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<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b>		kwiktag® 018 039 974 
Counsel For The State Bar  Erin McKeown Joyce Deputy Trial Counsel State Bar of California 1149 South Hill Street Los Angeles, CA 90015-2299 (213) 765-1356  Bar # 149946	Case Number (s) 07-O-11685-RAP 07-O-13144-RAP	(for Court's use)  <div style="text-align: center;"> <b>FILED</b>  <b>AUG 30 2010</b> <i>NOE</i>          STATE BAR COURT          CLERK'S OFFICE          LOS ANGELES       </div>
In Pro Per Respondent  Bruce Gordon Jones  Bar # 43448	<b>PUBLIC MATTER</b>	
In the Matter Of: Bruce Gordon Jones 1000 Newbury Road, Suite 295 Thousand Oaks, CA 91320  Bar # 43448  A Member of the State Bar of California (Respondent)	Submitted to: <b>Assigned Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

**Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.**

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted January 9, 1969 .
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 16 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
  - costs to be paid in equal amounts prior to February 1 for the following membership years: (hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
  - costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
  - costs entirely waived

**B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.**

- (1)  **Prior record of discipline** [see standard 1.2(f)]
- (a)  State Bar Court case # of prior case 90-C-13100
  - (b)  Date prior discipline effective October 27, 1992
  - (c)  Rules of Professional Conduct/ State Bar Act violations: Business and Professions Code Section 6068(m) - violation of Penal Code Section 136.1(b)(2), Dissuading a Witness from Prosecuting a Crime, a misdemeanor.
  - (d)  Degree of prior discipline -- public reproof with conditions
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (2)  **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4)  **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

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- (6)  **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7)  **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.**

- (1)  **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2)  **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3)  **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings. See Stipulation attachment at page 15.
- (4)  **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5)  **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6)  **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7)  **Good Faith:** Respondent acted in good faith.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9)  **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11)  **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.

- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances**

**D. Discipline:**

- (1)  **Stayed Suspension:**

- (a)  Respondent must be suspended from the practice of law for a period of one (1) year.
- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
  - ii.  and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
  - iii.  and until Respondent does the following:
- (b)  The above-referenced suspension is stayed.

- (2)  **Probation:**

Respondent must be placed on probation for a period of two (2) years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

- (3)  **Actual Suspension:**

- (a)  Respondent must be actually suspended from the practice of law in the State of California for a period of thirty days.
- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
  - ii.  and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
  - iii.  and until Respondent does the following:

**E. Additional Conditions of Probation:**

- (1)  If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2)  During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

- (4)  Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5)  Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6)  Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7)  Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8)  Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
  - No Ethics School recommended. Reason: .
- (9)  Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10)  The following conditions are attached hereto and incorporated:
  - Substance Abuse Conditions
  - Law Office Management Conditions
  - Medical Conditions
  - Financial Conditions

**F. Other Conditions Negotiated by the Parties:**

- (1)  **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**

- No MPRE recommended. Reason:
- (2)  **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3)  **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4)  **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5)  **Other Conditions:**

The attachment to this Stipulation regarding facts, conclusions of law, and disposition comprises pages 9 through 15.

In the Matter of <b>Bruce Gordon Jones</b>	Case number(s): <b>07-O-11685-RAP and 07-O-13144-RAP</b>
A Member of the State Bar	

**Financial Conditions**

**a. Restitution**

- Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From
Richard Faith	\$965.00	October 31, 2002

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than **the expiration of the first year of Respondent's probation.**

**b. Installment Restitution Payments**

- Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of reprobation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

**c. Client Funds Certificate**

- 1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
  - a. Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

- b. Respondent has kept and maintained the following:
- i. A written ledger for each client on whose behalf funds are held that sets forth:
    1. the name of such client;
    2. the date, amount and source of all funds received on behalf of such client;
    3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
    4. the current balance for such client.
  - ii. a written journal for each client trust fund account that sets forth:
    1. the name of such account;
    2. the date, amount and client affected by each debit and credit; and,
    3. the current balance in such account.
  - iii. all bank statements and cancelled checks for each client trust account; and,
  - iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.
- c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:
- i. each item of security and property held;
  - ii. the person on whose behalf the security or property is held;
  - iii. the date of receipt of the security or property;
  - iv. the date of distribution of the security or property; and,
  - v. the person to whom the security or property was distributed.
2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.
3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

**d. Client Trust Accounting School**

- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

**In the Matter of Jones**  
**Case Nos. 07-O-11685-RAP and 07-O-13144-RAP**

**PENDING PROCEEDINGS:**

The disclosure date referred to on page two, paragraph A.(7), was August 12, 2010.

**Case No 07-O-11685**

**FACTS**

Respondent admits that the following facts are true and that he is culpable of a violation of the Business and Professions Code section 6068(o)(2) as follows:

1. On November 2, 2001, Richard William Faith ("Faith") hired Respondent to modify or eliminate his spousal support payments to his former wife, May Faith, due to changed circumstances (hereinafter referred to as "Faith's legal matter"). On that same date, Faith sent Respondent \$1,500 as an advanced fee for these services.
2. In November 2001, Faith and Respondent executed an attorney client agreement in which Faith agreed to pay Respondent an hourly rate of \$200 per an hour for Respondent's services on Faith's legal matter. The attorney-client agreement stated that \$500 of advanced fees would be non-refundable.
3. Respondent performed some work on Faith's legal matter from the time he was hired up to October 31, 2002, which was reflected on his monthly billing statements. After that point, Jones undertook no legal services of value on Faith's legal matter.
4. Respondent sent monthly billing statements to Faith from the time he was hired up to January 2006.
5. The last legal work Respondent performed on Faith's legal matter was performed in late October 2002, and included on the billing statement dated October 31, 2002.
6. After October 2002, Respondent made no effort to contact Faith for a time period of over three (3) years, except to provide the monthly billing statements.
7. After October 2002, Respondent undertook no legal services in Faith's legal matter, and due to his inaction, effectively terminated his employment in Faith's legal matter.
8. Respondent never affirmatively notified Faith that he no longer intended to pursue Faith's legal matter.

9. On August 14, 2006, unaware that Respondent had ceased working on Faith's legal matter, Faith provided Respondent with new information regarding his former wife's financial circumstances, which would form a basis for modifying or eliminating Faith's support obligation. He also informed Respondent in the letter that his former wife (who spent most of her time out of the United States) was scheduled to appear in about a month for sentencing in a criminal case, so it was important for Respondent to act on the new information then, so that the former wife could be served with the motion to modify or eliminate support before she left the country again. Faith had obtained information concerning his former wife's real estate assets and mailed the information to Respondent at his office address. Respondent received the August 14, 2006 letter from Faith.

10. Despite his receipt of the new information upon which to base the motion to modify or eliminate support, Respondent made no effort to act on the new information. Respondent's inaction caused Faith to lose his opportunity to obtain a reduction in his support payments, at least until he could find another time when his former wife would be in the United States and available for service. Respondent's inaction prejudiced Faith's legal matter.

11. After sending the August 14, 2006 letter to Respondent, Faith also called Respondent repeatedly to relay the new information about his former wife and to obtain a status report on his legal matter. Despite his receipt of the detailed messages left by Faith, Respondent never contacted Faith or took any steps to advance Faith's legal matter.

12. Concerned that Respondent did not contact him after Faith sent the August 14, 2006 letter and left multiple phone messages for Respondent, Faith sent a second letter to Respondent dated August 30, 2006, wherein Faith notified Respondent that he was hiring other counsel and terminating Respondent. In his August 30, 2006 letter, Faith requested a refund of the unearned advanced fees that he paid. Respondent received the August 30, 2006 letter from Faith.

13. As of January 7, 2006, the date of the last billing statement provided to Faith by Respondent, Faith had a credit balance of approximately \$965.00 in Respondent's client trust account.

14. In his August 30, 2006 letter to Respondent in which he terminated Respondent, Faith requested a refund of all unearned fees. Despite his receipt of the August 30, 2006 letter, Respondent did not provide a refund to Faith of the unearned advanced fees totaling \$965.00.

15. On September 6, 2006, Faith hired Stephen L. Mitnick ("Mitnick") to substitute into Faith's legal matter.

16. On September 25, 2006, Mitnick wrote to Respondent and informed Respondent that he had substituted into Faith's legal matter. In his letter Mitnick requested that Respondent provide Faith's file to Mitnick. Respondent received Mitnick's letter. Respondent failed to respond to Mitnick's letter.

17. On September 29, 2006, Mitnick faxed to Respondent a second letter requesting that Respondent turn over Faith's file to Mitnick. Respondent received Mitnick's September 29, 2006 fax, but failed to turn over the file to Mitnick.

18. On March 1, 2007, Faith sent a letter to Respondent and requested that Respondent refund all unearned fees to Faith. Respondent received the letter. Respondent failed to respond to Faith's letter.

19. In the time period from August 30, 2006 up to the time of the filing of the State Bar complaint in this matter, Faith called Respondent many times requesting a refund of the unearned fees in his legal matter. Despite his receipt of the messages, Respondent never called Faith and never provided the refund to Faith.

20. Up to the time of the filing of this notice of disciplinary charges, Respondent never sent a refund to Faith.

21. Respondent earned no part of the remaining \$965.00 of unearned fees paid by Faith.

22. From August 14, 2006 through August 30, 2006, Faith telephoned Respondent on multiple occasions and left detailed messages requesting a status report on Faith's legal matter.

23. Respondent received Faith's letter dated August 14, 2006 and his detailed phone messages.

24. Respondent failed to respond to Faith's letter and Faith's phone messages. Respondent did not provide a status report to Faith in his legal matter in the period from August 14, 2006 up to the time he was terminated by Faith, which was August 30, 2006.

## **CONCLUSIONS OF LAW**

By failing to perform any legal services on Faith's legal matter after October 2002, and failing to take any steps to modify or eliminate Faith's spousal support obligation, Respondent intentionally, recklessly, and repeatedly failed to perform legal services with competence in wilful violation of Rule of Professional Conduct 3-110(A).

By failing to refund the \$965.00 to Faith, Respondent willfully failed to promptly refund funds as requested by his client for services that were not earned, in wilful violation of Rule of Professional Conduct 3-700(D)(2).

By failing to respond to the multiple phone messages and letter sent by Faith requesting a status report on Faith's legal matter, Respondent failed to respond promptly to reasonable status inquiries of his client in wilful violation of Business and Professions Code section 6068(m).

**Case No. 07-O-13144**

## **FACTS**

25. In August 2003, Rebecca T. Gelinis ("Gelinis") employed Respondent to complete her dissolution of marriage in the matter entitled *In Re Gelinis* filed in Ventura County Superior Court, Case No. D300481 (the "Gelinis legal matter"). Gelinis paid

Respondent \$7,500 in advanced legal fees for the Gelinas legal matter. Respondent represented Gelinas up to and including the trial in the Gelinas legal matter.

26. On July 22, 2005, at the conclusion of the trial, the court issued an order requiring Respondent to prepare and submit a formal Judgment consistent with the court's rulings as set forth from the trial and stated within the order.

27. Respondent was present when the court issued its July 22, 2005 order. Respondent had actual notice of the court's July 22, 2005 order.

28. Despite receiving actual notice of the court's July 25, 2005 order, Respondent failed to prepare and submit the final judgment as ordered in the July 22, 2005 court order in the Gelinas legal matter at any time.

29. Concerned that the final judgment in her dissolution action was not yet filed, Gelinas called Respondent repeatedly and requested that he complete the legal services for which he was hired, and that he prepare and submit the final judgment in conformity with the court's July 22, 2005 order.

30. Despite the multiple reminders from Gelinas, Respondent never prepared or submitted the final judgment to the court.

31. During the period from July 2005 through July 2007, Respondent did not contact Gelinas to advise Gelinas of the status of the Gelinas legal matter.

32. On July 27, 2007, Gelinas employed a new attorney, Gary M. Gitlin ("Gitlin"), to substitute into her case to complete the final judgment.

33. On July 27, 2007, Gitlin sent a letter to Respondent informing him that Gelinas had retained him and that Gitlin was substituting into Gelinas' dissolution matter. Gitlin enclosed a substitution of attorney and requested Respondent to sign the substitution of attorney form and to return it to Gitlin and arrange to return Gelinas' file to Gitlin.

34. Respondent received Gitlin's letter.

35. Respondent, knowing that he had been terminated, failed to sign and return the substitution of attorney form to Gitlin.

36. Respondent, knowing that he had been terminated, failed to release Gelinas' file to Gitlin.

## **CONCLUSIONS OF LAW**

By failing to complete the legal services for Gelinas for which he was retained, including the preparation and submission of the final judgment, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in wilful violation of Rule of Professional Conduct 3-110(A).

By failing to prepare and submit the final judgment as ordered by the court in its July 25, 2005 order, Respondent willfully disobeyed an order of the court requiring him to do an act connected with or in the course of his profession, which he ought in good faith to do, in wilful violation of Business and Professions Code section 6103.

By failing to sign and deliver the substitution of attorney form and failing to release Gelinias' file to Gitlin after being requested to do so after being terminated by Gelinias, Respondent willfully failed to release a client's files, after termination, and after being requested to do so by the client, in wilful violation of Rules of Professional Conduct 3-700(D)(1).

## **AUTHORITIES SUPPORTING DISCIPLINE**

### **STANDARDS FOR ATTORNEY SANCTIONS**

To determine the appropriate level of discipline, the standards provide guidance. *Drociak v. State Bar* (1991) 52 Cal.3d 1085; *In the Matter of Sampson*, 3 Cal. State Bar Ct. Rptr. 119. A disciplinary recommendation must be consistent with the discipline in similar proceedings. See *Snyder v. State Bar* (1990) 49 Cal.3d 1302. Moreover, the recommended discipline must rest upon a balanced consideration of relevant factors. *In the Matter of Sampson*, 3 Cal. State Bar Ct. Rptr. 119.

Pursuant to Standard 1.3 of the Standards for Attorney Sanctions for Professional Misconduct:

The primary purposes of disciplinary proceedings conducted by the State Bar of California and of sanctions imposed upon a finding or acknowledgment of a member's professional misconduct are the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession. Rehabilitation of a member is a permissible object of a sanction imposed upon the member but only if the imposition of rehabilitative sanctions is consistent with the above-stated primary purposes of sanctions for professional misconduct.

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Pursuant to Standard 1.5 of the Standards for Attorney Sanctions for Professional Misconduct:

Reasonable duties or conditions fairly related to the acts of professional misconduct and surrounding circumstances found or acknowledged by the member may be added to a recommendation or suspension or; pursuant to rule 9.19, California Rules of Court, to a reproof. Said duties may include, but are not limited to, any of the following:

1.5(b): a requirement that the member take and pass an examination in professional responsibility;

1.5(d): a requirement that the member undertake educational or rehabilitative work at his or her own expense regarding one or more fields of substantive law or law office management;

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1.5(f): any other duty or condition consistent with the purposes of imposing a sanction for professional misconduct as set forth in standard 1.3.

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Pursuant to Standard 1.6(a) of the Standards for Attorney Sanctions for Professional Misconduct:

The appropriate sanction for an act of professional misconduct shall be that set forth in the following standards for the particular act of misconduct found or acknowledged. If two or more acts of professional misconduct are found or acknowledged in a single disciplinary proceeding, and different sanctions are prescribed by these standards for said acts, the sanction imposed shall be the more or most severe of the different applicable sanctions.

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Pursuant to Standard 2.6 of the Standards for Attorney Sanctions for Professional Misconduct:

Culpability of a member of a violation of any of the following provisions of the Business and Professions Code shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the client, with due regard to the purposes of imposing discipline set forth in standard 1.3:

(a) Sections 6067 and 6068;

(b) Sections 6103 through 6105; . . .

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Pursuant to Standard 2.10 of the Standards for Attorney Sanctions for Professional Misconduct:

Culpability of a member of a violation of any provision of the Business and Professions Code not specified in these standards or of a wilful violation of any Rule of Professional Conduct not specified in these standards shall result in reproof or suspension according to the gravity of the offense, or harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

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The stipulated discipline in this matter of a 1 year stayed suspension, 2 year probation, and an actual suspension of 30 days is appropriate in this matter. When more than one act of professional misconduct is acknowledged in a single disciplinary proceeding, and different sanctions are prescribed by these standards for said acts, the sanction imposed shall be the most severe of the different applicable standards. Standard 1.6(a). Therefore, Standard 2.6, applicable to Respondent's admitted violation of Business and Professions Code section 6103, should guide.

## **DISMISSALS**

The State Bar agrees to dismiss Count Two, Count Five, and Count Seven in the interests of justice.

## **FACTS SUPPORTING MITIGATION**

Respondent has met with the State Bar and agreed to this Stipulation to fully resolve these cases. Accordingly, he is entitled to mitigation for his candor and cooperation.

## **COSTS OF DISCIPLINARY PROCEEDINGS:**

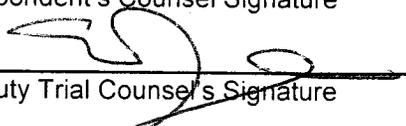
Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of August 12, 2010, the prosecution costs in this matter are \$2,976.12. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(Do not write above this line.)

In the Matter of <b>Bruce Gordon Jones</b>	Case number(s): <b>07-O-11685-RAP and 07-O-13144-RAP</b>
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**SIGNATURE OF THE PARTIES**

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

<u>8-12-10</u> Date	 Respondent's Signature	<u>Bruce Gordon Jones</u> Print Name
<u>8-12-10</u> Date	 Deputy Trial Counsel's Signature	<u>Erin McKeown Joyce</u> Print Name

(Do not write above this line.)

In the Matter Of <b>Bruce Gordon Jones</b>	Case Number(s): <b>07-O-11685-RAP and 07-O-13144-RAP</b>
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**ORDER**

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

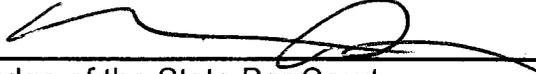
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

PAGE 4 - PARAGRAPH D. (1)(a)(i) - DELETE BOX CHECK MARK  
 PAGE 4 - PARAGRAPH E. (1) - DELETE BOX CHECK MARK  
 PAGE 9 - CASE NO 07-O-11685  
 FACTS

DELETE - "RESPONDENT ADMITS THAT THE FOLLOWING FACTS ARE TRUE AND THAT HE IS CULPABLE OF A VIOLATION OF THE BUSINESS AND PROFESSIONAL CONDUCT SECTION 6068 (b) (2) AS FOLLOWS:"

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 135(b), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

08-30-10  
 Date

  
 Judge of the State Bar Court

**RICHARD A. PLATEL**

**CERTIFICATE OF SERVICE**

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on August 30, 2010, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:

by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

BRUCE GORDON JONES  
LAW OFCS BRUCE JONES  
333 N "F" ST  
OXNARD CA 93030

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:

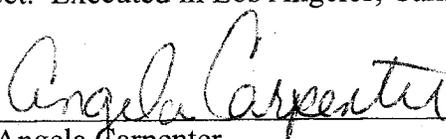
by fax transmission, at fax number . No error was reported by the fax machine that I used.

By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

ERIN JOYCE, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 30, 2010.

  
\_\_\_\_\_  
Angela Carpenter  
Case Administrator  
State Bar Court