

State Bar Rejects

Nixon Resignation

By Michael Taylor
Chronicle Correspondent

Sacramento

The Board of Governors of the State Bar rejected by a substantial margin yesterday former President Nixon's resignation from the State Bar.

Board president Brent Abel said the resignation was rejected because Mr. Nixon's two-paragraph letter "failed to acknowledge that a disciplinary matter is pending against" him.

Abel said both Mr. Nixon and his Los Angeles attorney, Dean Butler, were aware that bar regulations

require such an admission when Butler announced last Monday that Mr. Nixon wanted to quit the practice of law. 9 SEP

One source said the vote was unanimous, but Abel said only that the decision was reached by a "substantial majority" of the board.

The 15-member board also decided to ask the state Supreme Court to reject the resignation when the court receives it sometime next week.

The court has sole discre-

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tion in deciding whether to accept the resignation, but Abel said the justices follow the board's recommendations "in the majority of cases of this type."

If the court decides not to accept the resignation, Abel said, the Board of Governors will then vote on whether to continue the disciplinary proceedings against Mr. Nixon.

In that case, the ex-President could be subpoenaed to appear before State Bar disciplinary hearings that could lead to possible disbarment.

Abel said the court will be notified that Mr. Nixon is under investigation. Even if the court accepts the resignation, he said, the bar will ask the justices not to prohibit any present or future investigations of Mr. Nixon.

Earlier this week, high-ranking bar officials had said that if Mr. Nixon resigned from the bar, the substantial investigative file on him would still be kept open for use as background material should the former

President wish to re-apply to the bar.

In any event, he would still have to wait five years before re-applying, and then go before a board hearing to determine his fitness to practice law.

Abel said the board's decision was "based on the best judgment" of the governors after a four-hour meeting behind closed doors.

But he acknowledged that "indirect input" from angry delegates to the State Bar convention here had some bearing on the decision.

Last Monday the 516 convention delegates passed by a 2-to-1 margin a resolution condemning President Ford's recent pardon of Mr. Nixon. When it was announced a few hours later that Mr. Nixon wanted to resign from the bar, many delegates feared that such a move would curtail the lengthy and expensive bar investigation of Mr. Nixon and five other California lawyers implicated in the Watergate scandal.

Insurgent delegates from Los Angeles circulated a petition to keep the investigation open, and high-ranking

bar officials — "feeling the heat," as one source put it — just as quickly announced that nothing had been done to stop the investigation.

Since the word of the delegates this week has been highly charged because of both the pardon and Mr. Nixon's proposed resignation from the bar, the governors, according to several observers, felt "quite sensitive" to the feelings of their fellow lawyers. 11 SEP

When the brief letter from Mr. Nixon, dated Wednesday, was delivered to State Bar headquarters in San Francisco yesterday morning by a private courier from the former President's home in San Clemente, copies were immediately sent here and the board hurried into its afternoon session.

The contents of the letter were not disclosed.

It appeared afterward, several sources said, that in making its decision, the Board of Governors did not want to be open to future charges of conducting "its own coverup" by simply allowing Mr. Nixon's resignation to be accepted without opposition.