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The Lawyers' Lawyers

Margolis & Margolis helps traumatized lawyers get through the bar discipline procedure.

By Henrik Nilsson
Daily Journal Staff Writer

When Susan L. Margolis found out that her then-husband, Arthur L. Margolis, had been stabbed during a robbery in 1990, she was on vacation. Catching the first flight back home to Los Angeles, she found him in the hospital with multiple wounds in his lower back.

While Arthur Margolis was in the hospital, Susan Margolis started taking on tasks at his law firm, where he defended attorneys in State Bar Court.

"I had to step in and figure out what to do," she said. "I contacted clients, contacted the court, the bar attorneys, et cetera. And I just stayed after that. I hadn't planned to do defense work, but I took to it."

After Arthur Margolis recuperated, the two decided to continue practicing together. They ultimately realized they were better business partners than spouses and divorced but continued to practice together as Margolis & Margolis LLP.

"Although the truth is that we have arguments that you would never hear in a law firm," Arthur Margolis said laughing.

Neither had planned to work on attorney discipline matters.

But both of them ended up working at the bar by mere coincidence after seeing job postings. Eventually, they ended up



Justin L. Stewart / Special to the Daily Journal

Arthur Margolis and Susan Margolis of Margolis & Margolis LLP

being one of the few firms in California devoted to defending lawyers before the bar.

Arthur Margolis started working at the bar in the 1970s. He said there was a steep learning curve between working for the bar and starting their practice.

"Because I had been at the bar for so long and it is a niche practice, I thought I knew everything," Arthur Margolis said. "When I started practicing, I realized how much I didn't know and I learned a tremendous amount from doing defense work. A lot more than what I learned when I was practicing at the bar. It was a broader education and I was surprised."

Spending next to nothing on marketing, the firm has relied on word-of-mouth and its reputation.

With the bar shifting focus from being a trade association to a solely public protection agency, attorney discipline has become even more relevant, which has helped the firm remain busy.

"I have found that changes in the system and the rules have become far more detailed and complex," Arthur Margolis said. "Anyone trying to deal with it, who has dealt with other kinds of laws, are just lost in it. It is a specialization. It has its own Byzantine twist that other people can't even imagine."

According to Susan Margolis,

is, working with attorneys who have been accused of wrongdoing also means that the firm has to learn about different practice areas to best defend their clients.

"It is an area of law where you're always learning something," she said. "That's always been the case because our clients come from all different areas of law. We've had PI [personal injury] attorneys, criminal attorneys, patent attorneys and family law attorneys, every different kind of practice you can think of. So every time we get a case, it can raise issues connected with their line of work."

In one case the firm represented a well-known client

who was trying to become a lawyer and won twice for him in the lower courts before losing at the state Supreme Court.

In 1998, Forbes Digital Tool [now forbes.com] revealed that Stephen Glass, now a non-lawyer trial team coordinator at Carpenter Zuckerman & Rowley, who then worked as a journalist at The New Republic, had fabricated numerous stories for the magazine and other publications.

Glass' fraud was one of the biggest scandals in journalism history.

After the scandal broke, Glass graduated from Georgetown Law and sought a career as a lawyer. He passed the bar exam in New York and California, but both states denied his application.

After receiving an adverse moral character determination from the California bar, Glass appealed with help from Margolis & Margolis.

The firm won the case at the hearing level in 2010. The bar challenged the decision and the firm won again.

Finally, the State Supreme Court ruled against Glass' bar application in 2014. In re Stephen Randall Glass, S196374, State Bar Ct. 09-M-11736 (Cal. 2014).

"I don't think it had anything to do with the merits of the case," Susan Margolis said.

"I think it was based on public relations and politics. They were not going to let somebody who is cast out of the journalism field into the legal profession. They had to make a statement because, on the merits, we won — twice."

In an interview with the Daily Journal, Glass said of his lawyers, "Among the things that they did is they gave me a clear sense of what the process would look like. They formulated a supportive, but also a clear-eyed view of the strengths and weaknesses of my case."

The Glass case was unique. Usually, the firm's cases are kept confidential. But representing lawyers whose livelihood is on the line means dealing with people who are going through a traumatizing experience, Susan Margolis said.

"I'd say we have to be a combination of attorney, advocate and psychologist," she explained. "There are attorneys who can't even open mail from the bar. It's so traumatizing because it's threatening their identity, the thought that they might lose their license."

Both opposing counsel and attorneys who seek advice from the firm are impressed by Susan and Arthur Margolis' knowledge, honesty and work ethic.

David A. Clare, a Long beach attorney, worked with Arthur Margolis at the bar in

the 1970s and 1980s. Clare said he often discusses legal ethics with the firm when issues arise.

"In my view, they are the best State Bar defense attorneys, very skilled, extremely knowledgeable on the law, and very hardworking," Clare wrote in an email. "Both of them are greatly respected for their work, by bar court judges, bar prosecutors and investigators and other defense attorneys."

Kim G. Kasreliovich, a former senior trial counsel at the bar and currently deputy attorney general at the California Department of Justice, always had a positive experience with the firm, even when she came out at the losing end as opposing counsel.

"They are honest with clients even when the advice is something they don't want to hear. (I know this because I have referred people to them.) And they are honest with opposing counsel about where a case is going, whether there is room to negotiate," Kasreliovich said in an email. "Second, they have excellent client control. Third, they extensively prepare their cases for trial so all the witnesses and arguments are on point."

Adriana M. Burger of Tarzana was also opposing counsel on the firm's cases at the bar. Burger said the first word

that comes to mind when asked about her experience working with the firm is "integrity."

"There are other firms that are also very good but I have found that the Margolis firm is the most fair and authentic, which sets them apart from others," Burger said. "You will find that a lot of the other firms are very pretentious and pompous with their clients. The Margolis firm is candid with clients as well as being honest about what will happen."

Bar defense attorney Kenneth C. Kocourek worked with Arthur Margolis at the bar in 1974 and has never worked with the firm professionally but regularly consults them on cases.

"Arthur is the type of guy that won't just take on whatever walks in the door," Kocourek said. "He's very thoughtful, very thorough. He won't take on more than he can handle, which is a good thing. A lot of the firms will go ahead and take the client and then just cut corners to try to handle the business."

Asked about plans for the firm, Arthur Margolis said, "We can't tell you what another firm would say, that they want to expand into this field, have overseas offices and stuff like that. We're just here. We just do the work."

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