



State Bar May Delay Nixon Case

By Robert Bartlett

The California Bar's investigation of President Nixon's conduct in the Watergate scandal will be delayed until the impeachment issue is resolved, the president of the bar predicted here yesterday.

Seth M. Hufstedler of Los Angeles, president of the 43,000-member professional organization, made the prediction at a press conference.

"His case is much more complicated," Hufstedler said. "The evidence is scattered all over, among various committees and prosecutors. A lot of it is simply not available."

President Nixon has been a member of the California Bar since 1937, but last practiced law here in 1962.

Meanwhile, the bar's discipline committee is checking into the conduct of six other California attorneys involved in Watergate. This investigation began in April 1973, Hufstedler said.

The others are:

Former White House aides John D. Ehrlichman and Gordon C. Strachan; former assistant Attorney General Robert Mardian; Herbert Kalmbach, Mr. Nixon's personal attorney; Frank DeMarco, Kalmbach's law associate; and Donald Segretti, who served four months in prison for violating federal election laws.

The State Bar already has finished a closed hearing on Segretti's role as a "dirty trickster" for the Republicans during the 1972 election, Hufstedler said.

The Bar's discipline committee must now decide whether Segretti's conduct amounts to "moral turpitude," one of the grounds for disbarment.

That decision is expected shortly, Hufstedler said. Al-

though the bar can recommend discipline, only the California Supreme Court can impose sanctions against a lawyer.

These can range from a written reprimand to suspension from practice for a period of time to disbarment, which prohibits an attorney from practicing law in California.

Kalmbach, the president's personal attorney, has pleaded guilty in Washington to election law violations.

The California Bar's disciplinary committee will review Kalmbach's conduct "as soon as we receive a certified copy of his plea from the federal court in Washington," Hufstedler said. This is expected to be within two weeks.

The Bar's investigation has been hampered by failure to obtain documents needed to check into all seven lawyer's purported misconduct, Hufstedler said.

Although Watergate special prosecutor Leon Jaworski "has been approachable," the State Bar official said "he is not prepared to open files to us until he has completed criminal prosecutions."

What if some of the attorneys are not convicted of crimes, Hufstedler was asked.

Hufstedler and Brent Abel, a San Franciscan who is president-elect of the California Bar, said this would not matter.

The State Supreme Court has frequently disciplined California lawyers who were not convicted of crimes, they said.