




# JOSEPH P. MCMONIGLE

*Partner*

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Joe McMonigle is honored by membership in the four leading invitation-only trial lawyer organizations. He is a Fellow in the International Academy of Trial Lawyers (2012); a Fellow in the International Society of Barristers (2011); an Associate Member of the American Board of Trial Advocates (2000); and a Fellow in the American College of Trial Lawyers (2008). These organizations recognize superior skills, professionalism, and excellence in trial. Joe represents lawyers in professional liability cases, attorney fee disputes, partnership disputes, and state bar disciplinary matters and has done so since joining Long & Levit in 1977. Joe is certified as a Legal Malpractice Specialist by the State Bar of California. He also counsels lawyers and law firms on risk management issues.

Joe's commitment to the legal community is demonstrated by his service in lawyers' professional liability organizations at the local, state and national levels. He served as chair of the Legal Malpractice Committee of the San Francisco Bar Association; has been a member of the State Bar Committee on Professional Responsibility and Conduct; and has been a member and chair of the ABA Standing Committee on Lawyers' Professional Liability. He has served as a member of the California State Bar Judicial Nominees Commission (JNE) and the California Judicial Council Advisory Committee on Civil Jury Instructions.

Joe has tried dozens of legal malpractice actions to conclusion in counties throughout California. Legal malpractice actions require an understanding of a variety of legal disciplines giving Joe experience and insight into a wide spectrum of tort, commercial, and business disputes. Because of his ability to master diverse practices areas clients frequently call upon Joe to try numerous civil cases including contract, personal injury, and complex business disputes.

California judges frequently ask Joe to represent them in proceedings before the Commission on Judicial Performance. Joe also represents retired judges who provide alternative dispute resolution services in civil actions.

Settlement skills are a critical component of contemporary legal practice. Joe has negotiated hundreds of cases to resolution short of trial, a prospect greatly enhanced by his experience trying cases to conclusion.

## Academics

- Seattle University | School of Law (formerly University Of Puget Sound) J.D., 1975
  - cum laude, top 1% in graduating class
- Santa Clara University | B.A., History, 1972

## Professional Recognition

- Fellow, International Academy of Trial Lawyers (2012)
- Fellow, International Society of Barristers (2011)
- Associate Member, American Board of Trial Advocates (2000)
  - Officer of the San Francisco Chapter 2016-2020
  - President of the San Francisco Chapter 2019
  - Member of the Board of Directors of CAL-ABOTA 2018-2020
- Fellow, American College of Trial Lawyers (2008)
- "The Best Lawyers in America," 1995 to the present, Legal Malpractice
- "Super Lawyers" 2004 to present, Professional Liability Defense

## California State Bar

- State Bar Committee on Professional Responsibility and Conduct
  - Member: 1982-1985
- State Bar Judicial Nominees Commission
  - Member: 2010-2014
- Judicial Council Advisory Committee on Civil Jury Instructions
  - Member: 2010-2016; 2021-2024
- Certified Legal Specialist in Legal Malpractice Law
  - 2011-present

## Civil Affiliations

- Panelist, Alternative Dispute Resolution programs in San Francisco, Contra Costa and Alameda Counties
- Board of Directors, 7 TePees Nonprofit Youth Guidance Organization, 2005 - present.

## Admissions

- Member, California Bar, 1975

## American Bar Association

- Standing Committee on Lawyers' Professional Liability
  - Chair: August 1997-August 2000
  - Member: 1994-2000
- Tort and Insurance Practice Section
  - Council Member: 1991-1994
- Professional Officers' and Directors' Liability Law
  - Committee Chair: 1987-1988
  - Member: 1983-1990
- Committee on Professionalism
  - Chair: 1993-1994
  - Member: 1991-1994
- ABA Special Coordinating Committee on Professionalism
  - Member: 1993-1994
- Task Force on the Improvement of the Civil Justice System
  - Member: 1991-1994

## Bar Association of San Francisco

- Legal Malpractice Committee
  - Member: 1980 to the present

## Consumer Attorneys of California

- Member: 1983 to the present

## Adjunct Professor

- Hastings College Of The Law | Legal Writing
- Santa Clara University | Labor Arbitration

## Presentations

- *Identification and Management of Cases Almost Certainly Destined for Trial*, presented at the ABA Standing Committee on Lawyers' Professional Liability National Legal Malpractice Conference, San Francisco, California, September 2014
- *Direct and Cross-Examination of Expert Witnesses*, Co-Chair of American Board of Trial Advocates Masters In Trial Program, San Francisco, California, October 2013
- *Large Damage Models and the Courts' Gatekeeper Role Regarding the Admission of Expert Testimony*, presented at the ABA Tort Trial and Insurance Practice Section, August 2013
- *Meta Data/Computer Records/E-mail Evidence*, San Francisco Chapter of the American Board of Trial Advocates, Masters in Trial, Cutting Edge Trial Techniques for 21st Century Evidentiary Issues, October 2012
- *Civility Matters*, presented by the American Board of Trial Advocates and JAMS, The Resolution Experts to Bay Area Law Schools, 2010-2011
- *Mediation of Legal Malpractice Cases*, presented at the ABA Standing Committee on Lawyers' Professional Liability National Legal Malpractice Conference, San Francisco, California, September 2011
- *Closing Argument- Defense Demonstration*, San Francisco Chapter of the American Board of Trial Advocates, Masters in Opening Statements and Closing Arguments, October 2010
- *Building a Solid Foundation*, program presented to lawyers throughout California including San Francisco and Sacramento, 2009-2010
- *Packing Your Parachute, Preparing for Law Practice Risk*, program presented to lawyers throughout California San Francisco and Sacramento, 2007-2008
- *Building a Solid Foundation*, program presented to lawyers throughout California including San Francisco and Sacramento, 2005
- *Smart Practice Not Malpractice*, program presented to lawyers throughout California including Irvine, Los Angeles, San Francisco, Sacramento and Salinas/Monterey, 2003-2004
- *A Defense Lawyer's Perspective on Lawyers' Professional Liability Insurance*, presented at the First Annual WSBA Conference on the Law of Lawyering, Seattle, Washington, December 2003
- *Coming Soon to a State Rules Committee Near You: How Will Ethics 2000 Affect Lawyer Liability?* presented at the ABA Standing Committee on Lawyers' Professional Liability National Legal Malpractice Conference, New Orleans, Louisiana, April 2003
- *Steering a Safer Path: Risk Management for Lawyers*, presented to lawyers throughout California including Monterey, Sacramento, San Francisco and Los Angeles, 2000-2002
- *Where is the Insurance Industry Going?* presented at the ABA National Legal Malpractice Conference, Washington, D.C., April 2001
- *Ethics for Business and Intellectual Property Lawyers*, presented jointly by the Business Law Section and the Intellectual Property Law Section of the State Bar of California, La Jolla, California, April 2001
- *The Live Mock Trial of a Legal Malpractice Action*, presented to the ABA Standing Committee on Lawyers' Professional Liability, New Orleans, Louisiana, March 2000

## Presentations, cont.

- *For Whom Do Lawyers Really Work?* presented at the ABA National Conference on Professional Responsibility and 15th National Forum on Client Protection, June 1999
- *The Trial Of A Legal Malpractice Action*, presented at the joint session of the ABA Standing Committee on Lawyers' Professional Liability and the ABA Section of Tort and Insurance Practice, New Orleans, Louisiana, March 1997
- *Trial Tips from Top Trial Lawyers*, presented at the 36th Annual Convention for the Consumer Attorneys of California, November 1997
- *Emerging Trends in Lawyers' Vicarious Liability*, presented at the ABA National Legal Malpractice Conference, Colorado Springs, Colorado, April 1997
- *Making the Most of Your Expert Witness*, presented at the ABA National Legal Malpractice Conference, Tempe, Arizona, April 1995
- *Malpractice Claims Against Litigation Lawyers*, presented at the Professional Issues Committee of the Tort and Insurance Practice Section of ABA, February 1999
- *Admissibility of Evidence in Attorney Malpractice Trials: A Trial Within a Trial*, presented at the ABA/TIPS National Institute on Legal Malpractice in Litigation, San Francisco, California, November 1989
- *The Attorney-Client Privilege Under Siege - The Self-Defense Exception to the Attorney-Client Privilege: Disclosure of the Client's Confidences or Personal Liability*, presented at the ABA/TIPS Spring Meeting, Lake Buena Vista, Florida, May 1989
- Basf presentation with Mark Abelson

## Publications

- *A New Way to Go: Arbitration of Legal Malpractice Claims*, Defense Counsel Journal, July 1997
- *Lawyer Liability: Can You Limit Your Personal Exposure*, ABA Standing Committee Advisory, February 1997
- *Immunity For Tactical Decisions*, ABA Journal, March 1995
- *The Use of Expert Testimony in Actions Against Attorneys*, Insurance Counsel Journal, 1980
- *The Attorney's Dilemma in Defending Third Party Lawsuits: Disclosure of the Client's Confidences or Personal Liability?* Willamette Law Journal, 1978

## Featured In

- *Lawyer's Nightmare - Legal Malpractice Claims Barely Succeed But That Doesn't Mean You Won't Lose Sleep Over Them*, California Lawyer, February 2002
- *Risky Business - Some Corporate Lawyers Will Opt For Solo Life, But Attorneys Unfamiliar With Running Their Own Practices May Find Themselves Susceptible To Malpractice Lawsuits*, California Law Business, February 2002
- *The Lawyers' Lawyers*, California Law Business, November 1998