



Lawyers' Professional Liability

360°

Morris Polich & Purdy offers a wealth of experience in the field of lawyers' professional liability. In addition to trial and appellate experience, we are particularly proud of our record of achieving early dispositive success by way of demurrer, motions for summary judgment and the California anti-SLAPP statute.

At the first sign of trouble, we advise and counsel attorneys on avoiding and mitigating potential claims. In the event of an actual claim, we promptly assess our client's potential liability and explore a satisfactory resolution without the trouble and expense of litigation. If a claim turns into actual litigation, we are skillful and effective advocates for our clients.

Because of the Firm's broad range of practice areas – employment, business, real estate, construction, medical products and biotechnology, to name a few – our attorneys have instant access to expertise in virtually any kind of legal malpractice claim.

Our attorneys take an active role in the issues that are important to the members of the professional liability community. For example, we have presented lectures and seminars to both claim professionals and attorneys in the areas of ethics and claims prevention.

We have successfully represented attorneys and law firms in cases involving many different areas of law, including:

- Securities law
- Trusts, wills and estates
- Corporations and partnerships
- Family law
- Personal injury and wrongful death
- Real estate law
- Intellectual property
- Fraud and other intentional torts
- Defamation
- Entertainment law
- Criminal law
- Medical malpractice
- Insurance law
- Bankruptcy and debtor-creditor relationships
- Business and commercial law
- Workers compensation
- RICO
- Malicious prosecution and abuse of process
- Employment law
- Franchise law
- Class actions
- Civil rights

A CROSS SECTION OF OUR EXPERIENCE

- An attorney was appointed by a federal court to act as a guardian for incompetent plaintiffs. The former guardian sued the attorney for malpractice in state court on behalf of the incompetent plaintiffs. The trial court sustained a demurrer without leave to amend on the basis of quasi-judicial immunity, which was affirmed on appeal.
- An attorney was sued for legal malpractice and breach of fiduciary duty for an alleged failure to properly advise a client regarding a settlement. This case was successfully defended through trial and affirmed on appeal.
- A criminal defendant was released after obtaining a federal writ of habeas corpus on the grounds of incompetent assistance of counsel, and sued the defense attorney for malpractice. The trial court granted summary judgment, which was affirmed on appeal.
- An attorney was alleged to have committed malpractice by negligently drafting a buy/sell agreement. The trial court granted summary judgment.
- An attorney was sued for malicious prosecution. The case was dismissed when the trial court granted a motion to strike under the California anti-SLAPP statute.
- The beneficiaries of a trust agreement sued their attorney for the alleged negligent drafting of the trust documents. The court sustained a demurrer and the case was dismissed.
- A family law attorney was sued for a variety of alleged errors in a complex divorce action. The trial court granted summary judgment after it was demonstrated that each alleged error did not cause any damage.
- A workers compensation attorney was sued for allegedly settling the claim for less than its true value. The trial court granted summary judgment on the basis that the attorney had exercised informed judgment in rendering settlement advice and was not negligent as a matter of law.



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