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**State Bar Court of California
Hearing Department
Los Angeles
REPROVAL**

<p>Counsel For The State Bar</p> <p>Kimberly G. Anderson The State Bar of California Office of the Chief Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1083</p> <p>Bar # 150359</p>	<p>Case Number(s): 11-O-13390 and 11-O-13545</p>	<p>For Court use only</p> <p align="center">FILED JAN 25 2012 <i>VJC</i></p> <p align="center">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> <p align="center">PUBLIC MATTER</p>
<p>In Pro Per Respondent</p> <p>Jeffrey T. Bell 8728 Valley Boulevard, Suite 209 Rosemead, CA 91770 (626) 280-8787</p> <p>Bar # 184876</p>	<p>Submitted to: Assigned Judge Settlement</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>PUBLIC REPROVAL</p> <p><input checked="" type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: Jeffrey T. Bell</p> <p>Bar # 184876</p> <p>A Member of the State Bar of California (Respondent)</p>		

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 December 5, 1996.
- (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 9 pages, not including the order.



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- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (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):
- Costs are added to membership fee for calendar year following effective date of discipline (public reproof).
 - Case ineligible for costs (private reproof).
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.
- (9) , The parties understand that:
- (a) A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
 - (b) A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
 - (c) A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

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
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline

(Effective January 1, 2011)

Reproof

- (e) If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline.
- (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. See Stipulation Attachment at page 8 (Attachment page 3).
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (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 8(Attachment page 3).
- (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.

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- (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:

Though the misconduct is serious, Respondent has had no prior discipline in the fifteen years he has practiced law. See also, Stipulation Attachment at page 8(Attachment page 3).

D. Discipline:

- (1) **Private reproof (check applicable conditions, if any, below)**
- (a) Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

- (2) **Public reproof (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproval:

- (1) Respondent must comply with the conditions attached to the reproval for a period of one (1) year.
- (2) During the condition period attached to the reproval, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of 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 condition period attached to the reprobation. 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 the reprobation during the preceding calendar quarter. Respondent must also state in each report 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 (thirty) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.

- (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 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 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 conditions attached to the reprobation.
- (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) 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 within one year of the effective date of the reprobation.

No MPRE recommended. Reason: _____

- (11) The following conditions are attached hereto and incorporated:

- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Jeffrey T. Bell
CASE NUMBER(S): 11-O-13390 and 11-O-13545

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 11-O-13390 (Complainant: Gui L. Sun)

FACTS:

1. On February 6, 2009, Gui L. Sun (a passenger in a vehicle involved in a solo traffic accident) employed Respondent to pursue a personal injury claim against the County of San Bernardino. On the same date, the driver of the vehicle, Qian Liang also employed Respondent to pursue a personal injury claim arising from the same traffic accident. Respondent did not obtain written conflict waiver to represent both Sun and Liang.
2. On June 25, 2009, the city of San Bernardino sent a letter to Respondent advising him that Sun's claim was rejected, and that he had six months to file a civil lawsuit on behalf of Sun. Respondent received the letter. Thereafter, Respondent determined he could not represent Sun and he directed his non-attorney office assistant, Wei (William) Zhang to advise Sun of the reasons. Unbeknownst to Respondent, Mr. Zhang did not advise Sun of Respondent's intention not to file a lawsuit.
3. Respondent did not timely file a lawsuit and Respondent did not advise his client that he had failed to file any lawsuit on his behalf.

CONCLUSIONS OF LAW:

4. By failing to advise Sun that he had not filed a lawsuit on his behalf, Respondent failed to communicate a significant development to Sun in willful violation of Business and Professions Code, section 6068(m).
5. By agreeing to represent Sun (the passenger) and Liang (the driver) in a single car automobile accident without obtaining a written conflict waiver from them, Respondent willfully violated Rules of Professional Conduct, rule 3-310(c)(1)

FACTS:

6. On February 10, 2008, Yifan Zhu (“Zhu”) and his family employed Respondent to pursue personal injury claims on their behalf.

7. On December 10, 2008, Respondent filed a lawsuit on behalf of Zhu and his family in the case entitled *Yifan Zhu, et. al. v. Victor J. Almacellas*, Los Angeles Superior Court Case No. 08C04310 (“the personal injury case”). Thereafter, Respondent determined that the case should not be pursued due to problems with liability and problems with locating and serving the defendant. Respondent directed his non-attorney office assistant, Wei (William) Zhang to advise Zhu of the reasons. Unbeknownst to Respondent, Mr. Zhang did not advise Zhu of Respondent’s intention to stop pursuing the lawsuit. Mr. Zhang also advised Respondent that Zhu had agreed not to pursue the litigation even though Zhu had not in fact agreed to this course of action. Thereafter, Respondent stopped litigating the personal injury case, believing that Zhu had agreed to his proposed course of action. Respondent did not move to dismiss the case even though he had no intention of litigating it.

8. On April 29, 2009, Respondent failed to appear for a case management conference in the personal injury case, for which he received proper notice.

9. On May 27, 2009, Respondent failed to appear for a status conference in the personal injury case for which he receive proper notice and the court set the case for an Order to Show Cause hearing (OSC) on July 8, 2009 as to why the case should not be dismissed. Respondent received proper notice of the July 8, 2009 OSC.

10. On July 8, 2009, Respondent failed to appear at the OSC and the court ordered the case dismissed without prejudice.

11. Respondent failed to take any action to prosecute the personal injury case.

12. Respondent decided not to prosecute the case in approximately April or May 2009, but he did not tell his clients of his decision not to prosecute the case and he did not substitute out of the case or file a motion to withdraw.

CONCLUSIONS OF LAW:

13. By relying upon Zhang to accurately communicate to Zhu that the case should be dismissed, by relying on Zhang when Zhang confirmed that Zhu agreed not to pursue the litigation, by failing to supervise Zhang, and by failing to take any steps to prosecute the personal injury case on behalf of his clients when he should have filed a dismissal if he and his clients did not intend to prosecute the case, Respondent repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

14. By failing to tell Zhu of his decision not to pursue the personal injury case, Respondent failed to communicate a significant development to Zhu in willful violation of Business and Professions Code, section 6068(m).

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was January 19, 2012.

MITIGATION.

Candor and Cooperation (Standard 1.2(e)(v)): Respondent agreed to enter into a full and complete stipulation to facts and legal conclusions and to disposition of this matter prior to the State Bar having to file disciplinary charges in this matter.

Additional Mitigation: Though the misconduct was serious, Respondent has had no prior discipline in the fifteen years he has practiced law. Respondent's misconduct occurred during the time he had employed Mr. Zhang, a non-attorney, as his office assistant. Mr. Zhang did not follow Respondent's directions in communicating with Respondent's clients and Respondent has terminated his relationship with Mr. Zhang. Because Mr. Zhang and Respondent's clients were Chinese, Respondent delegated the tasks of interacting with his clients to Mr. Zhang, who is also Chinese, even though the clients spoke English as well as Mandarin. Respondent acknowledges his obligation to supervise non-attorney employees and he will take steps in the future to ensure that he supervises his non-attorney staff.

AGGRAVATION.

Harm (Standard 1.2(b)(iv)): Respondent's misconduct resulted in the dismissal of Zhu's case and the loss of Sun's cause of action.

AUTHORITIES SUPPORTING DISCIPLINE.

Standards 2.4(b), 1.2(b)(iv) and 1.2(e)(v) of the Standards for Attorney Sanctions for Professional Misconduct.

COSTS OF DISCIPLINARY PROCEEDINGS.

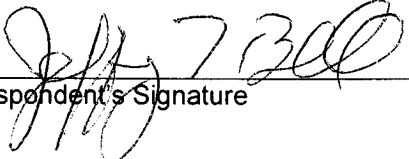
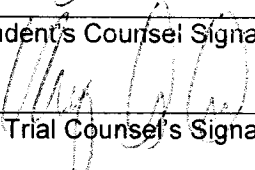
Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of January 19, 2012, the prosecution costs in this matter are approximately \$3,689. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

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In the Matter of: Jeffrey T. Bell	Case number(s): 11-O-13390 and 11-O-13545
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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 Facts, Conclusions of Law, and Disposition.

1-19-2012 Date	 Respondent's Signature	Jeffrey T. Bell Print Name
Date 1/29/12	 Respondent's Counsel Signature	Kimberly G. Anderson Print Name
Date	Deputy Trial Counsel's Signature	Print Name

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In the Matter of: Jeffrey T. Bell	Case Number(s): 11-O-13390 and 11-O-13545
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REPROVAL ORDER

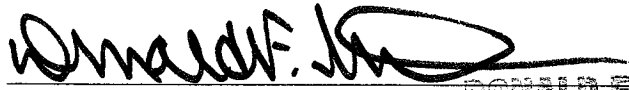
Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department are vacated.

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 5.58(E) & (F), Rules of Procedure.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

Date 1/25/12


DONALD F. MILES

Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 January 25, 2012, I deposited a true copy of the following document(s):

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

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:

**JEFFREY T. BELL
LAW OFFICES OF JEFFREY T. BELL
8728 VALLEY BLVD STE 209
ROSEMEAD, CA 91770**

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

KIMBERLY ANDERSON, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 25, 2012.



Tammy Cleaver
Case Administrator
State Bar Court