

REPORT . . .
Lawyers Professional
Responsibility Board

By

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The following is a complete summary of the warnings issued to Minnesota lawyers during 1977, under the provisions of Rule 8(c)(2), Rules on Lawyers Professional Responsibility. Anyone who would like more detailed information as to any warning or the grounds for its issuance may contact the office of the Lawyers Professional Responsibility Board.

WARNINGS ISSUED IN 1977

	Warnings Issued
1. Neglecting a legal matter DR 6-101(A)(3)	
(a) Civil claims or civil litigation	12
(b) Probate	11
(c) Real estate	5
(d) Criminal	2
(e) Income taxes	2
(f) Guardianship	1
(g) Bankruptcy	1
(h) Mechanic's lien	1
(i) Corporate transaction	1
	36
2. Failure to maintain reasonable communications (Failure to respond to telephone calls or letters) DR 1-102(A)(6) or DR 6-101(A)(3)	
(a) With clients	9
(b) With other attorneys	4
(c) With State agency on behalf of client	1
	14
3. Conflicts of interest DR 5-101 or DR 5-105	
(a) Divorce matters	2
(b) Real estate transactions	2
(c) Probate	2

	(d) Corporate transactions	1	
			7
4.	Improper handling of client funds or trust account DR 9-102		
	(a) Using trust account to hold attorneys' funds	2	
	(b) Disbursing trust funds in violation of trust agreement	1	
	(c) Failure to hold settlement proceeds in trust account	1	
	(d) Improper withdrawal of attorneys' fees from trust funds	1	
			5
5.	Failure or refusal to cooperate with investigation of ethics complaint DR 1-102(A)(5) or (6)	4	
6.	Advertising, solicitation, etc.		
	(a) Non-lawyer named on firm letterhead (Formal Opinion No. 8)	3	
	(b) Attempts to solicit personal injury litigation DR 2-103	2	
	(c) Solicitation of estate planning clients DR 2-103	1	
	(d) Business card identifying as real estate broker and attorney DR 2-102(E)	1	
			7
7.	Denial of liability for law office debts (Formal Opinion No. 7)		3
8.	Part-time county attorney handling civil matter arising out of or relating to criminal prosecution also handled by county attorney DR 9-101(B), DR 7-105		3
9.	Direct contact with adverse party represented by counsel without consent of adverse counsel DR 7-104(A)(1)		2
10.	Filing affidavit of default in civil action after receiving answer DR 1-102(A)(4) and DR 7-110(B)(2)		2
11.	Improper withdrawal from litigation DR 2-110		1

12. Aiding unauthorized practice of law DR 3-101(A) 1
13. Holding self out as attorney while suspended from practice DR 3-101(B) 1
14. Improper division of fee with another attorney without knowledge and consent of client DR 2-107(A) 1
15. Part-time county attorney using letterhead and public position to make demand in civil matter DR 1-102(A)(5) and (6) 1
16. Threatening criminal prosecution to attempt to gain advantage for client in civil matter DR 7-105 1
17. Improper debt collection practices (Formal Opinion No. 10) 1
18. Asking client to sign "verified" divorce petition by signing blank sheet in advance DR 1-102(A)(4) and (5) 1
19. Failing to take steps to correct affidavit filed with court in divorce matter after learning that it was materially in error DR 7-102(A)(6) 1
20. Commencing suit to collect unpaid legal fees contrary to order of discharge in bankruptcy DR 7-102(A)(2) 1
21. Disbursing minor settlement proceeds contrary to terms of court order DR 7-106(A) 1
22. Breach of written agreement by attorney to protect the interests of a medical provider from the proceeds of a personal injury settlement DR 1-102(A)(4) 1
23. Assisting a client in filing a false and deceptive loan application with a bank DR 1-102(A)(4) 1
24. Deceitful conduct by attorney to conceal the neglect of

	a legal matter DR 1-102(A)(4)	1
25.	Conducting business transactions with a client without full disclosure of differing interests DR 5-104(A)	1
26.	Drawing law firm business account checks upon insufficient funds DR 1-102(A)(4) and (6)	1
27.	Chronic failure to pay State income tax obligations or to cooperate in making arrangements to pay DR 1-102(A)(6)	1
28.	Improper conduct by attorney in disputing an alleged 6 cent discrepancy in a personal bill DR 1-102(A)(6)	1
29.	Attorney having consensual sexual relations with a divorce client during child custody dispute DR 5-105(A)and DR 1-102(A)(5)	1
	TOTAL WARNINGS ISSUED IN 1977	102