

DISTRICT OF COLUMBIA COURT OF APPEALS

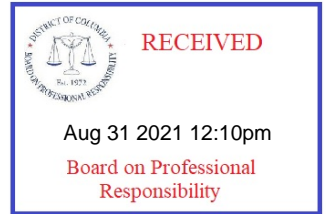
No. 15-BG-1094

IN RE: JOEL D. JOSEPH,

Respondent

Bar Registration No. 183830

BDN: 261-15



REVISED PETITION FOR REINSTATEMENT

Respondent was disbarred by this court October 29, 2015 based on reciprocal discipline. Respondent was disbarred by the Maryland Court of Appeals for claiming to be a Maryland resident when filing petitions in California to proceed *pro hac vice*.

This petition is filed pursuant to Rule XI, Section 16 of the D.C. Bar Disciplinary Rules. It has been more than five years since respondent was disbarred. Petitioner has the moral qualifications, competency and learning in the law required for readmission. In addition, the resumption of the practice of law by petition will not be detrimental to the integrity and standing of the Bar, or to the administration of justice or subversive to the public interest, but will serve the public interest.

The factors for reinstatement are listed on the front of the D.C. Reinstatement Questionnaire: 1) the nature and circumstances of the misconduct for which petitioner was disbarred or suspended; 2) petitioner's recognition of the seriousness of such misconduct; 3) petitioner's conduct during the period of disbarment or suspension, including steps taken to remedy past wrongs and prevent future ones; 4) petitioner's present character; and 5) petitioner's present qualifications and competence to practice law will be addressed.

1. The Nature and Circumstances of the Misconduct for Which Petitioner was Disbarred or Suspended

Petitioner was disbarred for stating on several petitions to proceed pro hac vice in California that he was a Maryland resident. Petitioner believed that he was Maryland resident at the time in question. Petitioner had a Maryland driver's license and paid state income taxes in Maryland for the year in question (2007).

2. Petitioner's Recognition of the Seriousness of Such Misconduct.

If petitioner had lied on his applications to proceed pro hac vice it would have been very serious misconduct, but he did not do so. The Ohio Board that heard his petition for reinstatement there found that he presented evidence that he was a Maryland resident at the time in question. See paragraph 7 of the Ohio Board decision on page 6, Exhibit 1, attached to this petition.

3. Petitioner's Conduct during the Period of Disbarment or Suspension, including steps taken to Remedy Past Wrongs and Prevent Future Ones.

After petitioner was disbarred, he ceased practicing law. He focused his attention on writing several books and writing more than 100 articles, published in newspapers across the country. There was nothing that he could do to remedy past wrongs. By ceasing the practice of law petitioner prevented any future violations.

4. Petitioner's Present Character; and 5. Petitioner's Present Qualifications and Competence to Practice Law will be addressed below.

Moral Qualifications

Petitioner has always maintained that he was a Maryland resident at the time that he filed petitions for admission in California *pro hac vice*. The Ohio Board of Professional Conduct found:

{ 7} Petitioner presented evidence at the hearing in this matter that demonstrated that he held a Maryland driver's license and that he had filed income tax returns in the state of Maryland during the time period in which the Maryland Court of Appeals determined that he was a resident of the state of California.

(A copy of the Ohio Board Ruling is attached as Exhibit 1.)

Reverend Jesse Jackson wrote to the Maryland Bar that he has known petitioner for twenty-five years and worked with him on a book on the death penalty. Rev. Jackson affirms that Mr. Joseph has represented indigent clients and will return as a valuable member of the legal community.

Knowledge of the Law

Mr. Joseph served as a professor of law at George Washington University. He is author of 16 books on the law including *Black Mondays: Worst Decisions of the Supreme Court*. Justice Thurgood Marshall wrote the foreword to this book. This book was initially published in 1987 and is now in its fourth edition. Mr. Joseph is working on the fifth edition and reads all U.S. Supreme Court decisions.

Petitioner has just completed a book on the Israeli Supreme Court titled *Solomonic Justice*. Israeli Supreme Court Justice (retired) Eliezer Rivlin said of this book:

In his new book "Solomonic Justice" Joel D. Joseph masterfully analyses some of the most prominent decisions of Israel's Supreme Court and brings them gracefully to public light. Solomon's wisdom, both Just and Humane is displayed in Israel's Supreme

Court decisions, notes the author, in a court that is balanced, considerate of opposing interests, and open to all. The book weaves a history of Israel's legal system and how it has developed into the champion of Basic Rights in this fledgling democracy. The author shows a keen grasp of the Israeli System, and writes with an easy to read clarity while giving the material the depth it deserves.

Petitioner has also recently written a book titled *An Elected Attorney General*. Jesse Wegman of the *New York Times* Editorial Board wrote: "Joel Joseph provides a fascinating, in-depth and very readable history of the nation's most controversial attorneys general. His provocative proposal is worth serious consideration by anyone who believes that independent law enforcement is necessary to the survival of a democracy."

Public Interest

Petitioner's reinstatement will serve the public interest. Rev. Jackson believes this and vouches for Mr. Joseph's integrity. Mr. Joseph, now 73 years old, has litigated many cases in the public interest. Exhibit 3 is a description of some of these cases.

Conclusion

Petitioner has the moral character and competence to practice law in the District of Columbia. He will be a significant addition to the D.C. Bar. For all of these reasons, he should be readmitted.

Affirmation

I affirm, under the penalties for perjury, that this petition and all exhibits, are accurate and truthful.

/s Joel D. Joseph/

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