

*Rickley v. Goodfriend*

At a time when we think “we’ve seen it all,” along comes a case of purported first impression regarding an attorney seeking fees for representing herself and her spouse in successfully prosecuting a contempt proceeding. The issue arises in the context of whether an attorney representing himself or herself can recover fees in the successful prosecution of a legal proceeding. The *Rickley* trial court denied the fee request but the Court of Appeal reversed and remanded, with instructions that if the *pro se* attorney and her spouse could establish an attorney-client relationship, the fees should be granted.

Let’s take a closer look. The opinion summarizes and reviews California Supreme Court cases dealing with awards of attorneys fees to a *pro se* plaintiff, as well as Court of Appeal cases. *Gorman v. Tassajara* (2009) 178 Cal.App.4th 44, is cited for a strikingly similar fact pattern which decided fees were proper for an attorney in a law firm who represented himself and his wife. *Rickley* cavalierly dismisses the holding in *Gorman* [Despite the language in *Gorman*...] and goes the other way, denying the fees unless, on remand, the spouses can prove a true attorney-client relationship. Give me a break! Suggestion: Go back and read the carefully crafted and detailed opinion in *Gorman* for a more scholarly and informed treatment of this seemingly recurring issue.

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