

Judges Urge Disbarment Of Agnew

Annapolis, Md.

A special three-judge panel recommended unanimously yesterday that former Vice President Spiro Agnew be disbarred for "deceitful and dishonest" conduct in deliberately violating federal income tax laws.

A final decision on Agnew's disbarment — which means expulsion from the legal profession — will be made by the Maryland Court of Appeals, the state's highest court. The court had named the special panel after the Maryland Bar Association asked that disciplinary action be taken against Agnew.

The state bar contended that Agnew's no contest plea to an income tax evasion charge October 10 — the same day he resigned the vice presidency — was evidence of professional misconduct.

"He understood a plea of nolo contendere to be the full equivalent to a plea of guilty to the criminal charge against him," the three-judge panel said. "This is not a case in which a busy lawyer has carelessly or inadvertently failed to obey the law.

"The uncontroverted evidence is that the respondent (Agnew) deliberately failed to report on his 1967 federal income return nearly \$30,000 of taxable income which he knew the law required him to report and pay taxes on.

"His conduct, characterized as it must be as deceitful and dishonest, strikes at the heart of the basic object of the legal profession and constitutes conduct prejudicial to the administration of justice. We shall therefore recommend his disbarment.

"We see no extenuating circumstances, allowing a lesser sanction. The respondent is unfit to continue as a member of the bar of this state."

The judges emphasized that they gave no consideration to allegations made in court by federal prosecutors that Agnew had accepted kickbacks from contractors doing business with Maryland while he was governor.

His lawyers had argued that the tax plea alone was not enough to justify disbarment and that other charges

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could not be considered.

Agnew has maintained his membership in the state bar although he has not practiced law for more than a decade while serving as Baltimore County executive, governor of Maryland and vice president.

He is a member of no other state bar association and thus cannot practice law in any state but Maryland.

Disbarment is not permanent, but an attorney could be reinstated only by the Court of Appeals and only if he could convince the court that he had been rehabilitated.

Such reinstatements were described by a Court of Appeals spokesman as very rare.

Disbarment does not prohibit Agnew from working for a law firm in a capacity such as a researcher or legal aide.

Agnew had pleaded with the panel at a hearing December 18 not to take away his livelihood and urged a lengthy suspension rather than disbarment.

James H. Norris, clerk of the Court of Appeals, said the seven appellate judges will probably issue a decision in early April. He said the court concurs with disciplinary panels "in the majority of cases, but many times they don't."

Norris said Agnew's attorneys have 30 days to file exceptions to the recommendation.

Agnew's attorney, Leon Pierson, said he will file the exceptions within 20 days and that he had advised Agnew of the panel's action.

An Agnew secretary said the former Vice President



AP Wirephoto

SHIRLEY JONES
Judges on the . . .



UPI Telephoto

R. P. MELVIN JR.
. . . disbarment panel

"will not be making a comment now."

Agnew, who served as Baltimore county executive and Maryland governor before his election as vice president, was alleged to have stated his 1967 income was \$26,099 while it was actually \$55,599.

U.P. & A.P.