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State Bar Accepts Nixon Resignation

By Michael Taylor

The State Bar of California accepted former President Richard M. Nixon's resignation from the practice of law yesterday — reversing a decision it made last week.

The turnabout came after the ex-president wrote a second letter to the bar's Board of Governors, acknowledging that he had been under investigation by the bar — a requirement that Mr. Nixon failed to fulfill when he wrote his first letter of resignation last Wednesday.

The bar's Board of Governors forwarded copies of both the Nixon letters to the State Supreme Court, along with a copy of last week's board resolution that the resignation be refused.

Board President Brent M. Abel, a San Francisco attorney, wrote the court that since last Thursday's meeting of the board at the State Bar convention in Sacramento, the new Nixon letter had arrived at State Bar

headquarters here.

Abel talked to the fourteen other board members by telephone said "a majority" of them agreed to accept the resignation and recommended that the court also accept it.

The court has sole discretion in deciding whether to accept the resignation, but Abel said last week the justices follow the board's recommendations "in the majority of cases of this type."

Abel said later that if the court accepts the resignation, "We will be closing our books on this matter and will keep them closed unless he (Mr. Nixon) applies for reinstatement" to the bar.

The board president acknowledged that documents related to the investigation are still coming in and will be added to the file.

"We have tried to treat this case just as we would treat any other matter of a California lawyer who is now under investigation. And we now have a letter

that cures the problems that were in the first one," Abel said.

The first Nixon letter not made public until now, read:

"Since the activities I expect to pursue in the future will not include the practice of law or any other matters which require my continued membership in the State Bar of California, I hereby resign as a member of the State Bar of California, and relinquish all right to practice law in the State of California.

"I agree and understand that in the event this resignation is accepted and I thereafter file a petition for reinstatement, the State Bar will consider all appropriate matters in connection therewith."

Abel said later that both Mr. Nixon and his Los Angeles attorney, Dean Butler, were aware that the former president should have acknowledged that he was the subject of a lengthy and expensive investigation that could lead to disbarment.

The board of Governors met behind closed doors on the last day of their convention and voted by a substantial margin not to accept the resignation, and to recommend that the state Supreme Court do likewise.

They also recommended then, as they did yesterday, that if the court accepts Mr. Nixon's resignation, it should do so "without prejudice to further proceedings in the disciplinary matter now pending against him."

If the court accepts the resignation, the former president would have to wait five years before re-applying for membership in the bar, officials said.

He would also have to undergo a rigorous board hearing to determine his fitness to practice law.

Mr. Nixon apparently acknowledged these matters in his second letter, dated last Monday.

It read:

"I, Richard M. Nixon, against whom an investigation is pending, hereby resign as a member of the State Bar of California and relinquish all right to practice law in the State of California and agree and understand that, in the event this resignation is accepted and I thereafter file a petition for reinstatement, the State Bar will consider in connection therewith, in addition to other appropriate matters, all disciplinary proceedings and matters pending against me at the time said resignation is accepted."