

PUBLIC MATTER

FILED

OCT 11 2016

STATE BAR OF CALIFORNIA
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STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

STATE BAR COURT

HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of:) Case No. 15-O-14601
PORTIA BETTIS,)
No. 269192,) NOTICE OF DISCIPLINARY CHARGES
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.**

The State Bar of California alleges:

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JURISDICTION

1. PORTIA BETTIS ("respondent") was admitted to the practice of law in the State of California on March 12, 2010, 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. 15-O-14601
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

2. On or about September 10, 2014, Sandra Sims ("Sims") employed respondent to perform legal services, namely to represent her in court proceedings to administer and distribute her deceased grandmother's estate, which respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to initiate court proceedings or taking any substantive steps towards Sims' objectives, by August 12, 2015, when respondent's employment was terminated.

COUNT TWO

Case No. 15-O-14601
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

3. On or about September 10, 2014, respondent received advanced fees of \$3,000 from Sandra Sims ("Sims") to initiate court proceedings to administer and distribute her deceased grandmother's estate. Respondent failed to ever initiate court proceedings on behalf of Sims, or take any substantive steps towards Sims' objectives, and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon respondent's termination of employment on or about August 12, 2015, any part of the \$3000 fee to Sims, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT THREE

Case No. 15-O-14601
Rules of Professional Conduct, rule 4-100(B)(3)
[Failure to Render Accounts of Client Funds]

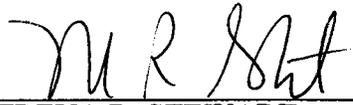
1 IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
2 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
3 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING

4 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
5 PROFESSIONS CODE SECTION 6086.10.

6 Respectfully submitted,

7 THE STATE BAR OF CALIFORNIA
8 OFFICE OF CHIEF TRIAL COUNSEL

9 DATED: October 11, 2016

10 By: 

11 TREVA R. STEWART
12 Deputy Trial Counsel
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DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 15-O-14601

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, 180 Howard Street, San Francisco, California 94105, 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)) - 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 San Francisco.

[X] By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))

[] 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 San Francisco, 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 2042 4874 17 at San Francisco, 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: Portia Bettis, Respondent; Bettis, P.C.: A Professional Law Corp. 225 W Winton Ave Ste 202A Hayward, CA 94544; Electronic Address; (empty)

[] 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 San Francisco, California, on the date shown below.

DATED: October 11, 2016

SIGNED: [Signature] Megan McGowan Declarant