

IN RE: JO-ELLEN WELLS

S.J.C. Judgment of Disbarment entered by Justice Cordy on August 1, 2006, with an effective date of August 31, 2006.<sup>1</sup>

SUMMARY<sup>2</sup>

This matter originally came before the Supreme Judicial Court for Suffolk County in January 2006 on a petition for reciprocal discipline arising from an order of temporary suspension entered by the New Hampshire Supreme Court on September 23, 2005. The respondent did not report the order of temporary suspension to Massachusetts bar counsel, nor did she provide a certified copy of the order of suspension, thereby violating S. J. C. Rule 4:01, § 16(6). On February 6, 2006, the county court ordered her to show cause why she should not be temporarily suspended in Massachusetts. The respondent was served by first class and by certified mail, which she did not claim. The respondent did not make any response.

On March 29, 2006, the New Hampshire Supreme Court entered an order of disbarment in the Matter of Jo-Ellen Wells, LD-2005-0007. The disbarment was based on the following violations:

1. Rule 1.1: Lack of competence by failing to endorse a writ in a civil case, causing its dismissal.
2. Rule 1.3: Lack of diligence by failing to see that a civil suit was reinstated and failing to file paperwork in two divorce proceedings.
3. Rules 1.4 and 1.5(b): Failure to keep clients reasonably informed by failing to respond to reasonable requests for information, failing to explain a fee agreement, and failing to advise clients on the status of their cases. The respondent failed to advise one client that the case had been dismissed, and she failed to advise another client of a final hearing on a divorce.
4. Rule 1.15: Failure to return unearned retainers.
6. 1.16: Failure to protect the client and withdrawal shortly before a hearing
7. 8.4(c): Intentional misrepresentation to a client that she had a scheduling conflict.

The respondent also failed to participate in the New Hampshire bar discipline proceedings.

On April 4, 2006, bar counsel filed an amended petition for reciprocal discipline based on the disbarment order entered in New Hampshire. The county court issued an order of notice on April 7, 2006, which was duly served on the respondent. The respondent made no reply.

On July 27, 2006, the county court held a hearing on bar counsel's amended petition for reciprocal discipline. Notice of the hearing had been sent to the parties on June 27, 2006. Bar counsel appeared, but the respondent did not. On August 1, 2006, the county court (Cordy, J.) entered a judgment of disbarment to take effect on August 31, 2006.

<sup>1</sup> The complete Order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

<sup>2</sup> Compiled by the Board of Bar Overseers based on the record before the Court.

Please direct all questions to [webmaster@massbbo.org](mailto:webmaster@massbbo.org).  
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