

Comment #	Name	Licensure Status	Position (A/AM/D/NP) <sup>1</sup>	Public Comments
<u>1</u>	Peter Sellers	Decline to state	A	<p>Thank you for the opportunity to express public concerns about Standard 1.8 disciplinary matters. As a licensing board, the State Bar of California's Attorney Sanction Standards should consider the association of the violating attorney criminal associations when assessing the degree of a Bar Association violation and sanctions imposed.</p> <p>A Licensee closely associated with certain criminals under investigation must disclose to the State Bar the felony under investigation with which they are associated, thus ensuring public safety in and outside the courtroom.</p> <p>Example, Antony Diguseppe - Lic # 339199, related Antony Diguseppe 1-24-2016 - Simi Valley, California, arrested  11350(A)- Possession of Narcotic Controlled Substance  11357(A)- Possession of Concealed Narcotic  148.c.(G) - Giving False Information to Peace Officer  4060g- Possession of Drug without prescription  4-10-2023 - Ventura County, California, arrested  Possession of a Firearm and Controlled Substance  Unauthorized manufacturing of Controlled Substance  Under The Influence of Controlled Substance  Possession of an Assault Weapon with a Large Capacity Magazine  Giving False Information to a Peace Officer</p> <p>These related parties work together in and out of the courtroom, taking a personal interest in the cases they engage for a particular client. A licensee's personal association with criminals should be weighed when investigating their violations of the State Bar Act and the Rules of Professional Conduct. The most significant risk of harm to the public is when the associates are able to operate unfettered behind the veil of the State Bar license. The Public should not be afraid of opposing counsels' familial criminal associations while in a court of law. Close associations of any kind other than arms-length professionals with related proven criminals should not be overlooked and weighed when determining an accused licensee's credibility to their defense, and ultimately in determining the level of judicial review and degree of sanction.</p>

<sup>1</sup> A = Agree with proposal; AM = Agree if modified; D = Disagree with proposal; NP = No position on proposal

				<p>Proposed Amendment to incorporate language to protect public interests within the Judicial Review.</p> <p>supporting documents provided upon request</p>
2		Attorney	A	<p>Thank you for addressing past inequities in discipline by granting judges more discretion.</p>
<a href="#">3</a>	Elizabeth Bullen	Nonattorney	D	<p>The State Bar of California Public Comment, Addressing Attorney Professional Misconduct</p> <p>Submitted by Elizabeth Bullen on May 8, 2024</p> <p>Introduction</p> <p>It has come to my attention that the State Bar of California seeks public comment on an amendment to the standards for attorney sanctions for professional misconduct related to the effect of prior discipline which would permit the greater exercise of judicial discretion in determining whether to impose progressive discipline.</p> <p>I wish to submit my commentary as a former resident of California who sought legal services with the Santa Clara County Court.</p> <p>It is my experience that my life has been negatively impacted in outsized ways by acts of violence that have not only been repeat acts of aggression, but have also been strategic and organized, and, per my experience with the CA Court and law enforcement, also seemingly shielded from accountability by the very institutions I was told were meant to protect me from this behavior precisely.</p> <p>It is on these grounds, and pursuant to the considerations advanced in the text that follows, that I vote NOT to authorize the proposed amendment, which, from my understanding of it, would introduce additional subjectivity to the application of the law. I believe that this would impact the potency of its enforceability by creating an unnecessary rapport-de-force between colleagues, essentially making personal and relational what is currently objective and mandated. Progressive discipline is a healthy practice that shows compassion for human learning and error, while also dissuading and weeding out repeat offenders, escalated offenses over time, and those unwilling, unable, and un-incented to learn from error, and regulate themselves.</p>

				<p>Disciplinary lenience, favoritism, network effect, and other, when applied in a house of law, can have the impact of providing shelter to malpractice, which can translate into lives shattered at the level of those that walk in the door.</p> <p>Disciplinary Parameters</p> <p>According to Title IV., Part A., 1.1 of the Rules of Procedure of the State Bar of California,</p> <p>“The Standards help fulfill the primary purposes of discipline, which include:</p> <ul style="list-style-type: none"><li>(a) protection of the public, the courts and the legal profession;</li><li>(b) maintenance of the highest professional standards; and</li><li>(c) preservation of public confidence in the legal profession.”</li></ul> <p>My position on this matter has taken into consideration the potential impact of the proposed amendment on these three points.</p> <p>The proposed amendment to Standard 1.8 introduces increased subjectivity into the disciplinary process, moving consideration away from a rule- or process-based application of the law, and into the individual perspective(s) of whomever is responsible for adjudicating on the disciplinary action. Doing so would put the practice of progressive discipline at greater risk, due to human factors. I believe progressive discipline to be a healthy structural deterrent to repeat and escalated malpractice.</p> <p>Malpractice in the legal context most often means that harm committed goes unchecked, or is escalated, instead of de-escalated, deviated, condemned, punished, and remediated, which is the service that we, the public, expect of our courts of law.</p> <p>To make my position clear, I would like to begin by expanding on my views regarding the intent of progressive discipline, and the benefits of objective enforcement.</p>
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				<p>the attorneys and judges themselves by forcing them to overcome their human nature, instead of building guardrails into the system itself.</p> <p>I believe the proposed amendment to be wildly irresponsible, and for me, confirms what seems to be a commitment by some to water down the enforceability of the CA State law, and beyond. Our laws shape our experiences, and we, residents or former residents, put our trust in you to ensure that we are able to live in safety - physical and psychological, benefit from our contributions to the collective, and expand into our identities and ambitions in a space of freedom and respect. The threat to this type of human experience is thug behavior - handing the stage to violence, instead of civility. Creating idealist systems that expect that everyone is self-correcting, un-influenceable, and by nature honor the honor system is unrealistic. Some people need boundaries. Moreover, creating lax enforcement processes makes attorneys easy targets of dark personalities that can more easily exploit such systems through coercive control, influence, bribery, threats, and more.</p> <p>I, Elizabeth Bullen, former resident of California, have yet to see justice at play in my own case. Is it due to lax disciplinary behaviors inside the CA State Bar? From the outside, I can't tell. However, I can tell you that my experience personally has left me as a target of continued violence, and has eroded my trust in the legal institution entirely. The fact that an amendment such as this has been reviewed, approved, and submitted for public comment is concerning, and may point to some more widespread root causes.</p>
4	Anon	Nonattorney	D	<p>As someone who has been harmed in family court by my soon to be ex husband's attorney, I am shocked as to how weak the California Bar is in disciplining these attorneys. My husband has retained Mark Vincent Kaplan (Kaplan Gekht Trope) and this attorney is so dirty and so shady that I just don't understand how he can get away with all the things he is doing. It is almost like he is above the law. He lies in court and gets away with lying in his RFO's etc. I cannot afford to keep fighting this attorney but the fact that attorneys like this are allowed to do so much harm, it is because the CA Bar is weak! Mark Vincent Kaplan is one of the attorneys who should have been disbarred but never was. My family and I have spoken to your offices many times but I am afraid of filing a complaint right now because what if he retaliates and then requests more fees? What if he does more things to harm me and my family which he already has in the past. I am beginning your offices to PLEASE investigate Mark</p>

				Vincent Kaplan family law attorney with offices on Wilshire Blvd. in Los Angeles. I speak to other attorneys and they can't believe how outrageous his behavior is. As a tax paying citizen I am expecting the CA Bar to get its act together and discipline not just these small attorneys, but these big shot attorneys who have a lot of money and clout to fight the system. Please don't ruin people's lives including innocent children by allowing such fraud and corruption to occur with these lawyers particularly in California courts. The CA Bar must be tough, discipline, and take complaints seriously. Please look up Kaplan's disciplinary history why wasn't anything done? Do you also know he's had a DUI and a slew of other things? MARK VINCENT KAPLAN MUST BE DISBARRED!
5	Maralee Nelder	Attorney	A	
6	HELEN LE	Nonattorney	A	<p>TO SOLVE COMPENSATION because default Judgment before federal court date 10/27/2023 , It is mine , It is my property and It was unite theft by attorney northern District California when all attorney (1-100) at California and USA to be not my attorney , also director State bar to be not my attorney .. But all unite to abused power Misconduct /lack ethic theft /fraud and erase all my human right and my civil right before all federal Judge and federal Court even before teacher Dean (supreme Court ) date 11/2/2023 .. This is date , I was report before FBI about act Violate /misconduct .lack ethic from attorney Northern district California /contempt constitution /contempt Of Court</p> <p>Question all my damage /my suffer to be not BUILD BACK BETTER when all my civil right /my human right were block why ? when I am prose/Citizenship/human/plaintiff/petitioner/appellant /petitioner , when I am not GHOST /animal... yes ,the first my son is Ghost now , he was wrongfully death in pain , but I am mother and all attorney /lawyer to be not our lawyer /attorney what is the law California and USA allow erase my human right and my civil right before federal court and state bar court ?</p> <p>Please contact FBI , my proof is staying office FBI date 11/2/2023 because that date I appear at 450 Golden gate floor 19 Room hearing ceremonial , but my voice and my face were block by attorney and I was expel out out court room by attorney when they are to be not my attorney</p>
7	Anonymous	Attorney	D	This expansion of the "discretion" to not impose progressive discipline opens the door to another slew of Tom Girardi type incidents. The State Bar failed the community then and it is setting itself up to fail us again.
8	Anonymous	Attorney	A	

