

# Dan Stanford

## Founder of “The Original Legal Malpractice Firm”

by Dan Baldwin



“Growing up with Yavapai Tribe members as my neighbors made me appreciate the hardship people go through and it made me want me to become an attorney so I can help people in their time of real need. I grew up with people who struggled, so I can easily identify with clients struggling, especially those suffering from the incompetent or worse efforts of attorneys and law firms,” says Dan L. Stanford, Founder of Stanford And Associates.

He was one of the first lawyers to be certified as a California Certified Specialist in legal malpractice law. He has received Trial Lawyer awards from the Consumer Attorneys of San Diego and has prosecuted more legal malpractice claims throughout California than any other lawyer in the state. He regularly lectures throughout California and publishes articles on the subject of trial work and legal malpractice. The unique nature of his practice has generated local, regional and national media coverage, including *Newsweek*, *Reader's Digest*, *USA Today*, *San Diego Magazine* and *California Lawyer*.

Stanford considers growing up poor an advantage. “All my friends growing up had homes with dirt floors – that’s poor. Knowing them made me committed to achieve a different result for myself. I grew up the son of a chef and a waitress and I was the first in my family to go to college.

I never knew what a silver spoon was. Growing up poor drove me to work hard and strive to succeed,” he says. An interest in the old Perry Mason television series pointed him toward a way to achieve those goals through a career in law.

As a young lawyer in the 1980’s, he observed some lawyers make serious mistakes or fail to represent their clients as they should and he tried to refer legal malpractice cases to many of the plaintiffs’ lawyers he knew in San Diego. None of them wanted to take on other lawyers, since they were the source of referrals. “About 1990, I decided the timing was right for me to go out on my own, open my own practice and start my own, unique law firm specializing in the prosecution of legal malpractice lawsuits. I saw a serious problem in our legal community and I decided to dedicate my professional life to fixing

it. That's where 'The Original Malpractice Firm,' comes from," Stanford says.

Stanford And Associates has been in business 34 years, but Stanford has been practicing law for almost 50 years. He is the only lawyer in Southern California who strictly limits his practice to representing clients in legal malpractice cases against lawyers and law firms. During the first fifteen years he practiced on the defense side, first as a partner at Luce, Forward, Hamilton & Scripps, and then as a partner at Pillsbury, Madison & Sutro, experience that provides Stanford with the unique ability to analyze any case from both sides.

His firm only represents clients and never lawyers. A boutique firm, they have three attorneys and two paralegals and only accept 12-15 cases at any one time, which allows the team maximum focus on each client. Stanford says, "Every client has been through a terrible experience at the hands of at least one lawyer. Blowback? I don't really get that. Good lawyers appreciate what I do and the bad lawyers hate me. I can live with that. All our cases come from referrals from other lawyers who know what I do and the way we handle our cases as selective as we are."

Stanford and his firm have handled legal malpractice cases in a wide variety of substantive areas including the probate field, in the tax area, family law, corporate and real estate law and bankruptcy law, to name a few. "One of our favorite topics involves 'conflicts of interest,' which may arise in many substantive areas of the practice," he says.

For example, an 84-year-old widow with a heart condition came to him because she was being evicted from her house by her longtime lawyers. She had gotten behind in her mortgage payments to the Bank of America and had gone to her longtime lawyers for help. They told her not to worry and to let the house in Rancho Santa Fe go into foreclosure. They would buy it and let her live in it rent-free for the rest of her life. She listened to them, followed their advice, and the lawyers ended up with title to her house. After a few months and realizing that owning the house was perhaps more expensive than they had thought, the attorneys demanded that she pay rent. When she balked, they hired the best eviction law firm in town to evict her. At the unlawful detainer trial, the judge didn't want to hear anything about breaches of fiduciary duty or legal malpractice, since the case was limited to a narrow landlord tenant dispute. She lost and was facing eviction when she came to Stanford And Associates.

"We were able to stop the eviction, and, after some litigation, we were able to get her house back—free

and clear of any liens—plus payment of the insurance policy limits of the lawyers involved. That case reaffirmed my decision to focus on this narrow field of the law," Stanford says.

"Experience is what you get when you don't get what you want." That statement, made after Stanford came in second in a race for State Controller in 1986, is a reference to the value of experience. (The quote was so notable that it was picked up by *Reader's Digest Magazine*, and subsequently in dozens of books about famous quotes.) "Experience makes you stronger. Most of the things I've learned in life, I've learned the hard way. Overcoming hardship and bad experiences makes you a better person. You're going to achieve more if you have bad experiences and challenges than if you never try. Experience makes you a stronger person."

Stanford maintains a balance between work and family. He has been active in sports his entire life, playing football, basketball and baseball throughout his youth. As an adult he settled on softball, golf and snow skiing. "Organized sports taught me many of the most important life lessons, including the importance of teamwork and handling adversity," he says.

His passion outside of the office is spending quality time with his four grown children and three young grandchildren. At work he is known for taking his work seriously, but for not taking himself too seriously. At home he is busy with family duties and in "trying to be a good role model for the next generation."

The future for Stanford and his firm is one of continuing growth and service to the community and the legal profession at large. As of January 1, 2024, he moved his firm into the offices of Dunn DeSantis Walt & Kendrick to work with some of the top lawyers in that firm, including Kevin DeSantis, David Cardone, Jim McFaul and Adam Yarbrough. "I have enlarged and strengthened our team of lawyers so that we can continue to prosecute legal malpractice cases throughout California as an expanding service to our clients and to the legal community at large," Stanford says. ■

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