

# REPORT . . . LAWYERS PROFESSIONAL RESPONSIBILITY BOARD

By

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One of the questions commonly raised to members of our Board and staff is: "What types of complaints does your Board receive against Minnesota lawyers?" To aid us in answering this question, a new system of coding complaints was put into effect last fall. Using a list of coding categories recommended by the National Organization of Bar Counsel, each complaint has been assigned a code number to correspond to the most serious allegation in the complaint.

The following table depicts the first six months' data compiled using the new classification system. It should be emphasized that the table records *allegations* of misconduct, and not *findings* of misconduct.

## ETHICS COMPLAINTS—SEPTEMBER 1, 1976-FEBRUARY 28, 1977

Types of Complaints	Number of Complaints Received
<b>A. Performance</b>	
1. Bad advice.....	7
2. Discretionary decisions.....	7
3. Failure to perform, delay, abandonment or negligence.....	87
4. Incompetence in field.....	2
5. Lack of communication.....	18
6. Misrepresentation to client.....	13
7. Other.....	2
Sub Total.....	136
<b>B. Fees</b>	
1. Exorbitant, unconscionable or illegal.....	13
2. Failure to return part.....	3

3. Division among attorneys.....	—
4. Other.....	4
Sub Total.....	20

**C. Funds**

1. Commingling.....	3
2. Conversion.....	6
3. Failure to account.....	4
4. Failure to deposit in Tr/Acct.....	—
5. Failure to maintain records.....	—
6. Failure to promptly pay out.....	6
7. Withdrawal-funds in dispute.....	1
8. Other.....	2
Sub Total.....	22

**D. Solicitation**

1. Advice through media.....	—
2. Advice without consultation.....	—
3. Ambulance chasing.....	—
4. Announcements.....	1
5. Another profession-business.....	1
6. Business cards.....	—
7. Recommending employment.....	1
8. Group arrangements.....	—
9. Lawyer reference service.....	—
10. Letterheads.....	—
11. Listings, directories.....	—
12. Media advertisements.....	2
13. Name.....	—
14. Partnerships.....	—
15. Prepaid services.....	—
16. Publication books, articles.....	—
17. Self-laudation publicity.....	—
18. Signs.....	1
19. Specialization.....	—

20. Other.....	2
Sub Total.....	8

**E. Relationship to Client or Opposing Party**

1. Confidential information.....	7
2. Payment expenses to client.....	-
3. Representation of conflicting interest.....	17
4. Withdrawal from employment.....	-
5. Other.....	11
Sub Total.....	35

**F. Interference with Justice**

1. Advising violation of law.....	1
2. Appeal in bad faith.....	-
3. Advising witness to hide, suppression of evidence, bribing witness.....	2
4. Aiding unlawful practice of law.....	4
5. Disobedience of court order.....	-
6. Disrespect of court.....	1
7. Gifts to officials.....	1
8. Harassment, claim not warranted.....	10
9. Misrepresentations to court, untruthful means.....	6
10. Other.....	4
Sub Total.....	29

**G. Fraud**

1. Scheme to defraud.....	1
2. Other.....	-
Sub Total.....	1

**H. Personal Behavior and Crimes**

1. Commission of crime.....	8
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2.	Failure to honor agreement or stipulation.....	4
3.	Offensive language or actions.....	9
4.	Extortion or intimidation.....	5
5.	Coercion to obtain payment fee.....	1
6.	Other.....	5
	Sub Total.....	32
<b>I.</b>	<b>Unclassified Matters not Constituting an Offense</b>	38
	Sub Total.....	38
	TOTAL.....	320