.

(c) Records to be maintained by State Bar

When information is expunged under subdivision (d), the State Bar will remove or delete the information from the public record of discipline. Notwithstanding any other provision of this rule, the State Bar must maintain such internal records as are necessary to apply the terms of subdivision (d) and subdivision (e) of this rule and to report to the Commission on Judicial Nominees Evaluation, or appropriate governmental entities involved in judicial elections, the licensee's eligibility for a judgeship under the California Constitution, article VI, section 15.

(d) One-time expungement of nondisbarment discipline from public record

The State Bar is directed to expunge a nondisbarment discipline record from the licensee's or former licensee's attorney profile page for a licensee or former licensee who meets all of the following criteria:

- (1) The licensee or former licensee has not on any previous occasion obtained an expungement of discipline;
- (2) The licensee or former licensee has only one discipline;
- (3) The individual's license status is active, voluntary inactive, or the individual is a former licensee;
- (4) The licensee does not have any disciplinary matters pending in State Bar Court or before the Supreme Court at the time their prior discipline would otherwise be eligible for expungement under paragraph (5); and
- (5) At least eight years have passed from the:
 - (A) Effective date of a public or private reproof;
 - (B) Termination of a term of probation with a stayed suspension, when there is no actual suspension imposed;
 - (C) Termination of probation or reinstatement following termination of the actual suspension, whichever is later.

If a licensee has a disciplinary matter pending in State Bar Court or before the Supreme Court as described under paragraph (4), the requirement under paragraph (4) shall only be satisfied if the pending matter is dismissed or resolved without discipline.

**Proposed State Bar of California Policy on
Removal of Public Discipline and Administrative Suspensions from the Attorney Profile Page**

Removal of discipline and administrative suspension records

(a) Definitions

As used in this policy:

- (1) “Administrative suspension” is when a licensee is suspended from the practice of law due to a failure to pay annual license fees and outstanding penalties or costs, or a failure to comply with family or child support obligations, or when a licensee is administratively enrolled as inactive due to a violation of the Rules of the State Bar of California or the California Rules of Court regarding:
 - (A) The payment of annual license fees;
 - (B) Client trust account reporting;
 - (C) Minimum continuing legal education reporting;
 - (D) Finger printing requirements;
 - (E) Child support payments; or
 - (F) Rule 2.2 of the Rules of the State Bar of California.
- (2) “Attorney profile page” means the publicly accessible webpage on the State Bar’s website that displays the licensee’s information submitted for public disclosure as well as the licensee’s history of discipline and administrative suspension.
- (3) “Discipline” means any of the following sanctions imposed upon a finding of misconduct:
 - (A) Actual suspension;
 - (B) Stayed suspension;
 - (C) Public reproof;
 - (D) Private reproof; or

(E) Any interim remedies or other final discipline authorized by the Business and Professions Code.

(4) “Former licensee” is a licensee who resigned their license to practice law in this state.

(5) “Voluntary inactive” is the license status for a licensee who has voluntarily changed their license status from active to inactive and whose license is not currently suspended.

(b) One-time removal of nondisbarment discipline from Licensee’s Attorney Profile Page

The State Bar is directed to remove a nondisbarment discipline record from the licensee’s or former licensee’s attorney profile page for a licensee or former licensee who meets all of the following criteria:

(1) The licensee or former licensee has not on any previous occasion had discipline removed from their attorney profile page;

(2) The licensee or former licensee has only one discipline;

(3) The individual’s license status is active, voluntary inactive, or the individual is a former licensee;

(4) The licensee does not have any disciplinary matters pending in State Bar Court or before the Supreme Court at the time their prior discipline would otherwise be eligible for removal under paragraph (5); and

(5) At least eight years have passed from the:

(A) Effective date of a public or private reproof;

(B) Termination of probation of a term of probation with a stayed suspension, when there is no actual suspension imposed;

(C) Termination of probation or reinstatement following termination of the actual suspension, whichever is later.

If a licensee has a disciplinary matter pending in State Bar Court or before the Supreme Court as described under paragraph (4), the requirement under paragraph (4) shall only be satisfied if the pending matter is dismissed or resolved without discipline.

(c) Removal of administrative suspensions

- (1) The State Bar is directed to automatically remove the first two administrative suspensions received by a licensee or former licensee from the attorney profile page following end of the administrative suspension period for each respective administrative suspension.
- (2) If more than two administrative suspensions have been previously removed, additional administrative suspensions shall be automatically removed from the licensee's or former licensee's attorney profile page four years from the end date of each respective administrative suspension period.
- (3) Multiple administrative suspensions that occur in a sixty-calendar day period shall count as a single administrative suspension for the purpose of this policy.

EXHIBIT 7

Document received by the CA Supreme Court.



The State Bar of California

RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES

AGENDA ITEM 5.1: Proposed Amendments to Rules 9.8 and 9.31 of the Rules of Court and Proposed New Rule 9.33 Relating to Expungement of Attorney Discipline and Administrative Actions: Request to Circulate for Public Comment

RESOLVED, that the Board of Trustees, sitting as the Regulation and Discipline Committee, authorizes staff to make available for public comment, for a period of 60 days, new rule 9.33 of the Rules of Court, as set forth in Attachment A.

I hereby certify that the foregoing is full, true and correct copy of the resolution adopted by the Board of Trustees, sitting as the Regulation and Discipline committee, at its meeting held on July 18, 2024, by hybrid format in Los Angeles and Zoom.

Louisa Ayrapetyan, Board Secretary

VOTE

Moved by Toney, seconded by Cisneros

Ayes – (12) Barahona, Buenaventura, Chen, Cisneros, Good, Grande, Huser, Shelby, Stephens, Sowell, Toney, Stallings

Noes – (0)

Abstain – (0)

Absent – (1) Trejo

Motion carried.

Document received by the CA Supreme Court.

EXHIBIT 8

Document received by the CA Supreme Court.



The State Bar of California

OPEN SESSION

AGENDA ITEM

6.1 NOVEMBER 2024

BOARD OF TRUSTEES

DATE: November 14, 2024

TO: Members, Board of Trustees

FROM: Mia Ellis, Deputy Special Counsel, Division of Regulation

SUBJECT: Proposed New Rule 9.33 Relating to Expungement of Attorney Discipline: Return from Public Comment, Request to Approve and Submit to the Supreme Court for Adoption; Deferral of Adoption of the State Bar Policy on Website Removal; and Direct Staff to Develop a Legislative Priorities Proposal Related to Confidentiality of Expunged Records Under the California Public Records Act

EXECUTIVE SUMMARY

Proposed new rule 9.33 of the California Rules of Court outlines criteria for expungement of nondisbarment discipline from the attorney profile page. The proposed State Bar Policy on Website Removal provides for the removal of nondisbarment discipline and administrative actions from the attorney's public profile. The rule and policy are returned to the Board following public comment. This item requests that the Board approve rule 9.33 and submit it to the Supreme Court, defer adoption on the State Bar policy on website removal, and direct staff to develop a legislative priorities proposal that ensures that expunged licensee and former licensee discipline records are exempt from the California Public Records Act.

RECOMMENDED ACTION

This item requests the Board approve proposed new rule 9.33 of the Rules of Court and submit it to the Supreme Court. It also recommends that the Board defer adoption of the State Bar policy on website removal until after the Supreme Court considers proposed new rule 9.33. The Board is also asked to direct staff to develop a legislative priorities proposal to amend the California Public Records Act.

DISCUSSION

The Board established the Ad Hoc Commission on the Discipline System in November 2020 to assess reforms implemented by the State Bar to further the efficiency, effectiveness, and fairness of the discipline system and to identify any additional improvements needed. On September 22, 2022, the Board received the commission's final report and recommendations ([701 September 2022](#)).

In alignment with the recommendations of the Ad Hoc Commission on the Discipline System, at its July 2024 Board of Trustees meeting ([5.1 July 2024](#)), the Board approved a 60-day public comment period for proposed new rule 9.33, to expunge nondisbarment discipline from the attorney profile page, and a State Bar policy governing removal of nondisbarment discipline and administrative inactive enrollments from the attorney profile page.

PUBLIC COMMENT

In addition to the standard circulation for public comment, the public comment opportunity for the proposed rule and policy were sent to complaining witnesses who filed complaints against licensees since the launch of the electronic complaint form in October 2018. All comments received can be accessed in the [compilation of all comments](#).

Proposed Rule 9.33 of the Rules of Court¹

In response to the public comment, 445 participants completed the survey and provided a position on proposed rule 9.33.

Please indicate whether you are an attorney	Total Responses: 445	Agree	Disagree	Agree If Modified
Attorney	81 (18%)	38 (47%)	25 (31%)	18 (22%)
Nonattorney	311 (70%)	36 (12%)	262(84%)	13 (4%)
Decline to State	53 (12%)	7 (13%)	41 (77%)	5 (9%)

¹ Staff made a minor, nonsubstantive edit to proposed new Rule 9.33 section (c), Records to be Maintained by State Bar. The second sentence referenced "and subdivision (e)," a vestige from an earlier version of the proposed rule. The rule as presented to the Board in July, which was circulated for public comment, did not include a subdivision (e). The change should not require the rule to undergo another public comment period as State Bar rule 1.10(B) states "Public comment is not required (1) to correct clerical errors; clarify grammar; improve organization; conform to specific changes in a law; update references or citations; or make similar editorial changes..."

Common Themes²

Most respondents were nonattorneys and the vast majority of nonattorney respondents opposed the proposed rule. Common themes that emerged from those who disagreed with the proposal rule include:

Attorney Bias:

- "This rule seems to favor legal professionals without considering the impact on the general public."

Negative Implications:

- "Implementing this rule as it stands might harm the integrity of the legal profession."

Lack of Transparency and Trust:

- "Transparency is crucial in maintaining public trust and ensuring that attorneys are held accountable for their actions. Clients must have the ability to conduct thorough research to make informed decisions when selecting legal representation. This transparency is especially important when an attorney's actions have caused harm to a client."
- "Attorney misconduct often causes lifelong harm to victims, and an eight-year expungement period fails to address this impact. Public trust and transparency are crucial; concealing past misconduct undermines both."
- "The public already does not trust the legal profession. This will further erode transparency and increase distrust."

A significant minority of attorney respondents agreed with the rule or agreed if modified, as did a small percentage of nonattorneys. Common themes reflected in these participants' public comment submissions include:

- "Expungement of discipline is necessary to give attorneys an incentive to keep their records clean and do the right thing. Forgiveness and rebirth are essential."
- "I think this is a reasonable proposal. If an attorney has discipline or a complaint that is 8 years old and has had no other issues, it should not continue to hinder their ability to do their job well."
- "As an attorney disciplined for alcohol-related misdemeanors, and with the expectation that I will successfully complete the ADP program, and having recovered from alcohol use disorder, the removal of this stigma from my online bar record would be a godsend."
- "Everyone makes mistakes, and the ability to work towards expungement gives incentive to continue work and to do it well. At which point, a person who has proven themselves should no longer have to suffer the consequences of past actions."

² The Common Themes section was compiled with the assistance of the generative AI Advisor in ThoughtExchange, the engagement and feedback tool used by the State Bar to receive public comment. The Advisor was asked to filter participants by position on the proposal, identify common themes within each group, and then provide example comments for the themes.

- “In fairness to victims, I believe the proposal should be modified from 8 years to 10 years.”
- “I like the concept, but I think it should be modified. Anything over 8 years is history. If there were more than one offense that did not warrant disbarment, they should all be removed from the public record. Why publicly stigmatize someone for acts that are history?”
- “This new rule should be modified to allow only individuals who meet a certain criteria, be allowed this action. It should be handled accordingly, and in my opinion should only be given if there was no victims in their case.”
- “Agree only if the discipline involved did not involve 'moral turpitude' or elder abuse.”

State Bar Policy Related to Removal of Administrative Suspensions and Public Discipline Record from the Attorney’s Public Profile

In response to the public comment, 857 participants completed the entire survey and provided a position on the proposed policy.

Please indicate whether you are an attorney	Total Responses 857	Agree	Disagree	Agree If Modified
Attorney	118 (14%)	51 (43%)	49 (42%)	18 (15%)
Nonattorney	663 (77%)	42 (6%)	577 (87%)	44 (6%)
Decline to State	76 (9%)	8 (11%)	65 (85%)	3 (4%)

Common Themes³

The majority of respondents were nonattorneys who disagreed with the proposed policy. A sample of comments submitted by those disagreeing with the proposal rule include:

- "I strongly disagree with the proposed policy; it hides important information from the public."
- "The recommendations are not in the best interest of transparency and accountability."
- "I oppose the changes because they reduce the public’s ability to make informed decisions."

A significant minority of attorney respondents agreed with the policy or agreed if modified, as did a small percentage of nonattorneys. A sample of comments submitted include:

- “It sounds like a fairly narrow exception that could allow an attorney that made a small mistake a long time ago to repair their public image.”

³ The Common Themes section was compiled with the assistance of the generative AI Advisor in ThoughtExchange, the engagement and feedback tool used by the State Bar to receive public comment. The Advisor was asked to filter participants by position on the proposal, identify common themes within each group, and then provide example comments for the themes.

- “This is long overdue. Keeping matters like public reprovals on members records it seems like forever is uncalled for and should have been done away with long time ago...Keeping this in the public harms reputations, livelihoods of hard working attorneys, especially those whose records have been clean for YEARS, and many African American attorneys have been affected in large part.”
- “Agreeable are the administrative violations and inactive enrollments removal. I would however disagree with the nondisbarment violation removal...The stringencies and limitations for elimination of nondisbarment violations would be sensible only when nondisbarment violations are clearly defined.”
- “I believe that this is a gracious policy. It helps attorneys to maintain dignity. However, it also keeps people in the dark about the attorney they may seek to hire or employ. The timeline should be at least 10 years.”
- “While I agree that an attorney should be given opportunity to have a nondisbarment discipline removed from display, I do not agree that the removal should be automatic as proposed. I believe the process should involve the attorney having to apply for the removal and have to undergo vetting before said discipline is no longer visible to the public.”

Organizational Comments

Below is a *summary* of comments submitted by organizational entities. [Compilation of comments.](#)

Office of Chief Trial Counsel (OCTC)

OCTC proposes modifications of the timeframes set forth in proposed Rule of Court 9.33(d)(5) and section (b)(5) of the proposed rule regarding removal to be:

- (a) 8 years from the effective date of a public or private reproval;
- (b) 10 years from termination of probation for a term of probation with a stayed suspension where no actual suspension is imposed; and
- (c) 10 years from termination of probation or reinstatement following termination of the actual suspension, whichever is later, where an actual suspension is imposed.

According to OCTC, these changes will better align with the other states that allow removal of public records and/or expungement of attorney discipline, as well as with California’s approach to discipline imposed on doctors, nurses, and real estate appraisers.

OCTC agrees with defining the effects of expungement to allow the State Bar to continue to maintain confidential records of expunged discipline and to allow OCTC and the State Bar Court to rely on expunged discipline for internal OCTC investigative and charging decisions; for purposes of prosecuting an attorney for unauthorized practice of law during a period when the attorney was not eligible to practice law; and as an aggravating circumstance and prior discipline under Standards 1.5 and 1.8 of the Standards for Attorney Sanctions for Professional Misconduct. This ensures that prior discipline can be given appropriate consideration if an attorney is accused of or found culpable for new misconduct.

OCTC believes additional clarity is needed on what it means to remove information from a licensee's public record of discipline and administrative suspensions. Issues OCTC suggests addressing include:

- (a) does expungement apply to State Bar Court and Supreme Court dockets/records;
- (b) if it does, how are State Bar staff to reply to requests from the public for disciplinary information regarding a particular attorney; and
- (c) a California Public Records Act amendment may be needed to accomplish the intended definition of expungement.

California Black Lawyers Association (CABL)

CABL expressed support for some aspects of proposed rule 9.33 but also expressed significant concerns. CABL believes that the State Bar Court's ability "to use the expunged records as aggravating circumstances and prior discipline may have a disparate impact on attorneys of color. As evidenced by Dr. Farkas's 2019 Empirical Analysis, Black and Brown attorneys are disproportionately disciplined compared to their White counterparts. Allowing expunged records to still be used by the State Bar in prosecuting attorneys will continue this disparate practice and likely exacerbate it since aggravating circumstances by their very definition, warrant a greater sanction and higher level of discipline. (See Stds. 1.2(h); 1.5.) The provision of the law also undermines the purpose of expungement, which is to protect an individual's privacy and give the individual a fresh start by removing their record from public view."

Civil Justice Association of California (CJAC)

CJAC expressed opposition to the proposed eight-year expungement period as too lenient. The Association believes the Bar should align with the Medical Board of California by implementing a ten-year period before expungement; this would result in consistency with California's approach to other professions that serve the public. The Association further opined that public disciplinary records help consumers and businesses make informed decisions to assess an attorney's fitness for representation, just as they would when choosing a medical provider.

HOA Fightclub, nonprofit

HOA Fightclub expressed that the public depends on the records of discipline to help make decisions of who should represent them. All discipline matters should be made public for the lifespan of an attorney to add accountability and demand that lawyers are following the rules themselves. The public deserves to know if an attorney has a pattern of abuse.

InfraGard

According to InfraGard, the proposed policy is not fair and removes a critical layer of protection for laypersons who rely upon the fiduciary duty of an attorney. Potential clients should have all information available to make an informed decision.

East Bay Chiropractic Health Center

East Bay Chiropractic Health Center believes information should be available to the public. If an attorney has complaints, it should be the public's choice to decide to work with them. Hiding past complaints takes this away from the public.

STATE BAR STAFF COMMENTS AND RECOMMENDATIONS

The Ad Hoc Commission on the Discipline System, organized into subcommittees on fairness and effectiveness, reviewed reforms implemented by the State Bar to further the efficiency, effectiveness, and fairness of the discipline system. The fairness subcommittee examined the findings of the State Bar's study on racial disparities in the discipline system. The study aimed to determine if there were disparities in discipline and identify contributing factors. It revealed a disproportionate rate of discipline against black male attorneys and identified several factors contributing to the disparities, notably the significant impact of prior complaints on future discipline. To address these issues, the subcommittee considered potential remedies, including expunging certain disciplinary records and removing disciplinary history from attorney profile pages.

Although staff recommends advancing the rule and policy generally, issues impact the timing and approach to their future implementation.

1. Impact of the California Public Records Act (CPRA)

The website removal policy proposes to remove public discipline and administrative suspensions only from the attorney profile page but would still provide the information in response to a written or telephonic request. Under proposed rule 9.33, when information is expunged, the State Bar will delete it from the attorney's public discipline record – meaning the expunged information would not only be removed from the attorney profile page, but also, in theory, would not be provided in response to a written or telephonic request.

However, the State Bar lacks authority to withhold these records since the CPRA does not provide an exemption for expunged records. To obtain the benefit of expungement, the State Bar will need to seek legislative changes to ensure records removed from the website and expunged are exempt from disclosure under the CPRA. Therefore, State Bar staff recommend that the Board directs staff to develop a legislative proposal amending the CPRA to exempt expunged disciplinary records.

2. Implementation Challenges

The State Bar currently lacks the technology to automatically remove records from the licensee's public profile page as contemplated by the website removal policy; the development of a solution will take time and resources. In addition to this concern, implementation of the website removal policy may result in increased CPRA-related workload as members of the public and other interested parties try to get access to information previously accessible via the State Bar website.

Based on the considerations outlined above, staff recommends:

1. Defer adoption of the State Bar website removal policy until the Supreme Court acts on proposed rule 9.33. During the pendency of the court's consideration of the rule proposal staff can finalize the requirements for, and quantify the resource needs related to, implementation of the policy.

2. Pursue legislative amendments to exempt expunged licensee and former licensee discipline records from disclosure under the CPRA.

PREVIOUS ACTION

- [Proposed Amendments to Rule 9.8 and 9.31 of the Rules of Court and Proposed New Rule 9.33 Relating to Expungement of Attorney Discipline and Administrative Actions: Request to Circulate for Public Comment](#)
- [Ad Hoc Commission on the Discipline System: Approval of Recommendation for Website Removal and Expungement](#)
- [Ad Hoc Commission on the Discipline System Recommendations: Status Update Regarding Board-Directed Follow-up Work](#)
- [Discussion and Approval of the Ad Hoc Commission on the Discipline System Report and Recommendation](#)

AMENDMENTS TO RULES OF COURT

Title 9, Division 2, of the California Rules of Court

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

Goal 1. Protect the Public by Strengthening the Attorney Discipline System

- d. 1. Align and implement recommendations of the Special Discipline Case Audit Committee and the Ad Hoc Commission on the Discipline System.

RESOLUTIONS

Should the Board of Trustees concur, it is:

RESOLVED, that the Board of Trustees approves the proposed new rule 9.33 of the California Rules of Court, as set forth in Attachment A, and authorizes staff to submit the proposed new rule 9.33 to the California Supreme Court with a request that the proposed new rule be approved, adopted, and included in a new Chapter 5 (Expungements) within Division 2 of Title 9 of the California Rules of Court; and it is

FURTHER RESOLVED, that staff is directed to develop a legislative priorities proposal that provides that expunged licensee and former licensee discipline records are exempt from disclosure under the California Public Records Act; and it is

FURTHER RESOLVED, that the Board of Trustees directs staff to return a proposed State Bar of California Policy on Removal of Public Discipline and Administrative Suspensions from the Attorney Profile Page to the Board of Trustees following the California Supreme Court’s final action on the proposed new rule 9.33 of the California Rules of Court.

ATTACHMENTS LIST

- A.** Proposed New Rule 9.33 of the California Rules of Court – *Correction*
- B.** Proposed State Bar of California Policy on Removal of Public Discipline and Administrative Suspensions from the Attorney Profile Page

**Proposed Rule 9.33 of Proposed Chapter 5 (Expungements) of the Rules of Court
Correction**

Rule 9.33. Expungement of records of discipline

(a) Definitions

As used in this chapter, unless context otherwise requires:

- (1) "Discipline" means any of the following sanctions imposed upon a finding of misconduct:
 - (A) Actual suspension;
 - (B) Stayed suspension;
 - (C) Public reproof;
 - (D) Private reproof; or
 - (E) Any interim remedies or other final discipline authorized by the Business and Professions Code.
- (2) "Expungement" or "expunge" means the removal of information from a licensee's public record of discipline maintained by the State Bar.
- (3) "Former licensee" is a licensee who resigned their license to practice law in this state.
- (4) "Voluntary inactive" is the license status for a licensee who has voluntarily changed their license status from active to inactive and whose license is not currently suspended.

(b) Effect of Expungement

- (1) Expungement of information from the public record of discipline does not seal the record and expunged information can be used as an aggravating circumstance and as prior discipline under Standards 1.5 and 1.8 of the Standards for Attorney Sanctions for Professional Misconduct, respectively.
- (2) Expungement of a licensee's public record of discipline does not relieve the licensee or former licensee of their duty to disclose the suspension for purpose of determining the licensee's eligibility for a judgeship under the California Constitution, article VI, section 15.
- (3) Expungement of a licensee's public record of discipline does not absolve a licensee from prosecution by the State Bar for the unauthorized practice of law during the time period in which the licensee was not eligible to practice law. If expunged, the licensee's public

record of discipline will remain available to the Office of Chief Trial Counsel for the purpose of prosecuting a licensee for the unauthorized practice of law.

(c) Records to be maintained by State Bar

When information is expunged under subdivision (d), the State Bar will remove or delete the information from the public record of discipline. Notwithstanding any other provision of this rule, the State Bar must maintain such internal records as are necessary to apply the terms of subdivision (d) of this rule and to report to the Commission on Judicial Nominees Evaluation, or appropriate governmental entities involved in judicial elections, the licensee's eligibility for a judgeship under the California Constitution, article VI, section 15.

(d) One-time expungement of nondisbarment discipline from public record

The State Bar is directed to expunge a nondisbarment discipline record from the licensee's or former licensee's attorney profile page for a licensee or former licensee who meets all of the following criteria:

- (1) The licensee or former licensee has not on any previous occasion obtained an expungement of discipline;
- (2) The licensee or former licensee has only one discipline;
- (3) The individual's license status is active, voluntary inactive, or the individual is a former licensee;
- (4) The licensee does not have any disciplinary matters pending in State Bar Court or before the Supreme Court at the time their prior discipline would otherwise be eligible for expungement under paragraph (5); and
- (5) At least eight years have passed from the:
 - (A) Effective date of a public or private reproof;
 - (B) Termination of a term of probation with a stayed suspension, when there is no actual suspension imposed;
 - (C) Termination of probation or reinstatement following termination of the actual suspension, whichever is later.

If a licensee has a disciplinary matter pending in State Bar Court or before the Supreme Court as described under paragraph (4), the requirement under paragraph (4) shall only be satisfied if the pending matter is dismissed or resolved without discipline.

**Proposed State Bar of California Policy on
Removal of Public Discipline and Administrative Suspensions from the Attorney Profile Page**

Removal of discipline and administrative suspension records

(a) Definitions

As used in this policy:

(1) “Administrative suspension” is when a licensee is suspended from the practice of law due to a failure to pay annual license fees and outstanding penalties or costs, or a failure to comply with family or child support obligations, or when a licensee is administratively enrolled as inactive due to a violation of the Rules of the State Bar of California or the California Rules of Court regarding:

- (A) The payment of annual license fees;
- (B) Client trust account reporting;
- (C) Minimum continuing legal education reporting;
- (D) Finger printing requirements;
- (E) Child support payments; or
- (F) Rule 2.2 of the Rules of the State Bar of California.

(2) “Attorney profile page” means the publicly accessible webpage on the State Bar’s website that displays the licensee’s information submitted for public disclosure as well as the licensee’s history of discipline and administrative suspension.

(3) “Discipline” means any of the following sanctions imposed upon a finding of misconduct:

- (A) Actual suspension;
- (B) Stayed suspension;
- (C) Public reproof;
- (D) Private reproof; or

(E) Any interim remedies or other final discipline authorized by the Business and Professions Code.

(4) “Former licensee” is a licensee who resigned their license to practice law in this state.

(5) “Voluntary inactive” is the license status for a licensee who has voluntarily changed their license status from active to inactive and whose license is not currently suspended.

(b) One-time removal of nondisbarment discipline from Licensee’s Attorney Profile Page

The State Bar is directed to remove a nondisbarment discipline record from the licensee’s or former licensee’s attorney profile page for a licensee or former licensee who meets all of the following criteria:

- (1) The licensee or former licensee has not on any previous occasion had discipline removed from their attorney profile page;
- (2) The licensee or former licensee has only one discipline;
- (3) The individual’s license status is active, voluntary inactive, or the individual is a former licensee;
- (4) The licensee does not have any disciplinary matters pending in State Bar Court or before the Supreme Court at the time their prior discipline would otherwise be eligible for removal under paragraph (5); and
- (5) At least eight years have passed from the:
 - (A) Effective date of a public or private reproof;
 - (B) Termination of probation of a term of probation with a stayed suspension, when there is no actual suspension imposed;
 - (C) Termination of probation or reinstatement following termination of the actual suspension, whichever is later.

If a licensee has a disciplinary matter pending in State Bar Court or before the Supreme Court as described under paragraph (4), the requirement under paragraph (4) shall only be satisfied if the pending matter is dismissed or resolved without discipline.

(c) Removal of administrative suspensions

- (1) The State Bar is directed to automatically remove the first two administrative suspensions received by a licensee or former licensee from the attorney profile page following end of the administrative suspension period for each respective administrative suspension.
- (2) If more than two administrative suspensions have been previously removed, additional administrative suspensions shall be automatically removed from the licensee's or former licensee's attorney profile page four years from the end date of each respective administrative suspension period.
- (3) Multiple administrative suspensions that occur in a sixty-calendar day period shall count as a single administrative suspension for the purpose of this policy.

EXHIBIT 9

Document received by the CA Supreme Court.



The State Bar of California

RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES

AGENDA ITEM 6.1: Proposed New Rule 9.33 Relating to Expungement of Attorney Discipline: Return from Public Comment, Request to Approve and Submit to the Supreme Court for Adoption; Deferral of Adoption of the State Bar Policy on Website Removal; and Direct Staff to Develop a Legislative Priorities Proposal Related to Confidentiality of Expunged Records Under the California Public Records Act

RESOLVED, that the Board of Trustees approves the proposed new rule 9.33 of the California Rules of Court, as set forth in Attachment A, and authorizes staff to submit the proposed new rule 9.33 to the California Supreme Court with a request that the proposed new rule be approved, adopted, and included in a new Chapter 5 (Expungements) within Division 2 of Title 9 of the California Rules of Court; and it is

FURTHER RESOLVED, that staff is directed to develop a legislative priorities proposal that provides that expunged licensee and former licensee discipline records are exempt from disclosure under the California Public Records Act; and it is

FURTHER RESOLVED, that the Board of Trustees adopts and directs staff to implement the State Bar of California Policy on Removal of Public Discipline and Administrative Suspensions from the Attorney Profile Page as related to administrative suspensions; and it is

FURTHER RESOLVED, that the Board of Trustees directs staff to return a revised State Bar of California Policy on Removal of Public Discipline and Administrative Suspensions from the Attorney Profile Page to the Board of Trustees following the California Supreme Court's final action on the proposed new rule 9.33 of the California Rules of Court.

I hereby certify that the foregoing is full, true and correct copy of the resolution adopted by the Board of Trustees at its meeting held on November 14, 2024, by Zoom.

Louisa Ayrapetyan, Board Secretary

VOTE

Moved by Good, seconded by Buenaventura

Ayes – (8) Barahona, Buenaventura, Cisneros, Good, Grande, Huser, Stephens, Stallings

Noes – (2) Sowell, Toney

Abstain – (0)

Absent – (1) Trejo

Motion carried.

EXHIBIT 10

Document received by the CA Supreme Court.

Compilation of Public Comment on Proposed Rule of Court 9.33 Obtained and Presented to Board of Trustees for November 2024 Meeting

Comment #	Name or Organization	Commenting on behalf of an organization	Professional Affiliation	Attorney or Public Member	Position (A/AM/D/NP)	Public Comments
1	Anonymous	No		Nonattorney	--	--
2	Anonymous				--	--
3	Anonymous				--	--
4	Anonymous				--	--
5	Michael Gruen	No		Nonattorney	--	--
6	No			Attorney	A	Often clients will complain about attorney's over something minor and the bar will simply side with the client. This is part of doing business. It should not show up on the discipline profile.
7	Republican	No		Attorney	D	--
8	Anonymous	No		Nonattorney	D	--
9	Gina Chen	No		Nonattorney	D	Transparency is essential for maintaining public trust in the legal profession. From my experience dealing with attorneys, many of them have a low bar of ethics and lack a sense of public interest. Keeping this information accessible allows clients to make informed decisions and holds attorneys accountable. Removing it could undermine confidence in the legal system.
10	Anonymous	No		Nonattorney	D	Clearly another way to cover bad behavior and corruption State Bar Case No. 21-O-13934.
11	Michael N. Anhar	No		Nonattorney	D	Cui bono? Public records of attorney discipline are inherently intended to INFORM, and not just the public but also other legal professionals. This information is paramount and indispensable. Adopting this proposal to remove from public view material information (i.e., the absence of that information) could easily create a false impression of an attorney's background and thereby mislead and misinform. Don't adopt this bankrupt proposal. Don't go backwards. Don't subtract information. Don't engender further distrust of the profession.
12	Anonymous	No		Attorney	D	State Bar discipline is not a criminal conviction and is intended to help improve the competency and reliability of attorneys. By allowing attorneys who have engaged in misconduct to expunge their disciplinary record, the public is deprived of important information it needs to evaluate whether to hire a particular attorney.
13	Ana	No		Nonattorney	D	It should permanently stay there just like a regular civilian
14	Anonymous	No		Nonattorney	D	This enables unscrupulous lawyers to continue unscathed for the lives they have negatively impacted and harmed. It is part of their career and should be available to future customers and the public.
15	Lawrence Kopp	No		Nonattorney	D	No, should not be removed prior to 35 years - everyone should know if attorney has any disciplinary actions.
16	Michael Ward	No		Nonattorney	D	
17	Michael Gasio	No		Nonattorney	D	Brian Hurwit was hired to show the courts the defendant lived in girlfriend house a practicing attorney. I was 6 days from court without him for a restraining order on a John Doe peeper when I discovered this fact. My lawyer Brian Hurwitz #282817 lied to a judge to me to the landlord and others. Also in writing he had covid 4 times delaying the non-existent trial for 7 months then split. Brian chose to protect Marie who wrote my defendants counter suit in 24 hours after he was served. He claimed she lived with him but did not use a lawyer. Marie Christine McLaughlin # 267793 She wrote the false countersuit not knowing we had Ring Videos of her boyfriend peaking in our bedroom. Her dad a lawyer also showed up with a 3d lawyer on trial day. Brian told me "to wait in the car as he worked out something", we never started the trial that day or ever. He texted go home and ran the bill up 16 thousand #193126 BAR Case Reference please look at the writing countersuit did a non-lawyer do it?
18		No		Nonattorney	D	When attorneys engage in unscrupulous, dishonest, and perhaps even illegal behavior and complaints are filed or reports are made against them, all of that information should remain on their public profiles for all to see. That is in the best interest of potential clients and the public at large. If unscrupulous, dishonest, and even illegal behavior is not made public, attorneys would be more likely to engage in such behavior.
19	Thomas Olsen	No		Attorney	D	This is a horrible proposal. Essentially, we would hide from potential clients who are mulling on retaining an attorney, the past unethical behavior of an attorney. They may well be fully rehabilitated 8 years later, but that doesn't mean we need to sweep such conduct under the rug and prevent our potential clients from considering it when deciding on whom they should retain to represent their interests. This seems like another example of California putting the needs of special interests, here, disciplined counsel, ahead of the needs of the general public.
20		No		Nonattorney	D	only if the discipline was not serious like a warning
21	Concerned Citizen	No		Decline to state	AM	If the attorney buys into a policy where future harmed clients can become reimbursed if the harm or offense reoccurs then Ok. Otherwise, no, the public needs to know they can trust their honest lawyers and have background on prior bad acts.
22	Cynthia Carrasco	No		Attorney	D	The ability for an offender who has violated the rights of a client or violated the confidence in the justice system is something that must always be readily accessible to the public through knowledge of the risk to their rights by dealing with bad lawyers. Especially minors counsel who shatter the lives of innocent children; destroy any last semblance of hope for DV survivors and tell their clients, that the law is just another tool for them to be exploited.
23		No		Decline to state	D	You don't do anything against the horrible attorneys out there anyway. Slaps on the wrist for those who steal client money, cap to get clients, and engage in unethical actions. Rather, you send out frivolous complaints to attorneys who have done nothing. The State Bar is absolutely useless, so do whatever you want.
24		No		Nonattorney	D	An attorney is in a unique position of trust and any potential client should know their professional disciplinary record
25		No		Decline to state	D	Strongly disagree. Expungement after any period should not be allowed.
26		No		Nonattorney	D	
27	Jeffrey Schuesler	No		Nonattorney	D	Really? The bar is already a racket money maker for attorneys. Complete the corruption card!!! Profit off the people and zero discipline for attorneys anyway. Why have a bar. "Attorney's for attorneys" is the real name. Must be nice to be a white collar criminal and steal money from the innocent.
28		No		Nonattorney	A	Put the attorney in jail
29		No		Nonattorney	D	This policy is giving attorneys a free ride. There is a lot of them taking advantage of clients like me and getting away with it. It should remain on record. Most people don't even know the State Bar exists. I feel if you do wrong you must face the consequences.
30	Lucio Galaviz	No		Nonattorney	--	--

31		No		Decline to state	NP	The State bar doesn't even bother to investigate attorney complaints. So it's really a non issue of expunging the records after 60 days. My complaint was against an attorney engaging in fraud and it was meant with irritation and non investigation.
32	SUSAN ROTH	No		Nonattorney	D	The complaint should always be on record as to establish patters w/attorney or attorneys.
33		No		Nonattorney	NP	Yes, I did make a complaint against a practicing lawyer. What I was told, only in legalese, was: It's OK for a lawyer in California to lie (in terms of "facts"), as long as it's in the service of his client and he hasn't broken any Federal or State laws. This experience has not made me less cynical re lawyers and the law. But then: what do I know? I got out of law school (quickly) and became a teacher. I could live with that.;
34	Debbie Wallace	No		Nonattorney	D	Lawyers should be held to a higher standard and bad behaviors exposed forever. The public and fellow Bar members should have transparency into the bad behaviors of anyone smart enough (or clever enough) to pass the bar. My ex husband is a practicing attorney in Santa Rosa who never paid me the ~\$30k he owes as part of our marital settlement agreement. I received close to \$50k in free legal services from a local attorney that thought we could hold him accountable through legal process. I won my case and the multiple appeals my ex filed but I have never collected a penny. I had no recourse. The Bar should have a policy that exposes any unethical behavior by a practicing attorney who uses his command of the law to avoid personal responsibilities. If his public record exposed his unpaid personal debt, he may have had some incentive to pay me back. I couldn't afford a lawyer to help me collect, and he didn't need to hire one to keep the red tape rolling long enough to tire me out.
35	David Shu	No		Nonattorney	D	--
36	Rasheed Soofi	No		Nonattorney	D	The disciplinary measures on attorneys are very soft as is. The record should stay as long as attorney is actively practicing. May be for attorneys who are retired from profession only
37		No		Nonattorney	D	Expunging attorney discipline records of any kind benefits the attorney over the client/potential client, which is contrary to legal guidelines. If the California State Bar does not protect and prioritize nonattorney interests over attorney interests, CalBar's credibility is diminished, as is the legal profession and the strength and reputation of our legal system. CalBar is not designed to rehabilitate attorneys who require discipline, but to maintain the standards of the profession, protect the reputations of those attorneys who abide by the standards, and protect nonattorneys.
38		Yes	Self and business	Decline to state	D	Do not allow these unprofessional attorneys to expose the public to their behavior by removing any negative information from their records
39	Tariq Marshall	No		Decline to state	D	This does not serve the general public in any way and only serves attorneys who get themselves into trouble from their own incompetence or malfeasance. Please stop trying to cover up attorney misconduct by hiding it from the public record. The public should have a right to know the disciplinary history of an attorney before or after hiring that attorney.
40		No		Nonattorney	D	I am opposed
41	Dr. Ganiyu Jaiyeola	No		Nonattorney	D	I think 10 years is better than 8 years for the expungement of disciplinary record.
42		No		Attorney	D	If we as a Bar are interested in protecting the public by providing the public with complete information, this proposal is terrible. The public is entitled to know if a lawyer has been disciplined. I agree with expungement for things like failure to pay Bar dues, but certainly not for other discipline.
43	Donald Hennagin	No		Nonattorney	D	A lawyer should be held to the same standards of conduct that they were granted the right to uphold.
44	Michael Wyatt	No		Nonattorney	D	Leave the policies as they are. All discipline record is necessary for clients to make informed decisions. The fact that an attorney cannot meet deadlines even for administrative suspension is grounds for a client to determine risk in court in regards to an attorney not meeting deadlines with filings as in my case. Attorneys already get away with so much abuse and abuse of power and rules. With many attorneys resulting in threatening their own clients with lawsuits if they report them to the bar or post public experiences of what is like dealing with their attorney. There needs to be stricter and tougher control on their conduct with reduced investigation times and harder discipline.
45	Janet Garrett	No		Nonattorney	D	--
46	Entirely irrelevant but a member of the bar	No		Attorney	D	Why is this even up for consideration? What exactly is the policy reason for expunging records? Not only the standards of getting into law school have been lowered but passing the bar as well. Now you guys want to give folks a get out of jail free card? Where did the 8 years come from? why not 2 years, why not 18 years. Seems entirely arbitrary.
47		No		Nonattorney	D	the atty I hired took my money by constantly asking unnecessary questions until the retainer was exhausted. And yet, no action was taken against him. Even so, I think my experience should remain as warning to potential victims.
48		No		Nonattorney	AM	--
49	Christopher	No		Decline to state	D	The state of California constantly circumvents "we the people's" constitutional rights on a daily basis. Specifically the only one that states "SHALL not infringe" which is the only right that provides the teeth for the rest of our constitution and bill of rights. The illegal discrimination in the courts with the use of the wheel of power which is completely biased towards straight males, as well as now restraining orders for misdemeanors can and are granted for 10 years. Very few attorney who take an oath to uphold the constitution first instead choose their careers of our rights. So NO these complaints should stay on for life. If these attorneys don't like it then they should act more honorable and ethical. Way too much corruption In Our courts.
50		No		Nonattorney	D	When an attorney gets disciplined there should not be an expungement of disbarment. I have been a victim of an unethical attorney and have been waiting over 8 months, the bar has not taken any action as of yet. Meanwhile, this attorney continues to take clients and exploit them.
51		No		Attorney	A	--
52		No		Decline to state	NP	I don't understand what I'm reading.... The state bar should start exercising civility, decency and transparency with how they word their proposals. Their proposals aren't clear, concise or easily understood. I am willing to provide input after a clear explanation of what is being proposed, thanks! What is the proposal even about? Why does the state bar of California insist on being obscure?
53	Mark Mofid	No		Nonattorney	D	Attorneys should not be held to lower standards than physicians, financial planners, CPAs and other professionals.
54	Daniel	No		Nonattorney	D	--
55	Ron Radmer	No		Nonattorney	D	Expungement of nondisbarment discipline should never happen. The public always need to know what kind of attorney's they are dealing with. Someone who gets a lot of nondisbarment discipline, is not an attorney that should be getting hired. Attorneys fees charge by the hour even if they do poor work. The public needs to know this.
56		No		Nonattorney	D	Why? Disbarment is already a very high bar. Real Complaints can be judged by citizens even after other attorneys find them not important enough or bad enough for disbarment. This would simply limit the ability of a normal citizen to judge an attorney on all comments regarding what they've done. Filing a complaint is a fair judgement from a client whether good or bad. Going to the state bar is a decision by a citizen to exercise a complaint. Taking that complaint away from public view is a lawyers way of taking away your ability to choose.

57	China M.	No		Nonattorney	D	<p>I am writing to express my concern regarding the proposal to expunge attorneys' records, except in cases of disbarment. While I understand the intention behind this measure, I must stress that it is imperative for plaintiffs to have access to comprehensive information about any complaints made against attorneys.</p> <p>Transparency is crucial in maintaining public trust and ensuring that attorneys are held accountable for their actions. Clients must have the ability to conduct thorough research to make informed decisions when selecting legal representation. This transparency is especially important when an attorney's actions have caused harm to a client.</p> <p>Holding attorneys to a standard of scrutiny not only protects the interests of the clients but also upholds the integrity of the legal profession. Expunging records of complaints undermines this accountability and can lead to a lack of trust in the legal system.</p> <p>I urge you to deny this proposal.</p>
58	Angela M. Williams, MPH	No		Nonattorney	D	<p>A BK remains on an individual's record for 10 years, a repossession lasts on an individual's record for at least 7 years and a foreclosure lasts on an individual's record for 7 years - all could be caused by liens attorneys put on property by abuse of power. A felony and misdemeanor remains on an individual's record indefinitely and the justice system isn't fair enough to balance the scales yet for attorney's and judges that provide poor, careless and collusive representation. An attorney's complaint needs to remain on their record 25 - 30 years before allowing expungement. Attorney's habits die hard. Once their win rate improves by their unethical, abusive, fraudulent misconduct and inappropriate behavior - they will just continue that same behavior to win cases regardless..their means (no pun intended) seem to always justify their end result. The majority of attorney's/judges are motivated by power, prestige, public recognition and political gain, greed and money - not justice.</p>
59		No		Nonattorney	AM	--
60	choose not to disclosed	No		Decline to state	A	<p>Expungement of discipline is necessary to give attorneys an incentive to keep their records clean and do the right thing. Forgiveness and rebirth are essential.</p>
61	Auguste Comte	Yes		Attorney	A	--
62		No		Decline to state	D	<p>The State Bar is biased in favor of Attorneys. Additionally, the Los Angeles County Bar Association arbitration panels are biased against pro Se complaints who file complaints against their former attorneys. Time and time again, the State Bar of California will NEVER help the general public and NOW they want to support attorneys with this proposed change. The State Bar should REPORT how many times an attorney has a complaint filed against him/her, regardless if the State Bar prosecutes. That will warn the general public that complaints against an attorney do exist. You people don't understand that the general public know nothing of the law and articulating what a State Bar violation is and how to prove it. Moreover, attorneys lie even under penalty of perjury and there instances where documents exist to sustain such perjury that the State Bar won't even look at nor prosecute when being provided such documents . The State Bar is a joke and now it wishes to help bad attorneys even more.</p>
63	Anonymous	No		Attorney	A	--
64		No		Nonattorney	D	<p>I do not agree with the proposed rule. I believe that these records should remain permanent and publicly accessible because they can help identify patterns of behavior, even if eight years have passed. This information is crucial for individuals in selecting a trustworthy and competent attorney to handle their case. This standard should also apply to judges and anyone else in law enforcement, as they are expected to have a thorough understanding of the law.</p>
65		No		Nonattorney	D	<p>It is imperative and should be seen as the right of the public to have access to all disciplinary discipline, administrative suspensions, and inactive enrollments - whether or not it includes disbarment or not. It is misleading to take these actions off the public record and not allow someone to make a proper and informed choice in regards to the attorney they are interviewing, choosing to and paying to have represent them in court. Even after 8 years, it is important for the public to be able to consider when making this important decision of hiring an attorney to represent them. I strongly disagree with this proposal.</p>
66		No		Attorney	D	<p>The public already does not trust the legal profession. This will further erode transparency and increase distrust. The public has a right to about any disciplinary act against an attorney regardless of whether it led to disbarment or not. The State Bar is already considered useless when it comes to attorney discipline, this rule will further enhance that belief. There is no reason to hide anything from the public. Full transparency should be the rule.</p>
67		No		Nonattorney	D	--
68		No		Nonattorney	D	<p>Officers of the court, whose opinions and practices have substantial consequence over the lives of the people they represent or prosecute, should be held to the highest standard possible. They should not be allowed leeway to hide mistakes or indiscretions. Their records MUST be maintained in its entirety, always.</p>
69	Jayson Baker	No		Nonattorney	D	--
70		No		Nonattorney	D	<p>We the public want a full attorney history, even if discipline is old, we want to see that the attorney has made an effort and positive track record of improvement of not repeating same bad actions. Actions of the attorney are needed for the public to make informed decisions when searching for representation. Disbarment or nondisbarment does not matter, we the public require transparency on the abilities and record of incompetence of every attorney. Eliminating this information would shift the costs onto the public in terms of time, energy, and more money as the result of a previously never known incompetence of the attorney where an adverse action would not have occurred if the public did know and avoided the situation entirely.</p>
71	California licensed physician:	No		Nonattorney	D	<p>The benefit of public disclosure far outweighs the risk to an individual attorney to cause greater harm without public disclosure:</p> <p>Attorneys, like physicians, are to protect the public and their clients. Attorneys, however, bear no "real" responsibility for negligent errors routinely made that may be detrimental to client's and the public, and which have violated ethical standards of legal practice.</p> <p>This proposed expungement of attorney discipline, even for a single instance, will allow a negligent counselors to seek more clients, and create greater harm to the public, at the expense of the public, if approved.</p>
72	jeff paul	No		Nonattorney	D	--
73	Douglas S. Feinberg	No		Attorney	AM	<p>Some local deputy DAS & defense attorneys recently continued to practice criminal law recently after receiving admin suspensions. People who didn't have trust funds didn't tell the Bar that information. My understanding is that they had not yet become aware of their suspensions. However, the fact that they were acting as attorneys while unlicensed could affect criminal cases. I'm not suggesting what the result should be if this matter were raised in a criminal case, although I believe the parties should be able to find the information to raise the issue. If the Bar removes easily accessible records of admin suspension, then it might become difficult to learn that a person had practiced while unlicensed. Also, there may be some people who knowingly practice while under admin suspension - there should be a risk such a person will be caught. Continue to show the time period a person couldn't practice law even if the record shows that it was based upon a rescinded suspension.</p>

74		Yes	Volunteer of Justice for victims of corrupt law students lawyers and law enforcement	Nonattorney	D	<p>This should NOT come off there record and not only should this rule NOT change there needs to be a rule that any potential client of any attorney should be notified by the lawyer themselves of any disciplinary claims even if not found to be guilty as the state bar is know to protect law school friends of there's .</p> <p>Nothing personal just it's the truth and the next person probably has something different to say but me and what I've experienced is you all will protect friends of Golden Gate school of law who are corrupt and engage in criminal activity</p> <p>Make ALL lawyers provide all disciplinary claims on paper on the retainer agreement of ALL potential clients or it's a automatic civil lawsuit</p>
75		No		Attorney	D	It undercuts or negates the effect of discipline. Discipline is intended to punish the offender, steer conduct, alert others, and guide others. Expungement—even one-time—removes the incentive to observe the rules of ethics.
76	Seth Wiener	No		Attorney	A	I support the expungement of disciplinary violations, particularly where they are inconsistent with an attorney's good character. The harm caused to attorneys from publication of disciplinary violations is often undeserved and unjustified.
77	Robert E. Taylor	No		Nonattorney	A	My Attorney lied to me, and allkwd the Court to believe a lie that cost me over \$2 ,000,000.00. Three years later the Judge read the truth, and disolved my conviction.
78		No		Nonattorney	A	Very just for resignations
79	Richard Pompa	No		Nonattorney	D	Be so bold as to define nondisbarment violation.
80		No		Nonattorney		--
81	Chris Edwards	No		Nonattorney	D	<p>oppose the proposed Rule of Court 9.33 that allows one-time expungement of nondisbarment discipline from an attorney's public record. Transparency is vital for public trust in the legal profession and for clients making informed choices. Removing disciplinary records after eight years compromises this transparency and may shield attorneys from accountability.</p> <p>Additionally, this rule could aid companies retaliating against whistleblowers by hiding attorneys' past misconduct, undermining whistleblower protections. Significant manual work and IT investments for implementing this rule may not be justified, given the potential negative impact on public trust.</p> <p>A balanced approach would be to flag disciplinary records with a notice about the infraction and elapsed time, maintaining transparency while allowing for attorney rehabilitation.</p>
82		No		Nonattorney	D	They should leave all disciplinary action on the Ca Bar websites otherwise there aren't any consequences for bad conduct. The public has a right to know about misconduct.
83		No		Nonattorney	D	The public is entitled to have as much information as possible be it good or bad when researching to hire an attorney.
84	Michael Escobosa no we don't remove bad behavior in life it stays in a file for reason To let other make a decision on whom they Pick as counsel , why should they be able to hide Things from the past is totally not right !! So I say no	No		Nonattorney	D	Don't try bury the dirty deeds
85	Does it matter? You guys are bunch of crooks anyway who didn't do shit about my complaint. I had to go to a district attorneys office who happily assisted me and removed the attorney from the case and their job. So fuck you state bar of California	No		Nonattorney	D	Does it matter? You guys are bunch of crooks anyway who didn't do shit about my complaint. I had to go to a district attorneys office who happily assisted me and removed the attorney from the case and their job. So fuck you state bar of California
86	Michael Hambright	No		Nonattorney	AM	To me this bill is far past due judges should have the same rights as myself, a civilian with a expungement. But they must pass an article against any form of repercussions for doing so. I have found myself a target of the San Bernardino sheriff office since my sayed expungement.
87		Yes	Joy, Love, Peace, Spirit and Truth Ministries	Decline to state	D	With regard to the proposed legislation and policy proposals about record expungement for Attorney's with disciplinary records, 'I think this undermines "Freedom of Information", and hinders justice by eliminating "pattern of behavior" evidence. This is destruction of evidence.' - Krystal Lynn Alexander-Jasmin
88		No		Decline to state	A	A one time expunged record after eight years with no new offenses is reasonable. People make mistakes and eight years of no recorded mistakes seems sufficient for forgiveness and a clear record.
89	Natalia Spornik	No		Nonattorney	D	--
90	Alla Zorikova	No		Nonattorney	D	<p>We are fed up enough with attorneys misconduct in California, who violating ethical rules, cheating, stealing, falsifying facts and defrauding public and courts.</p> <p>Why do we need another amendment that releases those scam bags from accountability?</p> <p>Bryan Pease is an example of total dishonor and criminality in a face of justice</p>
91	Christina Sparks	No		Decline to state		--

92	Frank Merritt	No		Nonattorney	D	<p>To whom it may concern:</p> <p>I am a complainant who complained about an attorney with a previous disciplinary record of DUI. My complaint against that attorney involved Alcohol as well. I feel these records should remain public indefinitely.</p> <p>Sincerely,</p> <p>Frank Merritt</p>
93		No		Attorney	A	---
94		No		Decline to state	D	<p>This is the worse comment software in the world. Get something that is easy and fast. No one is going to comment or ask questions with this piece of shit. The truth is the California Bar does not want comments or want to discipline attorneys.</p>
95	Sandra Luban	No		Nonattorney	A	I would agree if the Expungement would occur only after 8 years
96	Jason A. Braxton	No		Attorney	A	<p>I see no interest being served by the Bar maintaining records related to criminal convictions expunged under ccp 1203.4, and the maintenance and consideration by the Bar of such matter seems to be contrary to California's fresh start program; especially where no crime of moral turpitude has been committed (which is of the variety of crimes where you usually do not get cop 1203.4 relief and the fresh start program does not apply).</p>
97	Shannon Villarreal	No		Nonattorney	A	I think this is a reasonable proposal. If an attorney has discipline or a complaint that is 8 years old and has had no other issues, it should not continue to hinder their ability to do their job well.
98	Jonathan Ferrini	No		Nonattorney	D	<p>I have retained attorneys has a civil plaintiff for over forty years. It's my practice to thoroughly review the background of new attorneys and opposing counsel.</p> <p>"The devil is in the details" and as an informed consumer, I require access to these documents.</p> <p>I believe that once you are an attorney anything that need expungement should have happened prior to becoming an attorney. In other words, one shouldn't commit crimes or behave in an unethical manner once they have already become an attorney. The field needs to be trustworthy.</p>
100		No		Nonattorney	D	---
101	Christopher Martin	No		Nonattorney	D	<p>This is asinine. People need to be able to trust an attorney, and have a right to know all relevant history. I know California as of late keeps going out of their way to protect criminals and expose law-abiding citizens to more abuse by hiding crimes and making background checks illegal, but attorneys by their very nature are supposed to be held to the highest standard. This action makes the Bar not only complicit in a conspiratorial cover up, but the orchestrator. This means that no one in any state or any court can trust can California attorney at all.</p>
102	Lance Wells	No		Nonattorney	D	<p>I consider your organization to be as useless as the courts themselves have become. You don't discipline people who deserve it, so what's the point? It has been well-said that America doesn't have a justice system; it has a legal system.</p> <p>Regarding the present question: attorneys ought to be held to a high standard, so why expunge records of discipline? To protect the guilty? To spare people's fragile feelings?</p> <p>Go after Jerri Kay-Phillips and Benjamin Emmert for their lies, and then maybe I'll regain a bit of confidence that your organization is something more than a silly social club.</p>
103	Jeffrey Gold	No		Nonattorney	NP	Perhaps if the State Bar of California enacts this law regarding expungement of nondisbarment disciplinary action after 8 years, the state bar would compensate this renewed leniency but passing down more nondisbarment disciplinary actions, for example against 21 day abandonment of a paying client as what happened in my case.
104		No		Decline to state	D	<p>I strongly oppose Proposed Rule 9.33 for expunging nondisbarment discipline. Attorney misconduct often causes lifelong harm to victims, and an eight-year expungement period fails to address this impact. Public trust and transparency are crucial; concealing past misconduct undermines both.</p> <p>A permanent public record serves as a critical deterrent, encouraging ethical conduct. Allowing expungement sends the wrong message and diminishes accountability. Additionally, past investigations have shown negligence and bias, further eroding confidence in the disciplinary process.</p> <p>The State Bar must prioritize public protection and integrity over rehabilitating those guilty of serious misconduct. Reject Proposed Rule 9.33 and maintain a lifetime suspension with no expungement.</p>
105		No		Decline to state	D	The courts are rogue and should be investigated and have all involved removed permanently. I wouldn't listen to anyone involved with these courts or their lawyers and judges. It is a lost department and should be started over will honorable people.
106	Carrie Dodson	No		Nonattorney	D	<p>I object to the proposed rule change.</p> <p>From personal experience I know for a fact that the Bar is very reluctant to bring any disciplinary action on a licensed Attorney and that often investigators with the Bar will even side with an Attorney in spite of factual evidence confirming that the Attorney engaged in professional misconduct or even criminal conduct.</p> <p>It is a privilege and a duty to be a member of the legal profession in our Country. For the benefit of the profession and in the interest of public transparency and informed consent of consumers, when these disciplinary actions do take place there must be an accompanying permanent public record.</p> <p>If an Attorney does not wish to have a permanent public record of disciplinary action taken in response to proven professional or criminal misconduct, he or she must and will hold him or herself to the highest profession standard of conduct throughout his or her entire career.</p> <p>More accountability. More transparency. Not less. Greetings,</p> <p>I made public comment on these proposed rule changes but wanted to follow up directly to share how disappointed I am to see these rule proposed.</p> <p>We are living in a time of incredible corruption, malpractice and outright fraud which is not being properly held accountable by any of our government agencies or regulatory bodies. The uninformed, un-empowered public are always the greatest victims in these scenarios and these types of proposals that hide a history of public misconduct disproportionately harm the least educated, least wealthy members of society who suffer most when they do not receive full informed consent.</p> <p>If an Attorney is a member of the profession for 50 years and had a minor slip up in their career, their client can see for themselves that there was a single isolated incidence from X years ago and make their own judgment about whether or</p>

107	Dorita Azizi	No		Attorney	D	If an attorney commits an act of dishonesty and/or a crime, the attorney should be suspended or disbarred, and there should be no expungement, because you are then depriving the potential client of knowing the truth about a dishonest attorney. California has become a haven for criminals, where rapists and other felons just get a "diversion program", so they are free to attack and rape others. Attorneys should be held to a high standard of morals and if they cheat or lie, they should be disbarred, and there should be no expungement. The state of anarchy in this state is shameful, and the Bar should not contribute to this shameful lawlessness.
108		No		Attorney	A	--
109		No		Nonattorney	D	It is really hard to find a trustworthy attorney. I don't think attorneys need more protection from a public review process. The public needs a mechanism to judge attorney competence.
110	Paal Bakstad	No		Attorney	A	As an attorney disciplined for alcohol-related misdemeanors, and with the expectation that I will successfully complete the ADP program, and having recovered from alcohol use disorder, the removal of this stigma from my online bar record would be a godsend.
111		No		Attorney	A	--
112	Alex Delaney	No		Nonattorney	D	--
113	I believe it should not be removed but rather detail given about the category/reason.	No		Nonattorney	D	I believe all should be revealed about an attorney practicing law. If the general category listed is too vague, there should be further details so that the consumer is aware. The consumer can then make their own decision based upon that. If for example discipline is related to something other than their practice of law, then it should be specified, but not removed.
114	Michael Gallagher	No		Nonattorney	D	Expunged one time offenses lead to a new "first" offense. Even if the record may be requested, the general public does not know that is an option. Lawyers need to be held to the highest level of scrutiny as they have the power to destroy lives. Anything that hoodwinks the public should never make it this far.
115		No		Nonattorney		--
116	Fermin	No		Nonattorney	AM	It needs to be on a case by case basis given the complex role on the attorney. I have worked with good attorneys with good intentions but I've also had bad attorneys whom I had to let go.
117	Dr. Cynthia Cohen	No		Nonattorney	D	I was a criminal defendant in the California legal system facing high stakes that affected my future opportunities. In working with a couple private lawyers and a public defender, I wasn't consistently provided with the quality of legal representation that I deserved. My only line of recourse was to urge these lawyers to do the right thing under the threat of penalties by the California Bar Association. Even when I filed complaints documenting patterns of abusive behaviors, the CBA self-regulatory tools were toothless: the CBA gave them slaps on the wrist. In its current form, the CBA is already ineffectual. To further weaken CBA powers in cases of lawyer abuses raises the likelihood of mistreatments of vulnerable defendants.
118		No		Nonattorney	D	There is not enough information or recourse for attorney misconduct as is
119		No		Nonattorney	D	--
120	MA	No		Nonattorney	D	In my personal interactions with my own and opposing party's attorneys in the past four years where the professional ethics of all attorneys did not meet a minimal level that should be acceptable for an attorney in good standing with the California State Bar a proposal to "hide" critical information the public should find accessible without a request is another example of a corrupt organization circling the wagons to protect their own peers who may be breaking laws and rules. I do NOT support this proposal. The California State Bar is a criminal organization. Since 2020 several public high profile California attorneys have been convicted of crimes and disbarred. In the case of the LA based attorney married to the former real housewives bimbo documentaries show records of complaints to the State Bar with no punitive actions. All California State Bar attorneys should have all facts of their status or shortcomings publicly available.
121		Yes		Decline to state	D	I do not agree with these proposed changes. This would further protect the attorneys not the public. Why would the California State Bar want to prevent full transparency? While some attorneys are disbarred just for not paying miniscule fees on time, others who are embezzling millions from clients are protected such as those in the Tom Girardi firm. Had the State Bar been more aggressive at protecting the public instead of the attorneys, hundreds of people would not have been harmed. The State Bar needs to toughen up on the attorneys harming clients the most, not protect them. The State Bar's long history of lack of transparency, corruption, "errors" and failure to properly investigate serious matters, will only be emboldened (along with the attorneys they protect in their known incestuous relationships) by passing these proposed changes.
122		No		Decline to state	D	Not a surprise that a completely corrupt entity like the state bar (filled with morally and ethically bankrupt lawyers who seek to protect their own) is trying to further protect corrupt lawyers like themselves. These low class excuses for humanity already hesitate to discipline attorneys for grievous misconduct. Look at the state bar's shoddy record of discipline and look at all the corrupt attorneys out there that the state bar freely allows to practice and to prey on clients. Not surprised that the state bar wants to do this. The state bar has always been a joke of an organization and it's no wonder that lawyers are one of the most hated professions out there - these no accountability for them because of useless organizations like the state bar that don't protect the public like they're supposed to
123	Dr. Terrence Narinesingh	No		Nonattorney	D	I am writing to oppose the proposed new Rule 9.33 of the Rules of Court regarding the expungement of nondisbarment discipline. Transparency is important for maintaining public trust in the legal profession. Removing nondisbarment disciplinary records from attorney profiles undermines accountability and could erode public confidence. Even though expunged records could still be used as aggravating circumstances in future cases, this does not make up for the loss of public access to important information. The proposed policy would also require significant fiscal and personnel resources, diverting them from efforts to improve the discipline system. Additionally, making this information available only upon request adds unnecessary complexity and delays.
124		No		Decline to state	A	--
125		No		Decline to state	D	The automatic expungement of nondisbarment discipline records after eight years, as proposed, undermines the transparency and accountability that are fundamental to the legal profession. Clients and the public have a right to be informed about the disciplinary history of attorneys, as this information is crucial for making informed decisions when seeking legal representation. By removing these records, the State Bar risks eroding public confidence in the legal profession. The proposed rule does not adequately consider the potential for recidivism. The data on attorney misconduct recidivism indicates that repeated misconduct often occurs within the first few years after an attorney's initial discipline. Automatically expunging records after eight years, without a thorough review of the attorney's conduct during that period, could allow individuals with a history of misconduct to continue practicing without proper oversight. I urge the Board to reconsider the proposed rule.
126		Yes		Decline to state	D	For a licensed professional, either they should be held accountable, licensors or educators. One party has to be held accountable and the courts are not holding the Bar Association or Continued Educators accountable. Public records should be as transparent as possible and at the highest level for professionals who are licensed to touch law.

127	George Dudash	No		Nonattorney	D	As a person who was sued by a neighbor who used one of the many shady attorneys in our area, and who sought relief from the California Bar Association for attorney malpractice; specifically for that attorney filing a complaint that was enhanced with made up claims against me to increase the legal threat, I consider the Bar to be a sham already, and that your rules are for the betterment of your own system to make money and have nothing to do with anything related to justice. Since you already cover for malpractice as it is, passing yet another rule that aids shady attorney behavior is just another slap in the face to the average California citizen who may find themselves being coerced by an attorney to give up property rights or money using the legal system as a weapon against them. Within a one mile radius of my home, I know of three other cases that were used to shake down a citizen for money or property. Most were settled after tens of thousands of lost dollars in legal fees.
128		No		Nonattorney	D	When we contacted this Law firm they chose to take our Case . No one twisted their arms. From the beginning they have lied. They should be stripped of All right ,working in Any law form.We as the clients trusted them . The State Bar should hold them accountable. We as the clients should be represented by the State Bar. If it was us ,as the taxpayers breaking laws .. perjurizing on/in court documents, we would be fined or other wise. They made our statue of limitations run out. They broke the law. As a taxpayer if I had broken the law...By just one lie...they would have every right to drop my case at anytime.
129	Shahrourz Jahanshahi	No		Nonattorney	D	The attorneys are held to higher standards and it is already hard to file a complaint and receive a favorable actions. For instance, in case of Girardi, there were many complaints but none had come to fruition. Now, imagine having this rule in place and attorneys like him violate the rules and their fiduciary duty, and if and if get disciplined, have a chance of expunging it would help them to commit the same crime more and hurt the public.
130	Peter Bresler	No		Nonattorney	A	I support the proposed removals from the records of affected providers.
131	Diane Goldman	No		Attorney	D	I submitted a comment in regard to removing discipline notations from an attorney's State Bar website profile. The comment applies doubly to expunging a disciplinary record. In my 46 years as a practicing California attorney, this proposal has to be the most egregious and moronic one I have witnessed emanating from the State Bar. In lieu of wasting taxpayer funds and attorney dues on this idea, maybe you could devote your energies to hiring competent investigators and attorneys to protect the public from the Tom Girardi's who you seem to think are competent to practice law in this state.
132		No		Decline to state	D	--
133	Mark Gray	No		Decline to state	A	--
134	Avery Fisher	No		Nonattorney	D	I hired an attorney to represent my mom and myself April 2023, and I'm not clear why the attorney collected fees and did absolutely nothing but wait 14 months and decide to say our case was a conflict of interest. My mom lost her house, and everything inside of her house because of this attorney not filing a \$435 fee. We really trusted her.
135		No		Nonattorney	D	--
136	Que va pasar con mi caso quisiera saber muchas gracias	No		Nonattorney	A	Quiero saber que va pasar con mi caso
137	Julie Borina Driscoll	Yes	Borina Enterprises, LP Borina Family Protection Trust Several professional affiliations through professional career, memberships.	Decline to state	D	July 26, 2024 Respectfully,USDJ FBI Files are voluminous and span decades, cannot submit, especially serious matters communicated on official USDJ Forms and USDJ FBI Tip forms, whereby, US Federal laws become applicable to what could be under impunity/immunity clauses at the local level. EXAMPLE FOR CONSIDERATION: Scienter Rings.One attorney submits a fraud on Court case violating several laws and the US Constitution. Not only is the local government instigator (18-32026) knowledgeable, if competent, of wrongdoing, requirements to report the potentially reportable, but PARTICIPATING in unlawful and wrongdoing, bringing in a team of attorneys who compound the wrongdoing. A SCIENTER RING IS FORMED, WHEREBY, VIOLATIONS IN LAW AND US CONSTITUTION LEAD TO PERPETUATION. FRAUD BEGETS FRAUD BEGETS FRAUD AD INFINITUM EXAMPLE. HOW CAN THIS BE SHOVED UNDER A FIGURATIVE RUG? RESPECTFULLY, REASON EXPUNGEMENT
138	Gary	No		Nonattorney	D	Shouldn't hide anything. Let everyone that wants to hire them see what they are getting.
139	Lala	No		Nonattorney	D	--
140	Chris Cowart, I disagree that it should not be an expunging to attorneys disciplinary actions for a varies of reasons, first reason that the public should be aware that this previous attorney had been disciplinary by the California bar association for malpractice or misappropriate practice or handling of cases	No		Nonattorney	D	For the most part that the courts and the California bar association is not enforcing policies that they have implemented for these ethnic violations by these attorneys
141	Moe	No		Decline to state	D	Please do not allow stste Bar convicted attornies to hide their offenses
142		No		Decline to state	D	The public shall not become victim to unknowingness of malfeasance or incompetency of an attorney handling their case, unless the State's body wishes to unjustly benefit parties with greater resources who would not be encountering such issues. The discrepancy of this rule would unjustly enrich parties with greater resources, and unjustly detriment the most vulnerable whom are often the exploited parties.
143	Andrea Baly	No		Nonattorney	D	As a client of an attorney that behaved horribly and unethically during my relationship, I would like any complaints and concerns to remain on the attorney's bar record to warn future potential clients of unethical behavior and practices committed by the attorney.

144		Yes	Somehow	Decline to state	D	In my life I have dealt with one civil lawsuit and it was enough for me to learn that most of the attorneys do not care, do not act in good faith, are corrupt, devious and very smart on covering their tracks. I understand this may sound like a sour statement, but as a licensed California contractor I can say that CSLB does way better job on investigating the contractors when compared with CALBar. When it comes to the proposed rule, I just see another expense for us taxpayers and a tool for the employees of CALBar to get paid and not do anything. This is a COMPLETE waste of the tax dollars. CALBar should spend more time on investigating the complaints.
145	Peter reed	No		Nonattorney	D	Attorneys are held to a high standard and if they violate these standards discipline should fit the violation
146	Krista Dandridge-Barnett	No		Nonattorney	D	Any and all attorney discipline and administration action should remain a public record, fully available to the public, at all times. With regards, the same should apply to judges also.
147	Sumith B. Samarakoon	No		Nonattorney	D	<p>I strongly oppose proposed Rule 9.33, allowing one-time expungement of nondisbarment discipline from an attorney's public record. This undermines public trust, transparency, and accountability. The proposal favors attorneys over the public, hiding crucial disciplinary records.</p> <p>In family courts, where corruption is rampant, protecting lawyers like Tracy Toledo, who has made false allegations without facing discipline, only harms families. Judges like Richard Distaso, who have shown bias and misconduct, should be held accountable, not shielded. The Commission on Judicial Performance often dismisses cases without proper investigation, failing to protect the public.</p> <p>Systemic issues, such as Title IV-D incentives, lead to unethical behavior. A federal lawsuit highlights how parents were unjustly stripped of custody due to corruption. More details here. Introduction</p> <p>I am writing to express my strong opposition to the proposed Rule 9.33 of the Rules of Court, which would permit the one-time expungement of nondisbarment discipline from a licensee's public record. This proposal poses significant risks to public trust, transparency, and accountability within the legal profession, especially in light of widespread corruption and misconduct in family courts.</p> <p>Background</p> <p>The proposal stems from the recommendations of the Ad Hoc Commission on the Discipline System, established in November 2020. The commission aimed to enhance the efficiency, effectiveness, and fairness of the discipline system. While reforms are necessary, this particular proposal undermines these objectives by allowing disciplinary records to be hidden from public view.</p> <p>Critique of the Proposal</p> <p>1. Public Trust and Transparency:</p> <p>Removal from Public Record: Subdivision (b) states that expunged records would be removed from the attorney's public record of discipline. This undermines public trust, as individuals seeking legal representation will not have access to an attorney's full disciplinary history.</p>
148	Nadia H. There are so MANY dishonest, extortionist crooks that abuse their law license and abuse the due process to extort clients & victims! I myself have lost \$25,000 to two attorneys so far due to fraud, misrepresentation and civil extortion I have been In	No		Decline to state	D	<p>There are so MANY dishonest, extortionist crooks that abuse their law license and abuse the due process to extort clients & victims!</p> <p>I myself have lost \$25,000 to two attorneys so far due to fraud, misrepresentation and civil extortion</p> <p>I have been in lawsuits with crooks in pro per lawyers that flat out say it's best to pay them versus risk trial and Attorneys fees they don't have to pay!</p> <p>The ca bar association (Tom Girardi) style never punishes these crook, these thieves, these extortionists criminals</p> <p>You must keep all complaints big or small transparent to the public for as long as the attorney is licensed to work in the state of California</p> <p>To take away these crook's history of dishonesty, thievery, drug & alcohol problem, civil extortion, misrepresentation and fraud would lead to hundreds of Tom Giradis</p> <p>In the business!</p> <p>Do NOT let these crooks & thieves manipulate the bar which is supposed to support, protect and help the public change ca bar into Girardi</p>
149	Suzann schroeffer	No		Nonattorney	D	All comments should remain regarding an attorney and their actions. As it is, even when given proof of actions against an attorney that are worthy of discipline of some sort, the Bar clearly protects the attorney rather than the complaining party. Because of this, all comments, complaints, ans/or actions against an attorney should remain.
150		No		Nonattorney	D	--
151		No		Nonattorney	D	Your duty is to the public and not to your own disciplined individuals who profess to have standards
152	Evan Schenkel	No		Attorney	D	<p>1. I object to this proposed rule. When I refer a client to an attorney for work I do not do, I always look at that attorney's State Bar web page. I want to be able to tell my client that the attorney has never had any public discipline. This proposed rule would result in concealment of public discipline. This is a bad rule that could hurt clients. An attorney who was publicly disciplined must live with the consequences of whatever he or she did that resulted in the discipline. Those consequences should include a public record.</p> <p>2. If this proposed rule is adopted over my objection, the attorney should be required, as a precondition to expungement of discipline, to fully perform any and all payment obligations associated with the discipline, such as any fine, disgorgement order, order to refund sums to clients, or other monetary obligation. Perhaps this is implicit in the requirement that there be no open disciplinary case, but I think this should be an explicit condition.</p>
153	JAMES D.	No		Decline to state	D	It is shocking that an already broken system, of monetized due process, is looking for further loopholes to aide and abet the predation of consumers. The American "legal" system is so grossly corrupt, it is utterly incomprehensible that the Cal. Bar Assoc. is participating in efforts to extend their failures as an organization further. Enforcement is virtually nonexistent, rogue attorneys are seemingly more common than not, and the prioritization of economic enrichment over actual protection of citizens' access to due process, reigns supreme. The California Bar Association is a disgrace.
154	FELIZ MC INNIS	No		Nonattorney	A	After reading the rules, I think it is fair. The 8yr waiting period sends a strong message about committing bad behavior. I have been a victim of bad lawyering. Researching his information he already numerous ones. On some the statute of limitations had run out. So the guidelines, in my opinion are fair.
155	Tom	No		Nonattorney	D	<p>To whom it may concern:</p> <p>First of all, I appreciate the opportunity to respond to this new proposed rule. As it stands now in this once great nation, the legal system as a whole has virtually no real checks and balances anymore. It is the only branch of the three branches of government that directly interacts daily with commoners. It is the only branch that can severely and negatively impact everyday people—which is does regularly. Therefore, of the three branches, it is the one where real oversight is most crucial.</p>

156		No		Attorney	AM	<p>8 years is FAR too long for removal of these records. The State Bar doesn't seem to be aware of the continued consequences for attorneys who have already faced and completed their discipline process, including actual suspensions and probation periods which often include classes and passage of the MPRE.</p> <p>Any display of discipline makes finding a job nearly impossible. There is rarely a close look at the allegations and whether or not the attorney is a thief or addict. That is not always the case. Often times it is an overzealous attorney in the OCTC who is looking to make a name for themselves with whatever statistics they value.</p> <p>The expense of defending oneself against unsubstantiated public complaints is astronomical.</p> <p>Statistics assembled by the State Bar prove that over 90% of discipline is against solo practitioners or very small firms... not the wealthy attorneys in big firms.</p> <p>It is blatant bias against the "little guy". Criminals get their record expungements faster than this!</p>
157	Kelly	No		Nonattorney	A	I think the proposals are very reasonable. I would suggest that rather than spending resources on software to remove records, that the responsibility should lie with the attorney to request the removal and pay a fee to help offset the cost for staff to handle manual removal, and that it also be the attorney's responsibility to make sure that it was done within a certain timeframe, and if not, they would be required to follow up in writing, etc.
158		No		Nonattorney	D	I believe the complaint process with the California state bar is compromised. In my complaint a person got the complainant on the phone but they acted like nothing bad has ever happened even before the call started.
159	Louis Picone	No		Nonattorney	D	Firstly, I was only able to access the first redline document (2.11) before the website seemed to encounter an unknown problem and would not allow me to review the proposed wording for the other sections. Absent a detailed review, my concern is that this proposed modification does nothing to help protect the public. Most citizens are already at a disadvantage when attempting to retain counsel and this does nothing to help close that knowledge gap and ensure protection for those most vulnerable. Instead, this seems solely to protect attorneys who have already violated their oath at the expense of the general non-attorney public. How does this do anything other than weaken the meager protections already in place for the average citizen? This was written by attorneys for the benefit of attorneys and I disagree with its intent.
160		No		Nonattorney	D	--
161		No		Attorney	A	Agree, because in my personal experience, all post-retirement, any attorney who is disciplined by the California State Bar's ridiculously lenient and incompetent staff, truly earned their eight full years suspension. In my matter, I filed two complaints against a family member's attorney for lying, aiding and abetting and covering up theft, followed by receiving the stolen property & extortion. The state bar examiners first said I should have called the police if there was a theft so I thought well OK I could have. The second complaint, for receiving stolen property and extortion after the attorney said they would not return my property unless I paid them attorneys fees - was denied for no intelligible reason: I did not sign a retainer agreement with or receive a bill. I became ill so was unable to appeal. Eventually I got my property back via a civil settlement agreement. This was no thanks to the California State Bar which shockingly utterly failed to stop the sleazy lawyer
162		No		Decline to state		--
163		No		Decline to state	D	Clients and prospective clients and defense need to know of malpractice, Habitual misconduct and Gross misconduct. My opponents attorney committed state bar violations in my case against me and has done it in the past with other clients and their opposition. After so many violations they should not be allowed to practice law.
164	Judicial corruption family court Lansroux judge Carmen Luege RICO crimes rmbrrzzelmdnt intimidation of witrns	No		Nonattorney	D	Almost killed being evicted by Carmen Luege in the streets bring insulin dependent and having metastatic cancer
165	Ruby Carrillo and Sonia ZARCO	Yes				--
166	Jane Joe	No		Nonattorney	D	I think that given the amount of lawyers that act like Tom Girardi lawyers need to be more accountable NOT less. If you take down their documented offense then they will not be accountable.
167	Henry J Lopez	No		Nonattorney	D	Too many times I've witnessed attorneys fabricate evidence and since it would require a non attorney too much time and cost to file and prove dishonest actions by attorneys, these culprit attorneys get away with Criminal actions, not all but many have abused the jurisprudence actions because they can easily afford to navigate the legal system, whereas non attorneys can't
168	kemi cai	No		Nonattorney	A	--
169		No		Nonattorney	D	The public knows that the attorney ethical complaint process is a scam only enabled to project the idea of a fair and impartial system. Passing this new rule only further erodes public confidence. What have attorneys done to earn more trust? The public ought to know if their attorney has a history of client abuse.
170		No		Nonattorney	D	You should have a record of disciplinary events with attorneys. I have met many attorneys and felt by dishonest, not reputable attorneys. For example you would want to know the record of a doctor. No expungement hold attorney's to the law.
171	Ms. Styles	No		Nonattorney	A	Everyone makes mistakes, and the ability to work towards expungement gives incentive to continue work and to do it well. At which point, a person who has proven themselves should no longer have to suffer the consequences of past actions.
172	Edward Tabash, Attorney at Law	No		Attorney	A	<p>I agree with this proposal. However, it does not go far enough. First, a licensee shouldn't have to wait eight years for the expungement. I would recommend four, but certainly one should not have to wait no longer than six</p> <p>If the licensee has made the requisite improvements, and if the offenses were minor, I wouldn't restrict the number of disciplines that can be expunged to one. Let's make it two., assuming they are both not very egregious offenses like stealing a client's money</p>
173	Leticia Shaw	No		Nonattorney	D	<p>I am a firm believer that the practice of law and the practice of life is based on trust, quite frankly and that the attorneys who practice are honest and ethical. Those who violated the law or codes, did so knowing the law. Why would anyone entertain hiding their poor behavior?</p> <p>If they have violated a law or code, the public should know. Hiding such information will not make their poor behavior change. In fact, it will encourage them to continue. Under no circumstances should Nondisbarment Discipline, Administrative Suspension or Administrative Actions be removed, expunged, hidden, altered, minimized, or set aside. If the State Bar of California adopts or passes a policy that will expunge poor behavior, it will prejudice the people. Where is the honor in that? Attorneys should be held to a higher standard. Come'on... I can't believe that our tax money is being used help attorneys who know better hide their poor behavior. This is disgusting!</p>
174	Michael West	No		Nonattorney	AM	--

175	Confidential please.	Yes	N/A	Nonattorney	D	Unethical lawyer does not deserve a second chance. Exceptions could be if was not intentional, or malicious.
176	Bryan Hook, Bakersfield I don't know why you solicit public comment. On two separate occasions it has been my experience with the State Bar of California doesn't give a flip about discipline whatsoever. Attorneys can do whatever they want and get away with it. Your policies on conduct and performance are strictly for show; and apparently punishment gets the same treatment. Shame on you all	No		Nonattorney	D	
177	Anthony Trupia	No		Nonattorney	D	Your profession is literally cancer on this country. I deal with attorneys every week, literally can't trust a word that comes out of their mouths. For every time they are actually reprimanded, they have gotten away with a thousand more infractions. You're insane to propose this.
178		No		Nonattorney	D	I disagree with the practice of removing non-disbarment discipline from an attorney's public profile because it can undermine transparency and accountability within the legal profession. Allowing such disciplinary actions to be hidden from public view may enable attorneys to repeatedly cross boundaries or engage in unethical behavior without potential clients being aware of their past misconduct. Transparency in disciplinary records is essential for maintaining public trust and ensuring that clients can make informed decisions when choosing legal representation. By keeping these records accessible, the legal profession can better uphold its ethical standards and protect the interests of the public.
179	Linda Shirley	No		Nonattorney	D	There's already too much leniency for attorney's and their nefarious behavior allowed by the state bar. I'm invited here to give my thoughts because I had reported an attorney to the bar. The level of help I had from the bar was next to nothing, and they just gave the attorney the benefit of the doubt. A simple phone call of her saying 'that isn't true' sufficed for the bar. When the worker from the bar spoke to me she admitted she hadn't even read the papers I provided her with. Now moving forward, that same disgruntled attorney is weaponizing it against me and my family. And brings it up in court continuously that I reported her to the bar. After the complaint was closed, I found out more information about how unethical the attorney is in what she did including 'serving' me with a fake subpoena. The state bar seems to offer subpar investigations and help for clients. So why should attorney's be given any kind of special privileges? It seems like the bar is scared of attorneys.
180	Julie Borina Driscoll July 26, 2024	Yes	July 26, 2024 Commenting on behalf of self, organization at. Present, Borina Enterprises, LP, Borina Family Protection Trust, Borina Family Limited Partnerships, Special Needs Trust, and the beneficiaries, the Estate and my official roles of General Partner, Successor	Decline to state	D	July 26, 2024 The USDJ FBI has been requested to please help stipulate settlements and/or settlements in US Federal District Court Pro Se case, 23-mc-80238-EJD. Reason: The USDJ FBI is the centralized U.S. Federal Agency with specialized expertise, investigational capabilities, knowledge of USDJ FBI contents which is exclusive. There is no other US Federal Agency which knows the scope of information the USDJ FBI does, because it was not reported elsewhere on this level. USDJ FBI knows the most and with its investigational expertise, command of US Federal law, obligations to uphold the US Constitution, with US employees under Oath, it is the most qualified to help stipulate settlements, summary judgements and Justice, in righting the wrongs, best as humanly possible, for a timeline of approximately 53 years. (A COMMENT— WITHIN THIS TIMELINE, FROM 7/19/1971. ATTORNEYS WERE KNOWN TO VARYING DEGREES AND DURATIONS—EXPUNGEMENT COULD POSSIBLY OBSTRUCT JUSTICE).
181	Yvonne McTague	No		Nonattorney	NP	--
182		No		Nonattorney	D	No attorney should have any mistakes hidden or expunged. They should always be responsible for their errors and the public needs to not be in the dark about what they have done!
183	Jeff Grange	No		Nonattorney	D	If the goal of the Bar is to protect the public, the information should remain available to the public which can then make an informed decision about an attorney and the relevancy of the information. The only information that should ever be expunged is when someone is actually innocent of the findings.
184		No		Nonattorney		--
185		No		Nonattorney	D	This is completely unfair and misleading for potential clients. I wasted thousands of dollars on an attorney who was completely incompetent and who was operating outside the rules and I have no recourse to this. I want other people to be aware of this before hiring someone. The fact that the records are sealed is enough. Expungement is ridiculous and makes it so easy for folks to get away with essentially defrauding clients, except it's not only legal, they'll have their records wiped. Perhaps if this is something that happened 10+ years ago, but more recent misconduct should remain.

186	July 26, 2024. #4 Julie Borina Driscoll	Yes	July 26, 2024	Decline to state	D	July 26, 2024 "The whole truth, nothing but the truth, so help me God."Respectfully, whenever the word, expungement is introduced within a 53-year timeline of unusual, the whole truth can be altered, by omission, which could affect the justice outcome and final results. This is important to consider that we, the People, cannot go back in time and alter history, humanly impossible. We can change the future through experiences lived in the past. I am one of the elder surviving bloodline relatives of Attorney June Borina Schnacke, first woman CA District Attorney in the State of California. My name, Ju lie, was selected by relatives, named "after" June, with our birthdays, in respective months of June and July. Late Attorney June Borina Schnacke, had a career as a US Federal Attorney, was a Stanford University Law School graduate, during a time it was not common for women to attend College. June was paternal grandfather's brother's daughter. A Legacy continues.
187		No		Nonattorney	D	--
188		No		Nonattorney	D	--
189		No		Nonattorney	D	NO CHANGES; KEEP AS IS.
190	Terri Cross	No		Nonattorney	D	--
191		No		Nonattorney	D	There are so many awful, unethical, incompetent attorneys is truly shocking. The Bar needs to massively increase discipline and hold bad actors accountable. The Bar is too slow and too weak.
192	Liz	No		Nonattorney		--
193	no	No		Nonattorney	A	NA
194		No		Nonattorney	D	1. California's diverse population needs access to attorney disciplinary records and expunging these records could disproportionately impact vulnerable communities with limited access to legal resources. 2. Expungement could hide past issues, making it difficult to assess whether an attorney has reformed or continues problematic behavior. 3. In California's complex legal environment, including class actions, knowing an attorney's disciplinary history is crucial for assessing their competence and reliability. 4. The State Bar's duty to protect the public and uphold legal integrity could be undermined if disciplinary records are expunged 5. Expunging reduces transparency about attorneys' conduct
195		No		Nonattorney	D	--
196	July 27, 2024 Julie Borina Driscoll	Yes	July 27, 2024	Decline to state	D	July 27, 2024 CA BAR Please consider the CA BAR Motto and ABA 8.3, the U.S. Constitution and Federal and State Laws.Principles promoted by U.S. Attorney General's Office of "Truth then follow the laws." RESPECTFULLY, ONE TIME ACTIONS BY AN ATTORNEY VIOLATING SERIOUS LAWS, US CONSTITUTION, WHILE UNDER OATH(S), CAN BE THE ONE TIME THAT CAN UNJUSTLY IMPOVERISH VICTIMS, SENIORS AND/OR ADA HEALTH CHALLENGED, BY MILLIONS, CAUSE SOCIETAL RIPPLE EFFECTS, SERIOUS VOLUMINOUS USDJ FBI FILE CONTENTS, THEN THE ACTIONS, WHICH UNDER NORMAL PROFESSIONAL ETHICS AND STANDARDS WOULD NOT HAPPEN IN SQUARE ONE, ARE EXPUNGED WITH THE ATTORNEYS' ACTIONS. PLEASE CONSULT WITH USDJ FBI EXPERTS ON VOLUMINOUS USDJ FBI FILE CONTENTS AND INVESTIGATIVE REALITIES, FINDINGS AND RESULTS—THE SERIOUSNESS OF A ONE TIME OFFENSE BY AN ATTORNEY UPON A VICTIM, CAN HAVE A LONG RANGE RIPPLE AND EFFECT SCOPE. INJUSTICE HAPPENS TO VICTIMS, UNLAWFULLY AND EXPUNGEMENT OF ATTORNEYS' ACTIONS, INSTILLS BIAS.
197		No		Nonattorney	D	Attorney's should be held to a higher standard. If they are found to not comply with California Bar Attorney Rules there is a likelihood that the offense occurred numerous times before the incident identified since most attorney's and the public are not likely to have the time to file the complaint. To expunge an attorney's record of not complying with Bar Rules, sets up their next client to be dupped. It is difficult enough to find an attorney and to find an attorney worth their retainer. If a party is self-represented, and faces such an attorney, the harm could be egregious. Just like any criminal, the attorney obtained the record from harming the public. If attorney's don't like being accountable for Bar rules, they should not be attorney's.

198	Perry N. Lindgaard	No		Nonattorney	D	<p>what greatly eliminated DUI/DUNK-DRIVERS (other than MADD)?</p> <p>ZERO (0) tolerance: ARREST, PROSECUTE, CONVICT, SENTENCE. IF found not guilty, their arrest was still on their record permanently. basic accountability requires: PUBLIC-@-LARGE KNOW everything about attorneys</p> <p>"history, character, past!" AKA: basic accountability.</p> <p>1 of "the" very few manners/methods of the PUBLIC-@-LARGE to have a(n)y idea of who they are speaking with.</p>
199		No		Nonattorney	D	<p>why do you award the bad attorney? keep the cord showing all the bad stuff so we avoid such bad a attorney. the bar is already soft on some bad attorneys.</p> <p>I was deceived by bad attorney, bad attorneys still practice behind the seen, even judgement did not stop them abusing public. I have had experienced such situation. I did not check the attorney record until I lost my money. Bad attorney sometimes they use their names in different ways that they look different than the one on the Bar association record. staff are not trained enough to handle case, some of the staff do not even understand English languages and lazy and do not want to read the case and do not comprehend the case and closed it and that leave the bad attorney keep abusing the public. Bar staff are not good. your bar staff rewards the bad attorney, let the public see everything before they hire the attorney, because the var associations gives license they do not take it away from bad attorney.</p>
200	Terry Akins	No		Nonattorney	D	<p>Lawyers are like all other criminals. The more times that they can get away with a crime, the more emboldened they become and the criminal activity (targeting, extortion, rape, murder, other) will happen.</p> <p>The case complaint against Efferin Deans is an example of that type of criminal mind. The general public wants laws, lawyers and judges that are fair in their practices or let Efferin go.</p> <p>Efferin Deans and the Boundaries and Evolution of the Practice of Law - (blawg401.com)</p>
201	Patrick Jenkins	No		Nonattorney	D	Discipline is paramount to maintaining order. By expunging discipline from the records of attorneys, you are saying it is okay to be an unethical attorney.
202	Michael Sullivan	No		Nonattorney	D	This effort to protect attorneys who behave badly is absolutely appalling. Shame on you.
203		No		Nonattorney	D	California Bar Association is well known for being corrupt. Of course they would want to remove information on corrupt lawyers who they receive money .
204	Jason N. Nordin	No		Nonattorney	D	This is a complete waste of resources (time, money, energy) as the people need to have the information about attorneys to make fully informed decisions regarding their legal matters. It is irrelevant if an attorney who has been disbarred has complaints as they are no longer in a functioning capacity as an attorney. It is irrelevant *when* complaints were made about an attorney, it is the public's right to know if the person they are seeking to be their legal representative, or have already hired as their legal representative, has a history of complaints as that person may still be engaging in the same or similar bad conduct.
205	Cheryl Felton	No		Nonattorney	NP	--
206	A. Longstreet	No		Nonattorney	D	I believe an attorney's license and any discipline should remain on the license over the life of the license so consumers can see what type of person they are hiring. Just as they carry their accomplishments and advertise how much money they have gotten people the other side of the pendulum should also be available to the public, what else do we have to base hiring off of their marketing strategies? Discipline is the only measurable consumers have to rate attorneys.
207	Lisa J Noble	No		Nonattorney	D	No attorney should be given a free pass for misconduct. We pay attorneys an extraordinary amount of money when we hire them, and they should be held to a very high standard. When an attorney has been caught doing something that they are disciplined for by the state board, that should stay on their permanent record to protect the public.
208		No		Nonattorney	D	--
209	Mr. Michael L. Long	No		Nonattorney	A	It takes a tremendous amount of scholarly effort to become an attorney. I deem it fair to remove Non-disbarment Discipline after a reasonable amount of time. 8 years sounds fair.
210	Paul Howard	No		Nonattorney	A	Not an uncommon approach. This type of provision can be found in many labor/management contracts.
211		No		Nonattorney	D	Attorneys are held to a high standard and should be held accountable
212	Zahid K. Khan	No		Nonattorney	NP	--
213	I've had attorneys represent me in family Court take like \$5,000 drop me as a client and then sued me I end up having to go to court on my own and trying to counter soon to get my money back was like almost impossible so my experience with attorneys it has to be something better so that attorneys can't just do that. The California bar did absolutely nothing for me to help me with my situation. To this day if I have a legal issue I would not contact the CA bar association, I would represent myself in	Yes	James Curtis and Mr Burton are attorneys I have had bad experience with.	Nonattorney	A	I've had attorneys attorney companies take money from me several times claiming that they would represent me in a court case or hearing family Court or employment issues and they never representing me just took my money and drop me as a client.

214	Ehart Emelia rose	Yes	No besides the personality personally of hearing	Nonattorney	AM	Filesgabriele98@gmail.com
215		No		Nonattorney	A	--
216	Nikolai Gallo	No		Nonattorney	D	<p>The bar to get any form of accountability for attorneys who regularly engage in misconduct and fraud is so high that when it does actually happen one can be certain that it has happened repeatedly and extensively.</p> <p>https://www.calbar.ca.gov/Portals/0/documents/Open-Letter-Girardi-Disclosure-11-03-22.pdf</p> <p>This is everyday and common among practicing attorneys in CA due to the complete lack of enforcement of professional standards. Proposing to remove any information from the public's access is an indication of the bias that the State Bar has towards protecting attorneys who fail to act according to the standards of their profession. This proposal does not protect the public interest but promotes a culture of concealing a massive systemic problem. The public interest would be better served if the California State Bar did not promote a false narrative that it "protects the public" interests as opposed to protect those of attorneys who fail to operate according to the standards of their</p>
217	Laurie bolard	No		Nonattorney	D	Damages done by corrupt lawyers lasts a lifetime! Lawyers do not get the discipline they deserve as lawyers deciding cases are already partial to their sect. If decided against a lawyer it should stick a lifetime like the damages they do!
218		Yes		Nonattorney	D	<p>This looks like CYA to me.</p> <p>It was alleged that I was doing business in California even though my company is based in another state, does not sell any products, and only earns revenues from advertising links to companies based outside the USA.</p> <p>PACIFIC TRIAL ATTORNEYS (Newport Beach, CA) submitted all kinds of false information to the court and the judge, John M. Pacheco (San Bernardino, CA), accepted it without substantiation.</p> <p>Those attorneys should be disbarred! It also appears that this judge is so DUMB that he doesn't understand how Internet links & domain names work – or is he CORRUPT?</p> <p>Did PACIFIC TRIAL ATTORNEYS ever respond to the questions in my numerous letters to them? Not once.</p> <p>Did your court system ever contact me regarding my case? No! They left that to the plaintiff's attorneys.</p> <p>When I attempted to file complaints with The State Bar of California did I get any assistance? NONE.</p> <p>When I attempted to file complaints with the court system, did I get any assistance? NO</p>
219	Professor Alan Dale Dickinson, Vice President, World Corporate Lending Group, BANK OF AMERICA-retired.	No		Nonattorney	D	Some albeit not all, Attorneys get away with 'murder' with their heinous, totally unprofessional and vicarious actions. They should not, and must not, be able to get those horrific and illegal actions 'erased.'
220	Karla B	No		Nonattorney	D	<p>First of all why would the State be adding ongoing costs to remove that important information from the website. And then will be spending more costs in order to provide information associated with receipt and processing of requests for records to provide information upon request? It does not make any sense at all. While the way it is right now is really simple and reliable, it is important to take a quick look at an attorney's record to know who we are hiring. Deleting this information and make it so complicated, people would just not look for an attorney's record, making it worst at the end since we do not know who we are hiring. Why? At this times, we want this at one click, not be requesting something in writing and waiting for a response. This is adding more job to State bar employees, more hustle for people just trying to find out who we are hiring.</p> <p>It is like hiding the fact that you buy a salvage car because they don't disclose that at simple sight and you have to request record</p>
221	Tiffany	No		Nonattorney	A	Everyone deserves a second chance
222	Sherril Nell Wells	No		Attorney	D	The public has a low opinion of the Bar, regarding it as a protector of bad attorneys rather than a protector of the public. This will worsen the situation by concealing past misconduct information for no public benefit.
223	Tina Johnson	No		Nonattorney	D	--
224	Susan Lea	No		Attorney	D	Again, the State Bar's primary responsibility is to protect the public and this proposal does not do that. If an attorney's discipline was unfair or in error, then expungement is right and just. This 8 year timing is unfair and wrong for the public. Make it 20 years, and I'll reconsider. The public deserves full disclosure, not games.
225		No		Nonattorney	D	<p>I have been a repeated victim of underhanded lawyering. The State Bar is ineffective as is and provides unjust protection to lawyers in its current state. Giving lawyers more protection and shielding for nefarious actions will only make enable the underhanded culture which lawyering in our country relies and thrives upon take a firmer hold.</p> <p>Anyone who isn't living in fantasy land knows fully that lawyers are not ethical nor "good people." The examples are numerous and plentiful. Lawyers are just people, that's it.</p> <p>The culture of lawyering requires change.</p> <p>The current culture of lawyering is criminal in nature, and lawyers skirt accountability regularly because the lawyering system is meant to protect lawyers; this outcome is because lawyers created the system that holds lawyers accountable. The above proposed change will only exasperated the current underhanded lawyering culture.</p> <p>Lawyers need more accountability, not more protection.</p> <p>Thank you.</p>
226	Ken	No		Nonattorney	D	Sent email to secretariat@calbar.ca.gov
227	Mike	No		Nonattorney	D	The Public has a right to know when an Attorney has complaints. It takes great effort to submit a claim and it is not taken lightly. It is a serious issue to the client or person harmed
228		Yes		Decline to state	AM	I like the concept, but I think it should be modified. Anything over 8 years is history. If there were more than one offense that did not warrant disbarment, they should all be removed from the public record. Why publicly stigmatize someone for acts that are history?
229	Steven P. Lewis	No		Nonattorney	D	Do not agree. Attorneys records so be available for as long as they are licensed.

230		No		Nonattorney	D	The public should be aware especially when searching for an attorney to hire for representation and allow us to decide. Attorney's continue to take advantage of the clients and I find that most of the time clients don't know they have rights to complain or understands how to go about it. That should be made known and clear on the first page in any attorney retainer document agreement. We put our trust and hard earned money on them and they take advantage of client vulnerabilities. In all my experiences over the years this has not changed but only gotten worse with attorneys several rules and policies that they have written on their documentation, pages and pages to only confuse the client so that they can get away with keeping all the retainer fee. They're dishonest and deceitful yet this is not something we can submit a complaint about because we have to go through arbitration which is more money out of the clients pocket. Attorneys take advantage of this leaving the public unaware
231		No		Attorney	D	This is just a bad idea. It's really pretty hard to get disciplined by the bar.
232		No		Nonattorney	D	It is important for this information to remain public and easily accessible. The public should have the tools available to them to make an informed decision about retaining an attorney.
233		No		Decline to state	D	KIERAN BROWN OUT OF NORWALK CALIFORNIA IS A SCAMMER/FRAUD AND AFTER REPORTING HIM NOTHING HAPPENED THIS IS RIGGED
234	Christian	No		Nonattorney	D	I believe the court shouldn't allow an expungement for a lawyer that has been found guilty and received Disciplinary action against them....especially for multiple allegations and recurrent offenses...
235	Miaolan Lee	Yes		Nonattorney	D	If an attorney got disciplined, the public should know not to use such an attorney. There are many attorneys working for themselves and not for the public. They find every way to make money and the public is not knowledgeable to deal with it. The public should have a way to see what kind of complaints were filed so that the public can avoid picking up a troubled attorney.
236		No		Nonattorney	D	All complaints should remain on record.
237		No		Nonattorney	D	I do not believe that the complaints should be expunged. I believe that if someone is looking for an attorney, and they see that the attorney has complaints but has not been disbarred, they can make their own decisions. If there are multiple complaints of the same nature and for some reason, the attorney has not been disbarred, then as a client you are forewarned that this attorney obviously has sketchy business practices.
238	Talal Altamimi	No		Nonattorney	D	Greetings, Please do Not approve the Expungement of Attorney Discipline. because It's not going to be "a discipline anymore"! Here are my key points: (Defeat the purpose of the discipline) Expunging the discipline will undermine its original purpose and effectiveness. (Hide the truth) Removing the record could obscure the truth and deny the public their right to be informed about this lawyer's history. Maintaining the discipline as it stands serves as a deterrent. In fact, we should consider making the consequences stricter to uphold accountability and ensure no one is above the law. Even with discipline, lawyer like mine continue to engage in the same problematic behavior. Imagine if the expungement proceeds, it could lead to further issues and complications. The discipline history should remain permanently intact as a lasting reminder and lesson for both the individual involved and others. Thank you for considering my perspective on this matter. Best regards,
239	Khri Kircher	No		Nonattorney	AM	Please merge with profile under kkircher@montclaircorp.com
240	Alex Yamamura	No		Nonattorney	D	The proposed changes do not comply with the mission statement of the organization and lead to more suspicion and mistrust of the of the system and those that are a part of it. Your proposals would hide potentially significant information a consumer may require to make an informed consent when choosing representation for themselves. Strongly disagree with the proposals. The State Bar of California's mission is to protect the public and includes the primary functions of licensing, regulation and discipline of attorneys; the advancement of the ethical and competent practice of law; and support of efforts for greater access to, and inclusion in, the legal system.
241	Nikki leclair	No		Nonattorney	D	I feel all records need to be completely transparent showing everything the moment a lawyer takes his oath. It didnt help my situation but it could help in another. However, I've been left feeling attorneys are given a big edge on terms of discipline. My case proved that to me. When I dealt with a lawyer who had a very rocky record including suspensions and a large amount of complaints. He was never disciplined for my complaint and continues to steal money from the public ruining people lives. I'm still dealing with the effects that his illegal actions imposed on my life since 2019.
242	ELI ANGELINO	No		Nonattorney	A	The State Bar agent's, made an erroneous on many and several "outlaws" an act of "hate crimes" without a good reason against individual in this case. Non-attorney. Never published, or acted nor made letter-head or whatsoever acted attorney or non attorney. Attorney John S. Cha was resigned from his partner's boutique law. Acted in civil court and with State Bar on behalf his client's whom are the "One's" committed fraud, with John S. Cha's and clients, by- prefabricating fraudulent documents records, has title County of Los Angeles agency, forged signatures of people, back dated years of documents mislead the court of justice" in court to win. Very Sham, Rigged claims, to cover up his clients fraud. After two years in civil court about, Honorable judges In Superior Court has dismissed the claims and reverse their decision after learning of the fraudulent and lies. Continuing same mechanical vexatious claims pathological liars and fraud against others. "Egregious misconduct". "RE: In Relation matters to Eli Angelino against John S. Cha, and his fraudulent practice of practicing law and his Clients Dzmitry Shabliuk who filed false claims against me to win in Court and they never won or to put me in Silent or in fear." 1776, immense of courage" that each one of us is "created equal" and enjoys the inalienable right to "Life, Liberty."... Dear Investigator/Chief-Inspector/General; please find the attachment LAHD issued on August 2, 2024 from May 6,2024, April, March January 2024 and prior violations since April 2021 of violation committed against me by Dzmitry Shabliuk and his attorney who provided false records and stories and pathological liars. I have already issued my statement . However this LAHD for your records and investigation. That Evil and fraud person and his attorney misled the court system and government agencies pre fabricating stories. not supposed to rent or collect rent, illegally locked me out and his attorney aware of his crimes committed and harassed me for over 2-3 years. and as of today still doing the same thing with other courts hearing with Judges against others prefabricated stories and making fraud documents.. Therefore, your department has made a " Travesty of Justice". Attachment Linked Regards, Eli Angelino
243		No		Decline to state	D	why would you not allow the public to know everything about an attorney they may like to work with. the public show know everything an attorney was disciplined for. I have had personnel experience with the California bar concerning a California attorney and the answer the bar gave me was determined without understanding the state policy dealing with attorneys that work for the state attorney general's office.

244		No		Nonattorney	D	--
245		No		Nonattorney	D	--
246	legazy legardy	No		Nonattorney	A	Lawyer MarkMcNeil is super unprofessional, I have stated multiple times that I would like to receive a copy of the will, as he says he is the beneficiary. He will not give me ahold of my own money that was handed down from my deceased grandmother. I checked the records at the Superior Court and her Death certificate isn't in the records at all, what is unacceptable if she passed away 3 years ago!
247		No		Nonattorney	D	The public should have as much information to make an informed decision. When choosing an attorney, the public has a right to know everything about an attorney. Especially anything that involves ethical violations and past behavior with the State Bar.
248		No		Decline to state	D	Attorneys became the most dangerous species in the US against the wellbeing and safety of society. Victims of the widely ranged criminal syndicates do not get help, but criminal syndicates get protected. Criminals are getting richer and expanding their ranks by buying government employees, representatives and senators, so that no justice exists for patriots, who are trying to uncover criminal syndicates and fight against them for the well being and safety of the population. None of the crimes against humanity like active for decades genocide, human trafficking, child pornography, perjury, cover up, treason committed by government employees are not getting investigated because get attorneys protection.Unaccountable attorneys are a huge problem for society to survive on this planet. The earth and atmosphere became so dirty that it is falling apart and life on the earth is going to the end. Unethical attorneys are successful attorneys and not the other way around. Shame on you for that.
249	Christienne Black	No		Nonattorney	D	The State Bar is thoroughly rotten and corrupt, should be disbanded for the public fraud, waste, and corruption. Unconscionably, this mafia organization wastes some \$350 million/ year on some 172/ 260,000 attorneys being disbarred. Filing a complaint is a completely futile act. The state bar needs to be brought up on Sherman antitrust and the number of despicable and reprehensible persons who are licensed attorneys that go without any discipline is telling. I am paralegal and I've been involved in over 1000 cases. Many of which involving absolutely, incompetent and dishonest attorneys. The stereotype of psychopaths and scumbags and ambulance chasers is quite fitting for California attorneys. The state bar has made a mockery of the law and is arguably one of the most depraved organizations in this country. This new proposition to expunge records of discipline is completely wrong, but consistent with the immoral, unethical and paid to play cover up anti-trust organization it is.
250	Chris Meza	No		Nonattorney	D	Attorneys must remain very transparent. No information should be removed or expunged. An attorney can explain his record if someone asks, but the record should not be expunged.
251	Bretney Orris	No		Nonattorney	D	I would rather prefer to have the choice to rationalize an attorney's disciplinary action rather than have it withheld from me without my knowledge.
252	Cat Clark	No		Nonattorney	D	I disagree because if they committed an infraction it needs to remain to remind them and any potential clients what the attorney has done - to promote transparency - giving the potential client (s) every fair option and opportunity to make wiser choices to attain that attorney as counsel
253	Anonymous	No		Nonattorney	D	Records are not to be expunged. Even if rectified, the public needs to know the lawyer's behavior pattern.
254	Xd	No		Nonattorney	NP	Xd lmao
255		No		Attorney	A	This is long overdue. I had a "bar beef" that was sustained over 30 years ago and it is still being referred by opposing counsel when I submit a request for attorney's fees, though it has nothing to do with a current request for attorney fees. This occurs several times a year. While it is too late for me, since there are numerous other sources of information and I am in my 80s anyway, it may have an effect on younger attorneys.
256	Wolf:	Yes	WOLF ROBINSON	Decline to state	D	Attorney's have a great responsibility to the BAR, to the Court and to their client. Holding an attorney accountable to their action or inaction shall be paramount. If the harm, lose or injury an attorney creates byway of willful or through ignorance shall not be excused nor should it be expunged. There are too many attorney's currently that should not be in the legal profession due to drug/controled substance use, psychological issues, malicious manipulation and plain ignorance or laziness to the legal profession. In addition, many attorney's are afraid to just object to administrative law judge's opinions, which create the appearance that the attorney and the ALJ are on the same side. Let's not forget that many attorney's out the gate are failed effect assistance of counsel on several levels. Most attorney's don't even give counsel to their client. We need more accountability on attorney's, judge's, commissioner's and anyone else in Government!
257		No		Nonattorney	D	Attorneys have an obligation to conduct services with integrity. There is no excuse to pardon inappropriate behavior that has been reported. Reports indicate a pattern of behavior that protects Americans and citizens from future harm.
258		No		Nonattorney	D	Potential clients need to see their criminal activity.
259		No		Nonattorney	D	As a victim of a corrupt, negligent attorney who took funds, lied and did not do his job, I do not support any legislation to expunge ANY disciplinary action against any attorney at any time.
260		No		Nonattorney	D	--
261	Laurie MacBayne	No		Nonattorney	D	--
262		No		Decline to state	D	--
263		No		Nonattorney	D	Disclosure provides public protection against unethical lawyers.
264		No		Decline to state	D	
265	Mimi Tibbs	No		Nonattorney	D	I believe an attorney's records should be available to the public so you can see their history. It is how I discovered that the attorney evolved in my dispute had previous problems with what I was involved with now.
266		No		Nonattorney	D	I don't agree with the proposal that an attorney can get a pass, let alone a single "get out of jail card" even if it's being offered once every eight years. It's already challenging enough for most people to even forego submitting an official complaint to the CalBar because most clients that need legal services wouldn't even know where to start when they have been wronged by their own legal counsel. After all, an attorney is an officer of the court. They need to be held accountable for any misconduct.
267	Adrianne L. Belardes	No		Nonattorney	D	People in the public trust attorney's, sometimes with their life, and always for something critical to their livelihood. With an expunged history the public has no access to the truth which may a contributing factor to truly being able to trust that attorney. Mind you, it has been 10 months since I filed my complaint and I have been told that by the State Bar investigator handling my complaint that she has several complaints ahead of mine. This tells me there are already too many attorneys being investigated for foul play. It seems to me that the bull needs to be taken by the horns. Or the trend for attorneys (or anyone else) breaking rules/laws or bending rules/laws will continue on doing so.

268		No		Nonattorney	D	Good record keeping of even the smallest infractions is KEY. it makes sure to hold attorneys to the highest standard and to not slip our standards of law and ethics.
269	Scott Perrenod	No		Nonattorney	D	the idea that this is proposed is troublesome to me. In all other professions, including medicine, nursing and everything else there is no statute of limitations. I believe this is again lawyers, protecting lawyers at this point. A trend in a persons behavior professionally should be completely visible to the public under federal freedom, information act guidelines, and, consumer protection act guidelines at both the state and federal level
270	Alvaro Bautista	No		Nonattorney	AM	--
271	Thomas Graff	No		Nonattorney	D	I rise in protest of the proposed rule change because as a victim of attorney mis-conduct I know the harm that violating the public trust can place upon a victim. Attorneys must be held to a standard that losing ones law license carries with it grievous consequences and anything less than lifetime effect upon ones license does not present sufficient consequence to practice with the highest level of integrity. Moral turpitude is the kind of behavior that the bar must uphold as the consequence for violating the ethical rules of conduct as a fiduciary and held to the highest standard of trust.
272		No		Decline to state	D	Omitting non-disbarment disciplinary actions from a practitioner's public profile can skew the profile in a holistic context, rendering the reality of the practitioner's performance record inaccurate - which can have downstream impacts in performance. Attorneys are licensed professionals held to additional legal standards and powers in contrast to non-practicing public - hence shall be held accountable in proportion to professional responsibilities taken under professional oath.
273	Ron	No		Nonattorney	A	Inappropriate dealings contrary to the Bar Code with clients should have consequence. For instance, in my case, I was charged \$1,200 upfront (ahead of the service rendered) for a case involving interim spousal support pending the separated couple house sale. The impersonating lawyer got disciplined to "don't do this scam again or you'll face severe consequence". As a deterrent, he should also have been fined \$1,200 as a consequence of his illegal action.
274		No		Attorney	AM	Expungement should only apply to some entries such as fees, cles, trust account reporting, and DUI reporting.
275		No		Decline to state	D	The beginning of the State Bar Association of California mission statement reads, "The State Bar of California's mission is to protect the public....." The new proposals lead to the public being less informed and having less information to consider before hiring an attorney. The proposals are inconsistent with mission statement of the State Bar Association of California.
276	Cheri	No		Nonattorney	D	No Secrets
277		No		Decline to state	D	There should be No expungement of Nothing due to various legal reasons as ETHICAL ONES !The expungement of attorney discipline and administrative actions AND COMPLAINTS should NEVER BE HIDDEN but be kept On record for Life so the public can express their complaints and FREE SPEECH about complaints against lawyers attorneys, since its like a credit report about credibility of the attorneys with the clients in their perspectives.Cases of point A lawyer for a university has been factually never informing students as their parents that she is actually a lawyer for the university of san diego state in san diego which basically their defense attorney.She was taking valid complaints against staff members and students which included taped recordings, harassing emails and texts and bullying as the violators committing acts of intimidation and sexual incidents and Used these students facts of the serious incidents to suppress their complaints.
278		No		Nonattorney	AM	Many victims or clients of disciplined attorneys have received judgments against them. A judgment is valid in accordance with California Law for ten years, and then it will automatically expire. However, a judgment can be extended another ten years at the creditor's request as long as it's before the ten years expires. California courts keep records for 10 years. In fairness to victims, I believe the proposal should be modified from 8 years to 10 years.
279		No		Nonattorney	D	Once a lawyer has broken trust by manipulation of facts and is disciplined that information should always remain visible to enable others to make a good decision about hiring someone!
280		No		Nonattorney	D	There should NEVER BE AN EXPUNGEMENT! Complaints should remain in perpetuity. Further, the California Bar should be forced to respond to all submissions and when provided with additional information, they should be forced to act. They are ineffective. I provided over 34 pages of documents of harassment and unethical conduct, abuse of process by an attorney and malicious prosecution and my complaint fell on deaf ears! I spent over \$80k in attorneys fees while an attorney MISREPRESENTED his financial status and claimed indigence so he would not have to pay filing fees. I provided documentation of over \$200k that he'd received a few months prior. Again, I was ignored. Finally, another attorney told him he could be disbarred for his conduct and defamatory allegations against my attorney and the judge assigned to the case. YOU IGNORED ME. This is why we continue to have unethical "ambulance chaser" attorneys! The CalBAR is useless.
281	Jalal Kazemi	No		Nonattorney	D	--
282	Unethical and non-attorney conduct (judicial fraud) by incompetence to uphold the law of victim's while under oath that's undermines and excludes plaintiff from United States Constitution rights, laws, rules, regulations including civil rights acts and civil liberties as well as violating injured victim from guaranteed pain and suffering monetary relief synonymous with restitution for victims and families from Defendants reckless and intentional infliction of emotional distress including intentions	No		Nonattorney	NP	Concerning criminal behaviors involving judicial fraud (Judges Mis) and responding with fraudulent information associated with the Plaintiff/ Victim jeopardizing civil rights and civil liberties as well as undermining self -Represented Litigants and settlements due to unlawful bench conduct immediately determined and observed while judicial deception and favoritism is apparent between majority judges and majority attorneys (understanding civil rights and guaranteed monetary relief with indisputable evidence and exhibits?

283	Daniel Keith Larson	No		Nonattorney	D	My comments and supporting documents are voluminous. I will email secretariat@calbar.ca.gov
284		No		Attorney	A	--
285	Sophia Ho-Wersant	No		Nonattorney	D	--
286		No		Nonattorney	D	--
287	Mony Haim	No		Nonattorney	D	My position is that it should remain permanent.
288	Michael Harvey Miller	No		Attorney	D	<p>My comments follow:</p> <p>Every reference to inactive status, wherever that appears should refer to them as administrative (involuntary) inactive status. It should be clear and understandable that the proposed rules do not apply to voluntary inactive status.</p> <p>No expungement of any discipline over any timespan should occur. The proposed amendments to allow and authorize this for all discipline except disbarment should not be adopted for the following reasons:</p> <p>1. The legal profession is too important and crucial for the protection of the rule of law in America to periodically cleanse the roster of lawyers who have been disciplined. The provision allowing a check on discipline upon request is a burden involving communications, time constraints, and other negative factors, particularly when the consumer (potential client) is searching for lawyers.</p> <p>2. The legal profession's role in our society making it an occupation that requires a special education, a professional license, significant chara</p>
289		No		Decline to state	A	--
290		No		Nonattorney	A	--
291	Timothy Lee Davis	No		Attorney	A	I was disciplined and I did serve a suspension and was reinstated. I don't think any prospective clients looked at my State Bar record. I didn't apply for any jobs with law firms but I imagine that my record of discipline would have been "bad". I do think that publicizing a matter that was separately punished/disciplined is unnecessary and is more vindictive than necessary to protect the public. The only people who seemed to run across my actual conviction were friends who did a Google search for me. For some reason the Google search did not refer to my State Bar record. And I did see the discipline show up on Third Party sites like AVVO but again, I know of no one who looked at AVVO. When I looked at AVVO my impression was that it was used by attorneys to rate themselves and their friends and wasn't a true barometer of anything relevant to a prospective client. The State Bar still has difficulty properly relating attorney discipline that would affect clients.
292		No		Nonattorney	A	--
293		No		Attorney	D	Those who violate State Bar rules get one, two and sometimes three determinations of violation by the State Bar before they have a public reproof or action against them. Now, allowing the third (or fourth) and now public violation to be expunged is not in the public's interest. Those who have had two or three "free" non-public actions against them should not now have an eight year "get out of jail free" card. The public's interest is primary.
294	Felix Dalldorf	No		Nonattorney	D	Prior misconduct of attorneys should remain in the public record. Attorneys who have a record of deliberate misrepresentation, fabrication of evidence, or other misconduct are crucial when taking action against these attorneys or in understanding risks associated with doing business with them or with the organizations they work with. In actuality, we encourage the bar to take a stronger stance on attorneys engaged in fraud, embezzlement, misrepresentation, and other criminal acts.
295	Adam	No		Nonattorney	D	I do not believe that this rule change would "further the efficiency, effectiveness, and fairness of the discipline system". Transparency should be the goal and attorneys should be held to the highest of standards. This proposal, if anything, further erodes efficiencies in a system that has already proven to be quite inefficient. Any money spent on such an endeavor would be wasteful.
296	Why should they get this privilege when other offenders in various fields do not. As well as those that they've defended and made unscrupulous acts against. The Bar is suppose to uphold the law and from experience with attorneys it's almost impossible to get a discipline action against them cause they are all attorneys vs commoners knowledge of the law. They should not be allowed to have anything removed from their record and public view if they been convicted just like everyone	No		Nonattorney	D	--
297	Danny K	No		Nonattorney	A	<p>This seems fair.</p> <p>Thanks for asking!</p>
298		No		Nonattorney		--
299	Mr. Blue	No		Nonattorney	A	--
300	Mari-Lynne Earls	No		Nonattorney	AM	Agree only if the discipline involved did not involve 'moral turpitude' or elder abuse.

301	SEAN ROSE	No		Nonattorney	D	The general public cannot rely on themselves, not can anyone rely on the general public to be experts in law. Therefore, attorneys must be held to the highest standards of ethical practice as experts in their field. Permanent disciplines must be enforced as deterrents as legal malpractice can have severe detriment and consequences on clients. It is also difficult to ascertain an accurate consensus of wrongdoings if they are not reported or ever discovered by otherwise unsuspecting clients. Instead of expunging offenses, the CA Bar should address tiers or levels of infractions and in which cases permanent discipline is warranted. Attorneys have an advantage to navigate their fields by disguising wrongdoings as mistakes or lapses of judgement. The training that and requirements that go into becoming an attorney warrant that those practicing should know which wrongdoings would be reasoning for a permanent discipline.
302		No		Nonattorney	D	You ruined the integrity of law and lawyers people will find out that people can erase their bad behavior so new customers will be weary that their lawyer is just a scumbag who had their discipline removed You guys are morons, employing idiots, creating blanket policies for morons who violate law rights, and their sworn oath you disgusted me how you think I can't believe this bill was even proposed You all should be hung from trees for treason to justice
303	Thomas	No		Nonattorney	D	The Bar is reticent to discipline attorneys, who after all as members, so when there is disciplinary action it should be information available to the public who must rely on attorneys who are often more interested in their own interests rather than their clients. Expungement should always be available to inform other cases at least by the bar.
304		No		Attorney	D	I disagree with the proposed change because it takes such a long time to resolve a State Bar complaint. I just resolved a complaint this year, 2024, that began in 2018. It literally took the State Bar 6 years to respond to a letter I wrote, with 12 pages of exhibits. During that 6 years, my attempts at following up were met with deafening silence. Among the excuses the State Bar gave were investigators/lawyers leaving their jobs (and apparently no one was reassigned the complaint), the file had been archived, the computers were updated, etc. etc. No one was responsible, it seemed. Given how pathetically slow and incompetent the State Bar's discipline is, the times it does finally manage to impose discipline, those records should be maintained publicly and not expunged. Further, the online disciplinary records should be easy to access, not hidden behind multiple links with barriers to access.
305		No		Nonattorney	D	I see no reason to expunge a record. The bar for a Discipline is very high in my experience.
306	Robin Haynes	No		Decline to state	NP	Attorneys get away with public theft by charging outrageous Retainers that usually don't last more than two weeks before optional payment method is requested. They do WHAT THEY WANT TO DO not what you ask of them. That being the case maybe they should PAY THEMSELVES THEIR ATTORNEY FEES. The State Bar Nation wide does not hold attorney behavior to a STANDARD OF CARE instead allow them to hide under false billing and ignore clients and they do NOTHING ABOUT IT when they learn of this MISCONDUCT. So what the hell are we doing here making a useless survey over something KNOWN that we have NO PLANS TO FIX REGARDLESS.
307	Juan Lopez	No		Nonattorney	AM	This new rule should be modified to allow only individuals who meet a certain criteria, be allowed this action. It should be handled accordingly, and in my opinion should only be given if there was no victims in their case. In other words if another human was affected in ways that could never be rehabilitated or gain back whatever this servant of law has ruined, including an individual's thought on the law and fairness of courts judicial system. Then the stern and firm punishment that was given in the beginning should stay as implemented. Some things in life have only one chance at getting it right. Anyone who has been sworn in or has placed their hand on a bible to do what has been asked of them should take this very seriously
308		No		Nonattorney	AM	must obtain settlements or satisfaction of judgment from victim before record can be removed. bar may triple the bad licensee annual fee to set up a public fund to reduce or even subsidize or prestige award those good attorneys that demonstrated sued extrinsic fraud cases. Malpractice cases the like require lot of record reviews. A new rule that the bad lawyer should pay 3 times of the attorney fee when found responsible by fact finder. Fraud record cannot be expunged. Small mistakes certainly can.
309	Anonymous - Current Claim against an Attorney (Unresolved)	No		Nonattorney	D	The State Bar in some cases may have evidence of attorney malfeasance or negligence that could support a finding of culpability and the imposition of professional discipline. However, the State Bar due to resource constraints, win/losing record determines their intake evidence may be insufficient to justify the commencement of a disciplinary proceeding, or to be successful at a disciplinary trial. Look at the data on the number of letters that State Bar sends to citizens that in good faith have hired attorney's that have violated rules of professional conduct. Once a Attorney finally is disciplined the proposal now is a one time free pass. I am a professional pilot. If I commit an unprofessional act that harms a passenger I expect to lose my license for an indefinite time. Lawyers have a duty for Candor Toward the Tribunal; yet unprofessional attorneys who mislead their clients with false statements, fact, evidence or fraud should have their records available to public.
310		No		Nonattorney	D	
311	R.T.	No		Decline to state	D	I do not support this. I hired a well known law group to represent me in a horrible, near death tractor trailer MVA. My attorney sadly passed away while handling my case. His firm associates closed my case without my consent. In fact, wholly against both my written & verbal consent. The firm stole 100% of my settlement. I received zero. The firm continues to practice in an environment and culture devoid of ethics. I filed a pertinent State Bar complaint with all of the relevant information and the firm and attorneys received NO consequences.
312	Karen O'Reilly	No		Nonattorney	D	Why expunge valid, documented administrative actions against an attorney? Those records should remain in perpetuity as they are facts which the public is entitled to. The State Bars efforts to deliberately hide information from the public regarding an attorney's behavior are appalling. The State Bar already protects their own and is a lame enforcement agency run by attorney's so now this makes it even more obvious. If an attorney's actions result in ANY type of administrative action or even a lapse in their license the public is ENTITLED to know it, not have it hidden and swept under the rug. If attorneys are not happy with this then they should do better and adhere to their own ethical standards. Expunging these types of records will only encourage more bad behavior and questionable ethics.
313		Yes		Nonattorney	D	
314	James	No		Nonattorney	AM	My last 3 attorneys were horrible. So bad I've stopped using them. I'll take my chances self representation. Bad attorney conduct is at epidemic levels. My last attorney tried to negotiate a class action settlement, despite specifically telling him I was not interested in a class action lawsuit. I hired him to remove a fraudulent severance agreement that he never addressed at all. I had to threaten a complaint to the bar for him to retract his actions. The bar is all we have as a deterrent against bad conduct. You can't post how bad they are or they will sue for slander. If an attorney wishes to clean up his image, a number of pro bono hours should be attached to the terms. So action reflects the willfulness of his words to be a rarity, an honest attorney.
315		No		Nonattorney	D	No expungement on discipline action

316	Linda	No		Nonattorney	D	If you are going to expunge their records, just as you would expunge an ordinary citizens record, then they should not be able to pull someone's record and use it against them in the courts, especially if you allow them to expunge this record so rapidly. You propose that the record can be expunged at a certain point then they would have to demonstrate that they are abiding by the California State Bar rules. I recommend after five years.
317		No		Nonattorney	D	--
318	Joseph S. Ramsey	No		Decline to state	D	information about discipline should always be viewable. It does a disservice to the public, to not be able to see who has been disciplined.
319	Susan Knapp	Yes	East Bay Chiropractic Health Center	Nonattorney	D	There are plenty of good attorneys out there, however there are plenty that are unscrupulous attorneys as well. Information should be available that allows us information if we are going to choose to work with an attorney. If they have complaints, multiple complaints it should be our choice to move forward and work with them or not. Hiding past complaints takes this away from us.
320		No		Attorney	D	--
321		No		Attorney	A	I support the State Bar's initiative to address removal and expungement of attorney discipline from public profiles. I believe the initiative also addresses disparity based on gender. While I was on maternity leave, I failed to pay my annual dues and all notices (physical and email) went to my former employer, who did not forward them to me. Our offices went remote during COVID and also merged with another company. I have had no other disciplinary actions against me and paid my dues (and verified that I did not incorrectly handle any client funds/ trust accounts) as soon as I realized the error, together with the penalty fees, which were not insignificant. The general public who are not familiar with these actions, may likely view these notices as indicating that I am negligent in my duties as a lawyer, which is not the case.
322		No		Nonattorney	D	The primary role of the CA State Bar is to protect the public and maintain the integrity of the legal profession. Transparency regarding a licensee's disciplinary history is crucial for the public's ability to make informed decisions when selecting a lawyer. Expunging records of non disbarment discipline will undermine public confidence in the legal profession by obscuring past issues of concern. While it's true that a public record of discipline can affect a licensee's reputation, this is also part of the accountability that comes with the profession. Past disciplinary actions, even if they are not disbarments, can provide valuable context for understanding a licensee's professional history.
323	Kelly Sackheim	No		Nonattorney	A	I was self-represented as Respondent in a Sacramento, CA divorce proceeding from June 2020 - November 2021, from my new home in upstate NY (by mail & online appearances). The Plaintiff's first attorney, Tiffany L. Andrews was replaced after the filing of a Petition that clearly misrepresented the facts at hand. The Plaintiff's second attorney, Law Offices of Fredrick Cohen, pushed back until my Ex paid me \$30,000 more than my offer 6 months earlier, in addition to Mr. Cohen's expenses. Because my Ex wouldn't blame his attorney for the outcome, my presentation of the facts yielded no sanction from the Bar Association that ONLY considers evidence by the party retaining an attorney. The "Administrative" and "Public" discipline DO warrant removal after 8 years, HOWEVER, the ability to petition for the "Public" discipline should be expanded.
324	Fernando Navarro,	No		Nonattorney		--
325	Candy Ferreira	No		Nonattorney	A	It's very important that it be expunged if the items noted in the proposal are met. Specifically these 2 notes in the proposal: 1 - The lawyer must have no complaints in 8 years. 2 - Although it will be expunged, the record remains but will not be made public.
326		No		Nonattorney	A	--
327	Lynda Rumburg	No		Nonattorney	D	When an infraction is made against a license that is issued by the state of California for conducting business in the public sector, there should always be transparency, and the ability of the public, to see any infractions or any revoking of a license for any reason to be able to make a informed decision if they choose to hire the state license. The ability to look up information on California licensed attorneys with the California state bar for me personally was a plus and helped me to find out that the person that I had hired as my attorney had fraudulently represented themselves and the California state bar helped me file season letters against him and submitted it to district attorney Sacramento for further investigation plus possible prosecution. As a le person having the ability to look up a background on someone that is going to represent you in the complex field of the legal system is incredibly important and should always stay transparent
328		Yes		Nonattorney	D	If the desire were actually "to further the efficiency, effectiveness, and fairness of the discipline system" you would have to actually discipline attorneys, and a permanent record of such discipline would serve as encouragement for individuals to avoid misconduct. Experience indicates the Bar Association has no interest in discipline or control of conduct.
329	Erik Andal	No		Attorney	AM	Most severe violations should be studies, to determine if only certain violations are expandable. Perhaps if criminal convictions were part of the discipline, that discipline record expungement rules should mirror those of the criminal convictions.
330	Cecelia Ingersoll	No		Nonattorney	D	Do not modify California State Bar Standards For Attorney Sanctions for professional Misconduct section 1.5 'Aggravating Circumstances' and 1.8 Standard 1.7 Determination of appropriate sanctions Standard 1.8 Effect of prior discipline of the sanctions for professional misconduct' should remain in place for the protection of clients. Public records available to potential clients provide information that guides the decision process of selecting reliable legal representation. Expungement or removal of disciplinary actions and misconduct should remain available to the public. Expungement of record violations and disciplinary actions compromises reliability of information resources, which are vastly important. Records of disciplinary actions should remain available for review and consideration. It is imperative potential clients have access to records that aid in making important decisions pertaining to legal representation. Attorney's that violate professional codes of conduct must be h
331		No		Nonattorney	D	I think every attorney should be accountable to their actions. They have taken an oath to follow the Bar policy and therefore held accountable to that.
332	Jeff Peterson	No		Decline to state	AM	I would not have a problem with the ability to get relief from State Bar discipline if the State Bar was not so lenient in overlooking misconduct. I truly believe that more attorneys should be subject to discipline, but they are not because they are protected. If attorneys were held to a higher standard of ethics and disciplined appropriately when they fall short, then I would agree (or even would support shortening the time period to 3 or 5 years) to get that discipline expunged. As the culture of ethics currently stands, this proposal is ineffective.
333		Yes		Nonattorney	D	--
334	James Williams	No		Nonattorney	D	I am not an attorney and not a college graduate but I had complaint against an attorney in order with facts to back it up. And it went no where the Cal Bar dismissed it no regard to the complainant. When you file a complaint against sessioned attorneys you gonna lose and sometimes if enough people complain and it starts to generate a pattern of misconduct. Then someone has to start listening and take note. But if they are allowed to expunge records then they can hide patterns of misconduct.
335		No		Nonattorney	D	--
336		No		Nonattorney	D	I believe that an attorney should be held to higher standards and no record no matter how minor should be able to be hidden from the public.
337	Garry Masterson	No		Attorney	D	I believe all discipline should remain public record so clients and the public can view. If anything should be allowed a one time expungement, it should only be dismissed allegations.

338		No		Nonattorney	D	<p>The system is already broken. Attorneys are not disciplined to begin with.</p> <p>When fighting for my Granddaughters life a SB attorney took 10k from me and never performed a single action in several months. NOTHING! I reached out to the bar association and was told he did everything he was hired to do.</p> <p>The time lapse caused her to suffer longer and the money was all I had left.</p> <p>The system is evil!</p> <p>Good attorneys don't need this forgiveness because they do the right thing to begin with!</p> <p>Where is the disciplinary action of the bar association for not recognizing wrongdoing in the first place!</p> <p>The whole point of asking the public is useless until the bar starts actually disciplining the attorneys properly to begin with.</p>
339	E J Medal	No		Nonattorney	D	<p>There is no expungement promotion for those who work as public servants! This should even be considered! The public is the one that suffers in the hands of corrupt city attorneys who work with judges to suppress evidence and promote motions that definitely hurts one party more than the other! We are in the period of the world where we the public need to judge with more strenuous consistency any public servant because the abuse, and the position given to any public servant goes beyond what anyone should be doing in our society! this why we are in the place we are in because of the corruption, cover ups, and lies that we have recently seen in court cases!</p>
340		No		Attorney	A	--
341		No		Nonattorney	D	<p>Attorneys must be held accountable for their actions whether or not if the State bar chooses to take disciplinary actions or not. This rule further degrades the public trust that the state bar is accountable for acting in the best interests of the public rather than protecting attorneys misconduct.</p>
342		No		Nonattorney	D	<p>Your proposal wants to let Attorneys go free when they have NOT acted according to your Code of Conduct,, I am thinking.. When a person files a complaint to YOU and that person gets a letter from YOU about a complain the person submitted - stating: You have reviewed the complaint from person and the response from the attorney,, and sorry to say the person has been ruled against,, in favor of attorney. There is NO respect for your office from this person.</p>
343	melissa kellner	No		Nonattorney	D	<p>Non-disbarment discipline needs to STAY PUBLIC indefinitely for attorneys since many are repeat offenders, such as the unprofessional attorney who bullied me into taking down a truthful 2018 Yelp review when my rent was increased 20% after the first year. Reporter Kristine Lazar from KCAL News did a full primetime story on the unprofessionalism of the attorney and helped me retrieve my security deposit which was unlawfully withheld. My report to the CA Bar did not provide me with any help other than a record of reporting the incident. The incident needs to stay public so that regular citizens can have access to information on repeat offenders. It is ridiculously unfair for attorneys to bully tenants and then have no public record of their actions when regular citizens have gone to the trouble to report their offensive behavior. Just because POTUS has immunity from crimes doesn't mean attorneys should be afforded a clean slate for egregious behavior.</p>
344		No		Decline to state	D	<p>The California Bar's lack of police powers to investigate, and woefully inadequate staffing is already an extreme tilt toward attorneys. Attorneys routinely abuse clients, steal from clients with unreasonable billings, invent "fees" and conduct boiler room style operations like "Wade Law" (and others). The majority available to citizens of ordinary means are predators. Many have drug/alcohol problems. The bar metes out "sentences" like 6 months suspension (see Flowers) after stealing money for years from clients. Attorneys team up to fleece clients as a matter of course, throw cases for those who can afford the bribes, and good luck proving it, absent the most flagrant. The bar privilege is unique in its power in society. The bar should ensure all interactions with law enforcement and the bar are on record, with no expungements, always publicly shown, and easy to find. (Name withheld for fear of retaliation.)</p>
345		No		Nonattorney	A	--
346	Gregory Yacoubian	No		Attorney	A	--
347	Duane Hartman	No		Nonattorney	D	<p>I am currently going through a 8 year nightmare with an attorney that constantly mocks litigants in court. He has been in trouble with the bar for doing illegal activities such as solicitation of prostitution and violating his fiduciary duties to his clients. This attorney has made a living lying & cheating families and has made a reputation of this in the last 20 years. Attorneys that break the law or violate any of the rules should be held accountable and their record should be transparent as long as they has a license. Attorneys that practice have a huge advantage over pro se litigates and are able to use the law to their advantage.</p>
348	C Edward Schrader	No		Nonattorney	D	<p>As a participant in California's legal system for approximately twenty years, I have seen a lot of attorney misconduct. I report it to the Bar, and as a whole, find the Bar protective of attorneys. My Bar complaint that attorney Kelly Shindell provided -proof- she was knowingly presenting a false statement of fact to a court, but Ms. Shindell was not disciplined -at all- for her blatant rule violation.</p> <p>Chris Leuterio submitted false proofs of service, and I providing proof. The bar declined to pursue the matter. I had to -escalate- the matter to get an investigation by the bar, which ultimately resulted in Mr. Leuterio being suspended.</p> <p>The Bar's mission is to protect the public. It is the -only- basis upon which to decide whether new rules advance the Bar's mission. Not comparisons to other professional organizations, not public trends in reducing sentences. Expunging records of doesn't protect the public - it protects attorneys.</p> <p>I'm disgusted by the proposed rule and DISAGREE</p>
349	Galina B.	No		Nonattorney	D	<p>The proposed policy and rule related to the expungement of attorney discipline and administrative actions raises several concerns:</p> <p>Expunging disciplinary records can undermine public confidence in the legal profession. Transparency about an attorney's past misconduct is essential for maintaining trust in the legal system. Allowing expungement may reduce accountability for attorneys. Knowing that disciplinary actions can be erased might lead to less deterrence against unethical behavior.</p> <p>Furthermore, clients have the right to make informed decisions when choosing an attorney. Access to an attorney's disciplinary history is crucial for clients to assess the attorney's professionalism and reliability. Expunging these records could allow attorneys who pose a risk to continue practicing without scrutiny.</p> <p>In summary, expunging attorney disciplinary records can diminish transparency, accountability, and trust in the legal profession, potentially putting clients and the public at risk.</p>
350	Kristopher Monterroso	No		Decline to state	AM	<p>What you propose sounds good for the attorney yet there should be a "moral fiber clause." That if this second chance does not work, and the attorney takes negative advantage of the remedial action then the bar has ability to overturn the expungement. As an added protective measure to the public, the California bar does not condone fraud, waste or abuse of It's members or staff. I also Suggest the community in which the Attorney serves be notified of the petition of expungement. Especially if there are people who were affected by the attorneys actions. They should also have a say, asked whether the attorney deserves a second chance. Under Marcy's Law Proposition 9, Victims have rights to be notified of their offenders due process. I believe this was not considered, and should be amended to include protection for the victims of these actions from the attorney. This is a proposed solution. I see that there is a loophole for bad attorneys to continue with practice without consequences.</p>

351		No		Nonattorney	D	I am shocked anyone would want to callously hide information from the public. Whoever has proposed this does not care about the critical degree to which that attorney can affect a client's life through misconduct. There is rarely a way to undo such harmful actions, and as someone who has been personally damaged by an attorney's misconduct, I urge you to discard this proposal and never consider such proposals in the future. The public should have access to all information up front. There is no good reason to hide what has been done by an attorney's own hand, and doing so would have one effect. Less transparency, and an immediate harm to the public interest. It does not matter that the attorney that harmed me was prosecuted. The damage to my life remains, and anyone looking at this attorney in the future should know exactly how this attorney conducts himself at first glance, and save themselves. His name is Amir Dibaei, and you do not need to protect him, or any other attorney like him.
352		No		Nonattorney	D	There is too much corruption in legal profession don't encourage anymore corruption.
353		No		Nonattorney	D	DO NOT permit one-time expungement of nondisbarment discipline from a licensee's public record of discipline. This information needs to be available to the public when making informed decisions to hire an attorney.
354	Clayton Trevor Fabeck	No		Decline to state	D	No Attorneys should be held to an extremely high standard for the entirety of their life. There needs to be annual mental health evaluations and ethics/morality tests mandated to people with the power to financially and emotionally destroy lives by abusing the inefficiencies of the legal system.
355	Erika Roman	No		Attorney	A	the length of time is extremely long.
356	Christine	No		Nonattorney	D	A close relative of mine had a case against him and all his court-appointed Public Defender did was try to push him into a program for drug addicts, which he has never been. This man refused to answer questions, did not know the financial effect it would have on his client, on and on. I made the complaint against him as my relative was still in jail. I would never want to see any of those facts expunged from that attorney's record.
357	Expungement should not occur for any reasons. Most attorneys are morally corrupt and have contributed to the decay of society and humanity. Attorneys already have free reign to exploit and damage the innocent and deny society the right to justice: The best liar with the most money wins. The State Bar is an ineffective and greedy organization that does nothing good for the people but instead protects bad attorneys. Enough is enough. Attorneys do not need anymore free passes.	No		Nonattorney	D	The current court system is ineffective and corrupt. All courthouses need to shut down; all judges and attorneys need to be put out of business. Attorneys have created an illegal monopoly: \$5,000-\$10,000 retainer fee; \$450/hour. Most judges despise Pro Se litigants and side with attorneys and parties with attorneys thus denying justice. Court houses need to be turned into Mediation Centers.
358		No		Attorney	A	<p>The issue with the state bar website having suspension acts is that malicious actors can use negative information about their attorney.</p> <p>For example, I had a client who complained about me to the bar. The bar sent her a copy of the state bar findings in my case. The client immediately posted a summary of those findings on YELP using an alias. This same client has for years been sending hate mail to me and my staff using foul language and repeatedly threatening to report me to the bar. Once she lodged her state bar complaint she then proceeded to repeatedly call me and send emails stating "the bar is investigating you!!" Etc. The client was in pain from an injury, but we could never get a professional to document her case, despite sending her to over a dozen potential experts. I never made a dime on the case.</p> <p>Public negative information about attorneys assists the malicious actors in our society.</p>
359	Andres Deharo	No		Nonattorney	NP	--
360	Neil Dorval	No		Nonattorney	D	Attorneys should have much higher regulations, guidelines, & standards. They get away with way too much. Their requirements in retainer agreements should be strict. They should not be allowed to accept a downpayment toward a contingency recovery. Mostly because they often file a motion to sub out, claim = material difference, which is not defined. Judges grant this saying they are not indentured servants. They have option to place their client in a position to have to litigate to get their money back, which they need for a new contingency agreement. State bar requires them to be disciplined before security fund will demand retainer be returned, even if retainer agreement supports the client. That is absurd. .. Standards for language in mediation briefs should also be more strict. Attorneys should have to base such #s on supported law. They say, all attorneys due that. And a nightmare ensues in every mediation. Fix IT! Attorneys hoped have zero relief. Strict guidelines! Higher standards
361	Discipline and suspension records stay on the record for the public to download and read permanently.	No		Nonattorney	D	Keep the discipline or suspension records permanently. 90% of all lawyers are not honest,
362		No		Decline to state	A	Attorney's should be entitled to this relief sooner. Relief after five years from when a punishment is imposed sounds more reasonable.
363	Sheri Hoffman	No		Attorney	AM	My position is that the expungement should apply after 3 years, not 8.

364		No		Attorney	AM	<p>Dear Board of Governors,</p> <p>The proposed New Rule 9.33 is a welcomed step to address the effects of discipline unrelated to the practice of law. I unfortunately experienced two alcohol related misdemeanor convictions unrelated to the practice of law that resulted in two separate State Bar disciplinary actions. Both convictions occurred over 10 years ago. I have never been disciplined for my actions as an attorney in 31 years of practicing. I propose that the rule be modified to allow the expungement of any misdemeanor conviction after ten 10 years of completion of state bar probation and upon a showing that the conviction has been expunged pursuant to California Penal Code Sec. 1203.4. The convictions on my State Bar listing have been devastating for me both professionally and personally. The modification I propose is consistent with California law and ensures the protection of the public as convictions would not be expunged for ten (10) years. This provides fairness for rehabilitation.</p>
365		No		Attorney	A	--
366	Noah Rosenthal	No		Attorney	AM	<p>"The licensee must not have any disciplinary matters pending in State Bar Court or before the Supreme Court at the time their prior discipline is expunged."</p> <p>This provision is going to be a disaster. It will incentivize OCTC to pursue questionable pursuing charges against members who they are investigating simply to prevent expungement of an older record that is coming up for expungement. There is no reason to put OCTC in a position where they might feel pressure to act too quickly on investigations.</p> <p>It would be better to NOT have expungement than to have expungement with this provision.</p>
367		No		Attorney	AM	<p>Everything, not just one nondisbarment-related suspension, after 10 years of perfect licensee compliance, should be removed from his/her public record, especially if the infractions were financial in nature, due to a lockdown, recession, and/or otherwise tight legal job market. Such a 10-year rule would provide all licensees who were disciplined for the late payment of Bar Dues, MCLE reporting, etc. with a "fresh start," after that afforded by The US Bankruptcy Code, wherein most Chapter 7's and Chapter 13's drop off the credit report after 10 years. Otherwise, The Bar is in effect stigmatizing some of its longterm compliant licensees with a "Scarlet Letter" that will continue to harm their employment opportunities. This is unfair and unjust. Licensees who have been totally compliant for 10+ years should have their nondisbarment-related public discipline wiped clean. They have earned the right to have their "Scarlet Letters" removed and hireability restored; let's do it!</p>
368	Lauren S. Lofton	No		Attorney	A	<p>Given the disproportionate impact of disciplinary proceedings on Black, Indigenous, People of Color + those from historically marginalized groups this would be one step toward equity and fairness as well as efficiency and effectiveness. There is still a large impact in having a disciplinary record for close to 8 years, and having to not have more than 1 disciplinary action to be eligible for expungement. I would prefer a policy that would not take 8 years, and instead would be closer to 3-5 years given the potential impact on one's career. It would also be helpful to have a severity test in terms of number of years as it relates to the discipline matter at issue. Thank you for your consideration.</p>
369	Dave	No		Attorney	A	<p>The State Bar will maintain the record, that is important. However Administrative actions should never be publicly displayed. This unfairly damages the reputation of attorneys, especially when the public has limited understanding of what is involved. Administrative actions should just be like a fixit ticket, when resolved it is over and should not be displayed period.</p> <p>As far as discipline, once the member has resolved the issue it should be removed (disbarment should stay, because that is a very serious breach of public trust).</p>
370		No		Attorney	A	<p>In 2005-2009, I had two young daughters was going through a divorce and career change to leave the law. I literally did not have enough money to pay both my bar dues and electric bill. I chose to keep the lights on. That has been a stain on my bar record since and the embarrassment has prevented me from returning to work as an attorney.</p> <p>Discipline records related to unpaid bar dues should not appear in the record in the same way discipline for ethical or other violations do as they are extraordinarily different circumstances. There should be greater opportunities for expunging solely fee-related suspension records from an attorney's public profile and such history should appear entirely differently than other types of suspensions. 8 years is too long a time for such a consequential record to remain in a public database. An attorney should be able to have such a record expunged within two years from its occurrence.</p>
371		No		Attorney	D	<p>The State Bar has a fundamental responsibility to protect the public. Discipline is only imposed after a comprehensive and rigorous investigation. Many attorneys who face disciplinary action may never appear on the State Bar's radar again, as they may not be caught engaging in misconduct. Expunging records of such discipline would undermine the public's ability to make informed choices about legal representation and, in fact, would likely harm the public interest.</p>
372	Peter Walzer	No		Attorney	D	<p>I oppose this change in the rules. The public has a right to know if an attorney has a prior discipline issue. Expunging the records prevents the public from knowing about any issues the attorney may have had in representing clients or handling client funds. If the client has this information, they can decide for themselves whether the information is relevant for their case. The more information the potential client has, they better position they will be in to select the right professional for their matter. A consumer should know if their attorney stole funds from their client trust account whether it happen a year ago, 5 years ago, or 10 years ago.</p>
373	Narvella Slack	No		Nonattorney	D	<p>I filed 1 personal injury claim. I found that the attorneys doctors determined and wanted exclusive control over my healthcare pertaining to this injury.</p> <p>The results seem to be more for them.</p> <p>I found my attorney to be disingenuous. I don't think he was even read the file a knew the full extent of my injuries before making a settlement with " I know these people I have. I have a relationship with these people." That relationship was probably more beneficial to him than it was to me.</p> <p>I received numerous calls, trying to negotiate my percentages after it was already established. He failed to abide by the contract He made! And other words to minimize their original agreement, In spite of my broken foot and being in a boot for over a year. This was confirmed by two doctors, I felt that I was not adequately compensated! He kept much more than agreed upon!!!During the time for payoff, he tried to take ever cent. TRANSPARENCY & ACCOUNTABILITY is NECESSARY. We need to know their character.</p>
374		No		Attorney	D	<p>I think the public is always entitled to know whether an attorney has been disciplined. I practiced law for 42 years without any problems, and am very proud of that. I believe that the public should know that, too, when they choose an attorney.</p>

375		No		Nonattorney	D	I completely disagree with an expungement of an attorneys misconduct from public record. Having been a victim in the past and currently of an attorneys misconduct. The State Bar tends to babysit and hand-hold conduct detrimental to clients in favor of attorneys by giving them the benefit of the doubt. I had an attorney claim we had never had a retainer agreement and never been paid, refused to turn in a response within 30 days twice to a bar inquiry. This case before the bar is over (7) years old now and still not resolved. I provided proof of retainer agreement signed by attorney and client, proof of payment, along with proof of attorneys failure to appear causing my case to be dismissed. This case clearly has influences within it that is unethical. The bar association for this particular state has allowed the attorney to continue to practice even while telling me for the past three years the case is before the State Supreme Court to be heard. I absolutely oppose expunging a record.
376		No		Attorney	A	If discipline is not supposed to be punishment, including aged disciplinary records that place metadata on every single word in certain disciplinary decisions so it comes up in every possible online search, clearly seeks to destroy an attorney's career and life. By the time the records would be expunged under this new proposal, everyone that had something to gain from imposing the discipline has already gained what they needed to. There's no reason to continue shattering an attorney's life.
377	This proposal would entitle this monster to ruin someone else's lives. . .then I say NO. I've been placed on the streets to live and I've done nothing WRONG this act of Mr. Silverstein was cold and calculated very intentional. If you want to end homelessness I'd shoot this mf	No		Nonattorney	D	Let Steve know FEDERAL AGENTS AND MARSHALLS want to have a little chat with him
378	Meryl Rizzotti	No		Nonattorney	D	The Bar is more concerned with protecting the dues paying attorney rather than protecting the interests of the client victimized by the attorney. The Bar's position is that the attorney is always right and every excuse in the book is made so that the attorney will not be castigated. The investigatory procedure by the Bar is cursory at best. The Public Trust Liaison was established after Tom Girardi stole his clients' settlement. The complaint has to be extremely egregious before the Bar takes action against one of the crooked attorneys who may not have stolen the settlement but caused serious harm in other ways. As far as I am concerned every complaint against an attorney, no matter how minor, should be published so the potential client can protect themselves because it's a given that the Bar will never help the attorneys' victims after the attorney commits the offense. My life has been destroyed not only by the crooked, unethical attorneys but by the California State Bar as well.
379	This is a long time coming. Attorneys suffer long term reputational harm long after any disciplinary charges and despite the fact they have been completely rehabilitated. Rehabilitation is established by long legal services rendered without any disciplinary problems. Furthermore, even felons enjoy the opportunity to have their records expunged but so far not lawyers. This should be implemented forthwith.	No		Attorney	A	This is a long time coming. Even felons have the opportunity to expunge their records. This should be adopted in the spirit of fairness.
380	Mark	No		Nonattorney	D	The proposed new rule 9.33 of the Rules of Court regarding the expungement of nondisbarment discipline should Not, I repeat NOT be passed. The quality of the state bar investigations is highly suspect. In my case, the lawyer who failed to do her job was questioned and no one else. Though corroborating witnesses' names were supplied, they were not contacted by the state bar. Therefore, the only way to keep some semblance of justice is by the sheer quantity of complaints that a lawyer receives. If enough complaints are received maybe that lawyer's poor reputation will suffice to make him or her go out of business and not hurt further clients.
381		No		Nonattorney	D	Proposed New Rule 9.33 - If the only option is disagree with a recommendation - The non-discipline expungement complaint should stay on record for those seeking background information on an attorney's comportment. It is a matter of ethics, and I believe, given that it's difficult enough for an attorney to be disciplined under your policies, it is greatly valid.
382		No		Decline to state	D	Expungement proposal in a new rule
383		No		Decline to state		--
384		No		Nonattorney	D	--
385		No		Nonattorney	D	--
386		No		Nonattorney	D	this would remove the protection of general public from scum attorneys

387	Cd feak	Yes	Cto of ps advanced engineering llc	Nonattorney	D	<p>My company is dealing with a law firm right now who took all of our money up front and has done nothing with our second district court of appeal civil case. I don't believe that shielding any attorney or law firm from discipline such as warranted by the California bar administration is a good idea in the public interest at all.</p> <p>This is only a benefit to attorneys who have stood outside of the law in their practice and and in conduct outside of ethics such as the case with his law firm that we are suing</p> <p>We do have a complaint filed with Cal bar for particularly egregious behavior and taking money lying to us about what they were doing in our case causing four separate notices of default to be sent to our firm for inactivity on the part of this law firm with virtually no response at all from that firm as to what has happened or what might happen or what is going to happen with our ca California bar should not beconsidering lessening public knowledge</p>
388	Misty Mcinchak	No		Nonattorney	D	<p>It is a great possibility at this point that my father's estate of \$1,500,000 has been stolen by the attorney. I reached out to the California barr association and my pleas for help were pushed under the rug. I have requested proof of funds for my father's estate and have yet to receive it. The funds came from an incredibly undersold apartment complex at 599 Irving Ave in Monterey, CA which sold over a year ago. The inheritors have not yet seen any money for this. I strongly disagree that penalties for dishonest attorney should not have a penalty. I believe that people should be held accountable for misconduct.</p>
389		No		Attorney	D	--
390	Matthew	No		Decline to state	A	<p>This is brilliant. We all make mistakes; it's part of being human. But, in the context of lawyering, some errors are unforgivable and rightly lead to disbarment. Yet, for those attorneys who have not gone past the point of no return—this new rule offers a beautiful opportunity for redemption, a 2nd chance.</p> <p>Limiting this to once only was wise and practical. As lawyers, we are rightly held to incredibly high standards, and the consequences of our mistakes can be severe. However, it is comforting to know that, provided an attorney can meet the stringent criteria, they can receive a "get out of jail free" card, giving them a priceless fresh start in their almost sacred public record.</p> <p>As for the Bar, this Rule doesn't undermine the integrity of the disciplinary system, as the expunged record remains accessible for internal use. Should the lawyer re-offend, the Bar can impose discipline as if the expungement had never occurred.</p> <p>"To err is human, to forgive divine". - Alexander. Pope</p>
391	Raul A.	No		Nonattorney	D	<p>We need transparency. The more we can have record of an attorney. The more likely they will take their role more seriously. I've been a victim of attorneys bad faith tactics to turn a greedy profit. Multiple continuances, asking for evidence to run as expenses that they did not intend to use, leaving you in court to rely on a testimony making their efforts minimal etc. I propose a document that they must provide to the client signed with more public information from their acts as attorneys.</p>
392	Shenji Liu	No		Nonattorney	D	<p>Public record is the important resource for a client to check the qualification of an attorney. Expungement of nondisbarment discipline from a licensee's public record will deprive consumer's basic right to select qualified legal counsel.</p>
393	Aneeshah Powell	No		Nonattorney	D	<p>Disciplinary actions, regardless of severity, should ALWAYS be readily available and viewable by the public. Not showing them is not aligning with transparency nor is it giving the public an accurate view of said attorney's background and disciplinary record.</p>
394		No		Attorney	A	--
395		No		Attorney	A	--
396		No		Nonattorney	D	<p>It is my and my wife's opinion and I'm sure many others opinion as well that any attorneys disciplinary action be available for any to see as long as they are practicing law. If a criminals record is made available for any and all to see indefinitely the same rules should be made to apply to those defending and prosecuting said criminals or those accused of a crime. Any disciplinary action must be made available for anyone to look up.</p>
397	Shelby Gardella	No		Nonattorney	D	That would be inconsistent to the public's best interest
398	It's horrible that when your going threw something devastating or for the first time you seek help and you get hit again ... attorneys take a oath!! But don't stand by it ...u see it all the time and so us seeking help pay for it Everytime ...greedy ..money hungry attorneys should be disbarred and it should show what they have done not for 60 or whatever days all the time !!! Don't hind there crimes we need to know ...as a person that got taken advantage of oaths don't mean anything and	No		Nonattorney	D	Trust is only when you have money
399		No		Attorney	AM	--
400	Shanaz Bina	Yes	I am the owner of an LLC, Falcon Hill Vineyard . I had been sued personally and my entity, by the private attorneys of the city of	Nonattorney	D	<p>I am sure you have received my several complaints to LA county Bar association regarding the attorneys who sued me. I emailed my complaints 3 times, and again with certified mail since last 3 years ago, but I never received a number or any emails acknowledging that you had received them. I called many times to follow up with the LA county Bar association, stayed on line for hours while the attendant were looking for my complaints, finally they find my complaint but no response after that. My complaint against this law firm was that they committed fraud in documentations submitted to court (I have proof), the judge Huey Cotton over looked it and did not apply the doctrine of clean hands, and ruled against me, it was a civil case, now they penalty is \$600,000. For my trying to plant trees in my agricultural land that they called grading without permit. This Law Firm is : Dapper, Litvak, Rosenblit, Markus.</p>

401		No		Nonattorney	D	Disciplinary actions should be public. Some, not all, attorneys do abuse their power, are abusive, threatening & retaliatory & knowingly crossing the norms of decency feigning the guise of litigant privilege to with conduct of false accusations & retaliation. The records of those attorneys need to be public. The result of attorneys without public accountability of their behavior outside the guard rails of reputation in the public square of digital records would be reckless & devastating to the public's availing due diligence. My plans as a victim, is after a perhaps year investigation report if no action is to be taken to proceed w/ appeal before the California Supreme Court as no attorney should engage in unlawful retaliation towards a permanently disabled person w adverse actions& threats of intimidation for excersing ADA rights. Without publication of disciplinary actions this attorney & her clients would not be deterred & so yes attorney to disciplinary publication.
402	Dorothy Balandis	No		Nonattorney	D	I am against any kind of expungement for an attorney who has broken the law and his duties as an attorney. I was in a lawsuit against a crooked lawyer who just wanted to extort money from me and my son. It cost me thousands of dollars to defend myself and my son. The idiot attorney lost case and now has appealed it. It just doesn't stop with this moron. The bar will not do anything because it is still on going case. This man needs to be disbarred asap. He is suing innocent people because he thinks they will pay up because he is an attorney and knows the law. Well he doesn't and it just a waste of time and money for everyone involved. His name is John Kara's #115833. So I am not in favor of any of your proposed changes.
403	James I. Ham	No		Attorney	AM	I support the proposed rule but urge you to modify the rule to provide that the expungement occur within the LESSER of eight years after a private reproof or termination of probation OR TEN YEARS after the date of the disciplinary offense. This makes sense because the State Bar may bring charges many years after the misconduct actually occurred. For example, OCTC may file charges in 2024 for misconduct that occurred in 2019. If the rationale for expungement is that a lawyer is entitled to have a record of discipline removed from the member's profile because the offense is old or dated, it makes sense to provide that a discipline record should be expunged after the lesser of 10 years from the date of the misconduct or 8 years after the discipline. Thus, if an attorney is prosecuted for a 2019 DUI in 2024 and receives a private reproof, the record of the private reproof would be expunged in 2029 rather than 2032.
404		No		Attorney	AM	Make it only five years.
405	Brian H	No		Nonattorney	D	The public deserves transparency. Already, there is not enough easily accessible information about bad-acting attorneys. This is material information that potential clients have a right to know. If an attorney has a record with the Bar, this should not be hidden from view in any way. It's shocking and concerning this is even being proposed. This in no way serves the best interests of the public and gives a free pass to attorneys who commit infractions.
406	Becky Muradian	No		Nonattorney	D	Courtney Lui was negligent and caused me to lose my professional license, presenting documents that were sealed by my lawyer. It is permanently posted on the BRN website. She does not deserve better. Her negligence should be posted as well.
407		No		Nonattorney	D	In my opinion, tougher long-term restrictions will go to reinforce better ethics and less foul play risk taking from licensees of any profession. Despite that 8 years is certainly a significant amount of time passage, I would recommend not withdrawing pertinent information from the public.
408		No		Attorney	AM	8 years from date of probation ending is ridiculously long and excessive time period. Basically offers no relief at all.
409	Heather Dawn Carter	No		Decline to state	AM	A one time expungement of public or private attorney rebuke under new rule 9.33 should be granted when: *in the the best interest of Justice, and *as a necessary litmus requirement in maintaining the safekeeping of the common good. Settlement or civil relief on behalf of the injured party should be satisfied under new rule 9.33 when: Ø strategic errors in attorney tradecraft involving proper service or improper questions concerning venue or locus standi have entered the public domain for the purpose of public debate, discussion, or discourse. In re Keith Trout v. County of Madera , ET AL, No. 22-16177 (9h. Cir. 2023) (Fighting words doctrine , privacy rights regarding issues of public concern and public domain, and proximity see in re SNYDER v. PHELPS (No. 09-751) 580 F. 3d 206, affirmed.) Further, A one-time expungement should be granted under new Rule 9.33 so as to assist with declaratory relief when in the best interests of justice, and when: *a client or potential client is in receipt of a government right to to sue notice, and *when sovereign immunity litmus requirements have been met. (State Bar Complaint No. CSF No: 22-F-10306 (Culy-Carter) SB #211060 SB #115012
410	Absolutely not! Said attorneys are negligent/discriminatory enough. -Timothy Jones	No		Nonattorney	D	See additional comments sent at secretariat@calbar.ca.gov
411		No		Attorney	A	--
412	Miguel montes	No		Nonattorney	D	Alot of lawyers have mastered the manipulation of the respected system Prior to becoming legal counsel. lawyer's pledge to follow a strict set of guidelines rules do's&don't !But after they feel comfortable enough to start just taking their customers money and not even show up to a court date or like the DTLA LAW GROUP That took on my case and for a whole year. I didn't know who my lawyer was. I didn't know that's the name. I tried contacting them several times and no response. They ended up dropping my case and then the party that. I was sewing.Then Started The process of Sewing Me Save They picked a Person Randomly and attached him to my case Because we never spoke of Is an actual person being AT FAULT Long story short?! believe if you guys make another LOOPHOLE For the manipulating lawyers To use in Improperly it will not only give them More space space to continue to manipulate And sTEAL from the public Which is what we the people do not deserve.It's already been way too much
413		No		Nonattorney	D	
414	Thomas Newell	No		Nonattorney	A	Sometimes performance of duties can become difficult to impossible due to personal circumstances; Folks deserve a mulligan, but they should also get help to prevent reoccurrence
415		No		Attorney	A	A great idea for allowing attorneys to expunge old convictions. Living with the scarlet letter on their attorney record for life is unfair and not reasonable. Please allow attorneys to clear up their record and move on.
416	Roberta Vu	No		Attorney	AM	Would like to consider discipline in other states prior to expungement. If the attorney has received discipline in other states, then the cumulative conduct would not meet the requirements of 'one time relief'. Any California acts receiving discipline would be one- +; therefore, not eligible for relief. While I do agree that from time to time a one-time act can result in disciplinary action, I do not believe it acceptable that actors go from state to state taking advantage of 'one-time relief' scenarios.

417	Anonymous with former horrible lawyer	No		Nonattorney	D	Every infraction should be documented and searchable. Lawyers wield an incredible power over people in very vulnerable positions, relying heavily, if not solely, on their lawyer's discretion, honesty and work ethic. Just because the lawyer is not disbarred, does not mean their bad judgement or poor choices are not important. They absolutely are! Unscrupulous lawyers take advantage of the situation, and if a lawyer is completely above board and truly in their client's best interest it won't be an issue to have their full record public at all times. They should be 100% transparent at all times and only be worthy of new business if they make the best choices for their clients. Expunging anything goes against the client's best interest and that is all that should matter.
418	Andrew Kohn	No		Attorney	A	--
419	Gabe Ortega	No		Decline to state	D	I have just completed 16years of family law litigation. When a person who is new to the process or is going to consult a new attorney for representation-they should have the ability to look up the history of an attorney to educate themselves. Most want a representative with high moral standards, not someone who knows the ins and outs of the legal system to their clients benefit.
420	Christine	No		Attorney	AM	One of the terms should be amended. The proposal reads: "(2) Only licensees with one discipline are eligible for expungement" I believe that any history should be expunged after 8 years. If there is a concern about numbers of discipline, you may write 1 discipline case number is 8 years. 2-3 disciplines case numbers = 16 years from the date of violation. There should be some way for an attorney with any discipline to be free from a negative record. For example, I propose the following language: (2)(a) Licensees with one discipline case number are eligible for expungement after 8 years. (2)(b) Licensees with two-three discipline case numbers are eligible for expungement after 16 years. (2)(c) Licensees with four or more discipline case numbers are eligible for expungement after 24 years.
421		No		Nonattorney	D	We will have less information to help us in choosing a right attorney.
422	Thomas Allen	No		Nonattorney	D	While this proposal is more reasonable than other similar proposals, removing any discipline from the public record is not in the public interest. In my own state, I have noticed that a disciplined / suspended attorney was giving out false legal information as a guest speaker at a county event. The suspension record may have played a part in why future information was provided by the Office of Law rather than the cronies.
423	Resurreccion Marquez (Gayle)	No		Nonattorney	A	Only when all court judgements have been paid / satisfied to the affected clients to make them whole again.
424	Liz Cook	No		Nonattorney	A	I am fine with a expungement as we are all human and make mistakes. However, if you defrauded people and stole money from your clients or profiled them to insure they did time in prison then no they need to lose their license.
425	Mayuki Yanagawa	No		Nonattorney	D	The work conducted by the lawyer is very special and professional. Any information pertaining to each lawyer should be kept in the archive and be open to the public.
426	George S. Cardona, Chief Trial Counsel	Yes	Office of Chief Trial Counsel	Attorney	AM	Additional materials submitted. Attachment Linked
427	Vanessa shanley	No		Nonattorney	D	--
428		No		Nonattorney	D	As previously stated on the other survey (Removal of Non-disbarment Discipline), why would you make it more difficult to discover perhaps pertinent information for engagement of an attorney when you may be asking that attorney to represent you in a potentially life-altering situation?
429	Jose Castaneda	No		Nonattorney	D	--
430	Jasmine Jones	No		Nonattorney	A	Accountability is very important from the state and its licensed professionals when there is an alleged or convicted disciplinary misconduct that has occurred. This proposal is good because it holds expanded explanation and procedures of expectations regarding expungement and disciplinary actions for its licensed professionals. This proposal is more transparent of what is required and what is not tolerated from the state regarding licensed attorneys and disciplinary actions regarding expungement. This proposal is also more considerate of the people and their rights, accountability from licensed attorneys, and the people's protection given by the state law. Laws that a refined to be better and more fair help the people feel that they can trust their state law makers and the government.
431	Jeremy Joseph (Cal Bar No. 258772)	No		Attorney	AM	I am re-dedicating my career to practice (family law) after having been in the business sector for 13 years. I have been through a financially devastating divorce, and seek purpose in helping other divorcing families avoid some of the trials my family has gone through. My proposal for modification is limited to the idea that attorneys with only one disciplinary record are eligible for expungement. I have two, and it makes it difficult to obtain work as an employee and as a solo practitioner. My proposal is amending this proposal such that attorneys with two administrative disciplinary records are also eligible for the expungement. Administrative events like failing to pay bar dues timely or failing to timely certify MCLE compliance require distinction from more concerning events such as client-theft, lack of candor, and other disbarment-worthy charges. Thank you for considering.
432	Patrick Talbot Hall	No		Attorney	A	I was late paying my annual dues MANY years ago, and it still appears on my State Bar record! A bit antiquated, in my view.
433	Michael Love formally known as Macarius Rizk	No		Nonattorney	D	--
434	Rosemarie Fernandez	No		Nonattorney	D	I am opposed to expunging any attorney reprimand. The public has a right to know if an attorney has ever been reprimanded in any way by the California State Bar Association. I am personally waiting for information regarding a malpractice complaint with was filed nearly a year ago. Due to this inaction, I missed my opportunity to sue this attorney for malpractice and have had to file bankruptcy since I lost a case due to his deliberate negligence.
435	Rafael Hernandez Gomez	Yes	Alan Amir Adoot attorney	Attorney		--
436		No		Nonattorney	A	--
437		No		Nonattorney	D	--
438	Anonymous	No		Nonattorney	D	They are already getting away with highway robbery under the disguise of over charging for any and everything, yet no positive results are obtained as well as no explanations that corroborate their statements. How is this fair?
439	Lorena Venegas	No		Nonattorney	D	There should be no expungement option, all discipline should remain as long as attorney is active.

440	Dr. Nancy Phillips	No		Nonattorney	D	After being falsely accused in a revenge act for turning in a dangerous man for exposing himself and masturbating in public close to a child, he hired a well-known San Diego law firm that I am afraid to name, to file a false claim against me and drag me through the mud for six years. There are definitely not nearly enough restrictions and penalties against attorneys who are outrageously out of control with devious and illegal behavior.
441		No		Attorney	A	--
442		No		Nonattorney	D	Arguments against the expungement of complaints or attorney discipline and administrative actions by the California State Bar include: •Public Protection •Deterrence •Professional Integrity •Fairness to Victims •Consistency with Other Professions
443	Kerry Swyers-Medeiros	No		Nonattorney	D	I am against these proposed changes. I reported attorney misconduct on a few occasions and State Bar personnel consistently failed to follow-up with me about the misconduct. They didn't even have the courtesy to return my phone calls. There is no evidence on the State Bar website that these attorneys were ever disciplined by the State Bar. Nothing. My impression is that the State Bar doesn't discipline attorneys unless it's extremely egregious and the bad behavior involves scores of clients. I am not in favor of expunging disciplinary actions ever. Attorneys are "officers of the court" and should be held to the highest ethical standards. The public is entitled to know about disciplinary actions such as suspensions, regardless how long ago.
444	Principal	Yes		Nonattorney	D	The Elder Rights Group strongly opposes the proposed new Rule 9.33. This proposal poses a significant risk to public safety and erodes the transparency necessary to protect vulnerable populations, particularly seniors who may be targets of unethical legal practices. Lack of Oversight and the Risk to Public Safety Unlike other professional boards, such as the California Medical Board, which operates under the oversight of the California Department of Consumer Affairs, the State Bar of California is under the jurisdiction of the California Supreme Court. This structure lacks the necessary checks and balances to ensure the Bar's decisions are in the best interest of the public. The proposed rule further exacerbates this issue by allowing attorneys with histories of misconduct to have their records wiped clean, leaving the public blindfolded.
445	Incognito	No		Nonattorney	D	--
446		No		Nonattorney	A	--
447		No		Attorney	A	I was convicted of a misdemeanor for fighting almost 20 years ago. The offense was not related to the practice of law nor was it an offense related to honesty. I have not had any other criminal conviction nor have I had any other disciplinary matters. It seems to me that a disciplinary record for such an offense should not appear on an attorney's record indefinitely.
448		No		Nonattorney	A	8 years is a pretty reasonable time period to Expungement of Nondisbarment Discipline.
449	Mark Foster	No		Attorney	A	I agree with this overdue remedial measure to give lawyers who've had a one-time discipline to get expungement relief. The Board should be mindful that a discipline record, regardless of facts or severity, can be a career killer. I also believe this relief should be extended to lawyers who resigned with charges pending, as this is reported as discipline.
450	Matthew Salaben	No		Attorney	A	For almost 30 years I had a spotless license record, the last 12 as a solo practitioner, that was until I joined a firm that indicated they were paying my dues, registration, etc. failed to check a box in the CTAPP application to confirm I was under their account so my license was suspended. The kicker is that I received no notices, emails or communications from the CalBar before or even after the suspension since the email they claim to have sent info to is somehow blocking their emails and/or they have failed to update my record/email despite multiple requests. It is clear when CA started a brand new requirement on reporting and thousands of attorneys have failed to comply that they error/problem is on the CalBar.
451	Carmen Brown	No		Nonattorney	D	Please do not remove any online attorney discipline records. This information is all that the consumer has to choose an ethical attorney from. You can't find this information anywhere else. The consumer has the right to know if there have been any complaints or discipline on an attorney because they are in a position of trust with money. Should attorneys not want their complaints/discipline issues online after a certain period of time, they should have considered that before they did whatever they did. We're talking about a small amount of unethical attorneys, at least I hope we are. If you break your client's trust, or break the law as an attorney then your tainted record should be available for the public to scrutinize.
452	bbbb	No		Attorney	AM	--
453	Deborah StGeorge	No		Nonattorney	D	Case number 22-0-03278. The victim in this case Mr. Mark Andrew Paine is the one that is in need of an expungement and a Governor's pardon. In this case Tracee Lynne May-Brewster should know better being Mark's appointed public defender. She never had contact with Mark. 33 years in her business, and again she should know better. This case is pathetic, all due to a bad police arrest and a bad police report. All wrong doing will be exposed. I thank you for this survey.
454	Israel Rivera	No		Nonattorney	D	I oppose the proposed Rule 9.33 allowing for the expungement of nondisbarment discipline from an attorney's public record. As someone who hired an attorney whose misconduct severely impacted my case, having access to an attorney's full disciplinary history is crucial for consumer protection. Expunging this information after eight years, even if retained internally, removes transparency and limits the public's ability to make informed decisions when hiring legal representation. While the proposal allows the expunged records to be used internally, this does nothing for consumers who rely on the State Bar's public records to identify potential issues. The public deserves to know if an attorney has a history of misconduct, even if it happened years ago. By hiding this information, the State Bar risks undermining public trust and allowing patterns of misconduct to go unchecked. The focus should be on protecting the public, not concealing attorneys' past disciplinary actions.
455	Hossep Ourjanian	No		Nonattorney	D	Nothing should get expunged as a lot of these complaints are legitimate and the state bar refuses to investigate them. There are significant ethics violations that my complaint alleged and the bar dismissed it without even looking into it. I'm a retired sheriff captain that was not taken seriously when I had a legitimate complaint against an attorney licensed by the bar. You should take these complaints more seriously and investigate them thoroughly instead of looking for ways to make excuses for attorneys and expunge their records to clean up the crimes they commit.
456	Edward M. Higginbotham	No		Attorney	A	--
457	Emmett Ian Luty	No		Nonattorney	D	The proposed rule changes by the California Bar Association will only serve to diminish public confidence in both our profession and in the bar association itself. Limiting the public reporting of attorney ethics violations and corrective action not only prevents clients from making informed decisions, but also shows that the Bar is not willing to function as a private-public agency, but rather as an exclusive members-only gatekeeper to our profession. Additionally, allowing the attorneys themselves an easier path with the courts to erase their harmful errors allows the perpetrators of ethical violations to rewrite their stories as they see fit. My personal experience with the bar association and its complaint process has already left me personally frustrated and traumatized, and these new changes, if approved, will only do the same to countless more people both within and outside of our profession.

458		No		Nonattorney	NP	I am very disappointed and I wish someone would listen. An Attorney shouldn't bribe a client who is stressed and depressed. He definitely was not on my team and turned on me out of nowhere. Now I have major depression and am trying to deal.
459		No		Nonattorney	D	--
460		No		Nonattorney	D	I, as a potential client, deserve transparency when it comes to deciding on counsel. I firmly believe that if an attorney receives any negative notation from the State Bar it is warranted because they are not given out lightly. If after extensive years of schooling, sitting for the Bar Exam, then having your character evaluated to be deemed fit to act on behalf of others who have not put themselves through this process, the expectation would be that you would do anything to uphold what you worked so hard for, and that it shouldn't be effortful. If "enough" time passes where any negative actions are deemed inconsequential to continued practice, that should be decided by a potential client's discernment. I was given the option to comment on this because I recently filed a complaint against an attorney for essentially ghosting me and allowing my SOL to lapse 2 years after hiring him. I would hate for him to do this to someone else in the next five (or so) years after his license is cleaned
461	A Humbled Stakeholder	No		Nonattorney	D	Submission by email.
462		No		Nonattorney	D	--
463	Daniel Larson	No		Nonattorney	D	I have been exposed to several unethical attorneys. Any Nondisbarment Discipline is an involved process. Any Nondisbarment Discipline should never be expunged. "Those who cannot remember the past are condemned to repeat it." – George Santayana, The Life of Reason, 1905. From the series Great Ideas of Western Man.
464		No		Nonattorney	D	--
465		No		Attorney	D	I have considered the proposal to expunge nondisbarment discipline since first hearing of the request for comment in July. It is my deeply held position that discipline should not be expunged. In the last year in connection with client representation, I have encountered two attorneys with published records of discipline. In both cases, their current conduct is deplorable. In both cases, I have contemplated whether their conduct is reportable conduct under Rule 8.3, once potential harm to my own client passes. The publication and maintenance of the information on the State Bar's website provides an invaluable service to the public, but particularly to counsel who research counsel. Removal makes the information less accessible. Removal reduces the penalty for misconduct. Removing discipline records is the wrong message to send at the same time as implementing Rule 8.3. It contradicts the move to hold attorneys to high standards of conduct. Continuing publication is appropriate.
466	Josi Swonetz	Yes	California Association of Black Lawyers	Attorney	AM	CABL supports in part and opposes in part Proposed Rule 9.33. The State Bar's objectives include promoting diversity and inclusion in the legal system. CABL believes that the ability of the State Bar Court to use the expunged records as aggravating circumstances and prior discipline may have a disparate impact on attorneys of color. As evidenced by Dr. Farkas's 2019 Empirical Analysis, Black and Brown attorneys are disproportionately disciplined compared to their White counterparts. Allowing expunged records to still be used by the State Bar in prosecuting attorneys will continue this disparate practice and, likely exacerbate it since aggravating circumstances by their very definition, warrant a greater sanction and higher level of discipline. (See Stds. 1.2(h); 1.5.) The provision of the law also undermines the purpose of expungement, which is to protect an individual's privacy and give the individual a fresh start by removing their record from public view.
467		No		Nonattorney	D	Dear State Bar of California, I strongly oppose allowing attorneys to expunge their disciplinary records. Transparency is critical for clients to make informed decisions about their legal representation. Expunging such records would conceal vital information about past misconduct, undermining trust in the legal profession. Accountability is essential to maintaining ethical standards, and a permanent record of disciplinary actions serves as a necessary deterrent against repeat violations. Expunging records diminishes the public's right to know and erodes trust in the legal system. Lawyers who have reformed should prove their commitment through ethical behavior, not by erasing the past. Clients deserve full disclosure when choosing legal representation, and the integrity of the profession relies on keeping disciplinary records public.
468	Dina Martinez on behalf of Dina M Escobar	No		Nonattorney	A	I think there is a need for attorney's to face consequences when they do not act legally on behalf of their clients. Attorneys must understand that they are not exempt from consequences and hopefully would practice the law, lawfully.
469	Christine Grab	No		Nonattorney	D	We need more accountability and transparency, not less. The CA Auditor's office condemned the BAR a couple of years ago for its failure to discipline attorneys. Now you want to delete the little disciplinary action which has been taken. This feels unethical; a ploy to hide that you aren't doing your job of oversight by making it hard to track who has and has not been disciplined. The purpose of reporting is to protect the public from unscrupulous attorneys. For the BAR to actually discipline, it must have been something egregious. Permanently hiding these actions from the public is unconscionable – we have a right to know the record of who we are hiring to represent us.
470	David Cameron Carr	No		Attorney	A	This is a long overdue measure that would help to remove some of the unfairness of the discipline system to lawyers who do not present any threat of harm to the public.
471	Complaining Witness	No		Nonattorney	D	Proposed New Rule 9.33: Expungement of Non-Disbarment Discipline has several weaknesses and threats. <ul style="list-style-type: none"> • <u>Uneven Application</u> : This rule may lead to inconsistent application across cases, potentially resulting in unfair treatment of attorneys ¹. For instance, attorneys with similar disciplinary records may have different outcomes due to varying interpretations of the rule. • <u>Abuse Potential</u> : The expungement process may be vulnerable to manipulation or abuse by attorneys seeking to conceal disciplinary actions ¹. This could undermine the integrity of the legal profession. • <u>Resource Intensive</u> : Implementing this rule would require significant resources, potentially diverting attention from other important initiatives ¹. The costs of developing and maintaining an expungement process could be substantial. • <u>Underlying Issues</u> : Expungement may not address the root causes of disciplinary actions, allowing problematic behavior to persist ¹. This could lead to repeated instances
472	David Tipping					Attachment Linked
473	Tom Scott					Attachment Linked

474	Anonymous				<p>By removing the discipline history of an attorney you're not only supporting bad behavior you're encouraging it. The fact is currently attorneys are shoved down the people's throats and the ones that stand up against these forced attorneys will inevitably lose against those with attorneys.</p> <p>In the end the bar is a club and to think that you're not all in on it is one being very naive.</p>
475	L C			D	<p>I am writing to express my strong disagreement with the proposed Rule 9.33 of the Rules of Court regarding the expungement of nondisbarment discipline.</p> <p>While the intention behind this rule may be to support attorneys in maintaining their reputation, it fails to address a critical issue: the State Bar's ongoing neglect in promoting equity and its pattern of protecting attorneys at the expense of the public.</p> <p>The current disciplinary process is already lacking, as evidenced by numerous instances where evidence of attorney fraud and negligence has been inadequately addressed. By allowing the expungement of records for minor disciplinary actions, the Bar further exacerbates this problem. It provides another layer of protection for attorneys, enabling them to erase their past misconduct from public view.</p> <p>This rule undermines the transparency and accountability that are essential in maintaining public trust in the legal profession. The State Bar's responsibility to the public to allow records that establish and this rule does not come.</p> <p>Attached are the documents that were too large to send with the first email.</p> <p>- Attached please find Gabriella Gunther's Opposition Motion to enforce subpoena against scoi (Opp Motion to enforce subpoena against scoi1.pdf).</p> <p>- And, attached is our response to the opposition with the attached Exhibit A - C and Exhibits D on.</p> <p>- Our response points out one by one all the false statements made under the penalty of perjury, with the evidence attached.</p> <p>- Just as an example for the unethical perjury.</p> <p>- Gabriella states that Dr. Brian Grossman is not their expert witness but rather their expert consultant. This is an outright false statement. Their own joint witness list has Dr. Grossman listed as their expert witness, and, their second request for a continuance was based on their expert, Dr. Grossman, not being available to testify on the trial dates.</p> <p>- Gabriella lied to the Court and tried to mislead the Court with this false statement</p> <p>- Gabriella further states that they were never served with the subpoena. The attorney on record was served. At the time of the subpoena, Gabriella was not even on this case.</p> <p>- Gabriella further misleads the Court about subpoenas that were not due yet. Gabriella's office was served subpoenas on July 5, 2024. Those subpoenas were in no way related to the subpoena to Dr Grossman's office, which was served on June 5, 2024.</p> <p>- I have other material for Gabriella Gunther, if you would like to see more. Dear State Bar of California,</p>
477	Julie Stowasser			D	Attachment Linked
478	Jason Walker Tyler			D	<p>This would be a direct attack against the Freedom of Information Act. Judges are already excluded from this form of reprimand although many still function as attorneys. Furthermore, most expungements allude to continued status with the Bar. Therefore, it is only in the attorney's interest and not in the interest of the public. Where would one later find this information?</p> <p>And California has enough problems. https://watchthewatchers.net/</p> <p>Sent from my iPhone</p> <p>Good Morning</p>
479	Freeman Iverson				<p>Most People, in times of trouble, "do not know they are PERSONS or WARDS" do not do deep dives on representation. They do not see the MALEFICENCE or ACQUIESCE plaguing the protected circus of BAR Turncoats that put those they represent last. Only to be ran through a system unknown to them, putting their lives and futures into the hands of the TRUSTEE "LAWYER", that is only profitable to the self / the BAR Club. ALL information should be VISIBLE and as I learned VERY DIFFICULT to even get a complaint Processed after the Harm. Much less any action from the state's position of condemnation.</p> <p>So NO!, Enough information is HIDDEN by PROCESS and BAR CLUB activities already.</p> <p>Any and all information should be /FULL DISCLOSURE/ UP FRONT and VISIBLE on any and all forms of visible conveyance prior to any Contract or Acceptance. ALSO the pained process to remove an "ATTOURNEY" (look up definition) after finding misrepresentation should be simple not multi pages and mailings etc. should be one form to the state Bar.. Period.</p> <p>In it's stead or with capability of your current process should be a more formattable checks and balances system of Lawyers that properly review complaints, and do take action by Claim not by "Dispute" to hold accountability to the injured party (people that are represented)</p> <p>My Hired Lawyer in all appearances teamed up with the opposition (defense) team. The Defense team continuously made false documentation to which my representation would Acquiesce and when I asked he acted as it nothing was happening. to date, 6 years and going. no doubt of my work injuries, no doubt of doctors reports, real medical findings. I am on SSDI for remainder of life. The defense team hired doctors to generate bogus reports to wrong dates, false medical findings, false Job titles. I have proof to the contrary of each and every fallacy .</p>

480	Valerie Colber				D	<p>Arguments against the expungement of complaints or attorney discipline and administrative actions by the California State Bar include:</p> <p>Public Protection: Maintaining a public record of complaints or disciplinary actions serves to protect consumers and the public by providing transparency and information about an attorney's past misconduct. This allows potential clients to make informed decisions about who they hire and holds attorneys accountable for their actions.</p> <p>Deterrence: The possibility of a permanent disciplinary record can deter attorneys from engaging in unethical behavior or professional misconduct. If expungement becomes common, it may reduce this deterrent effect.</p> <p>Professional Integrity: The legal profession is built on trust and integrity. Disciplinary records serve as a reminder of the importance of upholding ethical standards. Expunging records could be seen as a way to diminish the seriousness of past misconduct.</p> <p>Fairness to Victims: In cases where attorney misconduct has harmed clients or others, expungement could be perceived as unfair or unjust. It may deny victims a sense of closure or vindication.</p> <p>Consistency with Other Professions: Other regulated professions, such as medicine and accounting, generally do not allow for the expungement of complaints or disciplinary records. Maintaining similar standards for attorneys ensures consistency in professional regulation.</p>
481	Derek Khanna				D	Attachment Linked
482	Gor Gevorkyan				D	<p>I am writing to express my strong opposition to Proposed Rule 9.33 regarding the expungement of nondisbarment discipline. This rule is a misguided attempt to allow serious professional misconduct to be erased from public records, undermining the very principles of justice and accountability that the State Bar is supposed to uphold.</p> <p>Lifetime Impact on Victims: The harm caused by attorney misconduct can have a devastating and lifelong impact on victims. An eight-year period before expungement does not begin to address the severity and permanence of the damage inflicted. It is essential that disciplinary actions remain permanently on public record to ensure justice for those affected.</p> <p>Public Trust and Transparency: The legal profession relies on the trust and confidence of the public. Allowing past misconduct to be hidden from view undermines this trust and fails to protect potential clients. Transparency is paramount, and any move to conceal disciplinary actions is a step backward.</p> <p>Deterrence and Professional Integrity: A permanent record of disciplinary actions serves as a vital deterrent, encouraging attorneys to maintain high ethical standards. Allowing expungement weakens this deterrent and sends the wrong message about the seriousness of professional misconduct.</p> <p>Accountability of the State Bar: The State Bar has a responsibility to maintain rigorous standards of accountability. Recent investigations have revealed negligence and bias within the disciplinary process, eroding public confidence. This proposed rule further undermines the Bar's credibility and suggests a disturbing willingness to protect attorneys over ensuring justice.</p> <p>Call for Accountability: I demand to know who proposed this rule and the reasoning behind it. Such misguided decisions waste valuable time and resources, diverting attention from the Bar's core mission of protecting the public and upholding</p>

EXHIBIT 11

Document received by the CA Supreme Court.

Compilation of Additional Attorney Public Comment Obtained After November 2024 Board of Trustees Meeting

No.	Name or Organization	Commenting on behalf of an organization	Position on proposed California Rule of Court, rule 9.33	Position on proposed new State Bar policy that would remove nondisbarment discipline from the publicly available attorney profile page	Public Comments on proposed California Rule of Court, rule 9.33	Public comments on proposed new State Bar policy that would remove nondisbarment discipline from the publicly available attorney profile page
1		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I do not have anything to add as I agree with the proposed changes to the website removal of nondisbarment discipline.
2	Anthony S. Polakov	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I think it is appropriate to not display this information to the public after the 8 year period.
3	Tracy L. Wood	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	The dicipline notice should be removed from the state bar website automatically after 8 years have passed, without the need to file a request for expungment.	Question 9 and 10 are identical. You asked the same questions twice.
4		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Agree with proposals
5	Stephen Gassner	No	AGREE ONLY if Modified	AGREE ONLY if Modified	Depending on the severity of the discipline, I think more than one discipline ought to be expunged. For instance, if somebody suspended for not completing their MCLE on time, or if somebody fails to pay licensure fees, all of those should be expunged. To the public, they're irrelevant at that point. What matters to the public, is competence. A person's financial difficulties, far in the distant past, should not prevent them from acquiring clientele in the future.	If they're minor, such as from past financial stress, then more than one offense should be subject to expungment.
6		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Strongly Agree for suspensions for less than three years
7	Amber C. Haskett	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I made a stupid decision in an attempt to help someone about 20 years ago. Opposing counsel and parties still bring up my record to attack me even though my record has been unblemished since that time. Allowing people who can demonstrate that they have learned from one mistake to clear their record allows them to move forward with their career.	The number of times this is brought up in litigation by opposing counsel is remarkable. It has no relevance but is simply a personal attack. I made one mistake about 20 years ago and am still being punished for it in pleadings to this day.

8	Hume Joseph Jung	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Having one mistake and wearing a scarlet letter for life is unreasonable and harsh as no one is perfect. Having a disciplinary public record already impacts a member's reputation and thus loss of clients and business. Punishment for life does not seem right or fair. Automatic Expungement after a certain number of years is a right move.	I fully support and agree with the proposal.
9		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	it seems entirely appropriate to permit expungement of old disciplinary action. people convicted of criminal offenses are generally entitled to expungements. i do not see any reason why lawyers who make one mistake which does not result in disbarment should not be afforded the same opportunity.	nothing additional
10	Gina S. Berry	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None
11		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	My discipline was over 25 years ago. I was a 2 year lawyer and a sole practitioner at the time and made a mistake. I have spent the last 28 years making amends for it and making an effort to prove to judges and my peers that the black mark on my record is not characteristic of my work. Nevertheless, the black mark is thrown at me by lawyers on the other side. Many more lawyers have commented on it than clients ever have. In fact, I've only had a handful of clients ask me about it. I feel that this is a fair compromise between punishing me (forever???) and the public's right to know who they are dealing with. I think 8 years is fair, certainly 10 or 12 even more so. Thank you,	no further comments other than what I said
12		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Reasonable rule.
13	Lance Strumpf	No	AGREE ONLY if Modified	AGREE with the proposed recommendations	expungement can apply for more than one past discipline if attorney has no subsequent discipline	none

14	Anthony Ukran	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	It is patently unfair for all public discipline to remain on attorney's record forever because it leaves a permanent stigma despite the attorney having a subsequently clear record sometimes for decades after the discipline. People make mistakes and a record of no discipline for many years is evidence that a lesson has been learned and the attorney is not a danger to the public	The proposed rule is sound policy
15	Attorney discipline expungement in CA is long overdue. There has been ample evidence that the disciplinary system has not been fair. Yet the travesty continues. Good hard working attorneys are devastated and rendered unemployable by this inequity. There is nothing that can be done to give back the years of income lost by the attorneys who have been impacted by this unjust system. It is time to give these attorneys back their ability to earn and approve the expungement of non disbarred attorneys' discipline.	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This is long overdue. It should have been implemented immediately it was determined that the disciplinary process had been unfair.	Long overdue
16		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		none
17		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Could be removed for private reprovell any time.
18	Aron Laub	No	AGREE with the proposed recommendations	DISAGREE with the proposed recommendations		Expungement makes sense, but simply removing something visible on the website and making it available by request is simply a non-expungement proposal that creates work without limiting information.

19	John A. Bunnett	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I incurred a private reproof in March of 1994. As a condition for my stipulation, the State Bar promised not to publish the fact that I had been disciplined, preventing publication in the California Lawyer Magazine which at the time was the only means of publishing the fact that I had been disciplined. When the internet was established the State Bar began to publish the fact of discipline on my profile and ultimately provided a means where anyone could download the documents generated in the State Bar Proceeding. The publication on the internet has undoubtedly cost me a lot of clients, and ultimately affected the value of my business, which I had never bargained for. I have suffered enough from my mistake made in the early years of my practice and it is hopeful that my record will be expunged.
20		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I agree with the proposed changes.
21	Eric V. Traut	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	<p>I had a public reproof with probation, without suspension, in 2013. No clients were harmed and it was my only discipline in my career. In fact, it is the only professionally negative mark in my 35 years of practice.</p> <p>I will be president of the Orange County Bar Association in 2027 and have held several president positions, including ABOTA, and was Cal ABOTA trial lawyer of the year for 2024. I have served the last two years on the OCBA judiciary Committee helping vet potential judicial candidates for the Governor's office. However, the publicly posted discipline has continued to have consequences for me. In addition to persisting embarrassment, I have lost clients and a few referral sources stopped sending me cases. I also was not invited into a prestigious trial lawyer</p>	No additional materials. I think it would be a fair new rule for members of the bar like me who have only one blemish on our record, and particularly having practiced for 35 years. I have served as president of ABOTA, will be president of the Orange County Bar Assoc. in 2027, and was Cal-ABOTA trial lawyer for 2024. However, this public reproof with no suspension continues to adversely affect my career by causing loss of potential clients, referral sources, and precludes me from being invited into a couple prestigious trial lawyer organizations I would otherwise be in by now.
22	Chris Popov	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		It stands to reason that matters that have not reoccurred over a period of years should be indicative that the attorney has learned from their mistake and shouldn't have to re-live the error every time a client refers to the State Bar web site
23	Brian R. Katz	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I agree with the proposed change.

24	I am completely for expunging non disbarred discipline in this case	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I would like this to also include private reproval matters that aren't public but also on the record	Expunge private reproval too
25		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No comment
26		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I agree with the proposed changes.	I agree with the changes.
27		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No comments
28	Joseph Rosenblit	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	It can be an unfair blemish reflecting badly on an experienced attorney who made one mistake, whereas a new attorney with no experience could be more prone to bad mistakes.	Nothing additional to add.
29		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This change would help to remove a Scarlet Letter from a disciplined attorney's public record. The shame of public discipline reverberates with lost future clients as long as their is a record on the website. Yet, an attorney cannot state their post-discipline activities that establish remorse and public service on the website. In most instances, the potential client conducts an internet search, sees the discipline, looks no further and ghosts the attorney. Disciplined attorneys are typically very motivated to reestablish their good name in the community. I know I have in performing 1000s of hours of pro bono legal services and community work. Yet a screw up in 2005-6 that resulted in a 30 day suspension in 2010 still haunts me today. I have no problem explaining my suspension -- I have never lost a client or potential client when asked to explain. The point is	No.
30		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None.

31	James William Hargreaves	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I am an active member of the California Bar. In, and prior to 1984, I was addicted to cocaine. I commenced a rehabilitation program in approximately March of 1984 and have been clean ever since. In approximately 1986 I was disciplined for trust fund mismanagement during the period of my addiction. I was suspended from the practice of law for 90 days and placed on probation for five years, I believe. Since that time, I have been actively engaged in a recovery program. I have contributed to a state bar video on addiction. I have helped many addicts through their recovery and have chaired my local bar association's attorney assistance committee. I have chaired the Family Law Advisory Commission and served on the state bar Board of Legal Specialization. As a result of my recovery, I am now named in <i>Best Lawyers in America</i> . Yet	No added comments
32	Heather Trapnell	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I believe that people who have made a mistake should have an opportunity to redeem themselves after a significant period showing they have not reoffended.	I agree with the proposal.
33	Daniel W. Dunbar	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I am in favor of the proposal as it is fair.
34		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		An attorney who practices a lifetime and was disciplined at age 30 should get a "second chance" as far as clean record in his or her 40-70's.
35		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		It is an onerous burden to carry non-disbarment disciplinary history on one's record year after year when one has not engaged in any questionable professional behavior for a lengthy period. It is a severe impediment to being a productive, effective attorney even years after the disciplined event has occurred and restitution has been paid.

36	David Sergi	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I believe that this is a great idea. Many young attorneys (such as myself) ran afoul of the disciplinary rules. In my case, I made a stupid mistake many years ago, and since then, I have learned from the error and have become a leader in my field and served as a Director of the State Bar of Texas. I have mentored many young lawyers and realize that grace is integral to mentoring and teaching the next generation of lawyers how to practice ethically.	I agree for the reasons stated previously; grace and forgiveness are an integral part of teaching young lawyers how to practice ethically.
37		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Agree.
38		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		.
39		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This is a great idea.	This is a great idea.
40	Theodore Stalcup	No	AGREE with the proposed recommendations	AGREE ONLY if Modified	It is almost absurd that felons that I defended have been able to secure relief from their convictions and years ago but I still bear the stigma of an unimposed suspension. It has been almost a decade of unreturned job applications, offers being withdrawn after being made, and having to ultimately close my practice and leave criminal law entirely. The original offer in my case was a letter of reprimand but the OCTC insisted on a trial, ignoring the bar's own recommendation. A single meeting that I attended the last 15 minutes of, and a court proceeding I literally wasn't even present for have essentially derailed my life. California treats its released prisoners better and imposes fewer consequences than the manner in which attorneys found responsible for even minor offenses are treated. A method of expungement is long overdue. Give attorneys the	While I believe that single offenses, not resulting in suspension, should be removed, I cannot agree that a pattern of such offenses should be difficult for the public to discover. Repeat offenders, even those not suspended, should be noted.

41	I received a Public Reprimand over 20 years ago for something that did not hurt ANY of my clients at all, but it continues to hurt me. I was going through a time when I got depressed and I bounced several checks, HOWEVER, since I had a great relationship with my bank, they paid ALL of them, and my clients never even knew it happened. I paid back the Bank and all of their fees within 10 days or less from when it happened. I feel that should not continue to be on my profile	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Section relating to Trust Accounts
42	James Parker	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I've kept my nose clean for over 30 years and have served the legal community well. I cannot express how much I would appreciate the sense of forgiveness and of having a fresh start an expungement would provide. I hope you implement this new rule.	Same.
43	Jonathan Birdt	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I think this is a great proposal.	It's a great step forward, especially given all the graft in the discipline office.
44	I have been attorney for 32 years ago. 20+ years ago I was disciplined by probation no actual suspension by way of stipulation. Every now and then an attorney will make comments about it in a derogatory manner. I have had no problems or issues since then and judges have regularly praised both my professionalism and trial skills since then. The "client was not harmed" and this was stated in the pdf order on the website. However, I think that an attorney should at least have the opportunity to petition for at least sealing of the pdf and reference on the	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Removal of nondisbarment discipline from Attorney Profile I have had a pdf on my profile for 20 years. I have become a trusted advocate in front of the judges in San Diego County. At least those who were never even suspended should be treated better than criminals.

45		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Attorneys with years-old disciplinary matters who have thereafter practiced for several years without problem should be relieved of the burden of the past. Everyone deserves a second chance, particularly those who have demonstrated their trustworthiness.	See previous response.
46	Gary G Bagdasarian	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	My nondisbarment disciplinary matter was completed in 1986, some 38 years ago, with no subsequent discipline. It would seem that information so long ago would not be relevant to a potential client.	none
47	I strongly agree with this proposed rule as conduct which does not rise to the level of disbarment should not forever taint or negatively affect an attorney's reputation or career. The criteria set forth in the proposed rule ensures that the attorney is in good standing, is not a repeat offender, and has corrected the issue that led to discipline. This is consistent with notions of restorative justice and correctly place accountability and rehabilitation as the foundational cornerstones of our system.	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		no additional comments
48	J. David Munoz	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I have some discipline on my licensing and I have to needlessly explain it to anybody that wants to hire me. I paid for my errors! :)
49	Harry C. Gilbert	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No further comments. Thank you.
50		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None
51		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		At serves the public, no positive purpose to know about long ago indiscretions by attorneys

52	David Alaynick	No	AGREE ONLY if Modified	AGREE ONLY if Modified	<p>I agree with the proposal as applied to all reprovals and cases where there was no actual suspension.</p> <p>Following suspension, reinstatement, completion of probation and eight years without further discipline; an attorney would be permitted to petition the State Bar Court for the information to be removed. The petition would be granted within a specified time if unopposed by State Bar Trial Counsel. If opposed by State Bar Trial Counsel, an attorney could within a specified time, request a hearing before a State Bar Court Judge. If there is no request for hearing, within the specified time, the petition would be denied.</p>	<p>I agree with the proposal as applied to all reprovals and cases where there was no actual suspension.</p> <p>Following suspension, reinstatement, completion of probation and eight years without further discipline; an attorney would be permitted to petition the State Bar Court for the information to be removed. The petition would be granted within a specified time if unopposed by State Bar Trial Counsel. If opposed by State Bar Trial Counsel, an attorney could within a specified time, request a hearing before a State Bar Court Judge. If there is no request for hearing, within the specified time, the petition would be denied.</p>
53	Great idea	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Great idea
54	Anthony Mario Amoscato	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I don't have additional materials to submit
55	Anon	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	<p>I support the State Bar's plan to expunge past disciplinary actions after a significant period has elapsed, as this is just good public policy. A blemished record's long-term impact can disproportionately impact attorney careers, among other things. Attorneys who dedicate their careers to helping others, whether navigating delicate civil disputes or assisting those who seek redemption and second chances, should be afforded similar consideration by the State Bar. It's a matter of practicing what we preach. If the legal profession advocates for rehabilitation and redemption in society, it should apply those same principles to its own members.</p>	<p>Attorneys who dedicate their careers to helping others, whether in civil matters or to seek redemption and second chances, should be afforded similar consideration by the State Bar. It's a matter of practicing what we preach. If the legal profession advocates for rehabilitation and redemption in society, it should apply those same principles to its own members. By expunging past disciplinary actions after a significant period of good conduct, the State Bar would demonstrate consistency between its external advocacy and internal policies.</p>
56	Morgan Walsh	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	<p>The proposal is appropriately limited, highly unlikely to harm the public, and laudably humane. I have practiced 30 years since suspension was imposed. The toll was heavy. My sincere thanks to all who support the measure.</p>	Thank you.
57		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	<p>If you made a mistake more than 10 years ago and have no other complaints there is no reason that you should be labeled for life.</p>	<p>No reason to be labeled for life for I mistake 10 years ago.</p>

58		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Agree
59	Paul Rolf Jensen	No	AGREE ONLY if Modified	AGREE ONLY if Modified	I believe a provision should be added which would provide that attorneys whose discipline was imposed PRIOR to the creation of the State Bar's website and was for a PRIVATE reproval only, should have the reproval information immediately be removed from the State Bar's website and that this removal NOT count against the one-time expungement as otherwise set forth in this rule.	Please see remarks to question 8
60	Don Lake	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	The discipline on my record was not supposed to be public. It was a private matter as agreed by the Bar. Later they put it online. It needs to be expunged. Please do so. Very pleased that this matter is being considered now. Thanks	Finished
61		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I think the proposal is fair. My public reorval is more than 25 years old, and yet it has come up in vaious contexts including when I was a witness in a business case.	I agree with the proposal. I had a public reproval some 28 years ago, and yet it has come up in multiple situations including when I was a non-party witness in a business dispute.
62	David Michael Shore	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	In 1993, I got involved for 3 months with a law firm that had problems in how they conducted their business. I did not take any fees from the firm and self-reported. I subsequently received a suspension, and more than 30 years later this continues to haunt me even though I believe I continue to provide quality service to my clients representing them in Social Security disability matters. After 46 years of practice, I think an expungement in not only reasonable, but consistent with how we treat others who have faced past legal issues. Beyond the practice of law I have given a significant amount of my time to public service. Volunteer work in the community should also be factored in. I appreciate your time and consideration in this matter.	No additional materials to submit.

63		No	AGREE ONLY if Modified	AGREE ONLY if Modified	Was sent a Letter of Inquiry in 2019. Submitted a timely response within 30 days. Never heard from anyone regarding the Inquiry. No investigation, no contact. Two years later a letter was sent stating no action would be taken. To me that would not be deemed a disciplinary action, but my profile still has the letter of Inquiry on the site. It should be expunged and far less than four (4) years. Since it was not a disciplinary action, I'm not sure why I would even receive this survey.	Was sent a Letter of Inquiry in 2019. Submitted a timely response within 30 days. Never heard from anyone regarding the Inquiry. No investigation, no contact. Two years later a letter was sent stating no action would be taken. To me that would not be deemed a disciplinary action, but my profile still has the letter of Inquiry on the site. It should be expunged and far less than four (4) years. Since it was not a disciplinary action, I'm not sure why I would even receive this survey.
64	panos lagos	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I am directly impacted by proposed Rule9.33. I have had to answer questions from my insurer and bar association (and others) if I have ever been disciplined by the State Bar. Of course I have answered truthfully to my detriment at times e.g. judicial appointment, Pro Tem assignment(s). If the proposed change doesn't address this circumstance, may I suggest that it does get addressed.....one way or the other for clarity purposes.
65	Fariba Rahimi	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I suffered for the last 12 years because of a minimal accusation. I hated The State Bar and believed that my payments for the dues were used to buy ropes to hang me. I wish this would have happened long long ago. I support this rule.	I support the rule.
66	Perry Wander	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I have a public reproval from when I was 26 just admitted in 1982. I'm 69 now. I shouldn't have to have this follow me around for over 40 years. My 12 year old son can see this. His friends can see this. Clients can see this. It should be expunged. It's my only discipline in 44 years of practice. Thank you.	None
67	Francis X. Hoffman	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I helped a lot of people in my career. I also suffered considerable bigotry by people I never opposed. I believe I established a highly honorable record overall . I appeared before many, many judges. A serious personality clash with some few was inevitable, especially given the unspoken yet widespread bigotry I refer to. At least in my case a permanent scar seems excessive. I support the change.	I decline further comment

68	Catherine Lukehart	No	DISAGREE with the proposed recommendations	DISAGREE with the proposed recommendations	Consumers have a right to know.	The right of the consumer in this important realm trumps the attorney's desire to expunge.
69		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	If an attorney has been in full compliance with the duties and responsibilities of being an ethical and law-abiding attorney (complying with B & P requirements and all other state and federal laws) and has no other disciplinary actions in the time period under consideration, than I believe it is fair and appropriate to expunge the reference to the prior discipline.	Nothing further to report
70	Sam Nordean	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Thank you
71		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I don't know what is meant by "one activity" of discipline. Bar prosecutors can load up on charges to negotiate a plea resulting in the dismissal of other charges. In this "negotiation" and in the administration of justice there isn't really any bargaining power for the respondent. There will be members who have more than one activity who in fairness should have a right to expungement. A better rule instead of only "one activity" would be "no moral turpitude."
72	After 8 years reasonable to remove.	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No vomment
73		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I agree with the proposed expungement rule. Attorneys should be given the benefit of their own rehabilitation and be allowed to pursue a career without the perpetual negative impact of a disciplinary matter.	None
74	Hueso, Felipe de Jesús	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None
75		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	It appears appropriate especially when a charge is expunged by the California court system that it be expunged from the State Bar records. This should occur without any hearing on the subject and best automatically by the Bar.	Being fair should always be the rule. The proposal is fair.
76	Benjamin Duarte	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No comments
77		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No additional comments.

78		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		This change is necessary for people to move on with their lives, especially for those whose discipline had nothing to do with their practice of law.
79		No	AGREE ONLY if Modified	AGREE with the proposed recommendations	This proposal doesn't go far enough at all. The state bar should not be publishing documents relating to the non-disbarment activity of the licensee. The only thing that should be available is the action taken by the state bar court (unless the s.b. court decision is published). Anything other than the finding of the state bar court and the punishment doled out by the court is probably defamatory as some of the information that the state bar Court publishes includes things that may or may not have actually happened. furthermore the state bar court should not be publishing documents relating to possible discipline that may occur in the future. The only thing that should be reported on the website is the action taken by the state bar court once that action becomes final. Why	? didn't I just comment?
80		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No additional comment
81	William	No	AGREE ONLY if Modified	AGREE with the proposed recommendations	I would make expungement after 8 or 10 years.	I would expunge after 8 or 10:
82	Ava Landers	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None
83	Kenneth Silbert	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	My discipline for a relatively minor infraction was imposed more than 30 years ago. I have been retired and on voluntary inactive status since approximately 2008. Yet, the internet publication of my discipline continues to haunt me. For retirees, publication of ancient discipline serves no purpose for the State Bar or the public.	My discipline for a relatively minor infraction occurred more than 30 years ago. I have been retired and on voluntary inactive status since approximately 2008. Yet, the public listing of my discipline continues to haunt me. This serves no purpose for the State Bar or the public

84		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	It has been over 40 years since the imposition of a Public Reprimand against me, and there has been no discipline imposed since that time. I have actively and productively served not only my clients but hundreds of people through nonprofits with which I have been and still am involved. I know for a fact that my reputation has been harmed from time to time by the simple statement of that discipline on the State Bar attorney locator page. This continues to be manifestly unfair and disproportional. And considering the substantial passage of time since the Public Reprimand it would be difficult to argue logically that its simple historical existence has not come to be entirely irrelevant to the Bar's goal of protecting the public or, for that matter, helping anyone determine my competence and honesty.	I have commented above.
85	Olga	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I agree with proposed changes
86		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		no
87		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		N/A
88		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	in light of the world of the internet, it is reasonable to have a process to allow expungement -- particularly when there is no repeat offenses.	This, too, seems to be a reasonable modification to the rules
89		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No comment.
90	Mark Carton	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I had an unfortunate incident with a then client almost 21 years ago at age 50 while under the influence. The incident resulted in a criminal misdemeanor conviction which also resulted in a 30 day actual Bar suspension. The negative public information has adversely affected me financially for 21 years-a punishment that far exceeds my transgression, from which I cannot recover at my current age. An expungement after 8 years would have helped my financial position greatly and positioned me to where I might have been able to recover. At this time I will not be in a position to retire before I am 80 due to insufficient finances. I wholeheartedly support the proposed rule allowing expungement after 8 years.	I reiterate the Comment from above as it directly relates to removing the negative information on the Bar website after 8 years.

91		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This rule should have been implemented a long time ago. It makes no sense to keep a public reproval or anything other than suspension or disbarment more than a few years.	Should be removed from the files, it only hinders an attorneys ability to gain clients and make a living.
92		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Finally.
93	JOHN BRADLEY RENWICK	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Public reprovals are harmful to the attorney's reputation. In the age of the internet and social media this is especially so, and often out of proportion to the conduct underlying the reproval. A lifetime reproval is unconscionable.	See previous comment.
94		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		N/ A
95	John M Wells	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Expungement after 8 years for non disbarment discipline is a good idea because it allows the attorneys who have made mistakes and paid the price for their mistakes to get on with their life.	Agree
96	ERIC PIEPES	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	A Godsend.	A Godsend.
97		No	AGREE ONLY if Modified	AGREE with the proposed recommendations	Respectfully, this is a long time coming. Even people convicted of felonies are entitled to expungement. I realize that technically the proposal says it is not an expungement but nevertheless some relief should be available for mistakes made years ago. Frankly, the record should be eligible for expungement, and should be modified.	This proposal should be passed with modifications. The record should be erased if enough time as elapsed, which indicates the attorney in good faith, rehab rehabilitated himself, and enough time as passed to indicate as much.
98	Thomas Jamieson	No	DISAGREE with the proposed recommendations	DISAGREE with the proposed recommendations		This is a horrible idea
99	Mark A Geller	No	AGREE ONLY if Modified	AGREE ONLY if Modified	Do not believe any act which rose to the level of any form of suspension should be eligible for expungement or public nondisclosure.	Any suspensions should continue to be disclosed
100		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None
101	Naser J Khoury	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Allowing Expungement of non disbandment discipline would be great. I agree 100% with this change in the regulations.
102	Joseph E. Porter III	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	N/A	N/A
103		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	If it's permitted to expunge criminal records, it should be permitted to expunge a disciplinary record.	If the record is expunged, then it should not appear on the Bar website.

104		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Strongly support the removal as purposed
105		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	A one-time act of nondisbarment, and especially probation without actual suspension, should not be a permanent, life time embarrassment. The punishment seems disproportionate. The lifetime of public embarrassment overshadows and diminishes public consideration of the attorneys subsequent good character.	A one-time act of nondisbarment, and especially probation without actual suspension, should not be a permanent, life time embarrassment. The punishment seems disproportionate. The lifetime of public embarrassment overshadows and diminishes public consideration of the attorneys subsequent good character.
106		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Agree
107		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I believe this is a good rule. The State Bar itself is not immune to making mistakes and has also had "... serious failures in the State Bar's attorney discipline system..." (see November 3, 2022 Open Letter Regarding The State Bar's Thomas V. Girardi Disclosure). People deserve a second chance, especially those who are prosecuted by overzealous investigators and State Bar attorneys.	None
108		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		no comments
109		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Remove this Scarlet letters	Excellent idea
110		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This is a good proposal	None
111	I think this would be a great idea, especially with the requirements that have been laid out in order to fulfill the expungement process.	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		none
112		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		understood

113	Stephen Patrick Trover	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I agree with all the proposed changes.	Some deep thought must have gone into the proposals. The public's right to know about attorney misconduct is very important. However for those of us who have experienced life issues that derailed us from responsible behavior and turned things around, it is time to put the past in the past and move on. Every time I read my about my Bar discipline it takes me back to that time approaching 20 years ago. I did not handle my child's illness and subsequent divorce well, but that is in the past, many years ago. To my knowledge I have not had one single bar complaint since. I have done everything the Bar has asked of me. I agree with the proposals for those who made mistakes and turned things around. It shows a huge sign of good character for those who get knocked down by life and have the strength to get back up, redeem themselves and move forward to become <u>outstanding ethical attorneys</u> .
114		No	AGREE ONLY if Modified	AGREE ONLY if Modified	At the May 2024 Board of Trustees meeting, the Board directed staff to draft a proposed Rule of Court regarding expungement of nondisbarment discipline after 8 years. Expungement should be akin to expungement of a criminal proceeding. It should be complete. It is inherently unfair for a felon to get expungement, but a non-disbarred attorney to have a lingering version.	Expungement should be complete and total. It is inherently unfair for a convicted felon to be able to benefit from full expungement after 1-3 years and for a non-disbarred attorney to suffer a limited version of the same concept after 8 years.
115		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Changes to Rule are good, but should not be limited to one time.	Agree with changes, but should not be limited to one time.
116		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	A one-time mistake that was not sufficiently significant to warrant disbarment should not follow someone around forever. This is particularly true with respect to younger attorneys, who may not have the benefit of elder mentors or firm-wide systems designed to prevent disciplinary issues.	See earlier response
117	Gregory M. Chappel	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I agree with the proposal. A slightly longer period without any violations (10-12 years) might provide the public with greater assurance disciplinary violations are unlikely to reoccur.	See comments to Question 8
118		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	There is no need to maintain information on Non disbarment discipline after 8 years.	None
119		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I do not have anything to submit

120	Kenneth Keith McAllister	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No.
121		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No additional comments
122	Richard W. Morris	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	These records can be used by opposing counsel to intimidate.	Opposing counsel can use these records to intimidate.
123	Joyce Caraway	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I was disciplined 30 years ago based on the AG's false statement to the Ninth Circuit that I filed a late appeal and it sanctioned me. At the hearing I could not do anything but stipulate to private reproof - the judge would not give me any other option and I knew I could not afford counsel at that time; however later the ALJ added other things to the discipline that I did not agree to and then characterized my motion as simply "buyer's remorse." I did not agree to being suspended for a whole year; according to appellate cases I have read other attorneys have not been disciplined at all, even though they filed multiple late appeals. Further, if I wanted to go up to SCOTUS I could not argue before it. This smirch on my record has been a constant source of embarrassment and shame, especially since my daughter is also a member. Please pass	Sometimes discipline is unwarranted and it seems the solo practitioner has little protection such as members of large firms enjoy.
124	Vivian Szawarc	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I have a very old record of public reproof, I have had to explain every year for one reason or another. Clients have abused it by threatening to file another complaint against me to get discounts or stop paying their balance, it seems an unfair burden on my record,	none
125	Robert C Campbell III	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		In favor
126		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I agree with the proposed Rule of Court 9.33 and the proposed State Bar policy to remove nondisbarment discipline from the licensee's attorney profile page.
127	Andrew Jay Kulick	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I believe this is good proposal. When I entered into a settlement agreement with the State Bar almost 30 years ago, it was supposed to be a "private" reproof rather a public reproof. Instead, when I asked the State Bar to change this on their website, the State Bar declined	no

128		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I think it is very unfair that any information should be on attorneys profile that no suspension was imposed. A warning or public reproof or private reproof should not be on an attorneys record and should be extinguished after probation if given was completed.
129	Josef Cowan	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I support this proposed change. Maintaining the record of such discipline after 8 years and publishing it on the Bar's website creates many problems for affected lawyers that become grossly disproportionate to the reason for discipline and if the lawyer maintains a clean record for 8 years any reasons for maintaining the record of discipline and making the information available through the website are effectively eliminated or greatly minimized. Thank you.	I support this proposed change. Maintaining the record of such discipline after 8 years and publishing it on the Bar's website creates many problems for affected lawyers that become grossly disproportionate to the reason for discipline and if the lawyer maintains a clean record for 8 years any reasons for maintaining the record of discipline and making the information available through the website are effectively eliminated or greatly minimized. Thank you.
130	Robert William Lucas	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I am in support of the proposed rule, but unsure of its practical impact in situations like mine where I stipulated to a private reproof 20 years or so ago. Since the private reproof is not on the website, what does the expungement actually accomplish? For example, does expungement mean if I am asked if I've even been disciplined by the state bar, I could truthfully now say no because of the expungement? And how would the State Bar respond to any inquiry? Maybe the State Bar policy will explain, but the practical implications are not clear.	Since private reproof is not public on the State Bar website now, how does State Bar intend to implement the new rule for those cases? On the surface, the State Bar policy appears to not do anything for members who have only been privately reproofed.
131		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I believe this change is long in coming. An attorney who commits one non-disbarment violation should not be publicly branded forever. if we believe in second chances then this rule is only Just. A person who has been practicing for over 40 years with an otherwise impeccable record, who makes one error of judgement should not be branded for life.	None

132	Jerry A. Jacobson	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Speaking personally, my public reproval was in 2004, over 20 years ago and I have made sure that nothing like that happens again. Even someone convicted of a crime can expunge their conviction after completing their probation so that new rule of expungement is not only fair but just under the circumstances that is it being implemented under. Thank you.	Please see my previous comments. I think a one-time expungement is fair and just under our legal system and State Bar is simply following the tenets of that system in their implementation of this new rule.
133		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None.
134	Philip R. Sheldon	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Only makes sense if licensee can go 8 years with no discipline and only one other on their record, it should be expunged.	No additional comment, approved by me as is.
135	Sherry Ann Garrels	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Sounds wonderful	I feel 4 years or 5 years would be appropriate. Thank you.
136	ALLAN R. FRUMKIN	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	RE: PROPOSED RULE 9.33, IT IS ABSOLUTELY THE RIGHT AND FAIR THING TO DO. IN MAY CASE, DURING MY 52 YEARS OF ACTIVE PRACTICE, I HAVE HAD ONLY THIS ONE PROBLEM AND IT WAS BASICALLY A TECHNICAL VIOLATION; THAT IS, IT DID NOT INVOLVE A BREACH OF TRUST. MANY TIMES, , IN LITIGATION, THE OTHER SIDE IN A MATTE WOULD TRY DISCREDIT ME BY BRINGING UP MY ONE INSTANCE OF STATE BAR DISCIPLINE. A ONE TIME EXPUNGEMENT IS FAIR.	1
137		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No thanks
138		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Automatic expungement after 10 years would be sufficient or at most 12 years. If an attorney has no recidivism for either of these periods he or she has demonstrated sufficient adherence to State Bar and Ethics rules that there is nothing to be gained by keeping the Bar discipline a matter of record; total expungement is warranted.	See previous. Especially where there has been non-disbarment discipline, there is nothing to be gained by continuing potentially impact the professional life of such attorney.
139		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		n/a

140	Anonymous	Yes	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This California attorney is in full agreement with rule 9.33. One professional mistake or lapse of judgment or unfair persecution should not torment and haunt and ruin one's career and ability to earn a living and reputation and subject one to public and private shame and humiliation for decades or the rest of one's life, there needs to be some mercy and compassion and redemption. To error is human, to forgive is divine. Read the classic book "The Scarlet Letter" the moral of which is to condemn scarlet letters or badges of infamy or public shame and humiliation as a form of punishment, especially for small sins or mistakes or lapses in judgment, and especially when there is so much hypocrisy throughout all of society. Let him who is without sin cast the first stone at another sinner. All have sinned and fall short of God's glory. If God has forgiven (and	This California attorney is in full agreement with the expungement and removal of nondisbarment discipline as set forth in the Rule and policy.
141		No	AGREE ONLY if Modified	AGREE with the proposed recommendations	I agree with proposals at a minimum, but I think multiple expungements should be considered if old enough.	no
142		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I strongly support this proposed change. Having experienced the discipline system first-hand, I understand the severe consequences of having my one-time offense on the State Bar website. I nearly was disqualified from being able to purchase a house, as well as have lost out on numerous employment opportunities, due to a my misdemeanor that was entirely expunged over 13 years ago. The State Bar Opinion about me states, inter alia: "Respondent's dedication, compassion, caring, and selfless actions serve as a testimonial to her good character" and that "Respondent's extreme emotional suffering can explain her atypical and aberrational behavior." For the last several years, I have continued as a successful litigation partner. I fully support this proposed change, not just for me, but for all attorneys who have suffered a rough time in their life and
143	Decline to state	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	No comments	No comments

144	Michael Meehan	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	It seems that an attorney who has shown good conduct following a non-disbarment disciplinary action by the State Bar should be able to have it expunged from the record and removed from the website. A criminal defendant has the conviction automatically expunged from the record upon successful completion of probation (pursuant to SB-731), and the state has made it a priority recently to stress the importance of the value of individuals who may have been convicted of a crime. They require a job offer before background checks are conducted. This attitude and focus should also motivate the State Bar of California to allow attorneys who have been disciplined to clear the single disciplinary action from their record. The State Bar still can use the prior action of the attorney is brought before the Bar a second time but it does	The removal of the discipline from the attorney's profile on the state bar website following a period of time is consistent with the rehabilitative nature of discipline from the state bar. It also rewards those who have been disciplined with a clearing of their record as long as they have demonstrated good conduct and compliance with the terms of the discipline. Which we should encourage.
145	Michael Hall	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I was greatly harmed by the State Bar's aggressive disciplinary action against me related to inadequate office and trust accounting practices during the time that I was struggling to establish my own practice after separating from my former partnership. At the time, I fully cooperated with the State Bar and agreed to discipline, but this was before the internet made such information available at the touch of a search button. None of my clients were harmed in any way as a result of accounting deficiencies. After the record became so easily available on line, it haunted me professionally for decades since it did not explain the relatively minor issue that resulted in discipline. I'm sure that I lost client referrals and an incalculable amount of income due to damage to my reputation, as well as respect from colleagues and foreclosure	Please see prior comments
146	Jeffery Rubenstein	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I was a participant in the LAP Pilot program for Conduct in 1999-2000. I was completed the program and my State Bar matter was concluded in 2007. I received a suspension but was given time-served. I have been an exemplary member of the Bar since that time and would benefit from this new rule. My SB # is 167192 and I am here to assist as needed.	Same as comments above. Online is important

147	Thomas V Pratt AS I am personally affected by this proposal, I FULLY SUPPORT IT. for 26 years I have carried the stain of a Public Reproval from some oversights which occurred while I was going through a divorce. I have always thought that such STAIN should be able to be removed EVENTUALLY and would welcome it's removal some day before I retire	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Nothing further to add
148	Stanley Ness	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This is most justifiable. Some, if not many, disciplinary complaints are wrongfully motivated and/or based on technical violations. It is unjust to have the stigma hanging over your entire professional career and impugning your business interests. Demin Imus violations with disproportionate results.	This is most justifiable. Some, if not many, disciplinary complaints are wrongfully motivated and/or based on technical violations. It is unjust to have the stigma hanging over your entire professional career and impugning your business interests. Demin Imus violations with disproportionate results.
149	Thomas Freiburger	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I fully support expungement of past disciplinary records of lawyers who have had no negative incidents or reports for years after a disciplined event. I also feel strongly that a lawyer with only a single disciplined event on record, and an otherwise clean slate, should have that record expunged after a few years. I know a California lawyer of extremely high ability and integrity, who was abused by traffic police after doing absolutely nothing, beaten by a policeman and wrongfully arrested. This has been a black mark on his record for years, and the only negative report in his long career.	Ily
150		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	smaller law firms and sole practioners get the most discipline due to the nature of their clientele, not the big firms, So this move is long time coming.	no comments
151		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None
152		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		none

153	ROBERT DAVID BAKER	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I was suspended from practice in approximately 1992 for several what I consider minor infractions, e.g., failing to communicate with a client. I have had no discipline since and I think it unfair that the one discipline I had over 30 years ago is still on my record.	same as before
154		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	If an attorney had a one time "blip" in his/her career due to personal circumstances and took all corrective action, that stain on the attorney's record should be removed. In this internet knowledge era of everyone knowing everything about everyone, the attorney should be able to have an unblemished record in such a situation. I myself went through personal trauma which impacted a decision over 20 years ago! Unfortunately, that one incident remains on my otherwise outstanding legal record and reputation.	see previous comments
155	Graham J. Baldwin	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I think the proposal is sound as presented.
156		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		na
157	Mark Alan Rogers	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This sounds like an excellent rule. The burden of having a public record of discipline is crippling.	All references to the discipline should be removed from the public profile page. It would be useful if there were some way to eliminate the history of discipline from search engines as well.
158	Arthur Fisher	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I strongly support the proposed rule. It reinforces principles of restorative justice, with demonstrated rehabilitation and consistent adherence over time.	Failure to do this would conflict with the rule's purpose. It is a logical and essential follow-on, given the presumptive reasoning behind the rule's proposal.
159		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No comment, other than I AGREE with the proposal.

160	John Charles Barlow	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This rule would allow attorneys the opportunity to get out from under a Public or Private Disciplinary Action that impacts their opportunity to join a firm or not have to explain an action that happened a long time ago. Further, it would protect the attorney from having disgruntled individuals, who are not clients, making public comment about a disciplinary proceeding that happened a long time ago and has no impact on current activity of the attorney. This happened to me and a non-client, the adverse party in a lawsuit, posted improper comments on facebook about a disciplinary action that happened for me over 20 years before. I also wanted to join a firm and the disciplinary action came up in the initial review and I had to comment on it to them. I believe this proposal is a good idea and should be implemented as soon as	See previous comments
161		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		No comment
162	Gilbert Fleming	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	In 2010 I made a slight mistake. I did NO harm to the client. I let myself get swindled by elderly client's son (stroke victim in a hospital). I realized I had been swindled by client's son and she was in danger. I called the police as asked for a "well call" The cop was unhelpful. But the cop's visit allowed client to escape. she returned to the nursing home and had lost 1/3 of her body weight. I think I had a hand in saving her life. The Bar agreed that I did not harm to the client, but gave me the minimum 30 day suspension because I did make a mistake. Well, 14 years later, I have not even had a complaint. I have helped over 400 elders and veterans. But I have AVVO announcing to use extreme caution in considering hiring me. That was NOT what the Bar wanted when they gave me the minimum 30 day suspension. This 30 day suspension should be expunged.	Thanks for your consideration.
163	Edward Higginbotham	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		This rule is needed
164	Ernest Lloyd Eady	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Career-long publication regarding an act, albeit it improper, that generated only a public reproof or less seems somewhat harsh. I have a self-interest in the issue as I am still living with the effects of a public reproof from nearly 30 years ago. I feel like enough is enough.	I am totally in favor of the change.

165		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	In my case, I was a relatively new solo attorney. I read an article in The Daily Journal saying it was perfectly legal to ask a client to pay, in advance, any case costs. I was not aware of the law in California saying that an attorney should copy, at his own expense, a client's case file and then give the client the client's case file upon request, no matter what. I was too inexperienced to know that I should have retained and consulted an ethics attorney to advise me. Long story short, I stupidly relied upon a Daily Journal article to tell me what to do. I was very busy and almost continuously engaged in meeting pressing deadlines in my law practice and I did not give my client's request the immediate attention it deserved. My one-year suspension was stayed and I kept practicing without interruption. Given the light discipline and the passage of 20	Please see my comments above.
166	DENNIS CLARK KERR	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		none
167	Robert Rentzer	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Felons get convictions expunged when they complete probation... normally not over 3 years. Attorneys certainly deserve the same consideration, especially after eight years of being disciplined free	Expungement will simplify Pro Haec Vice applications which require explanation of discipline and not having to do that explanation avoids reminder of an unpleasant ancient event
168		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		N/A
169	Michael J Freeman	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I was publicly disciplined in 2009 for an incident which occurred in 2003 and I have not had any disciplinary actions since. On numerous occasions since then I have been passed over for employment, promotions, and judicial openings based upon this public discipline. Last week, I even had opposing counsel argue to the court that I had a "history" of withholding exculpatory evidence from the defense, citing my CA discipline from 2009. Counsel was incorrect in her allegation in that I have never been found to have withheld exculpatory evidence by any court or tribunal, and the Court rejected her claim. Yet I still have to deal with such frivolous allegations 21 years after the event occurred.	I have been an attorney for over 30 years and am likley in the last 4-5 years of my career. Almost half of my career has been tainted and limited by a single incident. I think 21 years is long enough to determine my character in such matters, and I would like to be able to put this behind me and finish my career with a clean slate. Almost every state has enacted laws which provide convicted felons with an opportunity to have their convictions expunged after a period of good behaviour, yet we brand our attorneys with a "scarlett letter" for their entire careers, in my case for a single isolated incident. I believe any concerns about "protecting the public" from unscrupulous attorneys is dissipated by that fact that I have gone 21 years without any further bar issues.
170		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None

171		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	<p>I fully support this rule. Our criminal justice system is premised on rehabilitation and learning from one's mistake. If an attorney has avoided further discipline during the eight-year period, an expungement should certainly be applicable so that he/she may continue as a productive citizen and attorney.</p> <p>A "Scarlet Letter" in the form of nondisbarment discipline from the licensee's attorney profile page is very similar to a criminal conviction in that it very likely will impede an attorney's ability to work and therefore result in further struggle.</p> <p>In sum, in the spirit of rehabilitation and ability to be a productive member of the State Bar and society, this rule should be adopted.</p>	I fully support this rule.
172		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None.
173		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		none
174		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I was suffering from undiagnosed cancer at the time, which affected my ability to run my law office.
175		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I support the proposal of removal of nondisbarment discipline after 8 years.
176		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	It is a good idea. People do make mistakes and there should be a process to delete it from the public record assuming conditions are met.	agree with website removal
177	William Slocumb	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	<p>The material sent out is very unclear as to the procedural methods of obtaining the expungement. Will this be like former possession of less than an ounce of marijuana convictions and have the expungement be self executing? Or do we need an application and a hearing process and further positions in the state bar staff in order to handle this?</p>	<p>The road should clarify the process for obtaining the expungement. Actually, I would prefer the process to be self enforcing. It would seem a computer program could be written to screen people for the qualifications and, if they're qualified, go ahead and execute the expungement without having to require this state bar to hire additional staff to get it done. That would be for those matters which are purely ministerial.</p>
178		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		NO COMMENT.

179	Gaurav Bobby Kalra	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I was placed on a stayed probation for a CLE audit over one decade ago. During that time, I was the target of a domestic violence perpetrator. My paperwork was not in order due to, in part, having to move from my home. I relayed this to the State Bar attorney, who ignored all my comments. The stayed suspension ruined my legal career as it limited my jobs and placed a black mark on my bar history. Clients and potential employers commented on the same for several years. There has been no recovery and the state bar has been unwilling to reconsider its position. I feel like the "little attorney" (me, minority solo) got "smushed" by the institution called the state bar that did not provide any thoughtful response to my CLE audit issues or my attempts to mitigate. This rule should be implemented immediately.	See prior comments.
180		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Waaaay overdue.	Fair and reasonable to lawyer while not misleading public.
181	K. Edwards	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I support the proposed Rule 9.33, which allows one-time expungement of non-disbarment discipline. The current system imposes a lifetime of public shaming for minor mistakes, which is arcane and overly punitive. It creates a scarlet letter that hinders career growth and discourages attorneys from staying in the profession, even after rehabilitation. Publicly branding attorneys for minor infractions serves no meaningful purpose, especially when compared to other professions, like law enforcement, where more serious actions often carry no lasting public stigma. The proposed rule ensures accountability by retaining expunged records for internal use while allowing attorneys to move forward after eight years of good conduct. This change balances public protection with fairness, fostering a profession that values growth and	The removal of nondisbarment discipline from the publicly available attorney profile page is a critical step in ensuring that minor past infractions do not serve as a lifelong stigma. This change aligns with the principles of fairness and allows attorneys to rebuild their reputations after demonstrating rehabilitation and good conduct.
182	Nicholas A. Bravo	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		As a previously disciplined attorney, I agree that some change needs to be made to the current public discipline reporting system. A lifetime reporting of a disciplinary action which does not involve fraud on a client can in many cases be disproportionately penal. I would support the proposed one-time expungement and removal of the lifetime public listing after 8 years.

183	GLENN TERRONES	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	When I made my deal with the State Bar back in 1995, it was before the information age had arrived. I never contemplated that in addition to my two year suspension from practice, my reputation would be tarnished for an additional 26 years on the internet. I never could have suspected this, so I have always felt that the discipline I received went well beyond the time I was suspended from practice. In effect, I was suspended for two years and shamed for 28 years. It didn't seem fair.	Previously stated
184	Richard M. Chacon	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This should have been done a long time ago. It is absurd that our clients can get an "expungement", but the attorney cannot. I got a DUI a really long time ago and have been a recovering alcoholic for 14 years but until this I was simply stuck with the public reproval. Kudos to whomever put this into action.	Same comment as previously. Thank you.
185	Steven J. Roberts	No	AGREE ONLY if Modified	AGREE ONLY if Modified	I like the proposed Rule except it should contain a provision as follows: "The provisions herein do not restrict the ability of the State Bar Court to grant the relief provided herein earlier than eight years based upon a showing of good cause to the State Bar Court."	Your system fails to acknowledge when an attorney completes his/her terms of probation successfully. All it shows is the "conviction/settlement" with no follow-up. A consumer has no way of knowing whether the attorney has complied with the terms of the probation. I completed my terms of probation back in 2010 and yet my State Bar profile only contains the actual terms of Settlement and Police Report of my arrest for DUI. Nothing about successfully completing the terms let alone expungement. I am also very critical of your system. The ONLY proven way for an alcoholic/drug addict to recover is AA which costs absolutely NOTHING. All terms of probation for DUI or alcohol/drug related issues MUST order the attorney to attend at least five meetings per week, complete all 36 principles of the AA program (12 Steps, 12 Traditions and 12
186		No	DISAGREE with the proposed recommendations	DISAGREE with the proposed recommendations	I propose that the amendment be expanded to included those attorneys who had a suspension of thirty (30) days or less but who have not had any disciplinary findings in the twenty (20) years subsequent to that suspension.	If your purpose is to openly inform the public of ALL attorney misconduct, then this absolutely must remain, even if for a limited period of time.

187		No	AGREE ONLY if Modified	AGREE ONLY if Modified	Included in expungement should be those who were debarred, but on appeal that was reversed because a reversal of a disbarment is akin to the State Bar having been WRONG in disbarring the attorney to begin with. If anything, those should be entitled to a total clearing of their record because a higher court has determined and ruled that the State Bar was WRONG. Yet they continue to be punished despite the bad act of the State Bar.	Included in expungement should be those who were debarred, but on appeal that was reversed because a reversal of a disbarment is akin to the State Bar having been WRONG in disbarring the attorney to begin with. If anything, those should be entitled to a total clearing of their record because a higher court has determined and ruled that the State Bar was WRONG. Yet they continue to be punished despite the bad act of the State Bar.
188		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I support the proposed rule. Having been the subject of a short discipline suspension due to an incident which was not related to performance for a client, and was of a non harmful nature, it unfortunately followed me in my pursuit of public service, job or organization applications, and random exposure on the internet. The activity was 25 years ago, and preceded the pervasive use of the internet by and large, but within a few years, the internet and availability of the information became much more common and frequent. It would have been of great help to have it removed within the time frame proposed. In reality, after the discipline was imposed, I was such a stickler for following and being cognizant of the rules through continuing education that I prevented many careless practitioners from violating the cannons due to ignorance or	see above comments
189	David J Castenholz	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	<p>I received a BA from Stanford University in 1977 and a JD/MBA from Boston University in 1986. I passed the Massachusetts bar exam in 1986 and the California bar exam in 1987.</p> <p>After working for a few large firms in Boston and then California, I decided to start my own practice. Unfortunately, and for reasons I will not go into here, early in the formation of my firm I associated with certain individuals -- non-attorneys -- whose actions exposed me to disciplinary action by the State Bar and ultimately a brief suspension. I dutifully served my suspension, paid the required fees, and completed the required courses. However, I had no idea that my mistake would haunt me even now, in my 70th year.</p> <p>The first item which pops up during a Google search of me is</p>	<p>I received a BA from Stanford University in 1977 and a JD/MBA from Boston University in 1986. I passed the Massachusetts bar exam in 1986 and the California bar exam in 1987.</p> <p>After working for a few large firms in Boston and then California, I decided to start my own practice. Unfortunately, and for reasons I will not go into here, early in the formation of my firm I associated with certain individuals -- non-attorneys -- whose actions exposed me to disciplinary action by the State Bar and ultimately a brief suspension. I dutifully served my suspension, paid the required fees, and completed the required courses. However, I had no idea that my mistake would haunt me even now, in my 70th year.</p> <p>The publicly available attorney profile page shows my suspension almost 25 years ago. It has cost me financially, limited my</p>

190		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	An attorney is human and, when the public record reflects one mistake or error which was negligent but not purposeful, it is appropriate to allow removal because humans do make mistakes.	Nondisbarment discipline which reflect mistakes which are not purposeful are appropriate for removal one time.
191		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		none
192		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		None.
193		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		It serves no purpose.
194	James Benjamin Andres	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	The proposed rule is rational and non-injurious to public interest	The proposed rule is rational and non-injurious to public interest
195	Oliver Shami	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I agree with the proposed rule and believe that it is fair to attorneys who may have made a mistake in the past and have demonstrated that since then, they have been rehabilitated and have not re-offended. There is no reason why a "Scarlet letter" should follow an attorney like a dark cloud for the rest of their career, especially when they have demonstrated a correction in their path.
196		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	<p>The inclusion of the discipline I received, on the public website, has been very detrimental to me, my family and extended family. My discipline was over 25 years ago now. It basically halted my legal career, and continues to do so to this day. I have not applied for employment, as I assume that any law firm, and many consumers, would simply do a quick check of me on the calbar website, see my discipline, and then decide to go with someone else, someone with a "clean" record.</p> <p>I wouldn't blame law firms for doing that, as attorney profiles are posted on their own websites and more importantly, if something went south on a case, a client might blame them for allowing someone with a blemished record handle their matter.</p> <p>I have inquired from time to</p>	N/A

197	I prefer to keep my name in confidence, thank you	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	We could take some lessons from the way the Medical Board of California treat members who have undergone discipline - especially for conduct emailing no act of enmoral turpitude. Out State Bar historically has b	<p>THE INTERNET CHANGED IT ALL</p> <p>For the better part of two decades, California attorneys with a record of even the slightest Bar-imposed discipline, arising from no act of moral turpitude, or arising from a family emergency or practice emergency, have been advertised to the world with a zeal and a vehemence reserved for an ex-con child molester who has moved into one's neighborhood.</p> <p>For those of us who have been subjected to such extreme never-ending 24/7 publication, humiliation, and ostracism, we have endured torture the likes of which should be on display in the dungeon of the Tower of London.</p> <p>Thank you to all who are now interject much-needed reason, compassion, and finality in the Bar's imposition of attorney discipline.</p>
198	Richard Collins	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		Thank you for this proposed change. I've had to explain a "private reproval with public disclosure" to clients and potential clients for 26 years now.
199	Gene Edwin O'Brien	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		<p>I believe that this is a necessary change. I have a discipline on my profile. This was from an issue in 2013. I did not agree with the outcome, but I paid my costs and served my suspension, 30 days actual. I have since had no disciplinary action. However, this suspension has come up on many occasions. I have had to explain my position and have had to continue to defend myself and my abilities as an attorney. In 2020 I applied to become a Legal Document Preparer in AZ. I passed the exam for this certification. I disclosed my California Bar suspension. The Legal Document Preparer Board (all non-attorney) denied my application. The denial was based on the California suspension. The Board felt that I was incompetent. Incompetent to prepare a deed, a will, a power of attorney etc. I appealed this decision to the Administrative Law Court. The Judge found that the Board was wrong and that I had served my</p>

200	Paul J. Ultimo	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		The proposed rule regarding website removal of nondisbarment discipline has long been needed. The current rule requires the State Bar to publically disseminate private reprovals (in my case for 26 years) unnecessarily tarnishing the attorney's official record and professional reputation, posting discipline while offering no information, benefit, or protection to the public as the underlying facts remain the subject to personal privacy, and in my case are unrelated to the practice of law. A Private Reapproval stipulated by the State Bar more than 26 years ago, should never have been posted online, as the discipline was and is based on private matter. In any case, it offers the public no information, benefit, or protection while being harmful to the attorney's livelihood (for 26-years) by being posted prominently online.
201	James McHenry	No	AGREE ONLY if Modified	AGREE with the proposed recommendations	I'm in favor of expungement in whatever form you decide, but my variation would be: why limit it to "one-time"?	It's often misleading to the public if they don't understand what they are reading. The summaries are especially misleading because they reword what the actual issue is, making it not the same as the actual issue.
202		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	It is only fair to expunge and remove from the State Bar website any reference to a member's prior history, especially after at least 8 years of good behavior.	It is only fair to remove a member's public information from the State Bar website, especially after at least 8 years of good behavior. To not do so would continue to punish a member indefinitely.
203	Fariba Rahimi	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I suffered for the past 12 years because of an disciplinary post on the State Bar site. I absolutely agree.	I agree
204		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I support the proposed change under Rule 9.33.	No additional comments.
205	Thomas Ray Barnes	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		proposed Rule of Court 9.33 and separately, the proposed State Bar policy to remove nondisbarment discipline from the licensee's attorney profile page.

206	Gilbert Fleming	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	In 2010 I received a one-month discipline sentence from the California State Bar. "I made an error as a notary, not as an attorney. The Bar determined that I did nothing to harm the client and was merely trying to expedite the client's benefits. Confirm this on the CA Bar's website. See page 8 of the Stipulation." The one-month discipline was the shortest allowed by the bar. The hearing officer wrote that I did no harm to the client and was trying to help the client. I have had no trouble with the bar since 2010. I respectfully ask you to move forward with this proposed change. AVVO put my name on their page (I did not ask for this) and noted: use extreme caution. This created a real marketing problem for me.	I received a one-month suspension in 2010. there has been no problem with the Bar since then. AVVO listed my name a noted to use extreme caution. This hindered my marketing and other things.
207		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This rule is long overdue. Especially for any discipline not related to the practice of law, these old disciplinary actions should be removed from any member's profile.	This rule is long overdue. Old non-disbarment discipline should be removed from the member's profile on the state bar website.
208	Peter Scalisi	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I think that the State Bar should expunge the non-disbarment information & discipline from its public website after 3-years. As a criminal defense lawyer, I can expunge a client's criminal conviction per Section 1203.4 of the California Penal code in many cases, including moral turpitude & some violent offense cases when the client has not re-offended & has complied with the terms and conditions of the client's probation which is typically 3-years. Seems only fair that a similar procedure be in place for the State Bar.	None submitted.
209	Henri	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations		I support both propositions. Thank you.
210		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	This is an excellent policy. Attorneys who make one mistake should not have to suffer the stigma of discipline for the entirety of their careers.	This is an excellent policy. Attorneys who make one mistake should not have to suffer the stigma of discipline for the entirety of their careers.

211	Lisa M. Howard	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I am uniquely qualified to comment on your proposed Rule 9.33 since I was disciplined by the Bar in 1988. For the last 35 years, I have had the stigma & humiliation on my public profile page. I have sent a letter dated Feb 3, 2025 detailing my experience with cruel & draconian public scar.	As previously stated, I am uniquely qualified to comment on your proposed Rule 9.33 since I was disciplined by the Bar in 1988 & for permanently keeping my failure to timely pay Bar dues in 1985 on public display. I have sent a letter dated Feb 3, 2025 detailing my experience because of this cruel, humiliating & draconian public flogging.
212	Lisa M. Howard	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I am submitting additional materials that are relevant to this proposal to the email provided.	Will be submitting additional materials to the email address provided.
213	David S. Quintana	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	The proposed changes are well considered and well drafted. The policy purpose of permitting attorneys to achieve redemption through proven years of practice promotes the public interest. If criminals can earn expungement for felony crimes, it seems patently unfair that attorneys cannot earn expungement for administrative actions, especially given our Bar's rather narrow view on many ethical issues compared to other states. Moreover, the impact of a public discipline is magnified, especially now with social media and internet coverage; the effect on an attorney's career through loss of employment opportunities and clients is magnified when every website prominently carries warnings about the disciplinary record. The disciplinary record is often misused by opposing attorneys in litigation to bias a judge and gain a competitive advantage to the expense of	The Bar's practice of listing both an attorney's disciplinary record and voluntarily membership record is confusing to the public. Where an attorney chooses to be voluntarily inactive for a period of time, it easily appears to a member of the public as a disciplinary action. This has happened to me many times over the past 30 years.
214	Judy Lee Beres	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I wholeheartedly support State Bar Expungement after 8 years. The time has come for the State Bar to expunge non disbarment discipline after 8 years. I have such discipline published on my State Bar profile as a result of failing to escape an abusive relationship in a timely manner and being charged with my partner's illegal acts. However, despite expungement of my misdemeanor criminal case, a divorce case protecting minor's information from view, and years of therapy, the discipline attached to my State Bar website profile continues to affect my family's life, especially my son's. The State Bar's laudable goal to protect clients actually put sensitive family information on the internet for all to see and was used for unrelated, perhaps illegal, discriminatory purposes. It gave my son a reputation as a "bad kid," although he did nothing wrong & inhibited him from	No further comment.

215	Frear Stephen Schmid	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	The use of the web creates a Scarlett letter that is not commensurate with the offenses.	use of the web creates a Scarlet letter not commensurate with the offense
216	TERRY HERRERA	No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	Approximately before year 1994, Ms. Florida Valentin was Atty. Christopher Rand's client. A check for \$1,000 was issued by the Insurance Co. to her Medical Clinic. I couldn't explain to the Ca. State Bar how the check came by and deposited by my office. So, after reimbursing Ms. Valentin, "nolo contendere" was entered by Atty. Tabacknic (unsure of spelling) on my behalf . More than 30 years event....	no more comment
217		No	AGREE with the proposed recommendations	AGREE with the proposed recommendations	I am pleased Rule 9.33 has been drafted and proposed. I respectfully believe an expungement system is long overdue. I am confident the Rule will serve the Bar's mission to protect the public and the integrity of the profession. Indeed, I am convinced of it. I urge the committee to adopt and enact Rule 9.33 with expediency.	I am pleased the policy has been drafted and may be enacted. I am confident the proposed policy will promote the public interest. Opposing attorneys often seek any edge or leverage. Sometimes they just succumb to human fascination with others' past failings. Whatever the motivations, be they deliberate or more subconscious, too often those lawyers' easy access to an adversary's past discipline produces animosity, distrust and manifest incivility. Not uncommonly, that animosity affects their judgment and thus their ability to competently discharge their client responsibilities. Among many other things, I have witnessed these lawyers unnecessarily prolong litigation, force weak cases to trial and/or make other poor decisions. Those decisions often produced negative and occasionally devastating consequences for their clients.

EXHIBIT 12

Document received by the CA Supreme Court.



The State Bar of California

**OPEN SESSION
AGENDA ITEM
7.4 MAY 2025
BOARD OF TRUSTEES**

DATE: May 22, 2025

TO: Members, Board of Trustees

FROM: Donna S. Hershkowitz, Chief of Admissions/Legislative Director

SUBJECT: Consideration of Legislative Priorities for 2025; Update of Guiding Principles for Legislative Program

EXECUTIVE SUMMARY

Each year the Board of Trustees considers, consistent with the [State Bar Legislative Program: Purpose and Guiding Principles](#), what legislative priorities to adopt and affirmative proposals to advance. This staff report recommends not adopting legislative priorities or advancing affirmative proposals for 2025 and instead focusing legislative efforts this year on advancing the fee bill, responding to the significant issues facing the State Bar in the admissions space, and providing appropriate technical assistance on several bills that the State Bar is currently following. This staff report also includes a recommendation from leadership of the Legal Services Trust Fund Commission (LSTFC) to provide the LSTFC flexibility to advance policies or positions through the Legislature on its own to the extent they impact funds and programs within the jurisdiction of the LSTFC, but not the State Bar General Fund.

RECOMMENDED ACTION

Staff recommend that the Board not set legislative priorities or identify affirmative legislative proposals for 2025. Staff further recommend that the Board adopt changes to the “State Bar Legislative Program: Purpose and Guiding Principles” to provide the LSTFC limited authority to advocate on its own for policies or positions in defined circumstances.

DISCUSSION

CONSIDERATION OF LEGISLATIVE PRIORITIES AND AFFIRMATIVE LEGISLATIVE PROPOSALS

Staff recommend maintaining laser focus on two primary issues this year in the legislative process:

- Providing information necessary to advance the annual fee bill, that is, the legislation that sets the attorney licensing fee for 2026;
- Addressing the anticipated continued legislative interest in evaluating the failures of the February 2025 bar exam in an effort to prevent any similar occurrence in the future.

Staff would also continue to provide technical assistance on measures that impact the State Bar.

As in prior years, the State Bar began to develop a legislative agenda for the Board's consideration. Proposals presented to the legislative director for consideration include:

- Clean-up of conflict of interest provisions in Business and Professions Code section 6038 to make clear the penalties for violation of conflict provisions in sections 66036 and 6037 apply to contractors and volunteers who are also subject to the State Bar's Conflict of Interest Code.
- Clarification that the State Bar's request for proposal procedure is set forth not in rule, as required by Business and Professions Code section 6008.1, but rather in the State Bar's General Procurement Manual.
- Amendment of the Bagley-Keene Open Meeting Act to allow for closed session discussions of the Board of Trustees to discuss disciplinary matters that are confidential under Business and Professions Code section 6068.1.
- Exploring extending immunities for liability for acts within their scope of work to State Bar contractors, such as Special Deputy Trial Counsel.
- Clarification that the duty of the State Bar to maintain permanent records of discipline, does not extend to non-disciplinary matters within the State Bar's jurisdiction.
- Explore legislative interest in giving the State Bar authority to institute legal proceedings to recover funds from deceased attorney's IOLTA accounts with the money deposited in the Client Security Fund.
- Add an exemption to disclosure under the California Public Records Act for records that have been expunged.
- Clarification to the new requirements to certify alternative dispute firms and practitioners.

Resource constraints have prevented the work up of most of these matters. In addition, staff have been concerned that while the Legislature is raising questions about transparency and accountability, amendments, no matter how appropriate, to allow for closed sessions and exemptions from disclosure under the CPRA, will face hurdles that they would not in other years. Staff believe that the best course of action for 2025 is to work closely with legislative staff on the fee bill, to keep them informed about any developments related to the bar exam, and to otherwise not pursue legislative priorities, and to continue to provide technical assistance. Staff propose to work up the above items for 2026 in lieu of 2025.

AUTHORIZING THE LSTFC TO ADVOCATE ON ITS OWN ON ISSUES NARROWLY WITHIN ITS PURVIEW

In May 2022, the Board updated the State Bar Legislative Program: Purpose and Guiding Principles, setting forth the types of matters on which the State Bar engages with the legislative and executive branches in alignment with its Strategic Plan.

Effective January 1, 2022, the Legislature enacted Business and Professions Code section 6210.5 codifying the Legal Services Trust Fund Commission (LSTFC) and giving the LSTFC a degree of independence from the Board. For example, the statute requires the LSTFC to recommend to the Board rules related to administration of IOLTA grants, but provides that the Board shall approve such rules unless the Board “makes a finding in writing that a recommendation conflicts with a statutory, fiduciary, or legal obligation of the State Bar.” As such, in essence, the statute gives the LSTFC authority with regard to policy decisions.

In that same vein, leadership of the LSTFC have requested the ability to advocate directly on legislative matters without Board action, and in the name of the LSTFC not the State Bar or the Board. Attachment A, crafted with the input of LSTFC leadership, would authorize the LSTFC to independently advocate for policies and take positions on legislation relating to specific issues within the purview of the LSTFC. The proposal requires coordination with the State Bar’s legislative director to ensure that none of the policies or positions the LSTFC proposes to advance impact the State Bar’s general fund.

PREVIOUS ACTION

January 18–19, 2024, [Adoption of Preliminary 2024 Legislative Priorities and Affirmative Legislative Proposals](#)

March 21–22, 2024, [Update on Legislation and Adoption of Affirmative Legislative Proposals](#)

May 16–17, 2024, [Discussion and Approval of Current and New 2024 Legislative Priorities and Affirmative Legislative Proposals](#)

January 19–20, 2023, [Approval of 2023 Legislative Priorities](#)

May 18–19, 2023, [Discussion and Adoption of Additional Legislative Priorities](#)

May 19–20, 2022, [Approval of Revised Guiding Principles for the state Bar Legislative Program; Recommended Positions on Legislation and Budget Items](#)

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

None

RESOLUTIONS

Should the Board of Trustees concur, it is:

RESOLVED, that the Board of Trustees, in lieu of adopting specific legislative priorities and affirmative legislative proposals, directs staff to focus 2025 legislative efforts on advancing the fee bill, responding to the significant issues facing the State Bar in the admissions space, and providing appropriate technical support; and it is

FURTHER RESOLVED, that the Board of Trustees adopts the revised State Bar Legislative Program: Purpose and Guiding Principles, set forth as Attachment A.

ATTACHMENT LIST

- A. State Bar Legislative Program: Purpose and Guiding Principles (Redline)

State Bar Legislative Program: Purpose and Guiding Principles

(As Adopted ~~May 19, 2022~~ May 22, 2025)

The State Bar's legislative program is guided by the mission of the State Bar. As set forth in the Strategic Plan for 2022–2027, the State Bar of California's mission is to protect the public and includes the primary functions of licensing, regulation, and discipline of attorneys; the advancement of the ethical and competent practice of law; and support of efforts for greater access to, and inclusion in, the legal system.

Guiding Principles:

The purpose of the legislative program is to pursue legislation in furtherance of the State Bar mission, monitor legislative activity, and represent and advocate for the State Bar on legislative, policy, and budget matters before the Legislature and Governor.

The State Bar seeks to ensure that laws are in place that enhance the ethical and competent practice of law, the ability to effectively license and regulate lawyers in a manner that protects the public, and provide an effective, fair, just, and appropriate system for the discipline of attorneys who commit misconduct and pose a risk of harm to the public. The State Bar seeks to promote laws to enhance access to the profession and the justice system.

The State Bar strives to promote greater diversity, equity, and inclusion in the legal profession. The State Bar seeks to promote laws that identify effective new tools and appropriate funding for, or eliminate unnecessary obstacles to, carrying out the State Bar's public protection mission.

The State Bar's legislative program seeks to advance the following four goals of the State Bar's Strategic Plan:

Goal 1: Protect the public by strengthening the Attorney Discipline System: Administer an attorney discipline system that is efficient, accountable, and transparent.

Goal 2: Protect the public by enhancing access to and inclusion in the legal system: Increase access to the legal system through public outreach and education, improved access to legal advice and services, and a legal profession that reflects the diversity of California.

Goal 3: Protect the public by regulating the legal profession: Promote the ethical and competent practice of law and prevent misconduct by providing education, resources, and support for the legal profession.

Goal 4: Protect the public by engaging partners: Engage partners and stakeholders to enhance public protection and restore the State Bar's credibility, reputation, and impact.

Goal 5: Protect the public through the use of technology and responsible data

management: Strategically invest in and implement technology infrastructure, cybersecurity, and next-generation tools and systems to increase the efficiency and effectiveness of the State Bar.

With regard to all of the above, the Board of Trustees, or its designee, shall establish legislative priorities and direct positions on legislation. Except as set forth in this policy, subentities shall not take positions independently from the State Bar.

In addition, as a state agency, the State Bar monitors and takes positions on legislation that affect the internal operations of the State Bar, such as legislation that impacts the State Bar as an employer, as an owner of commercial property, as a state agency subject to contracting requirements, open meeting requirements, and open records requirements. With regard to such matters, the executive director of the State Bar shall establish legislative priorities and direct positions on legislation in consultation with the Board chair and vice-chair.

Notwithstanding the foregoing, the Legal Services Trust Fund Commission (LSTFC) may independently advocate for policies and take positions on legislation relating to the following: administration of Interest on Lawyer Trust Accounts (IOLTA) grants, Equal Access Funds, or similar funds or grant monies intended for the support of qualified legal services projects and qualified support centers, as those terms are defined in section 6213 of the Business and Professions Code. However, the LSTFC may not take positions or advance legislation that impacts the State Bar general fund. The LSTFC shall provide advance notice to the State Bar's legislative director to determine whether the position the LSTFC seeks to advance impacts the State Bar general fund. The legislative director will provide that determination prior to the meeting of the LSTFC (or any of its committees to which the LSTFC has delegated authority) in which the LSTFC will consider the proposed position. To the extent the LSTFC disagrees with the legislative director's determination that pending legislation or potential positions will impact the State Bar general fund, the LSTFC can request review of that by the Board of Trustees. The LSTFC shall keep the State Bar's legislative director apprised of all positions communicated to the Legislature or Governor's office and shall seek to coordinate its advocacy efforts on these matters with the State Bar.

EXHIBIT 13

Document received by the CA Supreme Court.



The State Bar of California

RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES

AGENDA ITEM 7.4: Consideration of Legislative Priorities for 2025; Update on Guiding Principles for Legislative Program

RESOLVED, that the Board of Trustees, in lieu of adopting specific legislative priorities and affirmative legislative proposals, directs staff to focus 2025 legislative efforts on advancing the fee bill, responding to the significant issues facing the State Bar in the admissions space, and providing appropriate technical support; and it is

FURTHER RESOLVED, that the Board of Trustees adopts the revised State Bar Legislative Program: Purpose and Guiding Principles, set forth as Attachment A.

I hereby certify that the foregoing is full, true and correct copy of the resolution adopted by the Board of Trustees at its meeting held on May 22, 2025, by hybrid format in San Francisco and Zoom.

Louisa Ayrapetyan, Board Secretary

VOTE

Moved by Sowell, seconded by Harrison

Ayes – (10) Barahona, Cisneros, Grande, Harrison, Huser, Sowell, Stephens, Toney, Trejo, Stallings

Noes – (0)

Abstain – (0)

Absent – (3) Buenaventura, Good, Gore

Motion carried.

EXHIBIT 14

Document received by the CA Supreme Court.

From: Erdenebaatar, Khulan <Khulan.Erdenebaatar@calbar.ca.gov>
Sent: Thursday, March 6, 2025 12:18 PM
To: Wilson, Leah <Leaht.Wilson@calbar.ca.gov>
Subject: RE: Recidivism Data

Hi Leah,

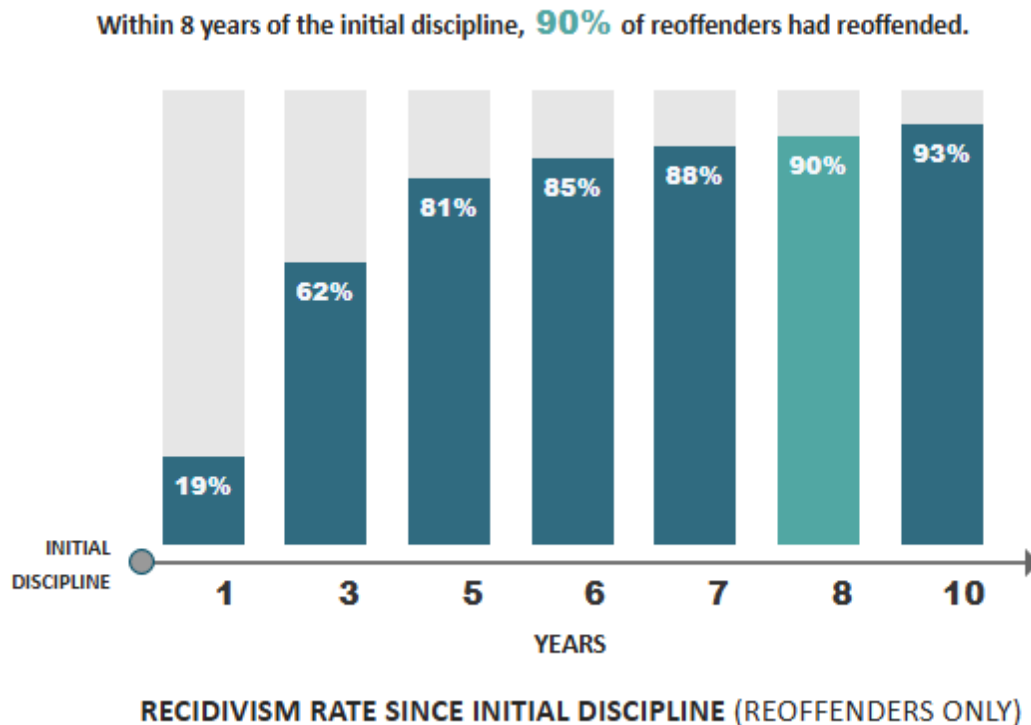
Here is the narrative on the recidivism analysis that informed the 8-year expungement proposal. Please let me know your thoughts.

At the May 2024 Board meeting, staff recommended adopting a 10-year policy for removing nondisbarment discipline from attorney profile pages to provide one-time relief for attorneys who have received only a single disciplinary action. This recommendation was based on an analysis of recidivism among attorneys disciplined for the first time between 2004 and 2013, which allowed for a complete 10-year review of re-offense patterns. The data showed that 94% of those who eventually reoffended did so within 10 years, suggesting that this policy could remove discipline records for approximately 6% of reoffenders. Notably, most re-offenses occurred relatively early: by year 8, 90% of eventual reoffenders had already been disciplined again.

Based on these findings, the Board instructed staff to draft a proposed Rule of Court for an 8-year expungement policy. The goal is to capture nearly all reoffenders while avoiding unnecessary delays for non-repeat offenders (who make up the majority). At the meeting, it was clarified that this 8-year period would begin on (1) the effective date of a reproof, (2) the termination of probation with a stayed suspension (no actual suspension), or (3) or the termination of probation or reinstatement following termination of the actual suspension, whichever is later. The policy would apply only to licensees who are active, voluntarily inactive, or resigned.

Staff updated the original analysis—which had measured time from the start of the initial discipline to the start of any subsequent discipline and included other license statuses—to reflect these changes. Figure 1 summarizes the updated analysis, showing recidivism rates after first discipline at 1, 3, 5, 6, 7, 8, and 10 years. As in the original analysis, by the 8th year, 90% of those who will ever reoffend have done so, rising only slightly—to 93%—by the 10th year. Extending the waiting period beyond 8 years therefore offers minimal additional protection while delaying relief for those who do not reoffend.

FIGURE 1. RECIDIVISM RATE SINCE INITIAL DISCIPLINE



In addition, Table 1 compares recidivism rates by the type of initial discipline—actual suspension, stayed suspension, or public reproof—over the same timeframes (up to 10 years). While the percentages vary somewhat by discipline type, the overall trend remains the same: by year 8, the vast majority of eventual reoffenders have already been disciplined again.

TABLE 1. Recidivism by Initial Discipline Type

Time between initial and subsequent discipline	Overall		Actual Suspension		Stayed Suspension		Public Reproof	
	%	Running Total %	%	Running Total %	%	Running Total %	%	Running Total %
1 Year and less	19.5	19	17.2	17	34.3	34	3.8	4
1-3 Years	43.3	63	57.5	75	41.5	76	30.7	35
3-5 Years	18.4	81	11.8	87	16.9	93	26.9	62
5-6 Years	4.3	85	1.1	88	2.0	95	11.5	73
6-7 Years	2.5	88	2.7	90	0.0	95	9.6	83
7-8 Years	2.1	90	1.1	91	0.8	96	1.9	85
8-9 Years	1.4	91	1.1	92	0.8	96	1.9	86
9-10 Years	1.7	93	1.6	94	1.6	98	0.5	87
More than 10 years	6.8	100	5.9	100	2.0	100	13.2	100

Thanks,

Khulan Erdenebaatar (she/her) | [Hear my name](#)
Program Director, Office of Research and Statistics
Mission Advancement and Accountability Division
[State Bar of California](#) | 180 Howard Street | San Francisco, CA 94105
415.538.2352 | khulan.erdenebaatar@calbar.ca.gov

OUR VALUES | Clarity • Investing in Our People • Excellence • Respect • Growth Mindset

Working to protect the public in support of the mission of the State Bar of California.

Please consider the environment before printing this email.

[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Instagram](#) | [YouTube](#)

Document received by the CA Supreme Court.

EXHIBIT 15

Document received by the CA Supreme Court.

From: Erdenebaatar, Khulan
Sent: Monday, July 7, 2025 3:22 PM
To: Wilson, Leah <Leaht.Wilson@calbar.ca.gov>
Subject: Further Update Regarding Recidivism Data

State Bar staff’s prior analysis of recidivism among attorneys reviewed data on attorneys disciplined for the first time between 2004 and 2013, which allowed for a complete 10-year review of re-offense patterns. The data showed that most re-offenses occurred relatively early: by year 8, 90% of eventual reoffenders had already been disciplined again.

State Bar staff realized that the study of attorneys who were first disciplined between 2004 and 2013 could underestimate recidivism in later years because some of the attorneys in the study would not have many years to recidivate (e.g., for attorneys first disciplined in 2013, this study could only look at their recidivism over approximately ten to 11 years). Accordingly, State Bar staff analyzed the records of attorneys who had their first discipline between 1990 and 2014, and had another discipline at any time up to December 31, 2024. The pattern observed with the 2004 – 2013 analysis held, with relatively little change. In this broader timeframe, 86 percent of attorneys who would reoffend in the study period did so within eight years of completion of their first discipline, with 90 percent reoffending within ten years of completion of their first discipline.

As of July 1, 2025, 1,778 active licensees, 590 inactive licensees, 105 attorneys who resigned without charges pending, and 968 attorneys who resigned with charges pending would have discipline records expunged immediately if the eight-year expungement policy set forth in proposed California Rule of Court, rule 9.33 were implemented. Thereafter, more licensees would receive relief over time as they became eligible.

TABLE 1. Recidivism by Initial Discipline Type

Time between initial and subsequent discipline	Overall		Actual Suspension		Stayed Suspension		Reproval	
	%	Running Total %	%	Running Total %	%	Running Total %	%	Running Total %
1 Year and less	11.3	11	18.2	18	18.4	18	0.7	1
1-2 Years	23.9	35	31.2	49	32.1	51	12.2	13
2-3 Years	23.5	59	21.6	71	15.6	66	29.2	42
3-4 Years	12.3	71	8.6	80	9.9	76	17.2	59
4-5 Years	5.2	76	3.8	83	3.6	80	7.5	67
5-6 Years	4.6	81	3.8	87	4.3	84	5.7	72
6-7 Years	2.9	84	1.5	89	3.2	87	4.2	77
7-8 Years	2.1	86	1.2	90	2.1	89	3.0	80
8-9 Years	1.9	88	1.6	92	1.1	90	2.6	82

9-10 Years	2.2	90	1.3	93	1.7	92	3.3	86
10-11 Years	1.5	91	0.8	94	1.9	94	2.0	88
11-12 Years	1.7	93	1.1	95	1.9	96	2.1	90
12-13 Years	0.9	94	0.6	95	0.4	96	1.5	91
13-14 Years	1.2	95	0.6	96	0.4	97	2.1	93
14-15 Years	0.9	96	0.5	97	0.9	98	1.3	95
15-16 Years	0.5	97	0.1	97	0.6	98	0.9	95
16-17 Years	0.8	97	0.7	97	0.4	99	0.9	96
17-18 Years	0.5	98	0.5	98	0.4	99	0.4	97
18-19 Years	0.5	98	0.3	98	0.0	99	0.8	98
19-20 Years	0.6	99	0.7	99	0.6	100	0.4	98
20+ Years	1.3	100	1.1	100	0.2	100	1.9	100

Khulan Erdenebaatar (she/her) | [Hear my name](#)

Program Director, Office of Research and Statistics

Mission Advancement and Accountability Division

[State Bar of California](#) | 180 Howard Street | San Francisco, CA 94105

415.538.2352 | khulan.erdenebaatar@calbar.ca.gov

OUR VALUES | Clarity • Investing in Our People • Excellence • Respect • Growth Mindset

Working to protect the public in support of the mission of the State Bar of California.

Please consider the environment before printing this email.

[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Instagram](#) | [YouTube](#)

Document received by the CA Supreme Court.