

# COMPENSATION NEWS

MONTHLY REPORT

## Suspended or Disbarred attorney not allowed to practice before the WCAB

### This is a panel decision

**T**his newsletter does not normally report on panel decisions. However, this case has some bearing since it shows a long history of practice by someone not authorized to practice in front of the Workers' Compensation Appeals Board (WCAB).

Mr. Hoffman was admitted to the State Bar of California in 1972. In 1985 he pled guilty to two counts of Grand Theft. In 1986 he resigned from the State Bar, with disciplinary charges

In this issue..

In re matter of John H Hoffman Jr.

pending.

In 1989 he began representing medical lien claimants. In 2005a trial was held on why Hoffman should not be barred from further appearances before the WCAB. The Workers' Compensation Judge (WCJ) found Hoffman violated Rule 10779. Hoffman had failed to petition the WCAB for permission to appear.

A former attorney who has been disbarred or suspended can not practice before the WCAB without first petitioning the Board. The practice of law precludes GIVING LEGAL ADVICE and preparing legal documents. Disbarred attorneys cannot file pleadings, negotiate settlements, prepare stipulations and other documents for mandatory settlement conferences and trials, appear at depositions, or engage in discovery.

The only work they appear to be allowed to do is legal work of a preparatory nature, such as legal research, assembling data, assisting in drafting of pleadings or briefs. Direct communication with the client is only allowed for non legal work like scheduling, billing and updates. They may accompany an attorney only for the limited purpose of clerical assistance at a deposition or other discovery matter.

You may wish to check if Hoffman and Associates has been involved in any of your lien claims to date.

-----  
Editor: Harvey Brown  
Firm: Samuelsen, Gonzalez,  
Valenzuela and Brown  
Address: 18500 Von  
Karman #470, Irvine  
Phone: 949 252-1300