

**PUBLIC MATTER
FILED**

DEC 19 2018

**STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO**

1 STATE BAR OF CALIFORNIA
2 OFFICE OF CHIEF TRIAL COUNSEL
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8 STATE BAR COURT
9
10 HEARING DEPARTMENT - SAN FRANCISCO

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12 In the Matter of:) Case No. 18-O-14954; [18-O-15241;
13 JESSICA WARNE,) 18-O-15649; 18-O-15867]
14 No. 282141,) NOTICE OF DISCIPLINARY CHARGES
15 A Member of the State Bar)

16 **NOTICE - FAILURE TO RESPOND!**

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

- 20 (1) **YOUR DEFAULT WILL BE ENTERED;**
21 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
22 **WILL NOT BE PERMITTED TO PRACTICE LAW;**
23 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN**
24 **THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION**
25 **AND THE DEFAULT IS SET ASIDE, AND;**
26 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
27 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**
28 **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. Jessica Warne (“respondent”) was admitted to the practice of law in the State of California on March 1, 2012, 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. 18-O-14954
Rules of Professional Conduct, Former Rule 3-110(A)
[Failure to Perform with Competence]

2. On or about January 25, 2018, Lenore Minasian and David Minasian employed respondent to perform legal services, namely to prepare and record certain trust-related documents, which respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, former rule 3-100(A), by the following:

- A. Respondent prepared a grant deed which was rejected by the county recorder as not properly prepared.
- B. On or about June 30, 2018, respondent met with the Minasians to prepare a second grant deed but was unable to properly prepare the second grant deed.
- C. Lenore Minasian requested that respondent not attempt to record anything and confirm that respondent would not, but respondent failed to do so.

COUNT TWO

Case No. 18-O-14954
Rule of Professional Conduct, Former Rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

3. Respondent received advanced fees and costs of \$500 on or about January 25, 2018 and of \$324.50 on or about June 30, 2018 from clients Lenore Minasian and David Minasian, for the purpose of legal services, namely to prepare and record certain trust-related documents. Respondent failed to perform any of the preparing and recording services, or perform any legal services of value for the client, and therefore earned none of the advanced fees and costs paid. Respondent failed to refund promptly, upon respondent’s termination of employment on or about

1 July 3, 2018, any part of the \$824.50 in fees and costs to the client, in willful violation of Rules
2 of Professional Conduct, former rule 3-700(D)(2).

3 COUNT THREE

4 Case No. 18-O-14954
5 Business and Professions Code section 6068(m)
6 [Failure to Respond to Client Inquiries]

7 4. Respondent failed to respond promptly or substantively to multiple reasonable status
8 inquiries made by Lenore Minasian and David Minasian, between on or about May 29, 2018 and
9 on or about June 25, 2018 and between on or about July 1, 2018 and on or about July 9, 2018
10 that respondent received in a matter in which respondent had agreed to provide legal services, in
11 willful violation of Business and Professions Code section 6068(m).

12 COUNT FOUR

13 Case No. 18-O-15241
14 Rules of Professional Conduct, Former Rule 3-110(A)
15 [Failure to Perform with Competence]

16 5. On or about January 16, 2018, Steve Moreno ("Moreno") employed respondent to
17 perform legal services, namely to provide legal services in a spousal support matter for Moreno's
18 sister-in-law, Cynthia Williams, which respondent intentionally, recklessly, or repeatedly failed
19 to perform with competence, in willful violation of Rules of Professional Conduct, former rule 3-
20 110(A), by the following:

- 21 A. Respondent sent correspondence to a title company to request certain documents and
22 then never followed up after receiving the documents;
- 23 B. Respondent failed to take any substantive steps to obtaining any spousal support for
24 Cynthia Williams.

25 COUNT FIVE

26 Case No. 18-O-15241
27 Rule of Professional Conduct, Former Rule 3-700(D)(2)
28 [Failure to Refund Unearned Fees]

6. Respondent received advanced fees of \$1,000 on or about January 16, 2018 and of
\$4,000 on or about January 26, 2018 from clients Steve Moreno and Cynthia Williams, for the

1 purpose of providing legal services in a spousal support matter for Cynthia Williams.
2 Respondent failed to perform any of the spousal support legal services, or perform any legal
3 services of value for the clients, and therefore earned none of the advanced fees paid.
4 Respondent failed to refund promptly, upon respondent's termination of employment, any part of
5 the \$5,000 fees to the client, in willful violation of Rules of Professional Conduct, former rule 3-
6 700(D)(2).

7 COUNT SIX

8 Case No. 18-O-15241
9 Business and Professions Code section 6068(m)
[Failure to Respond to Client Inquiries]

10 7. Respondent failed to respond promptly or substantively to multiple reasonable status
11 inquiries made by Steve Moreno or Cynthia Williams, between on or about March 1, 2018 and
12 on or about July 30, 2018 that respondent received in a matter in which respondent had agreed to
13 provide legal services, in willful violation of Business and Professions Code section 6068(m).

14 COUNT SEVEN

15 Case No. 18-O-15241
16 Rules of Professional Conduct, Former Rule 3-700(A)(2)
[Improper Withdrawal from Employment]

17 8. Respondent failed, upon termination of employment, to take reasonable steps to avoid
18 reasonably foreseeable prejudice to respondent's client, Steve Moreno, by constructively
19 terminating Respondent's employment on March 1, 2018 by failing to take any action on the
20 client's behalf after March 1, 2018, and thereafter failing to inform the client that Respondent
21 was withdrawing from employment, in willful violation of Rules of Professional Conduct,
22 former rule 3-700(A)(2).

23 COUNT EIGHT

24 Case No. 18-O-15649
25 Rules of Professional Conduct, Former Rule 3-110(A)
[Failure to Perform with Competence]

26 9. On or about March 5, 2018, Amy Hayre ("Hayre") employed respondent to perform
27 legal services, namely to provide legal service relating to Hayre's divorce, which respondent
28

1 intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of
2 Rules of Professional Conduct, former rule 3-110(A), by the following:

- 3 A. Between on or about March 28, 2018 and on or about May 1, 2018, respondent failed
4 to timely send a spousal support check to opposing counsel;
- 5 B. Respondent failed to serve any subpoenas seeking information on the financial assets
6 and obligations of Hayre's spouse;
- 7 C. Respondent failed to obtain certain spousal financial records necessary for Hayre to
8 timely file her tax return;
- 9 D. Respondent failed to take any substantive steps towards effectuating Hayre's divorce
10 proceedings.

11 COUNT NINE

12 Case No. 18-O-15649
13 Rule of Professional Conduct, Former Rule 3-700(D)(2)
14 [Failure to Refund Unearned Fees]

15 10. Respondent received advanced fees of \$4,000 on or about March 7, 2018, from a
16 client, Amy Hayre ("Hayre"), for the purpose of providing legal service relating to Hayre's
17 divorce proceedings. Respondent failed to perform any of the legal services relating to Hayre's
18 divorce proceedings, or perform any legal services of value for the client, and therefore earned
19 none of the advanced fees and costs paid. Respondent failed to refund promptly, upon
20 respondent's termination of employment on or about July 23, 2018, any part of the \$4,000 fees to
21 the client, in willful violation of Rules of Professional Conduct, former rule 3-700(D)(2).

22 COUNT TEN

23 Case No. 18-O-15867
24 Rules of Professional Conduct, Former Rule 3-110(A)
25 [Failure to Perform with Competence]

26 11. On or about July 22, 2017, Disarie Spencer ("Spencer") employed respondent to
27 perform legal services, namely to provide legal services relating to a property line and fence
28 dispute with Spencer's neighbor, which respondent intentionally, recklessly, or repeatedly failed
to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-
110(A), by the following:

1 A. Other than sending a demand letter to the Spencer's neighbor, Respondent failed to
2 take any substantive steps towards resolving the property line and fence dispute with
3 Spencer's neighbor.

4 COUNT ELEVEN

5 Case No. 18-O-15867
6 Rule of Professional Conduct, Former Rule 3-700(D)(2)
7 [Failure to Refund Unearned Fees]

8 12. Respondent received advanced fees and costs of \$3,500 on or about August 15, 2017
9 from a client, Disarie Spencer ("Spencer"), for the purpose of providing legal services relating to
10 a property line and fence dispute with Spencer's neighbor. Respondent failed to perform any of
11 the legal services relating to the property line and fence dispute, or perform any legal services of
12 value for the client, and therefore earned none of the advanced fees and costs paid. Respondent
13 failed to refund promptly, upon respondent's termination of employment on or about July 10,
14 2018, any part of the \$3,500 fees and costs to the client, in willful violation of Rules of
15 Professional Conduct, former rule 3-700(D)(2).

16 COUNT TWELVE

17 Case No. 18-O-15867
18 Rule of Professional Conduct, Former Rule 4-100(B)(3)
19 [Failure to Render Accounts of Client Funds]

20 13. On or about August 15, 2017, respondent received from respondent's client, Disarie
21 Spencer ("Spencer"), the sum of \$3,500 as advanced fees and costs for legal services to be
22 performed. Respondent thereafter failed to render an appropriate accounting to the client
23 regarding those funds upon the termination of respondent's employment on or about July 10,
24 2018, in willful violation of the Rules of Professional Conduct, former rule 4-100(B)(3).

25 COUNT THIRTEEN

26 Case Nos. 18-O-14954; 18-O-15241; 18-O-15649; 18-O-15867
27 Business and Professions Code section 6068(j)
28 [Failure to Update Membership Address]

14. On or about August 17, 2018, respondent moved out or was evicted from
respondent's office at the address maintained on the official membership records of the State Bar

1 and thereafter failed to comply with the requirements of Business and Professions Code section
2 6002.1, by failing to notify the State Bar of the change in Respondent's address within 30 days,
3 in willful violation of Business and Professions Code, section 6068(j).

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5 **NOTICE - INACTIVE ENROLLMENT!**

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


14
15 **NOTICE - COST ASSESSMENT!**

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

21 Respectfully submitted,

22 THE STATE BAR OF CALIFORNIA
23 OFFICE OF CHIEF TRIAL COUNSEL

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DATED: December 19, 2018

By: 
Peter Klivans
Deputy Trial Counsel

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DECLARATION OF SERVICE BY CERTIFIED AND REGULAR MAIL

RE: WARREN
CASE NO: 18-O-14954; [18-O-15241; 18-O-15649; 18-O-15867]

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that I am not a party to the within action; that 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; that 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; that I am aware that on motion of 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; and that 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, on the date shown below, a true copy of the within

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as *certified mail, return receipt requested*, and in an additional sealed envelope as *regular mail*, at San Francisco, on the date shown below, addressed to:

Article No. 9414 7266 9904 2112 6648 16

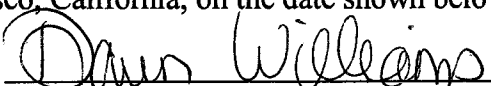
Jessica Ann Warne
Law Office of Jessica Warne, PC
555 University Ave, Ste 260
Sacramento, CA 95825-6583

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

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: December 19, 2018

Signed: 
Dawn Williams
Declarant