

# PUBLIC MATTER

1 STATE BAR OF CALIFORNIA  
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FILED

FEB 23 2015

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of: ) Case No. 14-O-03864  
 14 JENNIFER MICHELE BOZEAT, )  
 15 No. 197875, )  
 16 ) NOTICE OF DISCIPLINARY CHARGES  
 17 )  
 18 A Member of the State Bar )

**NOTICE - FAILURE TO RESPOND!**

**IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL:**

- (1) YOUR DEFAULT WILL BE ENTERED;
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW;
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND;
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN ORDER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.



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The State Bar of California alleges:

JURISDICTION

1. Respondent Jennifer Michele Bozeat was admitted to the practice of law in the State of California on December 2, 1998, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 14-O-03864  
Rules of Professional Conduct, rule 4-200(A)  
[Illegal Fee]

2. On or about March 20, 2014, Respondent entered into an agreement for, charged and collected from a client, Tim Metcalfe, a fee of \$500 to perform legal services that was illegal because at the time she collected the advanced attorney fees, Respondent was not entitled to practice law in California, in wilful violation of the Rules of Professional Conduct, rule 4-200(A).

COUNT TWO

Case No. 14-O-03864  
Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

3. On or about March 20, 2014, Tim Metcalfe employed Respondent to perform legal services, namely to represent him in a family law matter filed in Los Angeles County Superior Court, case no. SD 031009, in which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in wilful violation of Rules of Professional Conduct, rule 3-110(A), by the following:

- a. failing to file a substitution of attorney form in the family law matter to become attorney of record for Metcalfe who was a *pro per* litigant up to the time he hired Respondent;
- b. failing to participate in the conference call in Metcalfe's family law matter, with Metcalfe, on March 27, 2014;

- 1 c. failing to appear at the April 2, 2014 hearing in Metcalfe's family law matter;  
2 and  
3 d. failing to take any action in Metcalfe's family law matter from March 25,  
4 2014 until she was terminated on May 17, 2014.

5 COUNT THREE

6 Case No. 14-O-03864  
7 Business and Professions Code section 6068(m)  
8 [Failure to Respond to Reasonable Client Inquiries]

9 4. Respondent failed to respond promptly to several reasonable status inquiries made  
10 by Respondent's client, Tim Metcalfe, by phone, text and email, in the time period from  
11 March 27, 2014 until May 17, 2014, that Respondent received in a matter in which  
12 Respondent had agreed to provide legal services, in wilful violation of Business and  
13 Professions Code section 6068(m).

14 COUNT FOUR

15 Case No. 14-O-03864  
16 Rules of Professional Conduct, rule 3-700(D)(2)  
17 [Failure to Refund Unearned Advanced Attorney Fees]

18 5. On or about March 20, 2014 and March 27, 2014, Respondent received advanced  
19 attorney fees of \$2,500 from a client, Tim Metcalfe, which were paid to perform legal  
20 services, namely to represent Metcalfe in his family law matter which was filed in Los  
21 Angeles Superior Court. Respondent performed no legal services at all on behalf of the  
22 client and therefore earned none of the advanced attorney fees paid. Respondent failed to  
23 refund promptly, upon Respondent's termination of employment on or about May 17, 2014,  
24 any part of the \$2,500 fee, in wilful violation of Rules of Professional Conduct, rule  
25 3-700(D)(2).  
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COUNT FIVE

Case No. 14-O-03864

Business and Professions Code section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

6. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide any response to the State Bar's letters of September 9, 2014 and October 8, 2014, which Respondent received, which requested Respondent's response to the allegations of misconduct being investigated in case no. 14-O-03864, in wilful violation of Business and Professions Code section 6068(i).

**NOTICE - INACTIVE ENROLLMENT!**

**YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.**

**NOTICE - COST ASSESSMENT!**

**IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.**

Respectfully submitted,

THE STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: February 27, 2015

By:   
Erin McKeown Joyce  
SENIOR TRIAL COUNSEL

DECLARATION OF SERVICE

by U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 14-O-03864

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, CA 90017-2515, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

[X] By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a)) [X] By U.S. Certified Mail: (CCP §§ 1013 and 1013(a)) - in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.

[ ] By Overnight Delivery: (CCP §§ 1013(c) and 1013(d)) - I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

[ ] By Fax Transmission: (CCP §§ 1013(e) and 1013(f)) Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

[ ] By Electronic Service: (CCP § 1010.6) Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

[X] (for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)

[X] (for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2010 0908 09 at Los Angeles, addressed to: (see below)

[ ] (for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: Jennifer M. Bozeat, PO Box 15321 Scottsdale, AZ 85267, Electronic Address, jmyerxa@gmail.com

[ ] via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS'). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: February 23, 2015

SIGNED: [Signature] JULI FINNILA Declarant