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LAW OFFICE OF LEONARD J. KLAIF  
LEONARD J. KLAIF SBN 140937, IN PROPIA PERSONA  
P.O. Box 1657  
Ojai, California 90013  
805 640-9659  
likesq@roadrunner.com

**FILED**  
  
APR 13 2015

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

STATE BAR COURT

HEARING DEPARTMENT – LOS ANGELES

In the Matter of ) Case No. 14-O-02890  
)  
LEONARD JAY KLAIF )  
No. 140937 ) ANSWER TO  
) NOTICE OF DISCIPLINARY  
A Member of the State Bar ) CHARGES  
)

INITIAL STATUS CONFERENCE  
May 4, 2015 at 9:30 a.m.

As and for his Answer to the Notice of Disciplinary Charges,  
Respondent, LEONARD JAY KLAIF, states as follows:

JURISDICTION

1. Respondent ADMITS that he was admitted to the practice of law in this  
State on June 6, 1989, and that at all times through the present has been and  
is a member of the State Bar of California.

COUNT ONE

Case No. 14-O-02890  
Rules of Professional Conduct, rule 3-310(F)  
(Accepting Fees From a Non-Client)

2. Respondent ADMITS that on or about July 13, 2013, respondent accepted  
\$1,000 from Miriam Santana as compensation for representing a client,  
Misael V. Maya, without obtaining his client's informed written consent to



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receive compensation from his sister. Appellant denies that the violation of the Rules of Professional Conduct, rule 3-310(F), was willful. Rather, as an explanation not constituting a defense, respondent's practice of law is 99.9% appointed criminal appellate work, and thus he was negligently ignorant of this rule; in addition, the client advised respondent during a telephone conversation that Ms. Santana would be paying the fee of \$1,000.00

**COUNT TWO**

Case No. 14-O-02890  
Rules of Professional Conduct, rule 3-3110(A)  
(Failure to Perform With Competence )

3. Respondent ADMITS the particulars of this allegation, but contends that he did so repeatedly, but not intentionally or recklessly.

**COUNT THREE**

Case No. 14-O-02890  
Rules of Professional Conduct, rule 6106  
(Moral Turpitude – Misrepresentation)

4. Respondent ADMITS this allegation.

**COUNT FOUR**

Case No. 14-O-02890  
Rules of Professional Conduct, rule 3-700(A)(2)  
(Improper Withdrawal From Employment)

5. Respondent ADMITS this allegation, but notes (1) that after Mr. Maya learned that respondent had failed to file the Writ Petition Mr. Maya filed the Writ Petition respondent had sent to him, and (2) that when respondent learned that the trial court summarily denied the Writ Petition, respondent

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updated the Petition and sent it to Mr. Maya (with copies for service) for filing in the Court of Appeal.

**NOTICE OF INTENT TO RAISE MITIGATING FACTORS**

6. Respondent respectfully contends, based on the factors in mitigation, an actual suspension is neither necessary to protect the public nor otherwise warranted.

Respectfully submitted,

  
**LEONARD JAY KLAIF**  
Respondent, in Propria Persona

Dated: April 10, 2015

DECLARATION OF SERVICE BY MAIL

I, LEONARD J. KLAIF, declare:

I am a citizen of the United States, over eighteen (18) years of age, employed in the County of Ventura; my business address is P.O. Box 1657, Ojai, California, 93024.

On April 10, 2015, I served the within

ANSWER TO NOTICE OF DISCIPLINARY CHARGES

in said action on each of the following, by placing a true copy thereof enclosed in a sealed envelope addressed as follows, and deposited the same in the United States mail at Ojai, California:

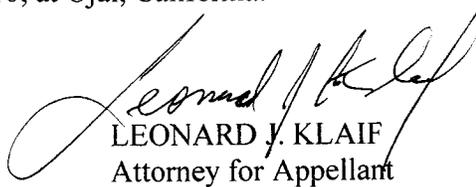
Charles T. Calix  
Deputy Trial Counsel  
State Bar of California  
Office of the Chief Trial Counsel  
845 S. Figueroa Street  
Los Angeles, California 90017-2515

In addition, on April 10, 2015 I caused this document to be sent to Mr. Calix at the following electronic address.

Charles.Calix@calbar.ca.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of April, 2010, at Ojai, California.

  
LEONARD J. KLAIF  
Attorney for Appellant