

Timeline of Events

Client is discharged from employment: The employer accuses Client of wrongdoing, leading to the discharge.

Client seeks unemployment benefits: Client applies for unemployment compensation, denying the employer's allegations.

Examiner denies benefits: An examiner determines Client ineligible for unemployment benefits based on allegations of dishonesty and a criminal offense against the employer. It is noted Client was never charged with any crime.

Client retains Attorney: Seeking to appeal the denial, Client hires Attorney to represent them.

Appeal hearing takes place: Attorney and Client participate in an appeal hearing before a Department of Economic Security appeal tribunal.

Employer presents evidence: The employer provides evidence to support its claim of Client's dishonesty.

Attorney counters with Client's testimony: Attorney presents Client's testimony and additional evidence to refute the employer's claims and support Client's case.

Appeal tribunal rules in Client's favor: The tribunal finds the employer failed to prove wrongdoing by Client and awards Client unemployment benefits.

Third party informs Attorney of Client's perjury: A third party reveals to Attorney that Client was not truthful during the appeal hearing.

Attorney confronts Client: Attorney confronts Client about the potential perjury.

Client admits to perjury: Client confesses to Attorney that they perjured themselves during the appeal hearing and provides other material facts, confirming the presentation of false evidence.

Attorney remonstrates with Client: Attorney advises Client about the need to correct the record.

Client discharges Attorney: Client terminates Attorney's services.

Employer appeals the tribunal decision: The employer appeals the tribunal's ruling in favor of Client.

Client finds new employment and stops receiving benefits: Attorney believes Client has secured new employment and is no longer receiving unemployment compensation.

Attorney seeks ethical guidance: Uncertain of their obligations, Attorney consults the Arizona Attorney Ethics Advisory Committee for guidance on how to proceed.

Cast of Characters

Client: The individual who was discharged from employment and sought unemployment benefits. They committed perjury during the appeal hearing.

Attorney: The lawyer who represented Client in the unemployment compensation appeal. They unknowingly presented false evidence to the tribunal due to Client's perjury and subsequently sought ethical guidance.

Employer: The organization that discharged Client and contested their claim for unemployment benefits. They appealed the tribunal's decision awarding benefits to Client.

Examiner: The individual who initially denied Client's unemployment benefits based on allegations of dishonesty and a criminal offense.

Appeal Tribunal: The impartial body within the Department of Economic Security that heard the appeal of the examiner's decision. They ultimately ruled in Client's favor, awarding them unemployment benefits.

Third Party: An individual who informed Attorney about Client's perjury at the appeal hearing.

Successor Counsel (potential): The lawyer who may represent Client after they discharged Attorney. Attorney is ethically obligated to advise Client to retain successor counsel.