



OFFICE OF ATTORNEY ETHICS
OF THE
SUPREME COURT OF NEW JERSEY

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September 21, 2023

To The Honorable Chief Justice Stuart Rabner and Associate Justices of the Supreme Court of New Jersey:

I thank you for the opportunity to serve as the third Director of the Office of Attorney Ethics (the OAE). In that capacity, it is my duty and privilege to present this thirty-ninth issue of the State of the Attorney Disciplinary System Report.

This was a year of transformation and transition for the OAE and its staff, with 18 new staff joining our team. As of December 31, 2022, 50% of OAE managers, including this Director, had served in their current roles for less than one year.

Consistent with that theme of constructive transformation, this 2022 Annual Report aims to preserve the key data points of the prior versions while presenting that data in a more intuitive fashion. Data has been streamlined to better inform the public and the Court. I look forward to continuing to improve upon this presentation in the years ahead.

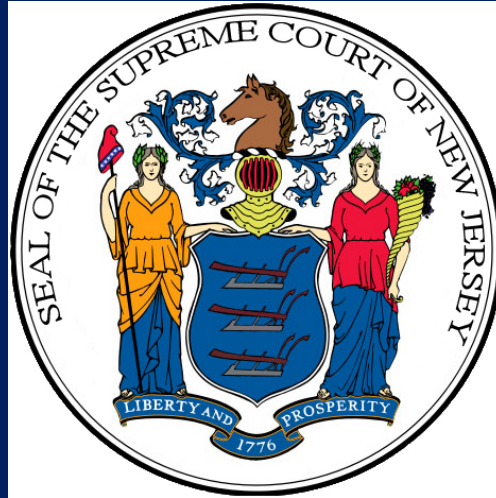
I again thank you for the opportunity to serve the Court and the protective interests of the disciplinary system.

Respectfully submitted,

A handwritten signature in cursive script that reads "Johanna Barba Jones".

Johanna Barba Jones
Director
Office of Attorney Ethics

New Jersey Office of Attorney Ethics



ANNUAL REPORT 2022

Johanna Barba Jones
Director

Jason D. Saunders
First Assistant Ethics Counsel

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I. EXECUTIVE SUMMARY

As of December 31, 2022:

- New Jersey's attorney population was 99,817 – one attorney for every 93 citizens of our state.
- The Garden State ranks 6th in the nation in the number of attorneys admitted to practice, with that ranking unchanged from 2021.
- New Jersey ranked 43rd in the country in annual attorney licensing fees charged (at \$212).
- Fifteen (15) more attorneys were disciplined in 2022 (total: 139) than in 2021 (total: 124).
- New investigations increased by 6.25% during 2022 (total: 815) from the filings in 2021 (total: 768).
- New formal charges increased by 1.8% in 2022 (total: 169) compared to 2021 (total: 166).
- The OAE's yearly average investigative time goal compliance decreased by 5% during 2022, from 62% in 2021 to 57% in 2022.
- District Ethics Committees' yearly average time goal compliance for 2022 decreased by 4%, from 57% in 2021 to 53% in 2022.
- District Fee Arbitration Committees handled a total of 756 cases involving more than \$5.7 million in legal fees during 2022.
- The OAE's Random Audit Compliance Program conducted 753 audits of law firms in 2022.
- Eleven (11) lawyers were disciplined (including four disbarments) through the detection efforts of the Random Audit Compliance Program.
- In 2022, 132 attorney trust account overdrafts were reported to the OAE.
- A total of seven (7) lawyers were disciplined in 2022 (including one disbarment) due to the Trust Overdraft Notification Program.

II. INTRODUCTION

The 1947 New Jersey Constitution provides that the “Supreme Court shall have jurisdiction over the admission to the practice of law and the discipline of persons admitted.” That constitutional mandate has evolved into a comprehensive system for attorney regulation which guides and governs New Jersey lawyers throughout their careers.

The Supreme Court primarily communicates its expectations regarding the practice of law through Court Rules. The nuts and bolts of the practice of law, including attorneys’ financial recordkeeping obligations, are explained in R. 1:21. The ethical expectations of attorneys are explained in the Rules of Professional Conduct (the RPCs) (which are made expressly binding upon attorneys by operation of R. 1:14).

Beyond expressing its expectations in Rules, the Court has created regulatory entities to serve its Constitutional mandate. First, the Committee on Character and the Board of Bar Examiners screen individuals proposing to enter the profession. Other Supreme Court Committees provide advisory services: Advisory Committee on Professional Ethics (ACPE); Committee on Attorney Advertising (CAA); and Committee on the Unauthorized Practice of Law (CUPL). Those entities meet periodically to consider novel issues. Their decisions do not reference particular cases or controversies and are published for use of the entire bar.

Not all ethical dilemmas are novel or unfold slowly enough that a practitioner can wait for a written decision. Recognizing this, the Court also provides an Ethics Hotline to assist attorneys to resolve day-to-day ethical dilemmas. Questions posed to the Ethics Hotline are not shared with disciplinary authorities. R. 1:19-9(d) expressly states “[n]either the fact that an inquiry has been made nor the results thereof, shall be admissible in any legal proceeding, including an attorney or judicial discipline proceeding.”

Another way in which the Court has exercised its power to assist practicing attorneys is through the creation in 1999 and annual funding of the New Jersey Lawyers’ Assistance Program (NJLAP). Managed by the New Jersey State Bar Association (NJSBA), the NJLAP is a “free and confidential resource assisting all NJ Lawyers, Judges, Law Students, and Law Graduates to achieve and maintain personal and professional well-being.” Like the Ethics hotline,

NJLAP has no reporting relationships with the OAE, bar associations, or any entity or tribunal. Its services are confidential, and stand under the broad offering, “[n]o matter what the problem, you need not manage alone.” Although there is no limitation on NJLAP’s service areas, it explicitly covers “depression, stress, anxiety, alcohol & substance abuse, and gambling issues.” Through its funding of NJLAP, the Court strives to eliminate stigma for seeking professional and personal support.

Sometimes, all the Court’s prevention and educational structure still are not enough. Accordingly, the Court created the attorney disciplinary system.

The attorney disciplinary system exists to determine the truth of perceived wrongs by attorneys. To support its own role, the Court created two governmental entities to serve that disciplinary mission: the OAE and the Disciplinary Review Board (the DRB).¹ In general terms, the OAE is the investigative and prosecutorial arm of the New Jersey attorney disciplinary system, and the DRB is the intermediate appellate tribunal of the attorney disciplinary system.

The Court also created 36 volunteer entities to serve this mission: 18 local District Ethics Committees, which are loosely organized around the Court’s county and vicinage system; 17 local District Fee Arbitration Committees (the DFACs); and one Disciplinary Oversight Committee (the DOC), charged with ensuring the effective and efficient operation of the disciplinary system. The DOC exercises that oversight predominantly through its review of the Attorney Disciplinary System Budget and a financial audit annually conducted by an outside firm.

This Annual Report is intended to broadly summarize the activity of the OAE. It is presented in the context of, and informed by, certain other data about New Jersey lawyers, acquired through the attorney registration system and maintained by the Lawyers’ Fund for Client Protection (LFCP).

¹ The DRB issues its own annual report.

A. Attorney Discipline in Brief

The OAE investigates and prosecutes serious, complex and emergent matters, statewide. Attorney disciplinary matters of standard complexity are investigated by a devoted volunteer corps of more than 600 DEC members, both attorneys and members of the public who are appointed to conduct this same important work on a more local level. For the 2022-2023 term of service, there were 607 volunteer members appointed by the Supreme Court (500 attorneys and 107 public members), serving pro bono across the state.

The DEC leadership consists of three attorney officers: a chair, who serves as the chief executive officer responsible for all investigations; a vice chair, who is responsible for all cases in the hearing stage; and a secretary, a member of the bar serves as the administrator of that DEC. The secretary receives and screens all inquiries and grievances. The secretary is not a member of the DEC, and instead functions as the DEC's link to the public, fielding all calls from members of the public and the Bar and providing information about the grievance and disciplinary process. While secretaries receive an annual emolument to defray the expenses related to their duties, they are nonetheless volunteers, as are all the members of the DEC's.

DEC attorney members are assigned to investigate and, if necessary, prosecute grievances docketed with a DEC. Three-member hearing panels comprised of two attorneys and one public member decide cases after formal complaints have been filed.

Not all attorney ethics cases are fully litigated at a hearing. A significant proportion of cases proceed to appellate review by the DRB by consent, default, disciplinary stipulation, or a fully admitted complaint. During 2022, OAE ethics counsel appeared before the DRB to argue a total of 64 separate matters. Those arguments may be viewed in real time online through the Court's channels service.² The DRB's review is de novo on the existing record.

Of course, the Court itself is the ultimate authority in attorney discipline. N.J. Const. art. VI, Section II, ¶3. The Supreme Court hears oral arguments in disciplinary matters at the Richard J. Hughes Justice Complex.³ Only the

² <https://www.njcourts.gov/public/channels>

³ <https://www.njcourts.gov/courts/supreme/supreme-court-webcast>

Supreme Court can order disbarment of an attorney. In all other matters, the decision or recommendation of the Review Board becomes final on the entry of a disciplinary order by the Supreme Court, unless the Court grants a petition for review or issues an order to show cause on its own motion.

The OAE represents the public interest in all cases before the Supreme Court. During 2022, OAE ethics counsel appeared a total of 26 times for oral argument in disciplinary cases. Arguments may be streamed in real time from the Court's website.

B. Non-Disciplinary Responsibilities of the OAE

Of course, the Office of Attorney Ethics is primarily known for conducting professional ethics investigations and prosecutions. Complex cases include Motions for Final Discipline under R. 1:20-13, where an attorney has been convicted of a crime, and Motions for Reciprocal Discipline under R. 1:20-14, where another jurisdiction has determined that a New Jersey attorney committed misconduct.

As reviewed above, the OAE provides legal and administrative support to the more than 600 volunteers who themselves investigate "standard" ethics grievances and hold local hearings to dispose of them.

However, the work of the OAE also captures compliance activities, bar support activities, and follow-ups upon discipline which are not frequently associated with the OAE.

In addition to serving the duties outlined above, the OAE serves both monitoring and supervision functions for the attorney disciplinary system. Particularly, the OAE has responsibility for the monitoring of disciplined attorneys to ensure their adherence to the conditions of final Orders of discipline.

Likewise, the Director has the responsibility to monitor attorneys' adherence to conditions of diversion, a sort of pre-trial intervention for substantiated minor discipline cases, the admission to which is addressed in "Agreements in Lieu of Discipline" ('Diversion') below.

Sometimes, an attorney must unexpectedly set aside the practice of law. Reasons range from unexpected incapacity, suspension, or disbarment of an

attorney. In such situations, an Assignment Judge may appoint an attorney-trustee to wind down that attorney's practice of law. By so doing, the Judiciary intends to protect the interests of the affected clients. The OAE provides support to Assignment Judges and the attorneys they appoint as trustees, tracking all trusteeships throughout the state. The OAE also publishes a guide for attorney trustees.⁴

The OAE provides legal and administrative support to the 17 DFACs who dispose of approximately \$7M in disputes concerning legal fees per year. That work is described in greater detail in "Subtracting That Which is Not Misconduct" below. The OAE's administrative functions with regard to the DEC and DFACs include facilitating the appointment of the 900 volunteers upon whose talents those two important programs rely.

The OAE's education and quality assurance work, including the Random Audit Program (RAP) and the Trust Account Overdraft Notification Program (TAONP), will be discussed in "Culture of Compliance" below.

These diverse services to the public and the bar in combination serve the two purposes of the attorney disciplinary system: to protect the reputation of the bar and to protect the public at large.

⁴ Office of Attorney Ethics, Closing or Assuming Temporary Control of Another Attorney's Law Practice: Manual for New Jersey Attorney Trustees (March 2017). This document is available upon request. Sample forms for a Verified Petition for Appointment of an Attorney-Trustee and an Order for Appointment of an Attorney-Trustee may be accessed on the Judiciary's website.

III. NEW JERSEY ATTORNEY DATA

According to a July 1, 2022 survey compiled by the OAE for the National Organization of Bar Counsel, Inc., a total of 2,212,074 lawyers were admitted to practice in the United States. New Jersey ranked 6th out of 51 jurisdictions in the total number of lawyers admitted, or 4.47% of the July national total.

As of the end of December 2022, there were a total of 99,173 attorneys admitted to practice in the Garden State, or one lawyer for every 93 New Jersey citizens. The total number of New Jersey lawyers added to the bar population increased by .2% in 2022.

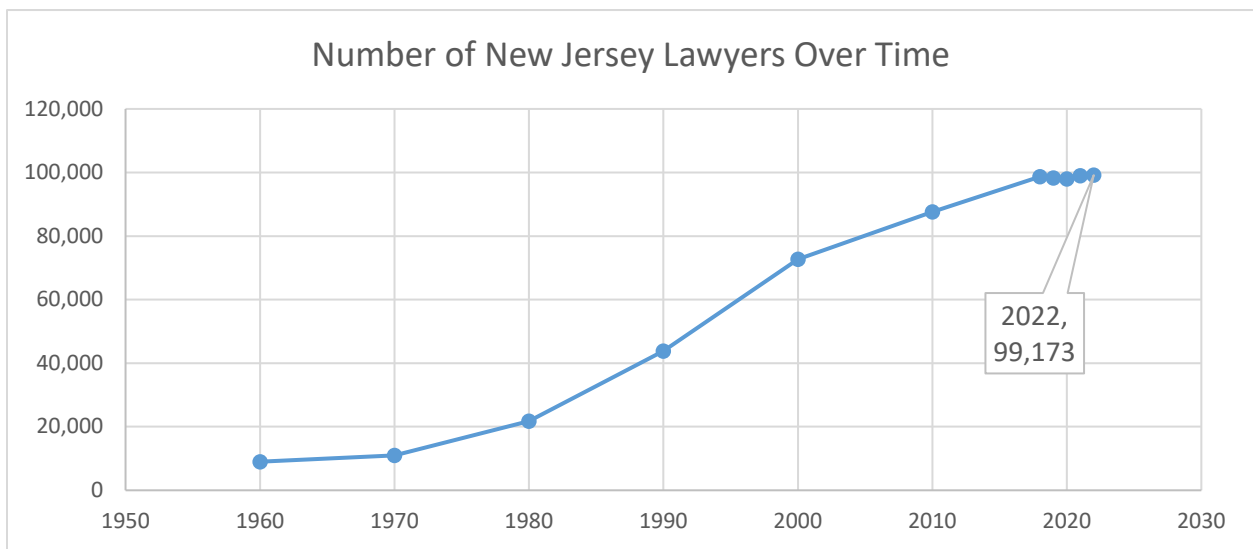


Figure 1

A. Admissions

As of December 31, 2022, 99,817⁵ attorneys are admitted in our state. Of those, 48.4% were admitted since 2001 and 22.8% were admitted between 1991-2000. The other 28.7% were admitted in 1990 or earlier.

⁵ This figure does not equal the total attorney population, as calculated by the LFCP, because the LFCP total does not include those attorneys who were suspended, deceased, disbarred, resigned, revoked or placed on disability-inactive status after the attorney registration statements were received and tabulated.

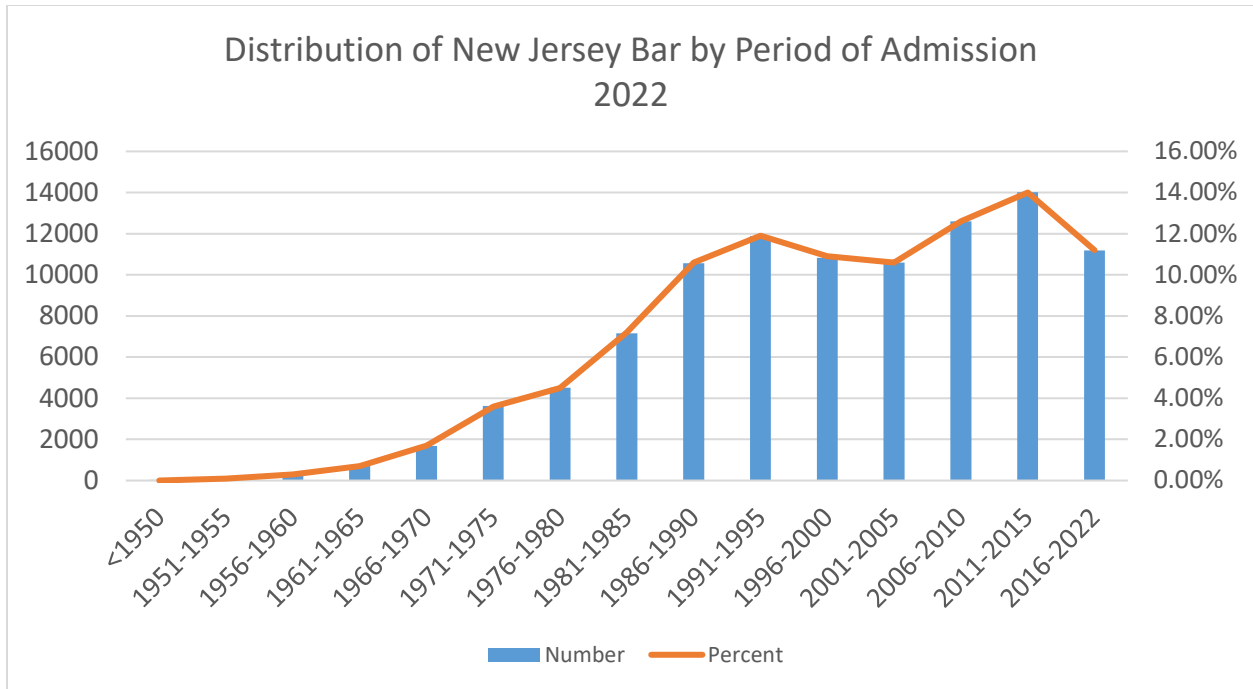


Figure 2

The data set may be viewed at Table 4 on page 53.

B. Attorney Age

Of the 99,817 attorneys for whom some registration information was available, 99,617 (99.8%) provided their date of birth. A total of 200 attorneys (0.2%) did not respond to this question.

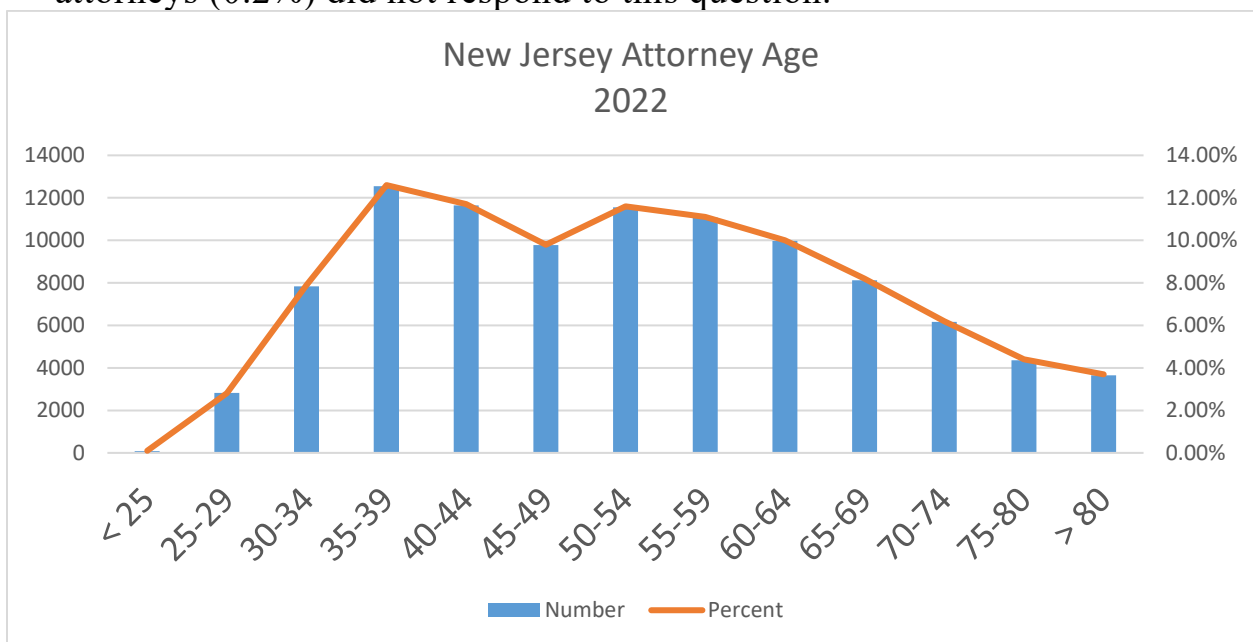


Figure 3

Attorneys in the 35-44 age range comprised the largest group of attorneys admitted to practice in New Jersey at 24.3% (24,089). The 50-59 year category comprised 22.7%, or 22,661 lawyers. Another 9.8% (9,780) were between the ages of 45-49. The fewest numbers of attorneys were below the age of 29 and over the age of 70. The data set may be viewed at Table 5 on page 53.

C. Other Admissions

More than 76.6% of the 99,817 attorneys for whom some registration information was available were admitted to other jurisdictions. Approximately a quarter (23.4%) of all attorneys were admitted only in New Jersey. The three largest additional jurisdictions for New Jersey attorneys are New York (46.83%), Pennsylvania (26.7%), and the District of Columbia (6.81%). See Table 6, p. 54.

D. Private Practice

Of the 99,817 attorneys on whom registration information was tabulated, 36,304 stated that they engaged in the private practice of New Jersey law, either from offices within New Jersey or at locations elsewhere. Accordingly, a little more than thirty-six percent (36.4%) of the attorneys engaged in the private practice of New Jersey law, while 63.6% did not practice in the private sector.

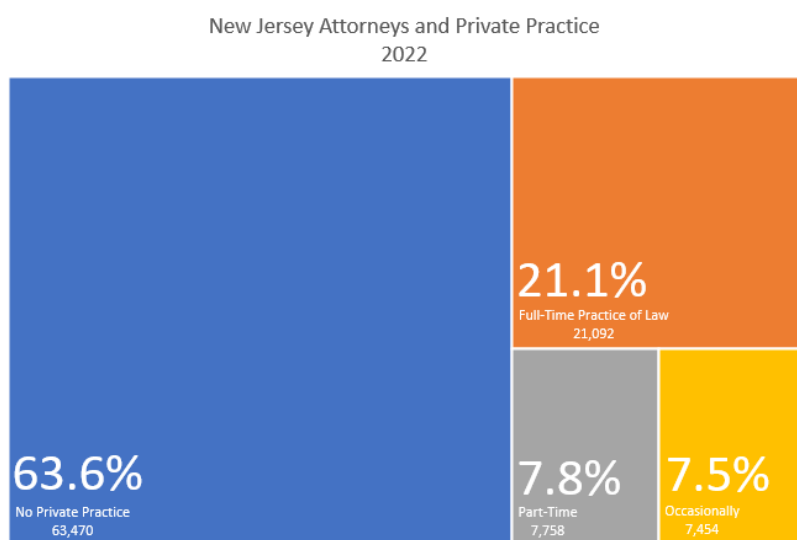


Figure 4

Of those who engaged in the private practice of New Jersey law, 99.9% responded to describe the amount of time devoted to the practice of law. Fifty-eight practiced full-time, 21.6% rendered legal advice part-time, and 21.45% engaged in practice occasionally (defined as less than 5% of their time). Point one percent (.1%) of responses were unspecified.

1. *Private Practice Firm Structure*

Of the 36,304 attorneys who indicated they were engaged in the private practice of New Jersey law, 97.6% (35,439) provided information on the structure of their practice. The largest group self-identified as partners (33.8%; 11,962). Thirty-one point one percent (31.1%) of the responding attorneys practiced in sole proprietorships (sole practitioners (9,802) plus sole stockholders (1,222)). Associates comprised 24.9% of the responses (8,838), followed by attorneys who were “of counsel” with 8% (2,834), and “other than sole stockholders” with 2.2% (781).

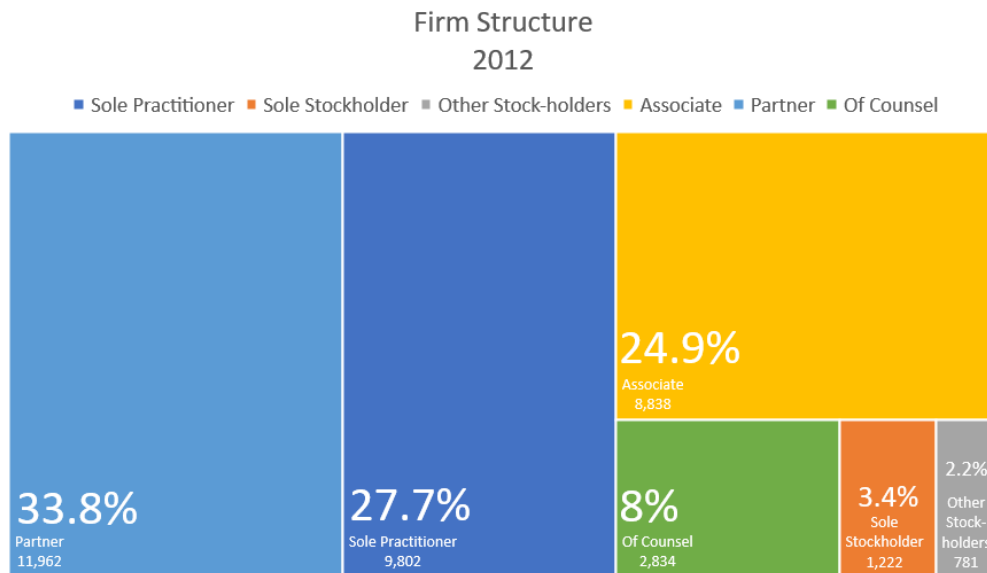


Figure 5

2. *Private Practice Firm Size*

More than 99.9% (36,319) of those attorneys who identified themselves as being engaged in the private practice of law indicated the size of the law firm of which they were a part. Thirty percent (10,882) said they

practiced alone; 8.4% (3,059) worked in two-person law firms; 8.4% (4,632) belonged to law firms of 3-5 attorneys; 27.6% (10,043) were members of law firms with 6-49 attorneys, and 21.2% (7,702) worked in firms with 50 or more attorneys.

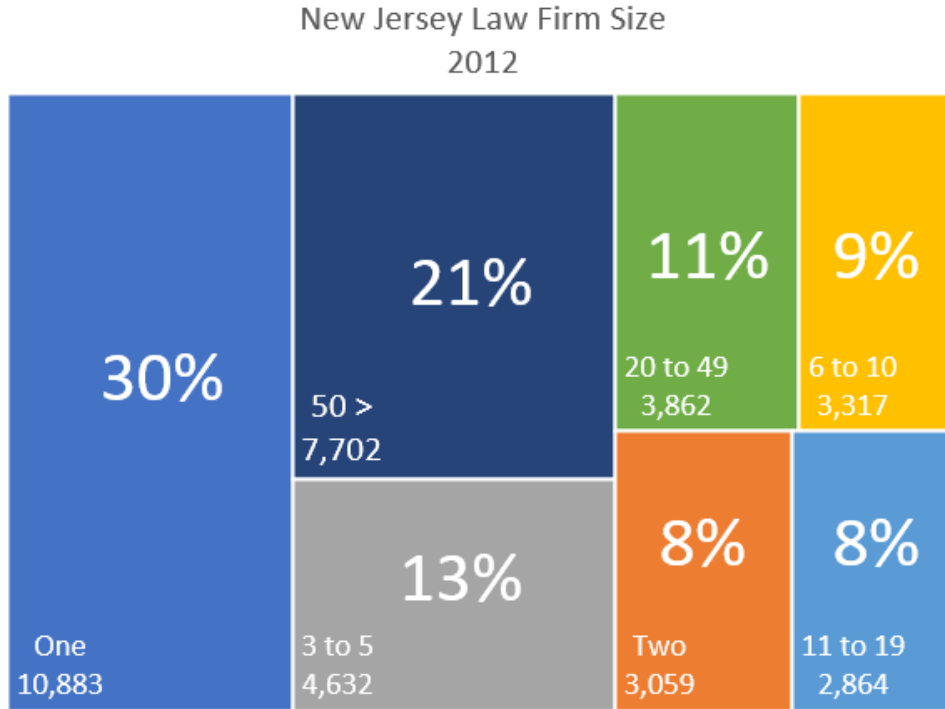


Figure 6

3. New Jersey Offices

New Jersey attorneys are no longer required to maintain a “bona fide” office in New Jersey. R. 1:21-1(a)(1). Nevertheless, in 2022, 73.7% of New Jersey attorneys (26,809) had a fixed physical location for the practice of law within the state. Slightly more than twenty-six percent (26.3%) of New Jersey attorneys (9,544) had offices located in other jurisdictions: New York 12.0% (4,345), Pennsylvania 12.3% (4,456), and Delaware less than 1% (120). Other United States jurisdictions represent 1.7% (623). See Table 7, p. 55.

4. Fixed Physical Office Locations

The number of unique law firms registered in NJ today is 16,580.

During 2022, Essex County housed the largest number of private practitioners with 15.8% (4,235), followed by Bergen County with 13.3% (3,556). Morris County was third at 12.1% (3,247), and Camden County was fourth with 8.2% (2,201).

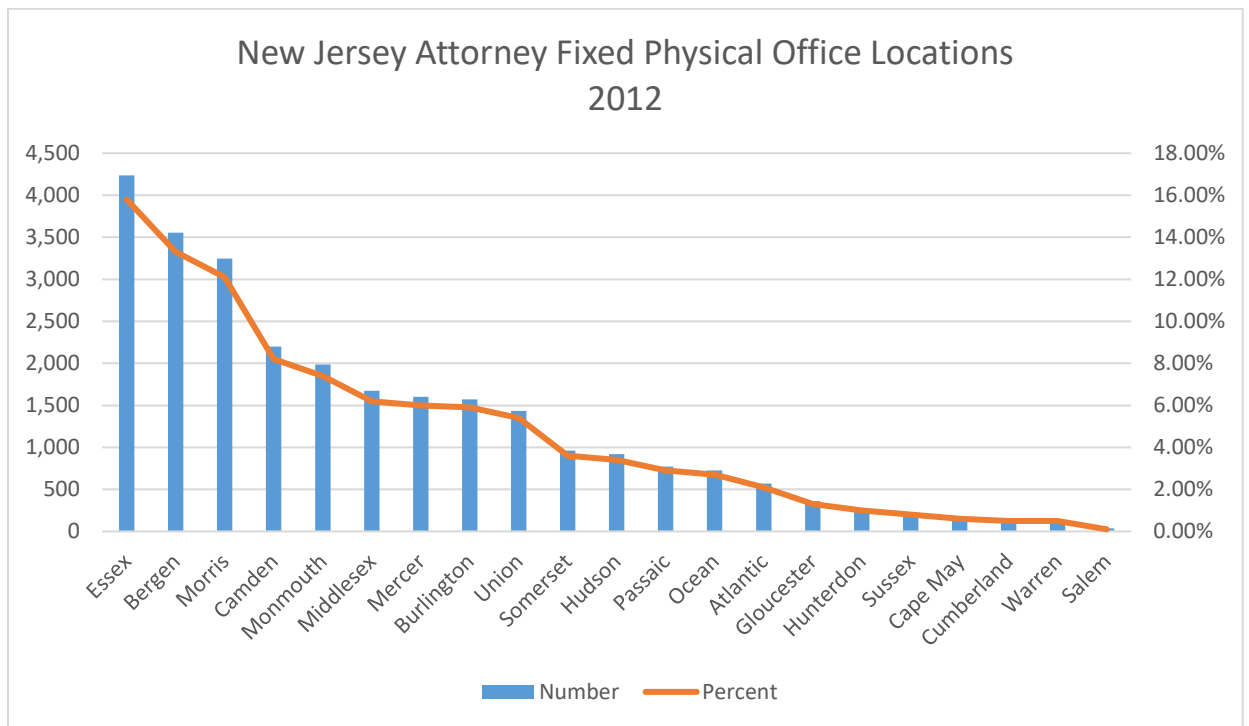


Figure 7

A full data set may be found in Table 8 on page 55.

IV. CULTURE OF COMPLIANCE

The OAE's programs support New Jersey attorneys' existing culture of compliance. The OAE's education and quality assurance efforts aim to ensure that attorneys understand the obligations of our profession, that minor deviation from those obligations are corrected through education, and that the attorney disciplinary system is well-positioned to uniformly and fairly investigate serious deviations.

New Jersey has the most proactive financial programs of any state in the country, including the Trust Account Overdraft Notification Program (TAONP) and Random Audit Compliance Program (RAP). The impact of each program during 2022 is summarized below. When applicable, the impact of the TONP and RAP is noted in each of the individual final discipline summaries appearing in the Appendix.

The OAE's staff also devotes considerable annual effort to preventive education of the bar, and training of its talented volunteer corps. Highlights of these programs appear below.

A. Random Audit Program (RAP)

The Supreme Court of New Jersey has been a national leader in protecting the public by actively auditing attorney trust accounts for compliance with mandatory fiduciary rules. New Jersey's RAP has been conducting financial compliance audits of law firms since July 1981. New Jersey is the state with the largest lawyer population in the country to conduct a random auditing program. During 2022, only eight other states had operational random programs. In order of implementation, they are Iowa (1973), Delaware (1974), Washington (1977), New Hampshire (1980), North Carolina (1984), Vermont (1990), Kansas (2000) and Connecticut (2007).

The OAE administers RAP. In 2022, RAP staff was managed by Chief Auditor Joseph Strieffler, who joined the OAE in 1998, and was promoted to Chief of Random Audit in 2021. Other staff included two Senior Random Auditors, and four Random Auditors.

Pursuant to R. 1:21-6, all private law firms are required to maintain trust and business accounts and are subject to random audit reviews. On average, at

any given time, clients allow New Jersey lawyers to hold almost three billion dollars in primary attorney trust accounts (“IOLTA” trust accounts) alone. Even more money is controlled by Garden State law firms in separate attorney trust and other fiduciary accounts in connection with estates, guardianships, receiverships, trusteeships and other fiduciary capacities. Both public protection and the public’s trust in lawyers require a high degree of accountability.

Over 40 years after RAP first began, the conclusion is that the overwhelming majority of private New Jersey law firms (98.5%) account for clients’ funds honestly and without incident. Although technical accounting deficiencies are regularly found and corrected, the fact is that only 1.5% of the audits conducted over that period have found serious ethical violations, such as misappropriation of clients’ trust funds. Since law firms are selected randomly for audit on a statewide basis, the selections and, therefore, the results are representative of the handling of trust monies by private practice firms. These results should give the public and the bar great trust and confidence in the honesty of lawyers and their ability to faithfully handle monies entrusted to their care.

The central objectives of the RAP are to ensure compliance with the Supreme Court’s financial recordkeeping Rules and to educate law firms on the proper method of fulfilling their fiduciary obligations to clients under R. 1:21-6. Another reason underlying the program is a by-product of the first — deterrence. Just knowing there is an active audit program is an incentive not only to keep accurate records, but also to avoid temptations to misuse trust funds. Although not quantifiable, the deterrent effect on those few lawyers who might be tempted otherwise to abuse their clients’ trust is undeniably present. Random audits serve to detect misappropriation in those relatively small number of law firms where it occurs.

No law firm is chosen for audit except by random selection. To ensure the randomness of that selection, RAP utilizes a computer program based on a Microsoft Corporation algorithm for randomness. The pool of attorneys randomly audited are those engaged full-time in the private practice of law. From that pool, attorneys are selected by telephone number. The algorithm automatically drops out of the selection process any attorneys possessing the same Firm ID number and any firm which has been the subject of a random audit that occurred within the past five years. In this way, each law firm,

regardless of size, has an equal likelihood of being selected for a random audit.

Court Rule 1:21-6 (“Recordkeeping”) has provided attorneys with detailed guidance on handling trust and business accounts for more than 52 years. It is the uniform accounting standard for all audits. This Rule, which incorporates generally accepted accounting practices,⁶ also specifies in detail the types of accounting records that must be maintained and their location. It also requires monthly reconciliations, prohibits overdraft protection and the use of ATM’s for trust accounts, and requires a seven-year records retention schedule.

All private law firms are required to maintain a trust account for all clients’ funds entrusted to their care and a separate business account into which all funds received for professional services must be deposited. Trust accounts must be located in New Jersey. These accounts must be uniformly designated “Attorney Trust Account.” Business accounts are required to be designated as either an “Attorney Business Account,” “Attorney Professional Account” or “Attorney Office Account.” All required books and records must be made available for inspection by random audit personnel. The confidentiality of all audited records is maintained at all times.

Random audits are always scheduled in writing two to four weeks in advance. Although the audit scheduled date is firm, requests for adjournments are given close attention.

The auditor conducts an initial interview with the responsible attorney followed by the examination and testing of the law firm’s financial recordkeeping system. At the conclusion of the audit, which averages one full day, the auditor offers to confer with the attorney in an exit conference to review and explain the findings. At that time, as applicable, the attorney is given a deficiency checklist, which highlights corrective action that must be taken. Even in the case where no corrections are necessary to bring the firm into compliance with the Rule, the auditor may suggest improvements that will make the firm’s job of monitoring client funds easier.

⁶ During 2022, the DRB decided In the Matter of Daniel David Hediger, DRB 22-071 (November 1, 2022), so ordered, 253 N.J. 565 (2023), a case which underscored the significance of GAAP in attorney recordkeeping.

The deficiency checklist is followed by a letter confirming the exit conference and describing any shortcomings for which corrective action is necessary. An acknowledgement of receipt and a response of corrections, and in some instances a certification, must be filed with RAP within 45 days of the date of the letter, specifying how each deficiency has, in fact, been rectified. If the confirming letter is received from the attorney, the case is closed. If the letter is not received, a final ten-day letter advises the attorney that, if no confirming letter is received within ten days, the matter may be referred for formal disciplinary investigation which may result in the filing of a public disciplinary complaint. When a complaint is filed, discipline is the uniform result. In re Schlem, 165 N.J. 536 (2000).

The RAP also publishes a manual entitled [New Jersey Attorney’s Guide to the Random Audit Program and Attorney Trust Accounts and Recordkeeping](#). That brochure is sent to all law firms with the initial random audit scheduling letter. Detailed information on the program is also available on the OAE’s website.

The RAP conducted 753 audits of law firms in 2022, an increase of 487 from 2021.

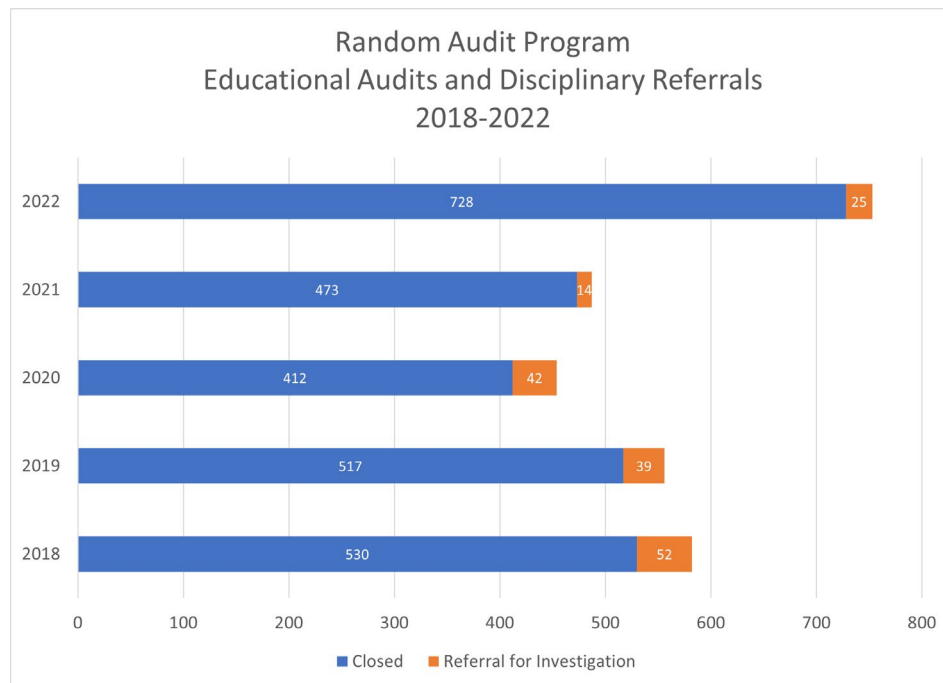


Figure 8

Two factors contributed to the increase in audits completed in 2022. First, RAP was fully staffed during 2022. Second, RAP realized process efficiencies in the handling of mail audits which permitted the program to conduct a greater number of mail audits.

It is worth noting that the increase in productivity did not lead to an outsized number of referrals. It did, however, bring education and compliance to a greater number of members of the bar.

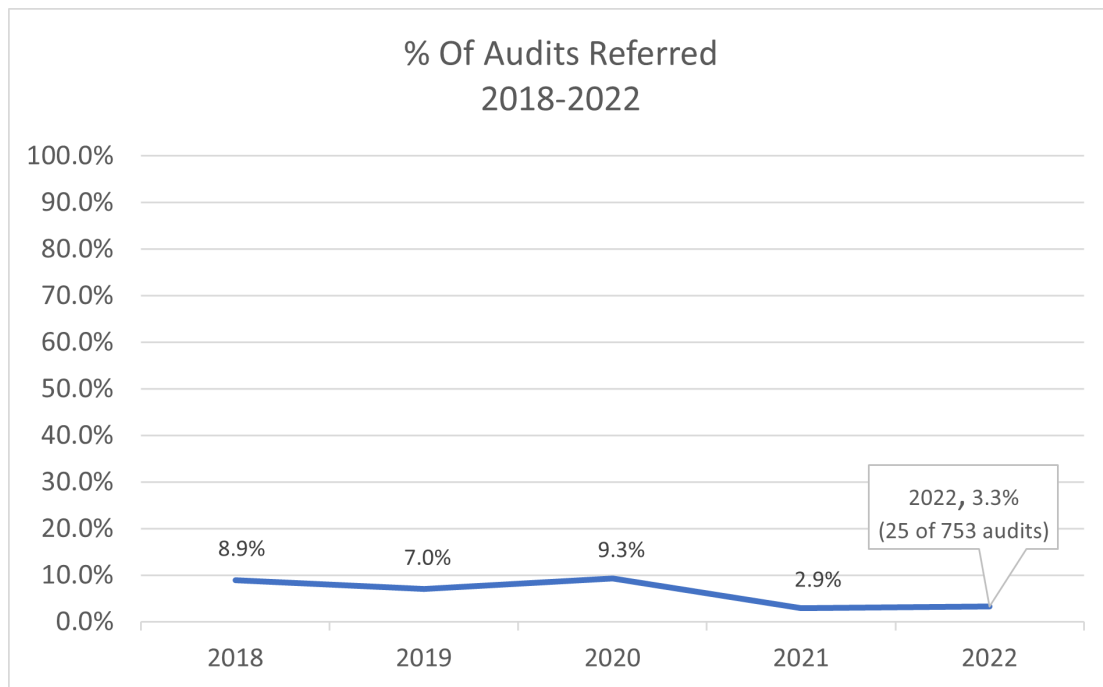


Figure 9

Each year RAP’s staff of experienced auditors uncovers a small, but significant, number of cases of lawyer theft, knowing misappropriation and other serious financial violations. This past year, thirteen (13) attorneys, detected solely by RAP, were disciplined by the Supreme Court.

During the 41 years of RAP’s operation, serious financial misconduct by 258 attorneys was detected solely as a result of being randomly selected for audit. Of those, 112 attorneys were disbarred; 24 were suspended for periods of one month to three years; 27 were censured; 67 were reprimanded; and 28 received admonitions.

The vast majority of the matters detected were very serious disciplinary cases that resulted in disbarment or suspension. Disbarred (112) and suspended

(24) attorneys account for more than five in ten of all attorneys disciplined as a result of RAP's efforts (52.71%). However, discipline alone does not adequately emphasize the full importance of RAP's role over the past 41 years and the monies potentially saved as a result by the LFCP.

B. Trust Account Overdraft Notification Program (TAONP).

In 2022, the OAE's Trust Account Overdraft Notification Program (TAONP) was managed by Chief of Investigations, Alison Picione, who joined the OAE in 2017, and who was promoted to Chief in 2022. The TAONP has been in existence since 1985. Rule 1:21-6 requires financial institutions wishing to hold attorney trust funds to enter into a biennial agreement with the Supreme Court.

Each bank on the Supreme Court's approved list of banks is required, pursuant to their agreement with the Supreme Court, to report to the OAE any overdraft or item presented against insufficient funds in an attorney trust account. The overdraft notifications are received and reviewed by the Chief of Investigations.

In the event of an overdraft notification, the attorney is sent a letter requiring them to provide a documented explanation as to why the overdraft occurred. Each attorney is also required to produce for review a limited amount of trust account records (usually three months) which encompass the timeframe of the overdraft.

The majority of overdrafts are closed after receiving the attorney's documented explanation, provided the explanation is reasonable and there is no indication of recordkeeping deficiencies, or a failure to safeguard client funds. If the attorney does not provide a fully responsive explanation, or the OAE's review raises concerns about proper recordkeeping or failure to protect client funds, the overdraft is assigned to an investigator or auditor for further investigation.

The OAE received 132 overdraft notifications in 2022, a 13.7% decrease when compared to notifications received in 2021. Since 2018, there has been a downward trend in the number of trust account overdraft notifications:

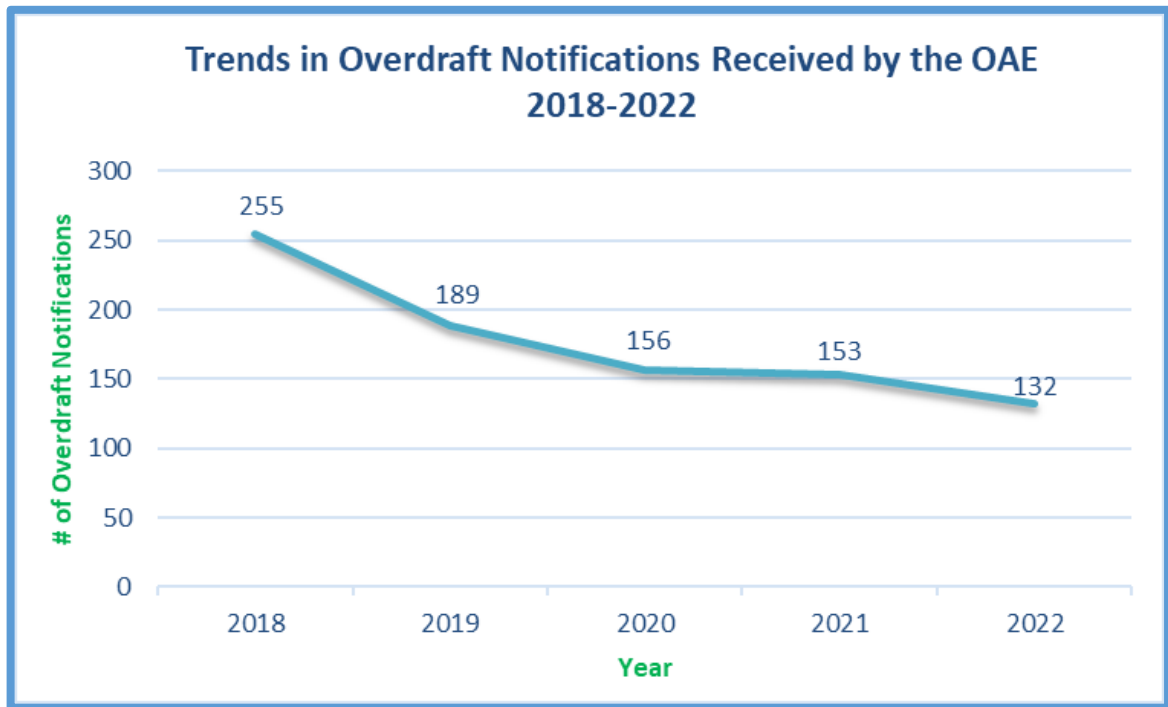


Figure 10

Of the 132 notifications received in 2022, ninety (68%) of matters were reasonably explained by the attorney and closed with no further action. Forty-two, or 32%, of overdraft notifications received were assigned for audit and investigation, to further evaluate the overdraft and because the attorney’s initial documented explanation raised concerns about improper recordkeeping and/or failure to safeguard client funds. The forty-two audits assigned for investigation involved forty individual attorneys, because two trust overdraft notifications related to the same attorney.

Regarding the ninety closed matters, the specific causes for overdrafts were generally categorized as follows:⁷

⁷ This “Other” designation is usually used in cases of fraud perpetrated against an attorney trust account or unusual circumstances that do not fall into one of the other categories.

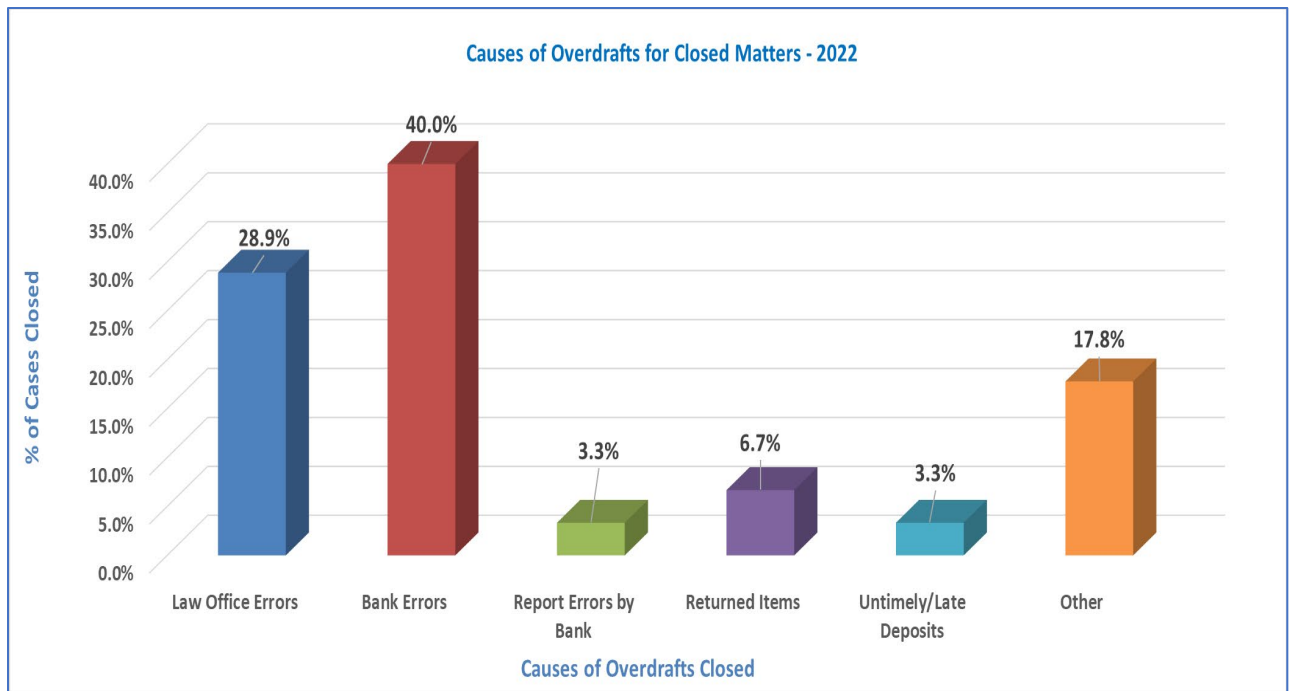


Figure 11

In 2022, seven attorneys received final discipline as the result of matters initiated by and/or discovered through the TAONP program. Of the seven attorneys disciplined, one attorney was disbarred by consent, two attorneys received a term of suspension, two attorneys were censured, one attorney received a public reprimand, and one attorney received an admonition.

In addition, four (4) attorneys were placed on disability inactive status in 2022 as the result of medical issues discovered during a trust overdraft audit/investigation. The handling of these sensitive matters, including the empathetic recognition of attorney health issues, coupled with mission of protecting the public, further underscores the value of the TAONP program.

Since 1985, when the OAE TAONP was first established, and through 2022, 273 attorneys have been disciplined as the result of overdraft investigations. Of those disciplined, 114 attorneys were disbarred either by consent or via the disciplinary process.

C. Education of the Bar

The OAE has always recognized the value of education and training as component of its protective mission. During 2022, five OAE staff members presented nine public educational programs to audiences including but not limited to the New Jersey Bar Association, the Mercer County Bar Association, the New Jersey Association for Justices, the Marie White Bell Inn of Court, the Mercer County Bar Association, and the National Organization of Bar Counsel (NOBC).

Topics included attorney-client fee arbitration; ethical practice dilemmas arising during the COVID-19 pandemic; the rules of engagement, including retainer agreements. More than four separate public events were offered to educate the bar on attorney financial recordkeeping.

D. Education of the Volunteer Corps

The OAE also is committed to providing valuable training opportunities for its volunteer and full-time staff. As part of this dedication to training, the OAE held its Thirteenth Annual Training Conference on October 14, 2022. During 2022, the OAE offered four unique substantive programs and a concurrent session focused on Fee Arbitration.

Associate Justice Anne M. Patterson delivered keynote remarks to open the Conference. Justice Patterson began by congratulating Johanna Barba Jones on her recent appointment to Director of the OAE and welcomed her to the new role. Justice Patterson noted that her own new role as liaison between the Court and the Disciplinary Oversight Committee had provided her with another perspective on the important work being done by the ethics and fee committees. She thanked the attendees for their commitment, attention to detail, and discretion. She noted that the Court holds its ethics volunteers in very high regard and that an appointment to a committee is a vote of confidence. She called the volunteer system the “humming” engine of the ethics system, and described the contributions of the volunteers as astonishing. She concluded her remarks by noting the crucial and special role played by the public members of the committees and thanked all the attendees for protecting the integrity of the legal profession.

Justice Patterson’s well-received remarks were followed by five workshops designed to meet the specific training needs of those involved in the screening, investigation, prosecution, and adjudication of attorney disciplinary matters. The first training session on “Ethics Investigations” provided practical tips and training in how to efficiently and thoroughly investigate grievances. This session also focused on issue-spotting and addressing the RPC violations most likely to be found by the DEC investigators.

The second session on “Lawyer Wellness” featured a timely and moving presentation by Anna Levine, the Director of the New Jersey Lawyer’s Assistance Program, and Laurie Besden, the Executive Director of Lawyers Concerned for Lawyers of Pennsylvania.

The third session on “Ethics Hearings” provided practical and technical tips and training on how to effectively present an ethics case in a virtual Zoom courtroom setting. The third session also included an option for Fee Arbitration attendees to participate in a break-out session hosted by the Statewide Fee Arbitration Coordinator.

The fourth session was an examination of “The DRB in Detail,” and included real-time instruction on conducting legal research on the DRB website, along with tips for presenting concise and effective oral arguments before the Board.

A total of 291 individual users attended the online conference for at least part of the day and 103 individual users logged on to the Fee Arbitration concurrent session in the afternoon.

V. SUBTRACTING THAT WHICH IS NOT MISCONDUCT

Not every grievance against an attorney results in an immediate investigation, or an investigation at all. Many cases are screened out of such consideration or routed into the statewide Fee Arbitration Program. This section summarizes the filtering process and fee arbitration.

A. Grievances

The attorney disciplinary process usually begins with the filing of a grievance against an attorney. Grievances come from various sources, including clients, other attorneys, judges and the OAE itself. On receipt of a grievance, the DEC Secretary or OAE screener applies the analysis of R. 1:20-3 to determine whether the matter should be docketed.

The disciplinary system must decline for docketing any case in which the facts alleged, if true, do not constitute unethical conduct.

The disciplinary system will likewise decline for docketing any case in which the Court lacks jurisdiction over the attorney, instead routing that grievance to the appropriate jurisdiction. Similarly, allegations of improper advertising are routed to the Committee on Attorney Advertising for exclusive handling by that entity.

Cases involving pending civil and criminal litigation may be declined, unless in the opinion of the DEC secretary or Director, the facts alleged clearly demonstrate provable ethical violations or a substantial threat of imminent harm to the public. In all other situations, the case is declined with an invitation to the grievant to refile the grievance at the conclusion of the litigation.

Finally, a grievance may be declined where the allegations involve aspects of a substantial fee dispute. In such cases, the matter is generally referred to a fee arbitration committee for consideration.

B. Fee Arbitration

The New Jersey Supreme Court has long recognized that disputes between clients and their attorneys are not always matters of ethics, but sometimes involve other issues linked to the reasonableness of the fee charged by the attorney in relation to the overall services rendered by that attorney. To assist in the resolution of these fee disagreements, the Supreme Court established a fee arbitration system, which relies on the services of volunteers (attorneys and non-attorney public members) serving on 17 DFACs. These volunteers screen and adjudicate fee disputes between clients and attorneys over the reasonableness of the attorney's fee.

The fee arbitration system was established in New Jersey in 1978. It was the second mandatory statewide program in the country, after Alaska. Fee arbitration offers clients and attorneys an inexpensive, fast and confidential method of resolving fee disagreements. Even today, New Jersey remains one of only a handful of states with a mandatory statewide fee arbitration program.

New Jersey's Court Rules require that the attorney notify the client of the fee arbitration program's availability prior to bringing a lawsuit for the collection of fees. If the client chooses fee arbitration, the attorney must arbitrate the matter. For those matters that involve questions of ethics, in addition to the fee dispute, the ethics issues may still be addressed on the conclusion of the fee arbitration proceedings, and the OAE makes sure that both types of proceedings will proceed in a timely fashion.

The OAE Fee Arbitration Unit provides legal and administrative support to the 16⁸ district fee secretaries and committees. For the 2022-2023 term, 296 DFAC members served the Supreme Court through this program (192 attorneys and 104 public members) serving pro bono.

1. Fee Arbitration Case screening

New Jersey's fee arbitration program is a two-tiered system. The fee arbitration hearings are conducted before hearing panels of the 17 DFACs (Figure 9), with appeals heard before the DRB of the Supreme Court. Only clients may initiate fee arbitration.

⁸ During 2022, one DFAC secretary served two separate geographic districts.

The Fee Arbitration process begins when a client submits a completed Attorney Fee Arbitration Request Form (AFARF), along with a \$50 administrative filing fee, to the district fee secretary of the DFAC. The DFAC secretary in the district where the attorney maintains an office will then screen the case to determine if the Committee has jurisdiction.

Fee committees lack jurisdiction to arbitrate certain types of fees, including fees allowed by courts and statute, monetary damages for legal malpractice, and fees for legal services rendered by the Office of the Public Defender. They also may not consider any fee in which no attorney's services were rendered more than six years from the date on which the AFARF was received.

Fee committee secretaries also have the discretion to decline certain categories of case, at their option, including cases:

- affecting the interests of third parties;
- raising legal questions beyond the basic fee dispute;
- with a legal fee which is \$100,000 or more; and
- of a multijurisdictional character, where substantial services were not rendered in New Jersey.

If the DFAC Secretary determines that the Committee has jurisdiction, and the Secretary does not elect to exercise discretionary authority to decline the case, the case will proceed to the response stage.

2. Fee Arbitration Process for Docketed Cases

The attorney whose fee is alleged to be unreasonable is afforded an opportunity to respond to the AFARF and to provide relevant supporting documents and records. The attorney may also join other affected law firms in the proceeding. Like the client, the attorney also must pay a \$50 administrative filing fee.

When both client and attorney have had the opportunity to respond in writing, the matter would be set down for a fee arbitration hearing.

Hearings are scheduled on at least ten days' written notice. There is no discovery. At that hearing, the attorney bears the burden of proving, by a

preponderance of the evidence that the fee charged is reasonable under the eight factors enumerated in RPC 1.5(a).

Following the hearing, the panel or single arbitrator prepares a written arbitration determination, with a statement of reasons annexed, to be issued within thirty days. The Rules provide for the parties to receive the Arbitration Determination from the district secretary within thirty days of the conclusion of the hearing.

The Court Rules allow a limited right of appeal to the DRB within 21 days of the Committee's written determination. All appeals are reviewed by the DRB on the record. Its decision is final.

The decision of the Committee in the form of the written Arbitration Determination (FAD) becomes final and binding on the parties. R. 1:20A-2(a).

3. *Volume*

In 2022, Fee Committees handled a total of 756 matters, including new cases filed and those that reached a disposition during that year. The committees began the year with 305 cases pending from 2021. During the year, 451 new matters were added. Figure 10. A total of 366 cases were disposed of, leaving a balance of 390 matters pending at year's end. At the conclusion of 2022, the average number of cases pending before each of the 17 Fee Committees was 23 cases per district.

The 451 new filings received in 2022 involved claims against roughly .6% of the active New Jersey attorney population (74,424). Some areas of practice (matrimonial, in particular) involve high billings for legal fees, over the course of protracted litigation. Many such cases are filed as fee arbitration disputes per year.

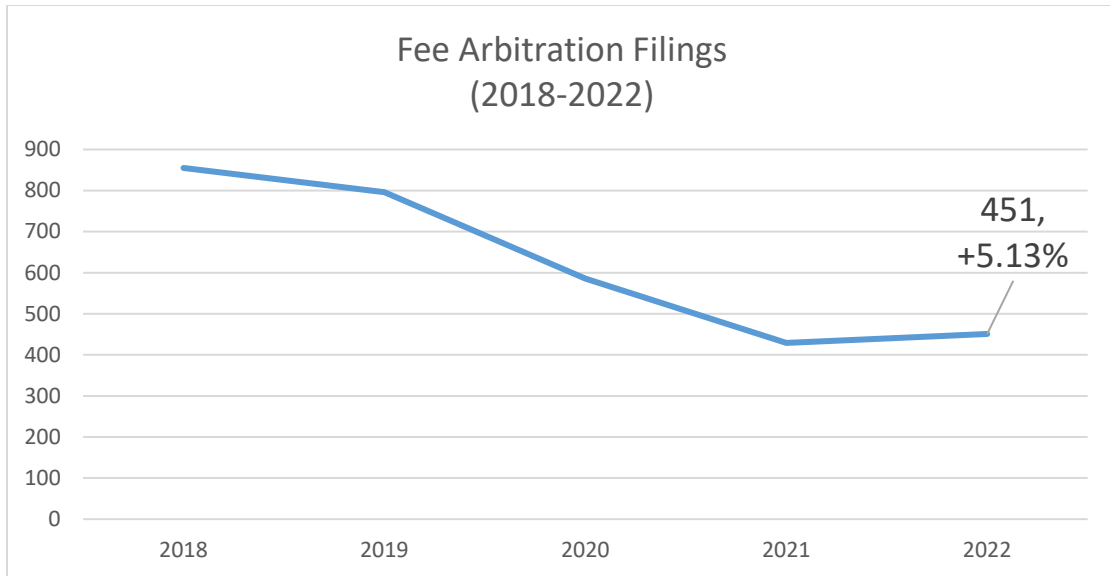


Figure 12

The number of fee arbitration filings is a very small percentage of the total attorney-client transactions.

As in 2022, DFACs arbitrated matters involving a total of more than \$5.7 million in legal fees during 2022. In addition, some cases are resolved by the attorneys themselves as of the time that the client commences the process, with no further action needed by the Committee.

Of the cases that proceeded to a hearing, DFACs conducted 225 hearings during 2022, involving almost \$5.4 million in total attorneys' fees charged. In 42.5% of the cases (93 hearings), the hearing panels upheld the attorney fees in full. In the balance of 56.2% of the fee cases (123 hearings), the hearing panels reduced the attorney fees by a total of almost \$3 million, which represents 52.6% of the total billings subject to reduction (\$3 million out of the total of \$5.4 million subject to reduction).

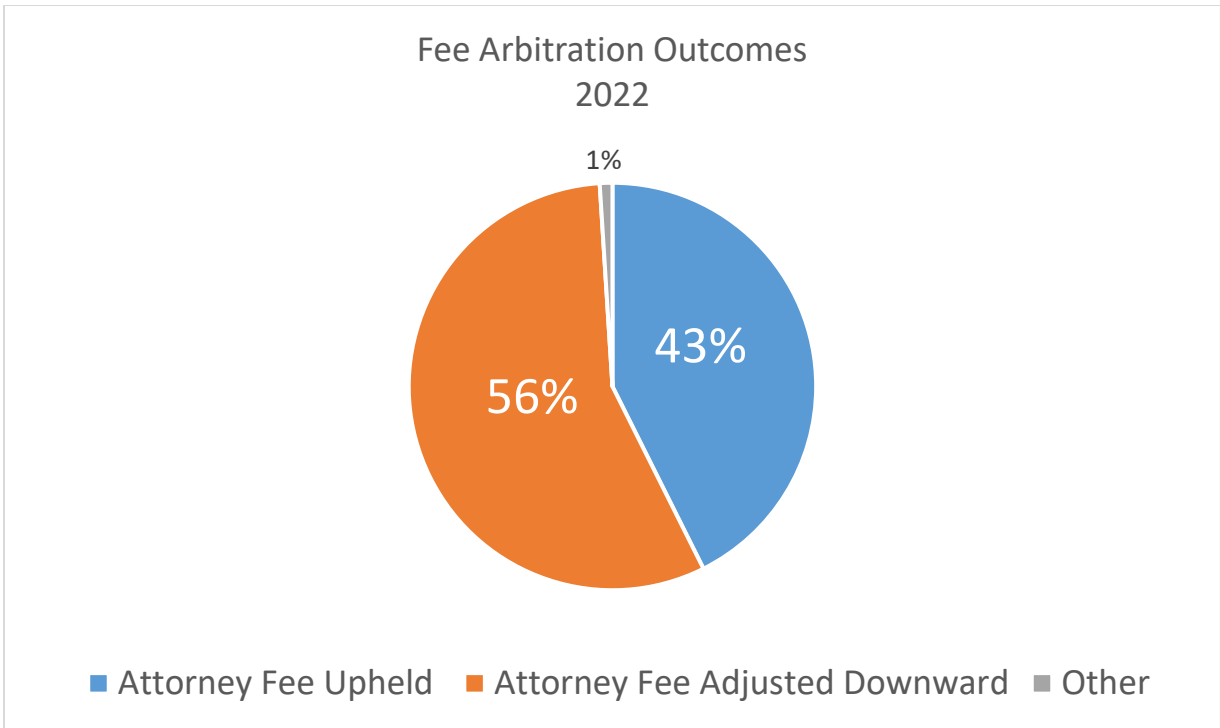


Figure 13

For an overview of the amounts at issue, the 170 cases in which the attorney fee was reduced by the hearing panel may be broken into the following categories:

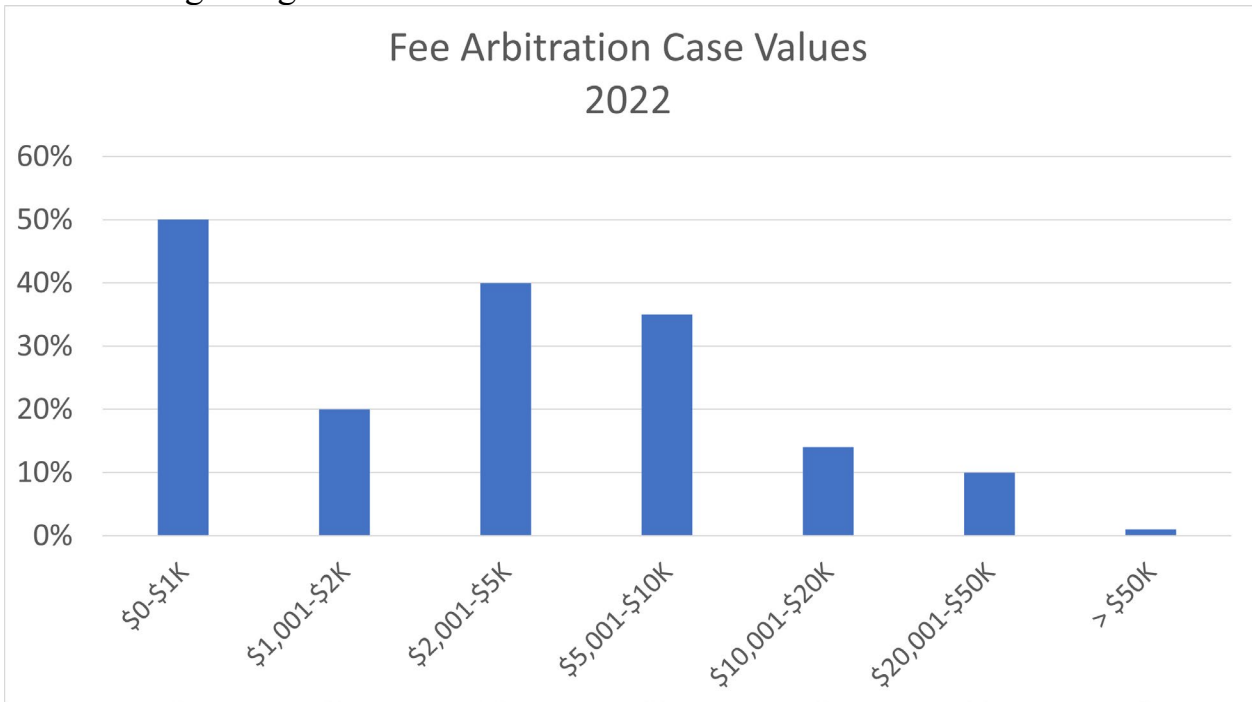


Figure 14

For all cases which proceeded to a hearing with a FAD issued by the hearing panel, the average amount billed was \$24,568. The median amount billed was \$11,000. The average amount of the reductions in all cases which proceeded to a FAD was \$7,488, with a median reduction amount of \$2,410.

It should be noted that the parties reached settlement without a hearing in an additional 64 cases. The total fees at issue in the cases settled by the parties involved \$272,624 in attorney fees. The attorneys agreed to a reduction in fees without going to a hearing in 28 of those cases (86.8% of the total cases settled by stipulation).

Of the 366 cases that proceeded from file-opening to case-closing in calendar year 2022, 67% reached disposition in fewer than 180 days (245 out of 366 total cases). The DFACs resolved 52 fewer cases in that interval than during the preceding calendar year, when 297 cases out of a total caseload of 519 were resolved in under 180 days. The data for 2022 shows that the Committees resolved 29.5% fewer cases overall than during the preceding calendar year. Sixty-seven (67) of the total cases resolved during 2022 were resolved within 60 days of filing. For 2022, 98 cases were resolved that quickly.

4. *Fee Arbitration Case Types*

The categories of legal services for which clients seek fee arbitration highlight the importance of the fee arbitration system in particular practice areas. The system has proven to be a very effective and efficient method for resolving attorney fee disputes, while avoiding litigation between the parties as to the fee dispute.

Over the past five years, family actions (including matrimonial, support and custody cases) consistently have generated the most fee disputes (38%) on average. Criminal matters (including indictable, quasi-criminal and municipal court cases) ranked second in frequency (15.3%). Third place was filled by General Litigation at 11.3%. Estate/Probate at 5.3% came in fourth place, and Real Estate, at 4.6% came in fifth place. The overall filings fit into an additional 20 legal practice areas.

5. *Enforcement*

Either party may record a FAD as a judgment under the process described in R. 4:6-7.⁹

Additionally, the Fee Arbitration Unit follows up when a client reports that he or she has not been paid by the attorney the full amount of the refund owed, as set forth by the FAD or a stipulation of settlement. This follow-up has been required in 20 to 30 cases per year, over the past five years. The OAE issues a warning letter if the attorney has not paid the full amount of the fee award within the 30-day payment period. If the attorney thereafter does not send payment in full to the client within the 10-day period specified in the warning letter, the OAE may file a motion for the temporary suspension of the attorney. Such motions are heard by the DRB, which sends any recommendation of suspension to the Supreme Court.

The Supreme Court has ordered an average of nine (9) attorneys to be suspended each year over the past five years as a result of such motions, with the attorneys' terms of suspension continued until they submitted proof of payment in full to the clients, along with the payment of any additional monetary sanction relating to the costs of the enforcement proceedings. In 2022, the OAE filed 12 enforcement motions relating to fee arbitration cases.

C. Disability-Inactive Status

As a result of its unique responsibilities, the OAE is sometimes exposed to sensitive information concerning an attorney's inability to practice law. The Court offers attorneys the opportunity to place their license to practice law into "Disability-Inactive Status" ('DIS'). This status is appropriate where an attorney lacks the mental or physical capacity to practice law. R. 1:20-12.

It is important to appreciate that DIS is, by itself, non-disciplinary in nature. However, consistent with the constitutional mandate imposed upon the OAE to protect the public and maintain confidence in the bar, the OAE is

⁹ For more information on this process, see Superior Court of New Jersey, "Collecting a Money Judgment" (July 1, 2022) (viewable at: https://www.njcourts.gov/sites/default/files/forms/10282_collect_money_jdgmnt.pdf).

responsible for ensuring every attorney who holds a license to practice law possesses the physical and mental ability to do so.

An attorney may voluntarily place their license into DIS. However, unfortunately, the need for an attorney to enter into such a status is sometimes identified for the first time after a grievance has been docketed. In such cases, the OAE consents to the respondent's entry into DIS.

Still other circumstances present where an attorney is unwilling or unable to consent to transfer to DIS. In those limited circumstances, the OAE will petition the DRB for the attorney to be evaluated consistent with R. 1:20-12. If the petition is granted, the attorney will undergo an evaluation for purposes of determining whether DIS is appropriate. If so, the OAE will request the placement of the attorney on DIS.



Figure 15

During 2022, a total of four (4) attorneys were the subject of a DIS Order.

DIS is not permanent. Should an attorney regain the ability to practice law, the attorney may petition to return to the practice of law.

VI. DISCIPLINARY INVESTIGATIONS

As reviewed above, the central responsibility of the OAE and the DEC is to determine the truth of alleged wrongs by attorneys. This is accomplished through thorough and complete investigations by professional staff and the DEC volunteer corps as supported by the DEC Unit.

A. Volume

Docketed grievances are assigned for investigation to determine whether unethical conduct may have occurred and, if so, whether there is sufficient evidence to prove the charges to the standard of clear and convincing evidence. Investigations include communicating with the respondent-attorney, the grievant, and any necessary witnesses, as well as securing necessary records and documents. Pursuant to R. 1:20-9(b), all disciplinary investigations are confidential.

At the conclusion of the investigative process, a determination is made as to whether there is adequate proof of unethical conduct. If there is no reasonable prospect of proving unethical conduct to the requisite standard, the matter is dismissed.

Overall, the disciplinary system (OAE and DECs) began 2022 with a total of 758 investigations carried over from prior years. During the year, 815 new investigations were added for a total disposable caseload of 825. A total of 790 investigations were completed and disposed of, leaving a total of 753 pending investigations at year's end. Of that number, 113 were in untriable status, leaving an active pending investigative caseload of 640 matters.

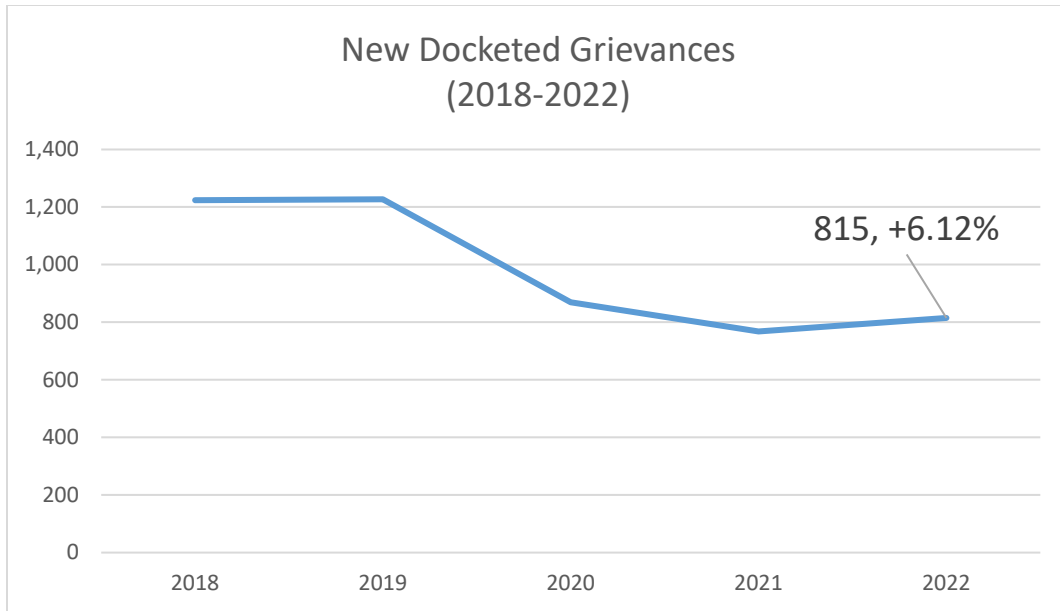


Figure 16

The number of attorneys against whom grievances are docketed for investigation is generally a very small percentage of the total lawyer population. In 2022, only 1.1% of the 74,424 active lawyers¹⁰ as of December 31, 2022 had grievances docketed against them. (**Figure 2**).

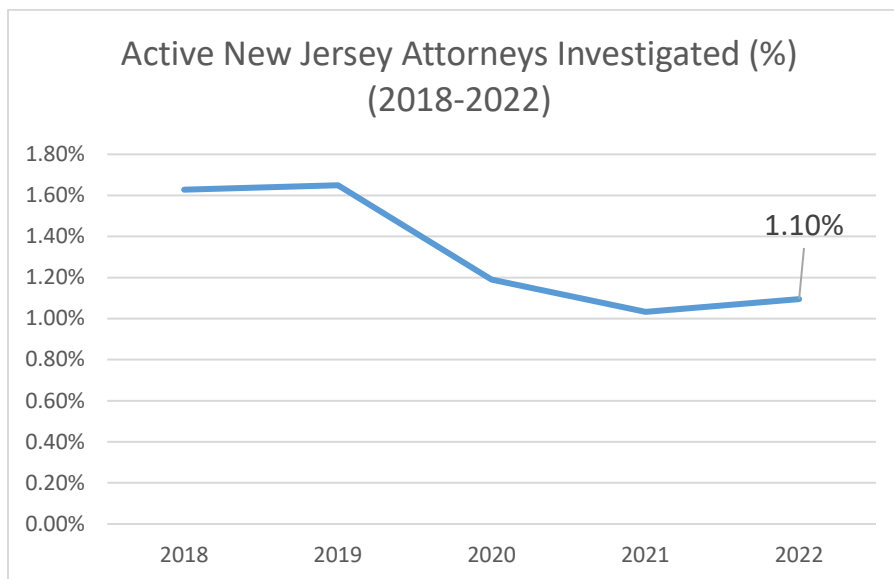


Figure 17

¹⁰ Source: Lawyers' Fund for Client Protection

B. Time Goals

The New Jersey Supreme Court has established time goals for the thorough and fair completion of all disciplinary investigations and hearings. R. 1:20-8. That Rule contemplates that the disciplinary system will endeavor to complete complex investigations within nine months, and standard investigations within six months. Complex cases are almost invariably assigned to the professional staff of the OAE, with standard complexity matters referred to the DEC's for evaluation.

During 2022, the OAE averaged a 57% time goal compliance rate. The District Ethics Committees average time goal compliance for the year was 53%.

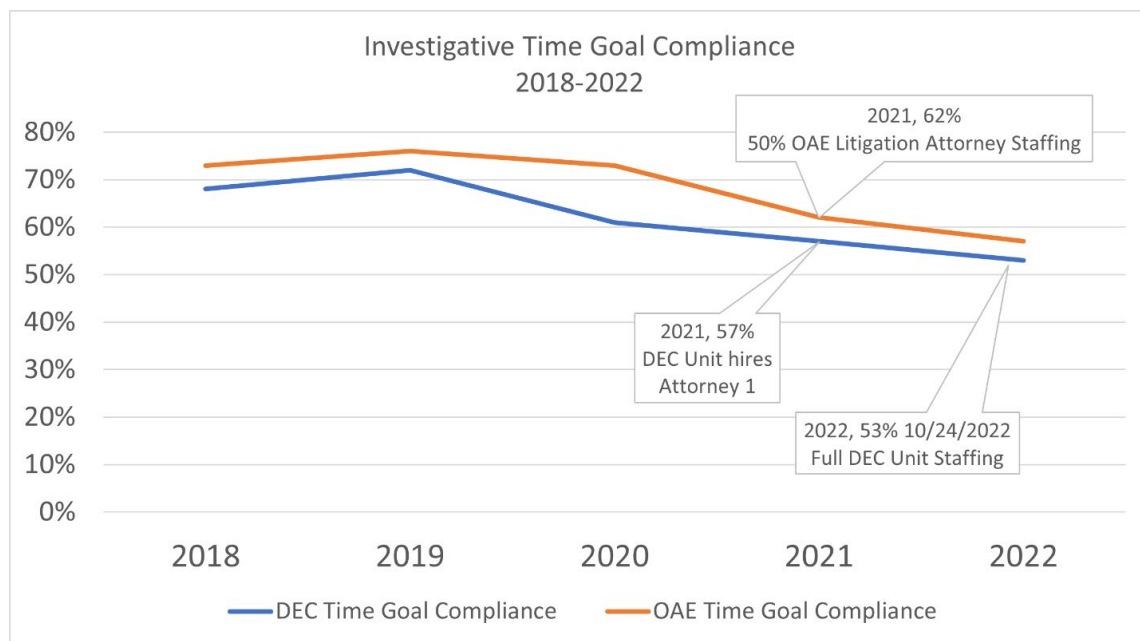


Figure 18

During 2022, the average age of the OAE's pending investigations was 283 days. The average age of the Ethics Committees' pending investigations was 233 days.

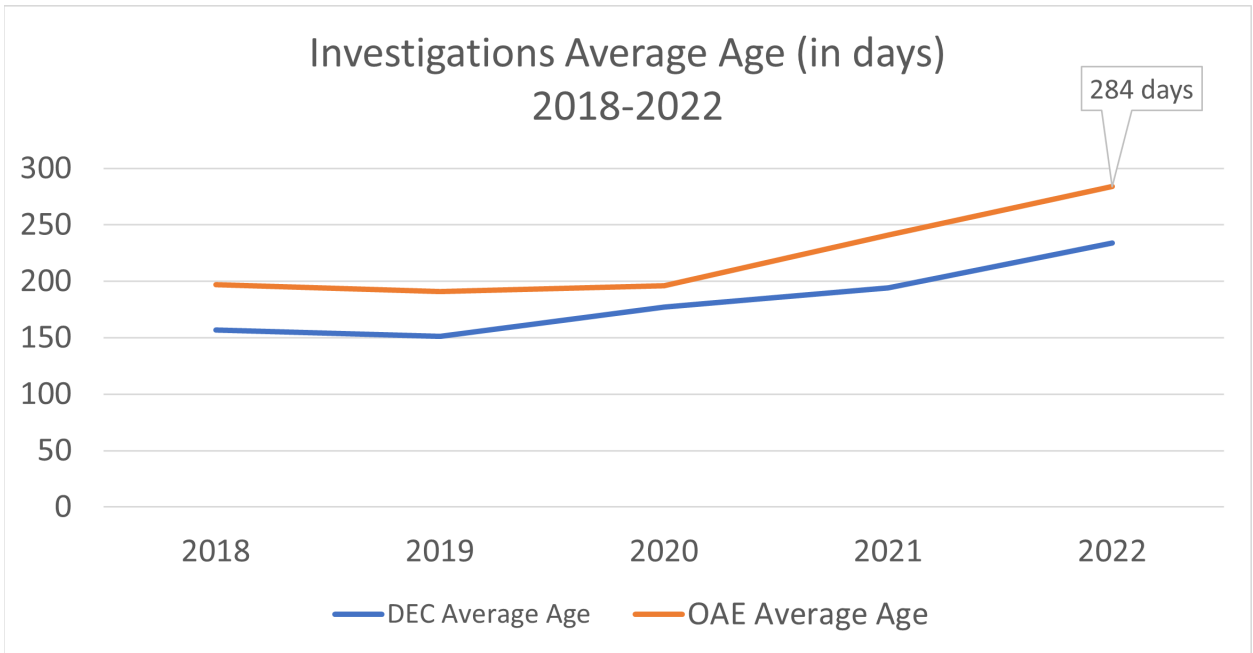


Figure 19

The OAE’s average backlog of investigations decreased from 49% for 2021 to 36% for 2022. The average backlog of the Ethics Committees increased from 40% for 2021 to 52% for 2022.

VII. AGREEMENTS IN LIEU OF DISCIPLINE ("DIVERSION")

Not all misconduct substantiated to the standard of "clear and convincing evidence" results in attorney discipline.

Instead, in 1996, the Court created "diversion," a non-disciplinary outcome available for only "minor unethical conduct." "Minor unethical conduct" is misconduct that would likely warrant no more than an admonition (the least serious sanction) if the matter proceeded to a hearing.

In such cases, DEC's and the OAE may use an "agreement in lieu of discipline" to direct the handling of the case out of the disciplinary system and into the diversion program. Determinations to divert matters of minor unethical conduct are made only by the OAE Director. A grievant is given ten days' notice to comment prior to the OAE Director's final decision to divert the case, but a grievant cannot appeal the Director's diversion decision.

Diversion may take place only if the attorney acknowledges the misconduct and agrees to take remedial steps to assure future compliance with the Rules. The primary purpose of diversion is education and the productive resolution of disputes between clients and attorneys outside of the disciplinary process. It permits the disciplinary system to focus resources on the most serious cases. Diversion conditions generally do not exceed six months in duration. If successfully completed, the underlying grievance is dismissed with no record of discipline. If diversion is unsuccessful, a disciplinary complaint is filed and prosecuted.

During calendar year 2022, a total of 68 matters were approved for diversion, a 39% increase over 2021.

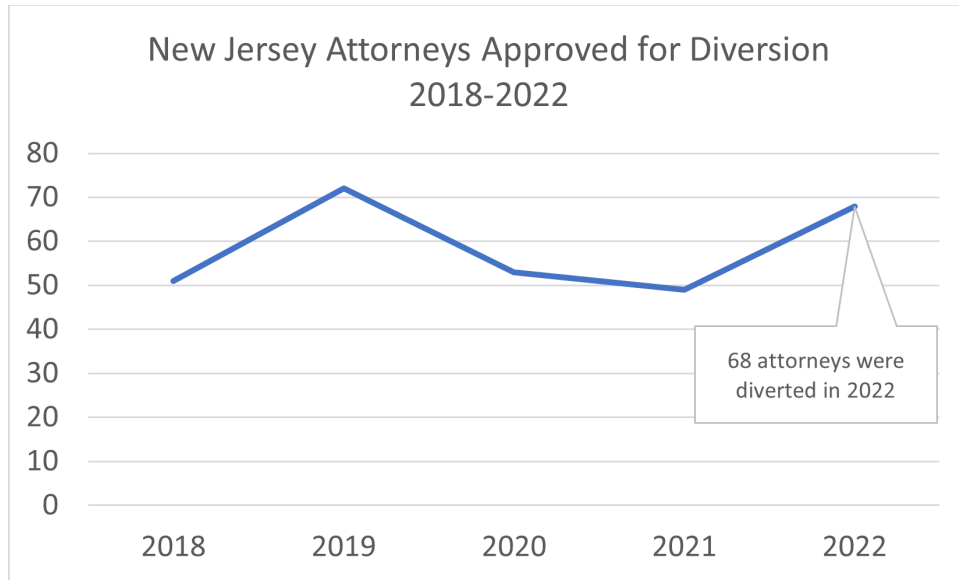


Figure 20

During 2022, New Jersey attorneys successfully completed 54 diversions. One respondent failed to complete required conditions. That respondent's matter was returned to a DEC for filing of a public formal disciplinary complaint.

At the end of 2022, 42 were still pending; those attorneys had been admitted into the diversion program in 2022 and prior years but had not yet completed their obligations.

The majority of individuals approved for diversion, or 69%, had violated attorney financial recordkeeping Rules.

The condition most commonly imposed in diversion cases required the attorney to complete the New Jersey State Bar Association's Ethics Diversionary Education Course (58). Other required conditions included: completion of a course in New Jersey Trust and Business Accounting (56), and completion of other Continuing Legal Education programs (4).

VIII. SUBSTANTIATED CASES WHICH ARE NOT MINOR

When the OAE or a DEC develops clear and convincing proof of unethical conduct which is not minor, the Rules require the filing of formal and public disciplinary charges. Most frequently, this occurs by way of complaint.

Complaints are served upon the attorney-respondent, who has 21 days in which to file an answer. Once a formal complaint or other charging document is filed, the complaint and any other document filed thereafter become public (with minor limitations) but may be subject to protective orders in rare situations.

Once the attorney files a verified conforming answer, a disciplinary hearing is scheduled and held.

In both standard and complex cases, the matter is tried before a hearing panel consisting of three members, composed of two lawyers and one public member. In some complex cases, however, a special ethics master may be appointed by the Supreme Court to hear and decide the matter.

In disciplinary hearings, the procedure followed is similar to that in Superior Court trials. A verbatim record of the entire proceeding is made. Testimony is taken under oath. Attendance of witnesses and the production of records may be compelled by subpoena. After the conclusion of the hearing, the panel or special ethics master deliberates and prepares a hearing report either dismissing the complaint, if it determines that the lawyer has not committed unethical conduct, or finding the lawyer to have committed unethical conduct, with the recommendation of the level of discipline.

All hearings are open to the public except in rare circumstances where comprehensive protective orders have been entered. During 2022, all disciplinary hearings proceeded virtually utilizing the Zoom platform. The OAE publishes a list of pending hearing matters that are updated monthly and available on the OAE's website.

A. Volume of Formal Disciplinary Complaints

The disciplinary system began calendar year 2022 with a total of 236 complaints carried over from prior years. During the year, 149 new complaints were added for a total disposable caseload of 385. A total of 162

complaints were disposed of through the hearing process, leaving 241 pending complaints at year's end. Of that number, 32 were in untriable status, leaving an active pending caseload of 209 complaints.

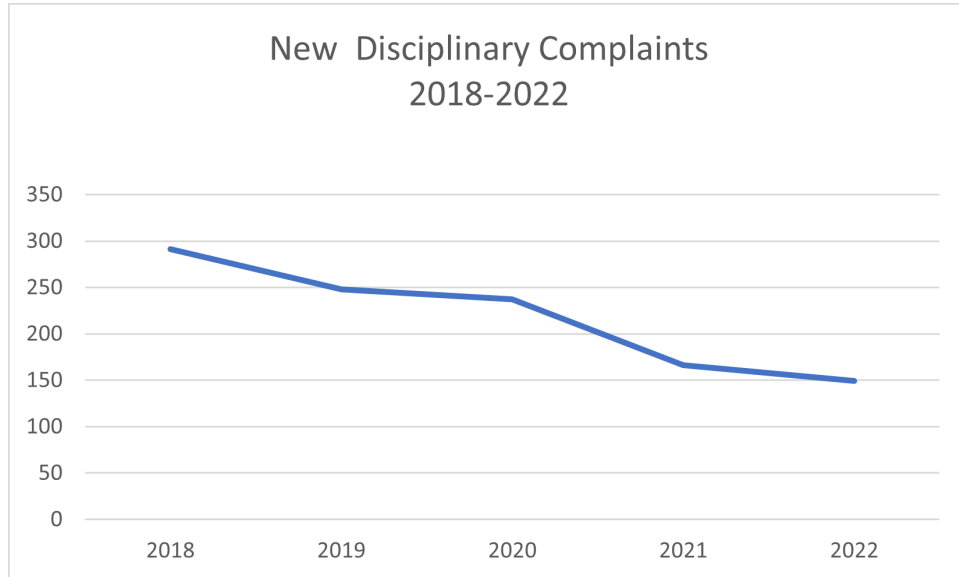


Figure 21

Evaluating that data as a percentage of the active attorney population, 0.23% of the population of Active New Jersey attorneys was the subject of a disciplinary complaint in 2022, or two out of every one thousand attorneys.

B. Age of Disposed Hearings

In 2022, the average age of the OAE's disposed hearings increased by 266 days, from 482 days in 2021 to 748 days in 2022. The average age of the disposed hearings of the DEC's increased by 15 days, from 741 days in 2021 to 726 days in 2022.

OAE executive management attributes this increase in disposed hearing age to the effect of recurrent OAE trial attorney attrition, which was particularly acute from 2021-2022. For significant periods of time the OAE was at a 50% trial attorney staffing level, which negatively impacted hearing progress. Ultimately, the OAE was staffed with eight trial attorneys by November 1, 2022, too late to have a measurable impact in this study period.

IX. SANCTIONS

There are two types of disciplinary sanctions. The first type of disciplinary sanction is a temporary suspension imposed as a result of emergent action. The second, and more common type of disciplinary sanction, is final discipline. Final discipline is imposed as described by Rule. 1:20-15A.

A. Types of Final Discipline

There are five primary forms of final disciplinary sanctions.

Disbarment is the most severe form of discipline and may be imposed either by the Supreme Court after oral argument or with the respondent's consent. Since the issuance of the Court's decision in In re Wilson, 81 N.J. 451, 456 n.5 (1979) and R.1:20-15A(a)(1), disbarment in New Jersey has been, for all practical purposes, permanent. Like New Jersey, four other states impose disbarment on a permanent basis in all cases (Indiana, Ohio, Oregon, and Tennessee).¹¹ Eight other jurisdictions have recognized the importance of permanency in some, but not all, disbarment cases (Arizona, Alabama, California, Connecticut, Florida, Kansas, Louisiana, and Mississippi).

On June 7, 2022, the Court issued an opinion and order in In re Wade, 250 N.J. 581, which set the stage for revisiting permanent disbarment. The opinion held:

Although it declines to revisit the Wilson rule, the Court finds it is time to reevaluate the current approach to permanent disbarment. The question -- and the challenge -- is whether and how to create a rigorous system that can determine if a lawyer disbarred for those reasons deserves a second chance years later. The Court will establish a broad-based committee to analyze whether disbarment for knowing misappropriation should continue to be permanent, or 3 whether New Jersey should join the majority of jurisdictions that allow for reinstatement. If the Court revises the current approach to

¹¹ Effective July 1, 2020, the State of Tennessee returned to permanent disbarment. See Melissa Heelan Stanzione, "Tennessee Lawyers Can No Longer Be Reinstated After Disbarment," Bloomberg Law (January 27, 2020) (viewable at: <https://news.bloomberglaw.com/us-law-week/tennessee-lawyers-can-no-longer-be-reinstated-after-disbarment>).

permanent disbarment, Respondent and others would be able to reapply for admission in accordance with a new court rule.

Shortly after issuing the Wade disbarment order, the Supreme Court appointed a Special Committee on the Duration of Disbarment for Knowing Misappropriation chaired by former Associate Justice Virginia A. Long (retired). That committee issued its findings in a formal report to the Court.

Suspension precludes an attorney from practicing law for the period it is in effect. An attorney may not resume practicing at the end of the suspension until the Supreme Court orders reinstatement. There are two types of suspensions. Term suspensions prevent an attorney from practicing for a specific term, usually between three months to three years. R. 1:20-15A(a)(3). Indeterminate suspensions may generally be imposed for a minimum of five years. R. 1:20-15A(a)(2).

Censure is a condemnation of the attorney's misconduct that is imposed by Order of the Supreme Court. R. 1:20-15A(a)(4).

A ***reprimand*** is a rebuke for an attorney's unethical conduct. R. 1:15A(a)(5).

Admonition, the least serious sanction, is a written admonishment meted out either by letter of the Review Board or by Order of the Supreme Court. R. 1:20-15A(a)(6).

In 2022, the Supreme Court imposed final discipline on 139 New Jersey attorneys. The 139 final disciplinary sanctions imposed included 16 disbarment Orders, of which 6 occurred by consent of respondent, 48 term suspensions, 3 deferred suspensions, 2 indeterminate suspensions, 27 censures, 26 reprimands, 16 admonitions, and 1 permanent bar from admission to New Jersey.

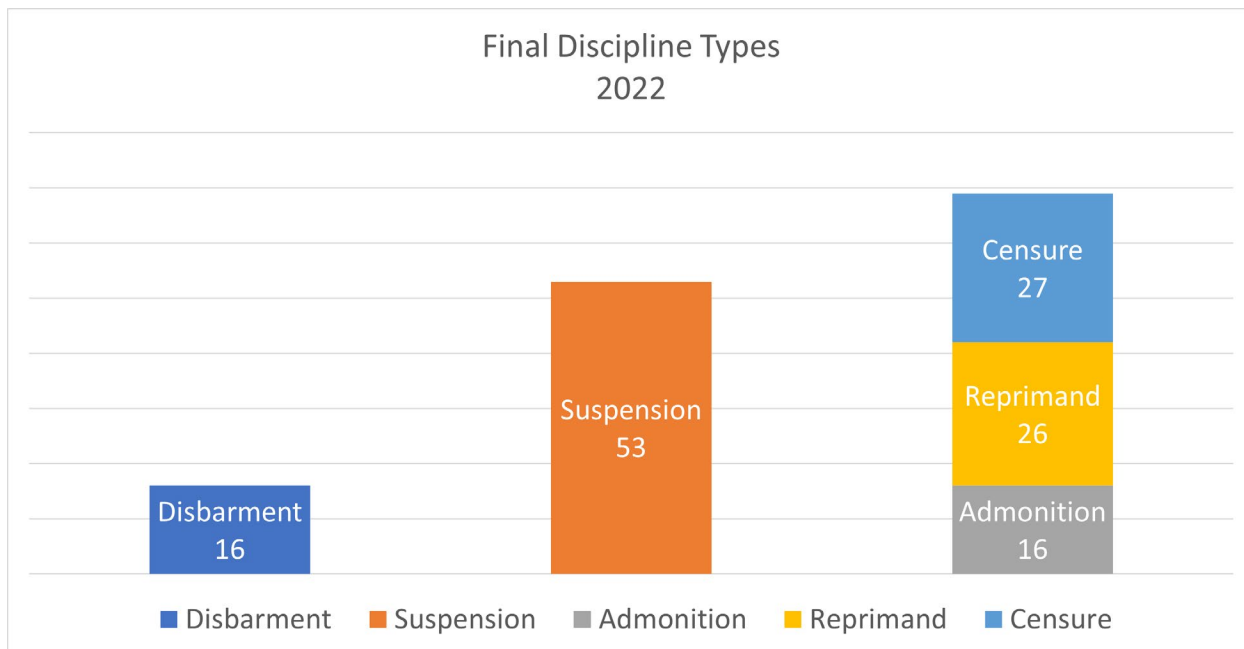


Figure 22

Comparisons of 2022 sanctions with the prior year are as follows: disbarments by Order of the Supreme Court following litigation decreased by 44.4% (18 in 2021 vs. 10 in 2022); disbarments by consent decreased by 14.3% (7 in 2021 vs. 6 in 2022); term and indeterminate suspensions increased by 96.3% (27 in 2021 vs. 53 in 2022); censures increased by 35% (20 in 2021 vs. 27 in 2022); reprimands increased by 73.3% (15 in 2021 vs. 26 in 2022); and admonitions decreased by 15.8% (19 in 2021 vs. 16 in 2022).

B. Emergent Action

Whenever an investigation has revealed both that a serious violation of the RPCs has occurred, and that an attorney “poses a substantial threat of serious harm to an attorney, a client or the public” (R. 1:20-11), the OAE may file an application seeking the attorney’s immediate temporary suspension from practice, pending ongoing investigation. If the Supreme Court determines to grant the motion, the Court may either suspend the attorney temporarily or impose a temporary license restriction, which permits the lawyer to continue to practice, but places conditions on that privilege. Conditions may include oversight by a proctor of the attorney and/or trust account.

Over the last five years, an average of 22 lawyers were subject to emergent action.

For 2022, a total of nine (9) attorneys were the subject of emergent sanctions as a result of 12 separate temporary suspension Orders. The names of attorneys emergently disciplined are listed in Table 9.

In 2022, the leading reasons for emergent discipline were: the attorney’s conviction of a “serious crime” as defined in R. 1:20-13 at 50% (5 cases); non-cooperation with disciplinary authorities, at 25% (2 cases); and non-payment of fee arbitration committee awards at 25% (2 cases).

C. Total Disciplinary Sanctions

In total, the New Jersey Supreme Court entered 151 sanction Orders in 2022, by comparison with 124 Orders in 2021 (representing an increase of 31.1%). The average number of sanction Orders over the past five years is 165. The number of sanction Orders in 2022 is 8.3% lower than this five-year average.

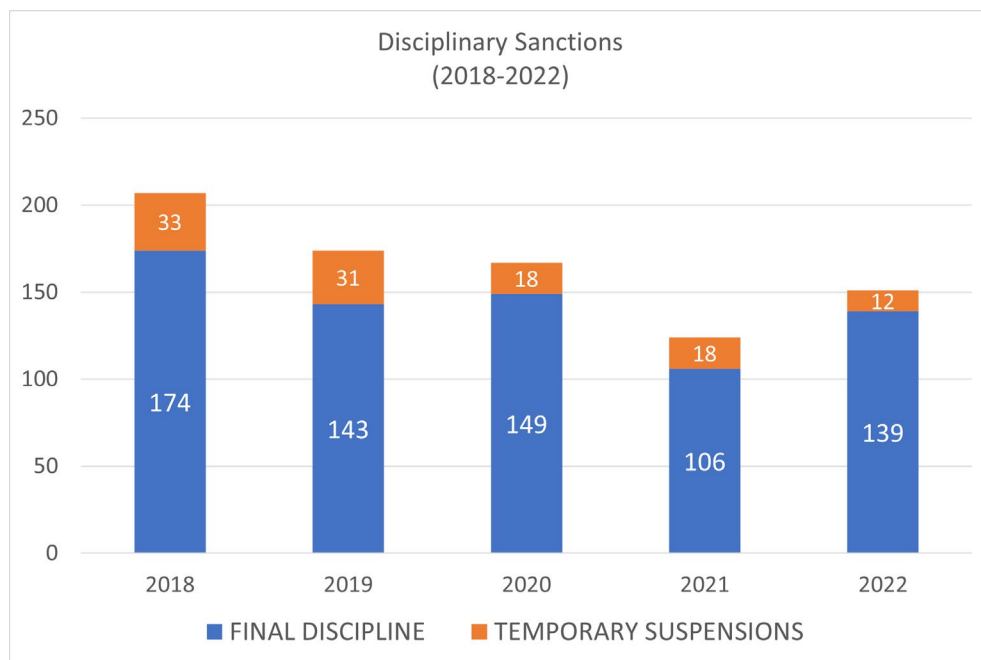


Figure 23

X. GROUNDS FOR FINAL DISCIPLINE

Over the years, the OAE consistently has studied the types of misconduct committed in final discipline cases. Many cases charge an individual respondent with a violation of more than one RPC. For the purposes of this analysis, the OAE selects the RPC with the most serious disciplinary consequence in each case.

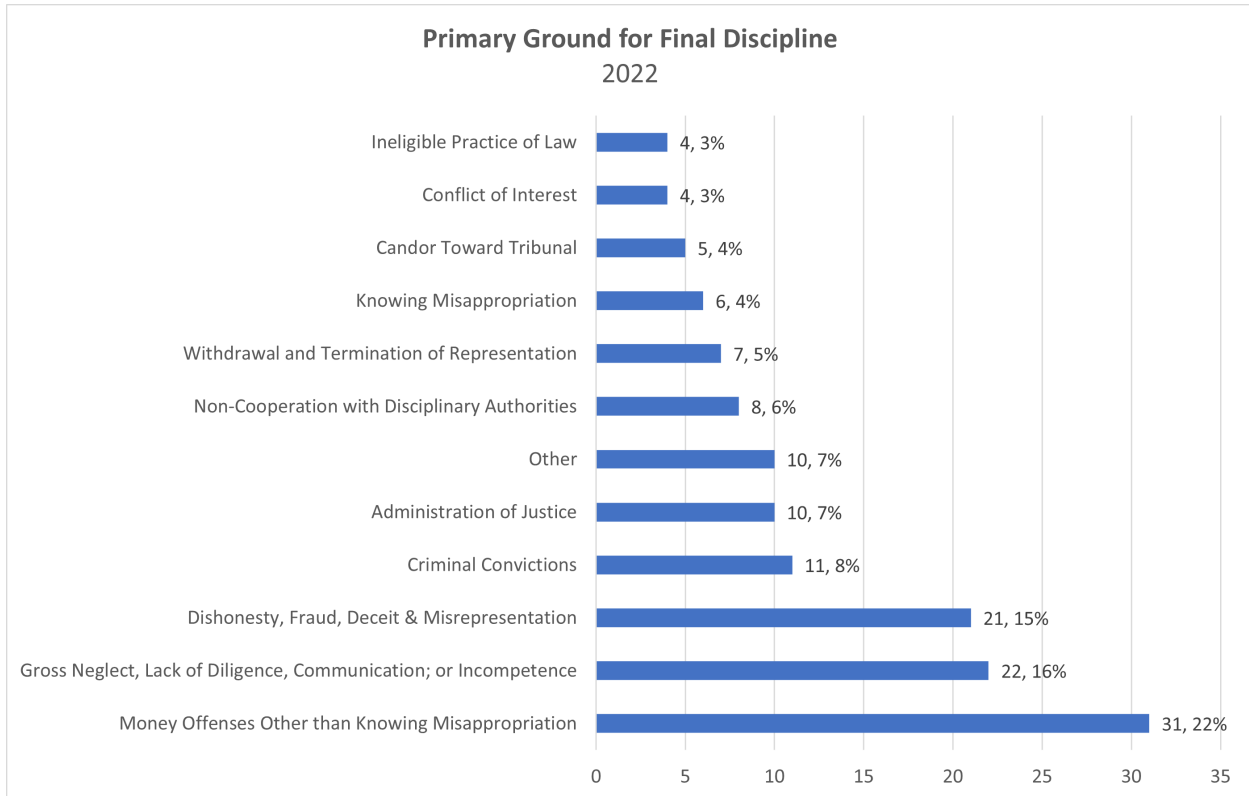


Figure 24

During 2022, 16.5% (31 of the 139 final discipline cases) of the attorneys disciplined in 2022 committed some type of money offense other than knowing misappropriation. This category includes negligent or reckless misappropriation, serious trust account recordkeeping deficiencies, and failure to safeguard funds and escrow violations.

Twenty-one (21) of the 139 attorneys disciplined in 2022 (or 15.1%) engaged in some type of dishonesty, fraud, deceit or misrepresentation.

Attorneys who engage in grossly negligent conduct and who lack diligence and fail to communicate with clients are a clear danger to the public. The

category of “Neglect/Lack of Competence/Lack of Diligence” represented 11.7% (22 of 139 cases).

In 2022, eleven (11) of the attorneys received final discipline flowing from a criminal act that reflected adversely upon their honesty, trustworthiness or fitness as a lawyer in other respects.¹²

Of the 139 final Orders of discipline, six (6) of the attorneys disciplined in 2022, or 17%, knowingly misappropriated trust funds. Knowing misappropriation cases are of special importance in this state. New Jersey maintains a uniform and unchanging definition of this offense, as set forth in the landmark decision of In re Wilson, 81 N.J. 451 (1979). This violation consists of simply taking and using a client’s money, knowing that it is the client’s money and that the client has not authorized its use. Knowing misappropriation cases, involving client trust/escrow funds, mandate disbarment.

RPC 8.4(d) provides that it is professional misconduct for a lawyer to engage in conduct prejudicial to the administration of justice. Nine attorneys in ten cases were convicted of violating this RPC.

Attorneys have an ethical obligation under RPC 8.1(b) and R. 1:20-3(g)(3) to cooperate during the investigation, hearing and processing of disciplinary matters. Some lawyers are disciplined for non-cooperation even though the grievance originally filed against them ultimately was dismissed because there was no proof of unethical conduct. The disciplinary system could not properly function and endeavor to meet its goals for timely disposition of cases without the attorney’s cooperation. Eight attorneys were disciplined in 2022 for failure to cooperate with disciplinary authorities.

Seven attorneys were found guilty of violating a prior order of a court and three attorneys in seven cases improperly withdrew or terminated their representation of a client.

Four attorneys in five separate matters were found to have violated RPC 3.3 which forbids making a false statement of material fact or law to a tribunal; failing to disclose a material fact to a tribunal when disclosure is necessary to avoid assisting an illegal, criminal or fraudulent act by the client; failing

¹² This number includes all cases in which RPC 8.4(b) was the most serious charge, including but not limited to Motions for Final Discipline.

to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; offering evidence that the lawyer knows to be false; and failing to disclose to the tribunal a material fact knowing that the omission is reasonably certain to mislead the tribunal. The only exception is if the disclosure is protected by a recognized privilege or is otherwise prohibited by law.

These two categories tied for tenth place for 2022, 2.9% of the attorneys disciplined (4 in each category) were found to have violated these RPCs.

The general rule on conflicts is found in RPC 1.7, which states that a lawyer may not represent a client if the representation of one client will be directly adverse to another client, or there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client, or a third person, or by a personal interest of the lawyer.

The violation of "Ineligible Practicing Law" arises when lawyers continue to engage in the practice of law after they are ordered by the Supreme Court to cease practicing because they have failed to (a) make payment of the mandatory annual attorney registration licensing fee; (b) submit updated IOLTA information; or (c) comply with CLE requirements.

Summaries of each of the 139 final discipline cases can be found in the Appendix.

XI. AFTER DISCIPLINE: MONITORING & REINSTATEMENT

Finally, the OAE continues its attorney regulatory and disciplinary role after final discipline is imposed. Particularly, the OAE monitors attorneys' compliance with conditions of final discipline; can initiate civil contempt proceedings in the event an attorney fails to comply with a suspension or disbarment Order; and opines on the propriety of petitions for reinstatement to the practice of law following the suspension of an attorney's license to practice law.

A. Monitoring Conditions of Final Discipline

Rule 1:20-15A(b) describes the Supreme Court's authority to impose conditions, either as a component of a disciplinary sanction or as a condition precedent to reinstatement. Included among those conditions is the capacity of the Court to impose a proctorship as described in R. 1:20-18.

Another typical condition is the submission of an annual or quarterly audit report covering attorney trust and business records. Sometimes random periodic drug testing at the attorney's expense is imposed. Finally, some attorneys are required to take ethics or substantive law courses. As of December 31, 2022, sixty-two (62) attorneys were subject to monitoring.

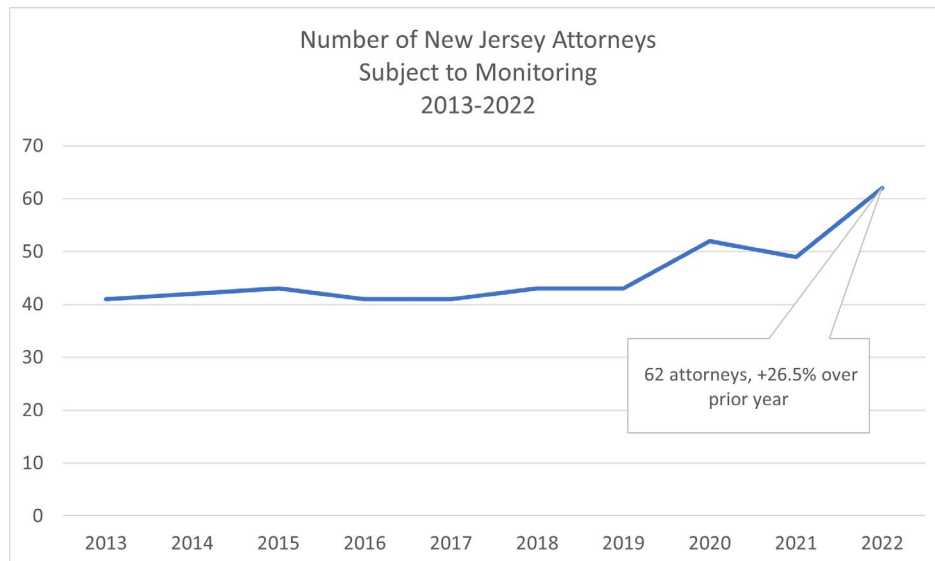


Figure 25

This represents an increase of 26.5% in the number of attorneys subject to monitoring at the end of 2021.

B. Contempt

Prosecutions for contempt of Supreme Court Orders under R. 1:20-16(j) is another category of cases entrusted to the OAE. These actions involve the improper, continued practice of law by suspended and disbarred attorneys. The OAE may file and prosecute an action for contempt before the Assignment Judge of the vicinage where the respondent engaged in the prohibited practice of law. It also has the authority to file disciplinary complaints against offending attorneys seeking sanctions for their violations. There were no prosecutions for contempt of Supreme Court orders in 2022.

C. Reinstatement Proceedings

A suspended attorney may not practice again until the attorney first files a petition for reinstatement, pursuant to R. 1:20-21, and the Supreme Court grants the request by Order. The application is reviewed by the OAE, the DRB and the Court. There is no procedure for a disbarred attorney to apply for reinstatement (sometimes called readmission) because disbarment is permanent. In re Wilson, 81 N.J. 451, 456 n.5 (1979), and R. 1:20-15A(a)(1). Where the attorney is suspended for over six months, a reinstatement petition may not be made until after expiration of the time period provided in the suspension Order. R. 1:20-21(a). Where the suspension is for six months or less, the attorney may file a petition and publish the required public notice 40 days prior to the expiration of the suspension period. R. 1:20-21(b).

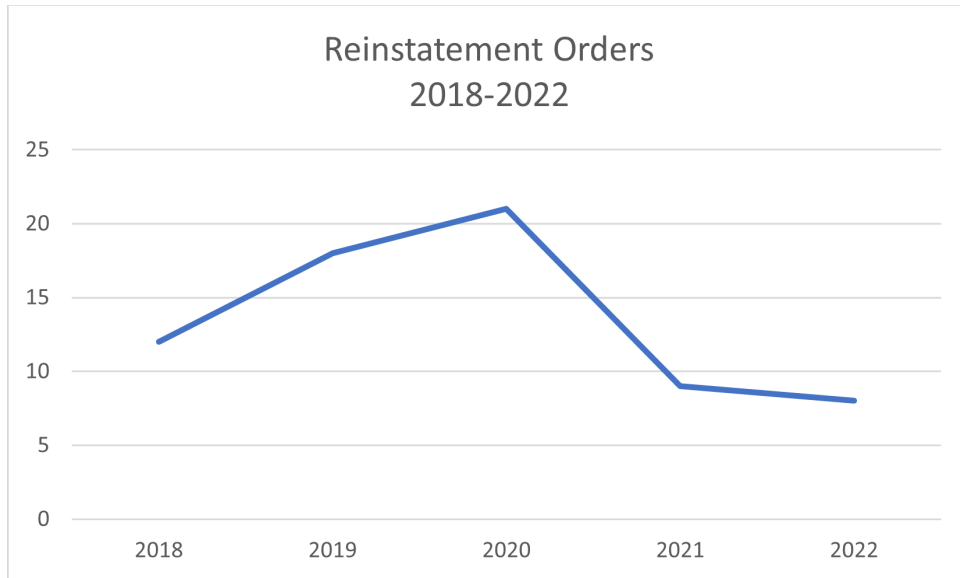


Figure 26

The Supreme Court reinstated eight (8) suspended attorneys in 2022.

Table 1

District Ethics Committee Officers as of September 1, 2022		
CHAIR	VICE CHAIR	SECRETARY
District I - Atlantic, Cape May, Cumberland and Salem Counties		
Matthew W. Ritter, Esq.	Stephanie Albrecht-Pedrick, Esq.	Christopher C. Fallon, III, Esq.
District IIA – Bergen – North		
Jason David Roth , Esq.	Frank P. Kapusinski, Esq.	Kevin P. Kelly, Esq.
District IIB - Bergen County – South		
James B. Sepowitz, Esq.	Michelle J. Marose, Esq.	William Tellado, Esq.
District IIIA - Ocean County		
Thomas DeNoia, Esq.	Lauren Murray Dooley, Esq.	Steven Secare, Esq.
District IIIB - Burlington County		
Jeffrey P. Resnick, Esq.	Megan Knowlton Balne, Esq.	John M. Hanamirian , Esq.
District IV - Camden and Gloucester Counties		
Thomas McKay, III , Esq.	Anne T. Picker, Esq.	John M. Palm, Esq.
District VA - Essex County – Newark		
Loly Garcia Tor, Esq.	Dale Edward Barney, Esq.	Natalie S. Watson, Esq.
District VB - Essex County - Suburban Essex		
Arla D. Cahill, Esq.	James H. Forte, Esq.	Paula I. Getty, Esq.
District VC - Essex County - West Essex		
Candy Ley Velazquez, Esq.	Mark H. Friedman, Esq.	Paula I. Getty, Esq.
District VI - Hudson County		
Richard D. DeVita, Esq.	Stephanie L. Lomurro, Esq.	Daniel P. D’Alessandro, Esq.
District VII - Mercer County		
Anthony Argiropoulos, Esq.	Joseph C. Bevis, III, Esq.	John J. Zefutie, Esq.
District VIII - Middlesex County		
Peter A. Vignuolo, Esq.	Leslie A. Koch, Esq.	Barry J. Muller, Esq.
District IX - Monmouth County		
Justin M. English, Esq.	,Joseph A. Petrillo, Esq.	Mark B. Watson, Esq.
District XA – East Morris and Sussex Counties		
Kevin J. O’Connor, Esq.	Catherine Romania, Esq.	Caroline Record, Esq.
District XB – West Morris and Sussex Counties		
Jeffrey J. Zenna, Esq.	William D. Sanders, Esq.	Caroline Record, Esq.
District XI - Passaic County		
Maria A. Giammona, Esq.	Karen Brown, Esq.	Michael Pasquale, Esq.
District XII - Union County		
Joseph H. Tringali, Esq.	Jonathan Holtz, Esq.	Michael F. Brandman, Esq.
District XIII - Hunterdon, Somerset and Warren Counties		
Anne M. Mohan, Esq.	Rita Ann M. Aquilio, Esq.	Donna P. Legband, Esq.

Table 2

District Fee Arbitration Committee Officers as of September 1, 2022		
CHAIR	VICE CHAIR	SECRETARY
District I – Atlantic Cape May, Cumberland and Salem Counties		
James F. Crawford, Esq.	Rebecca J. Bertram, Esq.	Michael A. Pirolli, Esq.
District IIA – North Bergen County		
Jennifer Alampi, Esq.	Gloria K. Oh, Esq.	Terrence J. Corrison, Esq.
District IIB – South Bergen County		
David T. Robertson, Esq.	Ashley Tate Cooper, Esq.	Michael J. Sprague, Esq.
District IIIA – Ocean County		
William J. Rumpel, Esq.	Danielle A. Rosiejka, Esq.	Lisa E. Halpern, Esq.
District IIIB – Burlington County		
Domenic Bruno Sanginiti, Jr., Esq.	John S. Rigden, III, Esq.	Albert M. Afonso, Esq.
District IV – Camden and Gloucester Counties		
Nicole D. Donoian-Pody, Esq..	Sharon A. Ferrucci, Esq.	Marian I. Kelly, Esq.
District VA – Essex County – Newark		
Colin M. Lynch, Esq.	Roger Chavez, Esq.	Michael J. Dee, Esq.
District VB – Essex County – Suburban Essex		
Edwin Matthews, Esq.	Maria L. Mathews, Esq.	Harvey S. Grossman, Esq.
District VC Essex County – West Essex		
Barbara Spillman Schweiger, Esq.	Michael A. Quiat, Esq.	Cheryl Burstein, Esq.
District VI – Hudson County		
Jeffrey M. Bloom, Esq.	Robert S. Lipschitz, Esq.	Marvin R. Walden, Jr., Esq.
District VII – Mercer County		
Dominique Carroll, Esq.	Sandra S. Moran, Esq.	William P. Isele, Esq.
District VIII – Middlesex County		
Steven Nudelman, Esq.	Wamaitha Lois Kahagi, Esq.	William P. Isele, Esq.
District IX – Monmouth County		
Barbara Birdsall, Esq.	Roger J. Foss, Esq.	Robert J. Saxton, Esq.
District X – Morris and Sussex Counties		
Linda A. Mainenti Walsh, Esq.	Alyssa M. Clemente, Esq.	Patricia J. Cistaro, Esq.
District XI – Passaic County		
Candice Drisgula, Esq.	Jason Tuchman, Esq.	Jane E. Salomon, Esq.
District XII – Union County		
Victoria D. Miranda, Esq.	Leonard V. Jones, Esq.	Carol A. Jeney, Esq.
District XIII – Hunterdon, Somerset and Warren Counties		
Howard D. Cohen, Esq.	John D. Macce, Esq.	Olivier J. Kirmser, Esq.

Table 3

Disciplinary Oversight Committee
as of September 1, 2022

Chair Matthew P. O'Malley, Esq.

Vice-Chair R. James Kravitz, Esq.

Members

Ms. Judith E. Burgis

Clifford Dawkins, Esq.

Mr. Barry Davidson

Paris P. Eliades, Esq.

Mr. Luis J. Martinez

Ms. Nora Poliakoff

Hon. Nesle A. Rodriguez, P.J.F.P.

Mr. Thomas J. Reck

Ronald J. Uzdavinis, Esq.

Table 4

YEAR ADMITTED		
Year	Number	Percent
<1950	33	0.0%
1951-1955	118	0.1%
1956-1960	308	0.3%
1961-1965	714	0.7%
1966-1970	1,688	1.7%
1971-1975	3,629	3.6%
1976-1980	4,511	4.5%
1981-1985	7,159	7.2%
1986-1990	10,561	10.6%
1991-1995	11,878	11.9%
1996-2000	10,834	10.9%
2001-2005	10,590	10.6%
2006-2010	12,597	12.6%
2011-2015	14,017	14.0%
2016-2022	11,180	11.2%
Totals	99,817	100.00%

Table 5

AGE GROUPS		
Age	Number	Percent
< 25	79	0.1%
25-29	2,826	2.8%
30-34	7,834	7.9%
35-39	12,547	12.6%
40-44	11,642	11.7%
45-49	9,780	9.8%
50-54	11,562	11.6%
55-59	11,079	11.1%
60-64	9,978	10.0%
65-69	8,123	8.2%
70-74	6,162	6.2%
75-80	4,360	4.4%
> 80	3,645	3.7%
Totals	99,617	100.00%

Table 6

ADMISSIONS IN OTHER JURISDICTIONS					
Jurisdiction	Admissions	Percent	Jurisdiction	Admissions	Percent
New York	46,837	46.83%	South Carolina	126	0.13%
Pennsylvania	26,709	26.70%	Vermont	120	0.12%
District of Col.	6,809	6.81%	Indiana	123	0.12%
Florida	3,452	3.45%	Nevada	118	0.12%
California	2,061	2.06%	Rhode Island	106	0.11%
Connecticut	1,830	1.83%	Oregon	100	0.10%
Massachusetts	1,584	1.58%	Kentucky	85	0.08%
Maryland	1,249	1.25%	New Mexico	83	0.08%
Delaware	853	0.85%	Hawaii	76	0.08%
Virginia	850	0.85%	Alabama	77	0.08%
Illinois	812	0.81%	Virgin Islands	72	0.07%
Texas	781	0.78%	Kansas	58	0.06%
Georgia	612	0.61%	Iowa	48	0.05%
Colorado	531	0.53%	Utah	47	0.05%
Ohio	488	0.49%	Oklahoma	46	0.05%
North Carolina	413	0.41%	Nebraska	42	0.04%
Arizona	312	0.31%	Puerto Rico	38	0.04%
Michigan	301	0.30%	Arkansas	36	0.04%
Washington	250	0.25%	Montana	31	0.03%
Minnesota	235	0.23%	Alaska	33	0.03%
Missouri	227	0.23%	Mississippi	26	0.03%
Tennessee	199	0.20%	Idaho	19	0.02%
Wisconsin	170	0.17%	North Dakota	11	0.01%
West Virginia	142	0.14%	South Dakota	7	0.01%
Maine	138	0.14%	Guam	3	0.00%
Louisiana	128	0.13%	Wyoming	0	0.00%
New Hampshire	127	0.13%	Invalid Responses	384	0.38%
			Total		
			Admissions	100,015	100.00%

Table 7

NEW JERSEY ADMITTED ATTORNEY LAW OFFICES BY STATE (2022)		
State	Number	Percent
New Jersey	26,809	73.7%
Pennsylvania	4,456	12.3%
New York	4,345	12.0%
Delaware	120	0.3%
Other	623	1.7%
No State Listed	14	0.04%
Total	36,367	100%

Table 8

NEW JERSEY PRACTITIONER LAW OFFICES BY COUNTY (2022)					
County	Number	Percent	County	Number	Percent
Atlantic	570	2.1%	Middlesex	1,672	6.2%
Bergen	3,556	13.3%	Monmouth	1,987	7.4%
Burlington	1,571	5.9%	Morris	3,247	12.1%
Camden	2,201	8.2%	Ocean	725	2.7%
Cape May	163	0.6%	Passaic	773	2.9%
Cumberland	139	0.5%	Salem	37	0.1%
Essex	4,235	15.8%	Somerset	960	3.6%
Gloucester	360	1.3%	Sussex	208	0.8%
Hudson	920	3.4%	Union	1,433	5.4%
Hunterdon	272	1.0%	Warren	138	0.5%
Mercer	1,603	6.0%	No County Listed	1	0.0%
			Total	26,771	100.00%

**OAE Yearly Discipline Report
(1/1/2022-12/31/2022)**

Table 9

Disbarment (10)				
Attorney	Admitted	Location	Decided	Effective
CALPIN, BRIAN LE BON	2001	BURLINGTON	09/22/2022	09/22/2022
CICALA, JOSEPH ®	1995	ESSEX	06/27/2022	06/27/2022
GRANT, ALBERT O II	1971	MORRIS	11/14/2022	11/14/2022
GRUHLER, JACQUELINE PATRICIA	2007	PENNSYLVANIA	05/06/2022	05/06/2022
HARMON, RHASHEA LYNN	2012	PENNSYLVANIA	06/28/2022	06/28/2022
KIM, YOUNG MIN	2006	BERGEN	11/14/2022	11/14/2022
PATEL, MILAN K	2004	FLORIDA	09/23/2022	09/23/2022
PERRUCCI, ANGELO M	1990	PENNSYLVANIA	01/20/2022	01/20/2022
TOLENTINO, ANA RAMONA	1997	HUDSON	03/11/2022	03/11/2022
WADE, DIONNE LARREL ®	2002	PASSAIC	06/07/2022	06/07/2022

Disbarment by Consent (6)				
Attorney	Admitted	Location	Decided	Effective
GOMEZ, ANDRYS SOFIA	1992	UNION	07/29/2022	07/29/2022
LEVASSEUR, AUDWIN FREDERICK	2005	MONMOUTH	11/18/2022	11/18/2022
MEEHAN, KEVIN PATRICK §	1998	MERCER	07/29/2022	07/29/2022
SALDANA, LANHI H	2009	PENNSYLVANIA	12/29/2022	12/29/2022
SCHLENDORF, DAVID THOMAS	1997	OCEAN	12/29/2022	12/29/2022
SHAPIRO, MICHAEL R	2007	PENNSYLVANIA	03/09/2022	03/09/2022

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§ The “§” symbol indicates that this discipline resulted from an investigation which was docketed in response to a Trust Account Overdraft Notification.

**OAE Yearly Discipline Report
(1/1/2022-12/31/2022)**

Suspension - Term (51)					
Attorney	Term	Admitted	Location	Decided	Effective
ABRAHAM, MARKIS MIGUEL ®	3 mo.	2008	HUDSON	04/28/2022	05/30/2022
ALLEN, JOHN CHARLES	3 mo.	1995	MIDDLESEX	03/11/2022	03/11/2022
ALLEN, JOHN CHARLES	3 mo.	1995	MIDDLESEX	03/11/2022	06/11/2022
ASHTON, JOSEPH J III	24 mo.	2010	BURLINGTON	05/27/2022	05/27/2022
AUSTIN, MICHELE S	6 mo.	2009	BERGEN	10/27/2022	10/27/2022
BECKER, JONATHAN LLOYD	12 mo.	2008	NEW YORK	07/08/2022	08/01/2022
BERNSTEIN, DAVID JAY	24 mo.	1984	FLORIDA	01/05/2022	01/05/2022
BRODERICK, ROBERT GEOFFREY	12 mo.	2010	CALIFORNIA	02/25/2022	02/25/2022
BROWN, DONALD ROSCOE ®	1 mo.	1984	MERCER	01/21/2022	02/18/2022
CALPIN, BRIAN LE BON	18 mo.	2001	BURLINGTON	09/22/2022	05/07/2021
CHANCEY, ASHER B	36 mo.	2007	PENNSYLVANIA	02/09/2022	03/07/2022
CUBBY, DAVID RICHARD JR	3 mo.	2011	BERGEN	05/06/2022	05/06/2022
DE SANTIAGO-KEENE, GARETH DAVID	3 mo.	1980	BERGEN	03/25/2022	04/25/2022
DEMETRAKIS, JAMES D	1 yr bar reapp	1967	BERGEN	05/16/2022	(Deferred)
DUTT, SUNILA D	18 mo.	2012	VIRGINIA	03/25/2022	10/31/2016
FORD, MARK WM.	12 mo.	1983	DELAWARE	12/07/2022	01/09/2023
FRIEDRICH, JAY J §	3 mo.	1971	BERGEN	04/01/2022	05/02/2022
GELLENE, ALFRED V	3 mo.	1979	PASSAIC	03/11/2022	04/11/2022
GONZALEZ, RALPH ALEXANDER	12 mo.	1987	CAMDEN	11/04/2022	11/04/2022
GRANNAN, DOUGLAS ANDREW	24 mo.	1997	PENNSYLVANIA	04/01/2022	05/02/2022
HEYBURN, EDWARD HARRINGTON	6 mo.	1997	MERCER	01/13/2022	02/10/2022
HEYBURN, EDWARD HARRINGTON	12 mo.	1997	MERCER	01/13/2022	08/10/2022
HEYBURN, EDWARD HARRINGTON	24 mo.	1997	MERCER	12/02/2022	08/11/2023
HEYBURN, EDWARD HARRINGTON	36 mo.	1997	MERCER	12/02/2022	08/10/2025
HURDA, ANDREW R	48 mo.	2006	PENNSYLVANIA	10/12/2022	10/12/2022
IBRAHIM, IHAB AWAD	12 mo.	2013	HUDSON	03/10/2022	04/30/2022
JAFFE, MARK H ®	3 mo.	1988	SOMERSET	03/24/2022	04/21/2022
KOFMAN, MARTIN E	24 mo.	1986	NEW YORK	12/08/2022	11/19/2021
LEVASSEUR, AUDWIN FREDERICK	3 mo.	2005	FLORIDA	05/23/2022	05/23/2022

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**OAE Yearly Discipline Report
(1/1/2022-12/31/2022)**

Suspension - Term (51) CONT'D.					
Attorney	Term	Admitted	Location	Decided	Effective
LEVENTHAL, DONALD C	3 mo.	1987	NEW YORK	03/14/2022	04/15/2022
LINDNER, MICHAEL DAVID JR [®]	3 mo.	1995	GLOUCESTER	09/14/2022	09/14/2022
MANGANELLO, CHRISTOPHER MICHAEL	6 mo.	1998	GLOUCESTER	04/08/2022	05/09/2022
MANGANELLO, CHRISTOPHER MICHAEL	12 mo.	1998	GLOUCESTER	04/08/2022	11/09/2022
MARINELLI, SCOTT MICHAEL	24 mo.	2001	MORRIS	03/10/2022	03/10/2022
MARTELLIO, NANCY	3 mo.	2005	CUMBERLAND	03/23/2022	04/21/2022
MARZANO-LESNEVICH, MADELINE M	3 mo.	1989	BERGEN	11/07/2022	12/16/2022
MC WHIRK, KEITH MICHAEL	48 mo.	1999	BURLINGTON	03/17/2022	04/28/2016
MLADENOVICH, MILENA	3 mo.	2010	DELAWARE	12/01/2022	12/01/2022
MORIN, PHILIP J III	36 mo.	1994	UNION	03/25/2022	04/21/2022
PAPPAS, HERCULES	12 mo.	1997	CAMDEN	03/11/2022	04/11/2022
PEPSNY, RICHARD J	3 mo.	1993	MONMOUTH	07/14/2022	08/15/2022
RHEINSTEIN, JASON EDWARD	12 mo.	2004	MARYLAND	06/08/2022	06/08/2022
RIMBERG, ROBERT	24 mo.	N/A	NEW YORK	10/27/2022	10/27/2022
ROCA, ANGELES	1 yr.	1996	GLOUCESTER	05/16/2022	(Deferred)
ROHDE, WAYNE	6 mo.	N/A	DISTRICT OF COLUMBIA	10/11/2022	10/11/2022
RUMIZEN, SCOTT A.	2 yrs.	2008	OHIO	05/10/2022	(Deferred)
SAPONARO, GEORGE R	12 mo.	1995	BURLINGTON	01/04/2022	01/04/2022
SMITH, BRIAN J	12 mo.	1994	PENNSYLVANIA	02/11/2022	03/07/2022
SMITH, BRIAN J	6 mo.	1994	PENNSYLVANIA	09/23/2022	03/07/2022
VACCARO, JOSEPH	6 mo.	1999	PENNSYLVANIA	05/18/2022	06/16/2022
WOITKOWSKI, MATTHEW WILLIAM [§]	3 mo.	1996	HUNTERDON	09/12/2022	10/11/2022

Indeterminate Suspension (2)				
Attorney	Admitted	Location	Decided	Effective
ALLEN, JOHN CHARLES	1995	MIDDLESEX	04/08/2022	04/08/2022
BERAN, BARRY J.	1981	CAMDEN	12/02/2022	09/25/2026

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Censure (27)				
Attorney	Admitted	Location	Decided	Effective
BAGNARA, ANGELO ®	2001	MORRIS	12/30/2022	12/30/2022
BAZIL, STEVEN GASPAR	1992	PENNSYLVANIA	05/11/2022	05/11/2022
BRADLEY, DAVID S	2003	CAMDEN	12/20/2022	12/20/2022
CASCIO, MICHAEL CHARLES	1992	BURLINGTON	02/10/2022	02/10/2022
CATLEY, THOMAS JOSEPH	1988	MONMOUTH	01/28/2022	01/28/2022
COLEMAN, KENDAL §	2000	PASSAIC	03/14/2022	03/14/2022
CUBBY, DAVID RICHARD JR	2011	BERGEN	05/06/2022	05/06/2022
DE PRIMO, ANNMARIE F.	2006	SOMERSET	06/24/2022	06/24/2022
FRANCO, LINA MARCELLA	2014	NEW YORK	05/24/2022	05/24/2022
FREDA, ANDREW GILES ®	1990	BERGEN	06/23/2022	06/23/2022
GARIBALDI, ROBERT L JR	1981	BERGEN	10/12/2022	10/12/2022
HUNZIKER, SCOTT GARYT	2013	TEXAS	09/23/2022	09/23/2022
KALMA, FREDERICK J	1970	MONMOUTH	01/31/2022	01/31/2022
LANCELLOTTI, ALBERT L ®	1994	ESSEX	01/14/2022	01/14/2022
LENTI, MARY ELIZABETH	2012	BURLINGTON	04/01/2022	04/01/2022
LUDWIG, THOMAS	1978	BERGEN	09/26/2022	09/26/2022
LUEDDEKE, RONALD L	1976	MONMOUTH	05/23/2022	05/23/2022
MARCUS, STANLEY E ®	1970	ESSEX	03/24/2022	03/24/2022
NUSSEY, DAVID RYAN §	1999	CAMDEN	07/14/2022	07/14/2022
PAGUILIGAN, JAMES F	2003	OCEAN	02/11/2022	02/11/2022
PERUTO, A C JR	1981	PENNSYLVANIA	06/23/2022	06/23/2022
RESNICK, BRUCE M ®	1985	CAMDEN	01/11/2022	01/11/2022
ROSSELL, THOMAS CARMEN	1995	ATLANTIC	05/16/2022	05/16/2022
SAPONARO, GEORGE R	1995	BURLINGTON	06/30/2022	06/30/2022
SMITH, ROYCE W	2004	PENNSYLVANIA	05/23/2022	05/23/2022
VAPNAR, RICHARD JOSEPH	1999	BERGEN	01/31/2022	01/31/2022
WITHERSPOON, WILLIAM M	1988	OCEAN	01/31/2022	01/31/2022

Reprimand (26)				
Attorney	Admitted	Location	Decided	Effective
AUSTIN, MICHELE S	2009	BERGEN	10/27/2022	10/27/2022
BARRON, THOMAS M	1975	BURLINGTON	07/01/2022	07/01/2022
CLAYMAN, ERIC J	1985	CAMDEN	12/30/2022	12/30/2022
CROMER, KEVIN CLARK	2006	GEORGIA	09/14/2022	09/14/2022
FINE, CRAIG A	2006	NEW YORK	09/15/2022	09/15/2022
GARRABRANT, ERIC CRAIG	1996	CAPE MAY	10/12/2022	10/12/2022
GRIMES, RAYMOND ANDREW	1988	SOMERSET	12/19/2022	12/19/2022
HILL, LESSIE B	1976	ESSEX	01/28/2022	01/28/2022
HULL, DOUGLAS J	1974	OCEAN	09/26/2022	09/26/2022
LEWINSON, BARBARA	1981	MIDDLESEX	12/14/2022	12/14/2022

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Reprimand (26), Cont'd.				
LUEDDEKE, RONALD L.	1976	MONMOUTH	05/26/2022	05/26/2022
MACCHI, CHRISTOPHER JOSEPH	2015	GLOUCESTER	07/27/2022	07/27/2022
MILLER, HOWARD A [§]	1987	BERGEN	01/28/2022	01/28/2022
OLIVE, LAURENCE H	1977	ESSEX	01/14/2022	01/14/2022
OREL, SERGEI	2001	BERGEN	02/14/2022	02/14/2022
OSTERBYE, RAYMOND C.	2013	MONMOUTH	07/15/2022	07/15/2022
ROBINSON, WOLFGANG GLENN	2013	MORRIS	03/25/2022	03/25/2022
ROMANOWSKI, CURTIS J	1991	MONMOUTH	12/14/2022	12/14/2022
RUDNICK, JONATHAN S	1990	MONMOUTH	03/25/2022	03/25/2022
SAUNDERS, DARRYL M	1990	UNION	09/15/2022	09/15/2022
SHERER, STANLEY R ®	1985	PASSAIC	03/14/2022	03/14/2022
SPIELBERG, MARC A.	1976	OCEAN	06/30/2022	06/30/2022
SPIELBERG, MARC A	1976	OCEAN	09/14/2022	09/14/2022
STACK, ROBERT JAMES	1996	MORRIS	09/14/2022	09/14/2022
STEINMETZ, DAVID C ®	2005	OCEAN	06/24/2022	06/24/2022
ZIEGLER, JOEL S	1966	ESSEX	09/15/2022	09/15/2022

Admonition (16)				
Attorney	Admitted	Location	Decided	Effective
BERGER, LAWRENCE S [§]	1965	MORRIS	01/18/2022	01/18/2022
BORCHERS, KOURTNEY ANNA	1997	BURLINGTON	02/22/2022	02/22/2022
BOYER, LEONARD ROY	1984	PASSAIC	06/21/2022	06/21/2022
BRESSLER, DAVID STUART	1993	SOMERSET	11/21/2022	11/21/2022
CABRERA, ERALIDES ERIC	1988	MIDDLESEX	01/21/2022	01/21/2022
CRAPIS, JERRY GENARO	1988	ESSEX	03/18/2022	03/18/2022
DE PIERRO, GIOVANNI	2001	ESSEX	01/24/2022	01/24/2022
DOTOLI, NICHOLAS JAMES	2007	ESSEX	07/01/2022	07/01/2022
KOWALCHYN, NICHOLAS WILLIAM	1984	MIDDLESEX	05/16/2022	05/16/2022
LEWIS, GARY S	1970	MORRIS	02/18/2022	02/18/2022
MAYER, JOEL S	1988	CAMDEN	03/14/2022	03/14/2022
MOLZ, MARK J.	1985	BURLINGTON	09/26/2022	09/26/2022
NEVINS, ARTHUR G JR	1975	HUNTERDON	10/24/2022	10/24/2022
PISANO, JOHN J	1987	UNION	10/27/2022	10/27/2022
VASSALLO, LEAH A	2006	CUMBERLAND	05/11/2022	05/11/2022
WILLS, ROBERT A	1983	MIDDLESEX	10/24/2022	10/24/2022

Other (1)					
Attorney	Discipline	Admitted	Location	Decided	Effective
MITTEN, NEIL I.	Permanent bar from NJ admission	N/A	PENNSYLVANIA	03/25/2022	03/25/2022

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Temporary Suspension (12)						
Attorney	Admit.	Location	Basis	Docket	Decided	Effective
EAGAN, MARTIN DAVID	1998	MORRIS	ATS	XIV-2021-0427E	02/24/2022	02/24/2022
O'DONNELL, MATTHEW J.	1994	MORRIS	ATS	XIV-2020-0036E	02/24/2022	02/24/2022
PARADIS, PAUL O.	1990	NEW YORK	ATS	XIV-2022-0003E	06/29/2022	06/29/2022
LEVINE, SETH P.	1993	BERGEN	ATS	XIV-2022-0097E	08/17/2022	08/17/2022
ROHRMAN, DIANE L.	2001	PA	ATS	XIV-2021-0178E	08/23/2022	08/23/2022
ROHRMAN, DIANE L.	2001	PA	ATS	XIV-2022-0110E	08/23/2022	08/23/2022
ALLEN, JOHN CHARLES ¹³	1995	MIDDLESEX	Fee	XIV-2021-0374E XIV-2021-0375E	02/25/2022	03/28/2022
RASMUSSEN, MATTHEW D.	2012	MONMOUTH	Fee	XIV-2021-0373E	02/17/2022	03/17/2022
ORLANDO, ANTHONY M.	2003	HUDSON	NC	XIV-2019-0253E	04/08/2022	04/08/2022
CARRILLO, LUIS	2000	CA	NC	XIV-2017-0555E	07/13/2022	07/13/2022
CARRILLO, LUIS	2000	CA	NC	XIV-2022-0084E	07/13/2022	07/13/2022

- “ATS” refers to an automatic temporary suspension pursuant to R. 1:20-13(b)(1) upon conviction of a “serious crime.”
- “Fee” refers to an Order temporarily suspending an attorney’s law license until the terms of a fee arbitration stipulation or determination requiring that attorney to return funds to a client is satisfied.
- “NC” refers to an Order of temporary suspension entered pursuant to R. 1:20-3(g)(4) (danger to the public) and/or R. 1:20-11(a) (noncooperation with disciplinary authorities).

Reinstatements (8)				
Attorney	Admitted	Location	Decided	Effective
CARUSO, DOMINIC V	11/05/2021	PASSAIC	05/09/2022	05/09/2022
DUTT, SUNILA D	10/31/2016	VIRGINIA	05/13/2022	05/13/2022
GILBERT, STEPHEN C	10/22/2021	MORRIS	01/25/2022	01/25/2022
HANAMIRIAN, MICHAEL ALBERT	03/12/2021	PENNSYLVANIA	05/18/2022	05/18/2022
JAFFE, MARK H	04/21/2022	MERCER	12/01/2022	12/01/2022
MCELROY, EDWARD	04/20/2020	UNION	10/27/2022	10/27/2022
SALZMAN, ERIC	10/04/2017	ESSEX	06/09/2022	06/09/2022
TOBIAS, FRANK A JR.	12/20/2021	MIDDLESEX	06/24/2022	06/24/2022

¹³ Two separate R. 1:20A-3(e) Temporary Suspension Orders for failure to pay a fee arbitration obligation were entered against the same attorney on this date.

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Table 10

Markis Miguel Abraham - Suspended on April 28, 2022, for a period of three months, effective May 30, 2022 (250 N.J. 407) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.8(a) (improper business transaction with a client), and RPC 1.15(a) (commingling of funds). Lauren Martinez represented the OAE and respondent was pro se on a Disciplinary Stipulation. This matter was discovered solely as a result of the Random Audit Program.

John Charles Allen – Suspended for three months effective March 11, 2022 (250 N.J. 113), for respondent's violations of RPC 1.15(d) (failure to comply with recordkeeping Rules), RPC 3.3(a)(1) (false statement of material fact to a tribunal), RPC 8.1(b) (failure to cooperate with disciplinary authorities), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). The Court also ordered that prior to reinstatement, respondent must complete a continuing legal education course in attorney recordkeeping, and upon reinstatement, respondent must submit monthly three-way reconciliations of his attorney books and records to the OAE on a quarterly basis for two years. HoeChin Kim represented the OAE and respondent was pro se. Respondent was previously disciplined: Admonition in 2005; Censure in 2015; Temporary suspension in 2018, with reinstatement; Temporary suspension in 2019, with reinstatement; Two temporary suspensions in 2021.

John Charles Allen – Suspended for three months on March 11, 2022, effective June 11, 2022 (250 N.J. 115) for violating RPC 1.15(d) (failure to comply with recordkeeping Rules), and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Lauren Martinez represented the OAE and Respondent was pro se. The respondent was previously disciplined: Admonition in 2005; Censure in 2015; Temporary suspension in 2018, with reinstatement; Temporary suspension in 2019, with reinstatement; Two temporary suspensions in 2021.

John Charles Allen – Suspended for an indeterminate period on April 8, 2022 (250 N.J. 115) for violating RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter and to comply with reasonable requests for information), RPC 1.16(d) (on termination of representation, failure to refund any advance payment or fee that has not been earned or incurred), and RPC

8.1(b) (failure to cooperate with disciplinary authorities). Lauren Martinez represented the OAE and Respondent was pro se. The respondent was previously disciplined: Admonition in 2005; Censure in 2015; Suspended for 3 months twice in 2022.

Joseph J. Ashton, III - Suspended for two years on May 27, 2022 (effective immediately), (___ N.J. ___) following a motion for reciprocal discipline for violating RPC 1.1(a) (gross neglect); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with client); RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions); RPC 1.16(d) (failure to protect client's interests on termination of the representation); and RPC 3.2 (failure to expedite litigation). Hillary Horton represented the OAE and the respondent was pro se.

Michele S. Austin - Suspended for six months on October 27, 2022 (___ N.J. ___) for violating RPC 1.1 (a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter), RPC 1.15(b) (failure to promptly deliver to the client funds the client is entitled to receive), RPC 1.16(d) (failure to protect the client's interests on termination of the representation and to refund the unearned portion of the fee), RPC 5.5(a)(1) (unauthorized practice of law), RPC 8.1(a) (false statement of material fact in a disciplinary matter), and RPC 8.1(d) (failure to cooperate with disciplinary authorities). Ryan J. Moriarty represented the OAE, and respondent was pro se.

Michele S. Austin - Reprimanded on October 27, 2022 (___ N.J. ___) for violating RPC 8.1(b) (failure to cooperate with disciplinary authorities) and RPC 8.4(d) (conduct prejudicial to the administration of justice). Ryan J. Moriarty represented the OAE, and Respondent was pro se.

Angelo Bagnara - Censured on December 30, 2022, (___ N.J. ___) Respondent signed a Stipulation of Discipline by Consent in which it was agreed that Respondent violated RPC 1.7(a)(2) (concurrent conflict of interest), RPC 1.8(a) (improper business transaction with a client), RPC 1.15(a) (negligent misappropriation of client funds and commingling of funds) and RPC 1.15(d) (failure to maintain financial records required by Rule 1:21-6). The DRB determined to dismiss the charges that respondent's

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conduct violated RPC 1.8(a) and determined that a censure is the appropriate discipline for Respondent's unethical conduct in violation of RPC 1.7(a)(2), RPC 1.15(a) and RPC 1.15(d). Colleen L. Burden represented the OAE and Marc D. Garfinkle represented the respondent. This matter was discovered solely as a result of the RAP.

Thomas M. Barron - Reprimanded on July 1, 2022 (N.J.) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter and to comply with reasonable requests for information), and RPC 1.5 (b) (failure to set forth in writing the basis or rate of the legal fee). Christina M. Groves represented District IIIB before the DRB and George H. Hulse, respondent's counsel, waived appearance.

Steven Gaspar Bazil - Censured on May 11, 2022, (250 N.J. 516) for violating RPC 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal), RPC 8.1(b) (failure to cooperate with disciplinary authorities), and RPC 8.4(d) (conduct prejudicial to the administration of justice). Lauren Martinez represented the OAE and respondent failed to appear.

Jonathan Lloyd Becker – Suspended for one year on July 8, 2022 (effective August 1, 2022) (N.J.) following a motion for discipline by consent for violating RPC 1.14(a) (when a client's capacity to make adequately considered decisions in connection with the representation is diminished, whether because of minority, mental impairment or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client); and RPC 8.4(g) (engaging in a professional capacity, in conduct involving discrimination – specifically, the sexual harassment of a minor). Hillary Horton represented the OAE and respondent was pro se.

Lawrence S. Berger – Admonished on January 18, 2022 (249 N.J. 355) for knowingly violating RPC 1.7(a)(2) (concurrent conflict of interest); RPC 1.8(a) (improper business transaction with a client); RPC 1.15(a) (failure to safeguard funds and commingling personal funds with client or third-party funds, and negligent misappropriation of client and third-party funds); RPC 1.15(d) (failure to comply with recordkeeping provisions of Rule 1:21-6); RPC 5.3(a) (failure to supervise nonlawyer employees); RPC 5.3(c) (failure to supervise nonlawyer employees who engage in conduct that would be a violation of the RPCs if engaged in by a lawyer); RPC 7.1(a)(1)

(misleading communication about the lawyer, the lawyer's services, or any matter in which the lawyer has or seeks a professional involvement); RPC 7.5(d) (inclusion in firm name of an individual without responsibility and liability for the firm's performance of legal services) and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). This matter was discovered as a result of the Trust Overdraft Notification Program. Hillary Horton represented the OAE and respondent was pro se.

Barry J. Beran – Suspended on December 2, 2022, for an indeterminate period, effective September 25, 2026, with the suspension to be consecutive to the previous terms of suspension imposed and until the further Order of the Court (N.J.) for violating RPC 1.1(a) (gross neglect); RPC 1.3 (lack of diligence); and RPC 1.4(b) (failure to communicate with client). Timothy J. McNamara represented the OAE, and Respondent was pro se. The respondent was previously disciplined: Reprimanded in 2004, admonished in 2009, censured in 2016 and 2017, suspended for 3 months in 2018, suspended for six months in 2020, suspended for 3 years in 2020 and suspended for 3 years in two separate matters in 2021.

David Jay Bernstein - Suspended for two years on January 3, 2022, (249 N.J. 357) for violating RPC 1.1(a) (gross neglect); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with client); RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions); RPC 1.4(d) (failure to advise a client of the limitations of the lawyer's conduct, when a client expects assistance not permitted by the Rules); RPC 1.5(a) (unreasonable fee); RPC 3.3(a)(1) (false statement of material fact to a tribunal); RPC 4.1(a)(1) (false statement of fact or law to a third person); RPC 5.5(a)(1) (unauthorized practice of law); RPC 8.4(b) (commission of a criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness as a lawyer); RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and RPC 8.4(d) (conduct prejudicial to the administration of justice). The respondent was represented by Kim D. Ringler. Hillary Horton, Deputy Ethics Counsel represented the OAE.

Kourtney Ann Borchers – Admonished on February 22, 2022 (Unreported) for neglecting a client's post-judgment motion for increased child support and other relief, forcing her to retain other counsel. Michael J. Wietrzykowski represented District IIIB and respondent was pro se. The

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respondent was previously disciplined:
Admonished in 2019.

Leonard Roy Boyer – Admonished on June 21, 2022 (Unreported) for failing to correct deficiencies in a motion to vacate a default judgment for fifteen months. Meaghan Tuohey-Kay represented the District XI Ethics Committee and Robert Ramsey represented the respondent.

David S. Bradley – Censured on December 20, 2022 (___N.J.___) for violations of RPC 3.3(a)(5) (failure to disclose to a tribunal a material fact, knowing the omission is reasonably certain to mislead the tribunal), RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and RPC 8.4(d) (conduct prejudicial to the administration of justice). Respondent represented a client in one municipal court on a driving while intoxicated offense, to which the client pleaded guilty and was sentenced as a first-time offender. The very same day, respondent appeared with the same client in another municipal court on another driving while intoxicated offense, to which the client pleaded guilty and was sentenced again as a first time offender. When asked by the second court if the client was a first time offender, respondent failed to disclose his client's conviction from earlier that day. Instead, respondent affirmatively noted his client's driving abstract, which had yet to be updated, indicated his first time status, thereby misleading the court as to the client's true status. Anne T. Picker represented DEC IV and respondent was pro se.

David S. Bressler - Admonished on November 21, 2022 (*Unreported*) for a violation of RPC 1.15(a) (commingling and RPC 1.15(d) (failure to comply with the recordkeeping provisions of R.1:21-6). Rachel Weeks appeared before the DRB for the OAE and respondent was pro se.

Robert Geoffrey Broderick - Suspended for one year on February 25, 2022 (___N.J.___) for violating RPC 8.1(a) (knowingly making a false statement of material fact in connection with a bar admission application or in connection with a disciplinary matter) and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Hillary Horton represented the OAE on a motion for reciprocal discipline granted by the DRB and respondent was pro se. The respondent was previously disciplined: Censured in 2018.

Donald Roscoe Brown - Suspended for a period of one month on January 21, 2022, effective February 18, 2022 (___N.J.___), for violating RPC 1.15(d) (recordkeeping violations), and RPC 8.1(b) (failure to cooperate with disciplinary authorities) with the condition that respondent cooperate with the OAE's audit of his books and records prior to reinstatement to practice. Amanda Figland represented the OAE before the Supreme Court and respondent was pro se. This matter was discovered solely as a result of the RAP.

Eralides Eric Cabrera – Admonished on January 21, 2022 (Unreported) for failing to turn over a client's file in an immigration matter despite repeated requests from their new counsel. David B. Greenfield appeared for District VIII and George J. Otlowski represented the respondent.

Brian LeBon Calpin - Disbarred on September 22, 2022, (252 N.J. 43) on a certified record for violating RPC 8.1(b) (failure to cooperate with ethics authorities) and RPC 8.4(d) (conduct prejudicial to the administration of justice). Ryan J. Moriarty appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Reprimanded in 2014; admonished in 2017; temporarily suspended in 2020 for failure to pay a fee arbitration award; suspended for one year in 2020; and suspended for eighteen months in 2022.

Brian LeBon Calpin - Suspended for eighteen months on September 22, 2022 (252 N.J. 44) on a certified record for violating RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed and to reply to reasonable requests for information), RPC 1.16(d) (failure to protect a client's interests on termination of the representation and to refund the unearned portion of a fee), RPC 8.1(b) (failure to cooperate with ethics authorities), and RPC 8.4(d) (conduct prejudicial to the administration of justice). Ryan J. Moriarty appeared before the Supreme Court for the OAE and respondent failed to appear. Respondent was previously disciplined: Reprimanded in 2014; admonished in 2017; temporarily suspended in 2020 for failure to pay a fee arbitration award; suspended for one year in 2020.

Michael Charles Cascio - Censured on February 10, 2022 (249 N.J. 662) for knowingly violating RPC 1.1(a) (gross neglect); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to keep the client reasonably informed about the status of a matter and to comply with reasonable requests for

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information); RPC 3.3(a)(1) (false statement of material fact to a tribunal); RPC 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal); RPC 3.4(d) (failure to comply with reasonable discovery requests); RPC 4.1(a)(1) (false statement of material fact or law to a third person); RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and RPC 8.4 (d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se.

Thomas James Catley - Censured on January 28, 2022 (___ N.J. ___) for violating RPC 1.3(lack of diligence), RPC 1.4(b)(failure to keep a client reasonably informed about the status of a matter and to comply with reasonable requests for information), RPC 1.15(d)(failure to comply with recordkeeping requirements), and RPC 1.16(d)(failure to protect a client's interests upon termination of representation). Lisa C. Krenkel represented the District IX Ethics Committee before the DRB and Charles P. Stone, Respondent's counsel, waived appearance.

Asher B. Chancey - Suspended for three years on February 9, 2022 (effective March 7, 2022), (249 N.J. 660) for violating RPC 1.1(a) (gross neglect); RPC 1.1(b) (pattern of neglect); RPC 1.2(a) (failure to consult with the client as to the means by which the objectives of the representation are to be pursued); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to keep the client reasonably informed about the status of a matter); RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); RPC 4.1(a)(1) (lawyer shall not knowingly make a false statement of material fact or law to a third person); RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and RPC 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE before the DRB and Robert S. Tintner represented the respondent.

Joseph Cicala - Disbarred on June 27, 2022 (___ N.J. ___) for knowing misappropriation of client funds in violation of RPC 1.15(a) and the principles of In re Wilson, 81 N.J. 451 (1979), as well violations of RPC 1.15(b) (failure to promptly disburse funds), RPC 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6), and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation). Respondent invaded client funds when he paid

himself his contingent legal fee on six matters prior to the related settlement checks being received and deposited into his attorney trust account. HoeChin Kim appeared before the Supreme Court for the OAE and Lawrence S. Cutalo represented respondent. This matter was discovered solely as a result of the RAP.

Eric J. Clayman – Reprimanded by consent on December 30, 2022 (___ N.J. ___) for violations of RPC 1.4(b) (failure to keep client reasonably informed) and RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions) when respondent failed to inform his client that he expected her to obtain a mortgage modification without his legal assistance and further failed to inform his client of the status of her chapter 13 bankruptcy case. Andrew B. Finberg represented the District IV Ethics Committee and Robert N. Agre represented respondent. Respondent was previously disciplined: Censured in 2006.

Kendal Coleman – Censured on March 14, 2022, (250 N.J. 120), for violating RPC 1.15(d) and Rule 1:21-6 (recordkeeping), RPC 1.5(a) (unreasonable fee), and RPC 8.1(b) (failure to cooperate with disciplinary authorities). First Assistant Ethics Counsel Jason D. Saunders represented the OAE and Respondent was pro se. Respondent was previously disciplined: Censured in 2019. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

Jerry Genaro Crapis – Admonished on March 18, 2022 (Unreported) for multiple recordkeeping deficiencies, in violation of RPC 1.15(d). These deficiencies included failure to maintain separate client ledger cards; failure to conduct monthly, three-way reconciliations of his attorney trust account; failure to maintain his attorney business account records for seven years; failure to maintain adequate descriptions for his attorney trust account and attorney business account receipts and disbursements journals; unauthorized electronic attorney trust account transfers; special fiduciary funds improperly held in his attorney trust account and improper trust account designations. Amanda W. Figland appeared before the DRB for the OAE and respondent waived appearance.

Kevin Clark Cromer - Reprimanded on September 14, 2022 (___ N.J. ___) on a certified record for violating RPC 8.1(b) (failure to cooperate with disciplinary authorities). Ryan J. Moriarty handled the matter for the OAE and respondent defaulted. The

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respondent was previously disciplined: Temporarily suspended in 2021.

David R. Cubby, Jr. - Suspended for three months on May 6, 2022 (250 N.J. 428) for failure to cooperate in the Office of Attorney Ethics' investigation. Ryan J. Moriarty represented the OAE and respondent was pro se. Respondent was previously disciplined: Temporarily suspended in 2021 and censured in 2022.

David R. Cubby, Jr. – Censured on May 6, 2022 (250 N.J. 426) for violating RPC 3.2 (failure to treat all person involved in the legal process with courtesy and consideration), RPC 3.5(c) (conduct intended to disrupt a tribunal), RPC 8.2(a) (statement made with reckless disregard for the truth or falsity thereof concerning the qualifications of a judge), RPC 8.1(b) (failure to cooperate with disciplinary authorities based on respondent's failure to file a proper answer to the formal ethics complaint) and RPC 8.4(d) (conduct prejudicial to the administration of justice). Ryan J. Moriarty represented the OAE and respondent was pro se. Respondent was previously disciplined: Temporarily suspended in 2021 and suspended for 3 months in 2022.

James D. Demetrakis – who resigned from the New Jersey bar without prejudice on November 29, 2018, shall be prohibited from applying for readmission to the bar for one-year following the Court's May 16, 2022 Order, (250 N.J. 514) (effective immediately). Respondent pleaded guilty in the United States District Court for the District of New Jersey to one count of conspiring to make false entries to deceive a financial institution and the Federal Deposit of Insurance Corporation (FDIC), contrary to 18 U.S.C. §1005 and 18 U.S.C. §371, conduct in violation of RPC 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects). Deputy Ethics Counsels Ashley Kolata-Guzik and Hillary Horton represented the OAE and Edward J. Plaza represented Respondent on a motion for final discipline.

Giovanni DePierro – Admonished on January 24, 2022 (Unreported) for his violation of RPC 1.4(b) (failure to communicate); RPC 1.5(c) (failure to provide a written fee agreement in a contingent fee case); RPC 1.5(c) (failure to provide a written statement showing the remittance of recovery to the client and the method of its determination); RPC 1.16(d) (failure to protect the client's interests upon termination of the representation); and RPC 8.1(b)

(failure to cooperate with disciplinary authorities) in five different matters consolidated for hearing. Brian P. Keenan and Mark H. Friedman represented District VC and respondent was pro se.

Annamarie F. De Primo - Censured on a certified record on June 14, 2022 (251 N.J. 215) for violating RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 8.1(b) (failure to cooperate with disciplinary authorities), and RPC 8.4(d) (conduct prejudicial to the administration of justice). William P. Lemega handled the matter for District XIII and respondent failed to appear.

Gareth David DeSantiago-Keene - Suspended for three months on March 25, 2022, effective April 25, 2022, (250 N.J. 185) for violating RPC 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6); RPC 5.5(a)(2) (assisting another in the unauthorized practice of law); and RPC 8.4(d) (conduct prejudicial to the administration of justice). Christina Blunda represented the OAE and Lawrence H. Kleiner represented respondent. The respondent was previously disciplined: Censured in 2018.

Nicholas James Dotoli – Admonished on July 1, 2022 (___ N.J. ___) following respondent's guilty plea and adjudication in the Superior Court of New Jersey to criminal mischief, a disorderly persons offense, in violation of N.J.S.A. 2C:17-3(b)(2), conduct in violation of RPC 8.4(b) (committing a criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects). Hillary Horton represented the OAE and Marc D. Garfinkle represented respondent.

Sunila D. Dutt - Suspended for a period of eighteen months on March 25, 2022, retroactive to October 31, 2016 (250 N.J. 181) following respondent's conviction in the United States District Court for the District of New Jersey based on a guilty plea to one count of conspiracy to commit visa fraud and to obstruct justice. Colleen L. Burden appeared before the DRB for the OAE and Marc D. Garfinkle appeared for respondent.

Craig A. Fine – Reprimanded on September 15, 2022 (___ N.J. ___), following a motion for reciprocal discipline, for violating RPC 1.15(a) (negligent misappropriation and commingling of funds); and RPC 1.15(d) (failure to comply with recordkeeping requirements). Hillary Horton represented the OAE and Kim D. Ringler represented respondent.

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Mark William Ford – Suspended for one year, effective January 9, 2023 (___N.J.___) for misrepresenting that his client still owned realty when filing her Chapter 13 bankruptcy petition, despite having been notified by opposing counsel, prior to the bankruptcy filing, i) that the lender had obtained a final judgment of foreclosure and a writ of execution against the realty, ii) that a sheriff’s sale had occurred with the ten-day right of redemption having expired, iii) that the lender had filed a writ of possession, iv) that the Clerk of the Superior Court had executed the writ of possession, and v) that the eviction process had commenced, in violation of RPC 3.1 (a lawyer shall not bring a proceeding unless the lawyer knows or reasonably believes there is a basis in law and fact for doing so that is not frivolous), RPC 3.3(a)(1) (a lawyer shall not knowingly make a false statement of material fact or law to a tribunal), and RPC 8.4(c) (it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation). The Court further ordered that upon reinstatement, respondent shall practice under a supervising attorney for two years. Lastly, the Court file a separate Order denying respondent’s petition for review. Andrew Sklar represented District IV and respondent was pro se. The respondent was previously disciplined: Reprimanded in 1998; admonished in 2002; reprimanded in 2009, and censured in 2011 and 2014.

Lina Marcella Franco - Censured on May 24, 2022 (___N.J.___) for violating RPC 3.3 (a)(1) (false statement of material fact or law to a tribunal), RPC 3.3 (a)(5) (failure to disclose to a tribunal a material fact, knowing that the omission is reasonably certain to mislead the tribunal), RPC 8.4 (c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), and RPC 8.4(d) (conduct prejudicial to the administration of justice). Ryan J. Moriarty represented the OAE and Glenn R. Reiser represented the respondent.

Andrew Giles Freda – Censured on a certified record on June 23, 2022 (___N.J.___) for violating RPC 1.15(d) (failure to comply with recordkeeping Rules); RPC 5.5(a)(1) (practicing law while ineligible); RPC 7.5(e) (using an impermissible firm name or letterhead); and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Hillary Horton and Lauren Martinez represented the OAE. Respondent was pro se. This matter was discovered solely as a result of the RAP.

Jay J. Friedrich – Suspended for three months on April 1, 2022, effective May 2, 2022 (250 N.J. 291) for violating RPC 1.4(b) (failure to communicate with client), RPC 1.5(b) (failure to set forth in writing the basis or rate of the fee), RPC 1.15(a) (negligent misappropriation of client funds), RPC 1.15(d) (recordkeeping violations), RPC 8.1(b) (failure to cooperate with disciplinary authorities), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Timothy J. McNamara represented the OAE before the Supreme Court and respondent was pro se. This matter involved two separate matters. one of which was discovered solely as a result of the Trust Overdraft Notification Program.

Robert L. Garibaldi, Jr. – Censured on October 12, 2022 (252 N.J. 162) for violating RPC 1.15(a) (failure to safeguard funds); RPC 1.15(b) (failure to promptly deliver funds to client or third party; RPC 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal); and RPC 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE before the DRB and Patrick J. McCormick represented the respondent.

Eric Craig Garrabrant - Reprimanded on October 12, 2022 (___N.J.___) for violating RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter and to comply with reasonable requests for information), and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Joanna Sykes-Saavedra handled the matter for the District I Ethics Committee and respondent appeared pro se.

Alfred V. Gellene – Suspended for three months on March 11, 2022 (effective April 11, 2022), (250 N.J. 117) for violating RPC 1.1(a) (gross neglect); RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter and to comply with reasonable requests for information); and RPC 8.1(b) (failure to cooperate with disciplinary authorities). David L. Pine and John D. Pogorelec, Jr. appeared before the DRB for District XI and the respondent was pro se. The respondent was previously disciplined: Admonished in 2009 and reprimanded in 2010.

Andrys Sofia Gomez – Disbarred by consent on July 29, 2022, (___N.J.___). Respondent acknowledged that she was aware that the OAE conducted an investigation pertaining to her criminal charges filed against her in Union County, a complaint for violation of RPC 8.4(c) and an investigation for alleged recordkeeping and

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shortages in her attorney trust account, and that if she went to a hearing on that matter, she could not successfully defend herself against those charges. Darrell M. Felsenstein represented the OAE and Lee David Vartan represented respondent. The respondent was previously disciplined: Admonished in 2003; reprimanded in 2010 and temporarily suspended in 2019.

Ralph Alexander Gonzalez – Suspended for one-year, effective December 2, 2022 (___N.J. ___) for communicating with the Motor Vehicle Commission on behalf of a licensee, appearing with that licensee at the Trenton office of the MVC, and presenting another attorney’s business card as his own while respondent was suspended from the practice of law, which conduct violated RPC 3.3(a)(1)(false statement of material fact to a tribunal), RPC 3.3(a)(5)(failure to disclose a material fact to a tribunal, knowing the omission is reasonably certain to mislead the tribunal), RPC 3.4(c)(knowingly disobeying an obligation under the rules of a tribunal, specifically Rule 1:20-20, except for an open refusal based on an assertion that no valid obligation exists), RPC 5.5(a)(1)(unauthorized practice of law), and RPC 8.4(c)(conduct involving dishonesty, fraud, deceit or misrepresentation). HoeChin Kim appeared before the Court on its Order to Show Cause, and Teri S. Lodge represented respondent. The respondent was previously disciplined: Reprimanded in 1995; admonished in 2012; and suspended for three months in 2017.

Douglas Andrew Grannan - Suspended for two years on April 1, 2022 (effective May 2, 2022), (250_ N.J. 319) following a motion for reciprocal discipline from Pennsylvania for violating RPC 1.1(a) (gross neglect); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with client); RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions); RPC 1.5(b) (failure to set forth in writing the basis or rate of the fee); RPC 1.16(d) (on termination of representation, failure to take steps to the extent reasonably practicable to protect a client’s interests); RPC 7.3(b)(5) (improper, unsolicited, direct contact with a prospective client); and RPC 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE before the DRB and the respondent was pro se.

Albert O. Grant, II – Disbarred on November 14, 2022, (___N.J. ___), following a motion for final discipline, based upon his criminal conviction for one count of

conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349, and two counts of wire fraud, in violation of 18 U.S.C. §§ 1343 and 2, and for the knowing misappropriation of client funds. Hillary Horton represented the OAE and respondent was pro se.

Raymond Andrew Grimes - Reprimanded on December 19, 2022, (___N.J. ___) for violating RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter and to comply with reasonable requests for information), and RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about representation). Jennifer I Toth appeared before the DRB for District XIII and respondent waived oral argument.

Jacqueline Patricia Gruhler – Disbarred by a motion for final discipline on May 6, 2022, (250 N.J. __429). Respondent was convicted in Superior Court for the offense of third-degree possession of a controlled dangerous substance (CDS) (methamphetamine), with intent to distribute, conduct which was in violation of RPC 8.4(b) (criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects) and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Eugene A. Racz represented the OAE and Kim D. Ringler represented respondent.

Rhashea Lynn Harmon – Disbarred on June 28, 2022, (___N.J. ___) for violating RPC 3.1 (frivolous litigation); RPC 3.3(a)(1) (false statement of material fact to a tribunal); RPC 3.5(c) (engaging in conduct intended to disrupt a tribunal); RPC 4.1(a) (truthfulness in statements to others); RPC 4.4(a)(1) (conduct that has no substantial purpose other than to embarrass, delay, or burden a third person); RPC 5.5(a)(1) (unauthorized practice of law); RPC 7.1(a)(1) (false or misleading communications about the lawyer, the lawyer’s services, or any matter in which the lawyer has or seeks a professional involvement); RPC 8.4(b) (commission of a criminal act that reflects adversely on a lawyer’s honesty, trustworthiness, or fitness as a lawyer); RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation); and RPC 8.4(d) (conduct prejudicial to the administration of justice). Darrell M. Felsenstein represented the OAE before the Supreme Court and respondent failed to appear. The respondent was previously disciplined: Suspended indefinitely in 2019.

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Edward Harrington Heyburn – Suspended for six months on January 13, 2022 (effective February 10, 2022), (249 N.J. 424) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(a), (b) and (c) (failure to communicate with client), RPC 3.2 (failure to expedite litigation), and RPC 8.1(b) (failure to communicate with disciplinary authorities); Hillary Horton represented the OAE and the respondent was pro se. Respondent was previously disciplined: Censured in 2013, 2015, 2018 and 2020 and suspended for one-year effective August 10, 2022.

Edward Harrington Heyburn – Suspended for one year on January 13, 2022 (effective August 10, 2022), (249 N.J. 423) for violating RPC 1.3 (lack of diligence), RPC 1.4(b)(failure to keep client reasonably informed about the status of a matter and to comply with the client’s reasonable requests for information); RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about the representation); and RPC 3.2 (failure to expedite litigation). Hillary Horton represented the OAE and the respondent was pro se. The respondent was previously disciplined: Censured in 2013, 2015, 2018 and 2020; suspended for six months effective February 10, 2022 in a separate matter.

Edward Harrington Heyburn - Suspended for two years on November 28, 2022 (effective August 11, 2023) (___N.J.___) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter and to comply with client’s reasonable requests for information), RPC 3.2 (failure to expedite litigation), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Ryan J. Moriarty represented the OAE and respondent was pro se. The respondent was previously disciplined: Suspended for one year on January 13, 2022 (effective August 10, 2022); suspended for six months on January 13, 2022 (effective February 10, 2022); censured on December 9, 2020, July 9, 2018, June 18, 2015 and November 13, 2013.

Edward Harrington Heyburn – Suspended for three years on December 2, 2022 (effective August 10, 2025) consecutive to the two-year term of suspension ordered this same date (___N.J.___) as a result of a motion for reciprocal discipline filed by the OAE following the Supreme Court of Pennsylvania’s July 22, 2021 order suspending respondent for three years. In that matter, the respondent was found guilty of having violated the equivalents of New Jersey RPC

3.3(a)(1) (making a false statement of material fact to a tribunal); RPC 8.1(b) (failing to cooperate with disciplinary authorities); RPC 8.4(a) (violating or attempting to violate the RPCs, knowingly assisting or inducing another to do so, or doing so through the acts of another); RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer); RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation); and RPC 8.4(d) (engaging in conduct prejudicial to the administration of justice). Michael Fogler represented the OAE before the DRB and respondent failed to appear. Ryan J. Moriarty represented the OAE before the Supreme Court and respondent was pro se. The respondent was previously disciplined: Suspended for one year on January 13, 2022 (effective August 10, 2022); suspended for six months on January 13, 2022 (effective February 10, 2022); suspended for two years on November 28, 2022 (effective August 11, 2023); censured on December 9, 2020, July 9, 2018, June 18, 2015 and November 13, 2013.

Lessie B. Hill – Reprimanded on January 28, 2022 (249 N.J. 468) for violating RPC 3.4(c)(knowingly disobeying an obligation under the rules of a tribunal), RPC 5.3(a) and (b)(failure to supervise a nonlawyer employee), RPC 8.4(c)(conduct involving dishonesty, fraud, deceit or misrepresentation), and RPC 8.4(d)(conduct prejudicial to the administration of justice). Lucy Agostini represented the District VB Ethics Committee before the DRB, and Linwood A. Jones represented respondent.

Douglas James Hull – Reprimanded on September 26, 2022, (252 N.J. 66), for violating RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 1.15(b) (failure to promptly deliver to a client or third person any funds or property the client or third person is entitled to receive), and RPC 5.3(b) (failure to supervise a nonlawyer assistant). Karin K. Sage represented the District IIIA Ethics Committee and Robert E. Ramsey represented respondent. Respondent was previously disciplined: Admonished in 2018.

Scott Garyt Hunziker – Censured on September 23, 2022 (252 N.J. 63) for violations of RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 5.5(a)(1) (unauthorized practice of law), and RPC 8.4(d) (conduct prejudicial to the administration of justice), which matter had been referred by the trial court assigned to handle cases stemming from

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Superstorm Sandy claims. HoeChin Kim appeared before the Court for the OAE, and respondent was represented by Robyn M. Hill.

Andrew R. Hurda – Suspended for 4 years on October 12, 2022 (252 N.J. 161), following a motion for final discipline, for violating RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects); and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation). Hillary Horton represented the OAE before the DRB and respondent was pro se.

Ihab Awad Ibrahim – Suspended for one year on March 10, 2022 (effective April 30, 2022), (250 N.J. 21) for violating RPC 1.1(a) (gross neglect); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with client); RPC 1.5(b) (failure to set forth in writing the basis or rate of the fee); RPC 1.15(a) (negligent misappropriation and failure to safeguard client funds); RPC 1.15(d) (failure to comply with the recordkeeping provisions of Rule 1:21-6); RPC 3.3(a)(1) (false statement of material fact or law to a tribunal); RPC 3.2 (failure to expedite litigation); RPC 7.1(b) and RPC 7.3(b)(5) (failure to comply with the Attorney Advertising Rules); RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation); and RPC 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and Carl D. Poplar represented the respondent. The respondent was previously disciplined: Reprimanded in 2017 and censured in 2018 and 2020.

Mark H. Jaffe - Suspended for three months on March 24, 2022, effective April 21, 2022, (250 N.J. 179) for violating RPC 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6); RPC 3.3(a)(5) (false to disclose material fact to a tribunal, knowing the omission is reasonably certain to mislead the tribunal); RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and RPC 8.4(d) (conduct prejudicial to the administration of justice). Eugene A. Racz represented the OAE before the DRB and Raymond S. Londa represented the respondent. The respondent was previously disciplined: Public reprimands in 1998, 2012, and 2020; and a censure in 2017. This matter was discovered solely as a result of the RAP.

Frederick J. Kalma - Censured on January 31, 2022, on a certified record (249 N.J. 538) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client),

RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), RPC 8.1(b) (failure to cooperate with disciplinary authorities), and RPC 8.4 (c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). William E. Denver represented the District IX Ethics Committee and respondent was pro se.

Young Min Kim – Disbarred on a certified record on November 14, 2022 (___N.J.___) for knowingly practicing law while suspended in violation of RPC 5.5(a)(1), failing to cooperate with disciplinary authorities in violation of RPC 8.1(b) and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of RPC 8.4(c). Colleen L. Burden handled the matter for the OAE and respondent failed to appear. The respondent was previously disciplined: Censured in 2015; temporarily suspended in 2016; and suspended for three years in 2020.

Martin E. Kofman – Suspended for two years on December 8, 2022 (___N.J.___) for violating RPC 8.4(b) (committing a criminal act that reflects adversely on a lawyer’s honesty, trust worthiness, or fitness as a lawyer in other respects) and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation). Michael S. Fogler represented the OAE and Kim D. Ringler represented respondent.

Nicholas William Kowalchyn – Admonished on May 16, 2022 (Unreported) for violating RPC 1.4(b) by failing to inform his client of the granting of a motion for summary judgment that dismissed several defendants from his lawsuit. He also violated RPC 1.4(c) by failing to promptly explain to his client the ramifications of the adverse summary judgment ruling or his right to appeal, leaving the client with just six days to file an appeal. Eugenie A. Voitkevich handled the matter for District VIII and respondent was pro se.

Albert A. Lancellotti - Censured on January 11, 2022 (249 N.J. 425) for violating RPC 1.15(d) (failure to comply with recordkeeping requirements), RPC 5.5(a)(1) (practicing law while ineligible), and RPC 8.1(b) (failure to cooperate with disciplinary authorities), Respondent has been suspended from the practice of law since January 15, 2020. First Assistant Ethics Counsel Jason Saunders represented the OAE and Respondent failed to appear.

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This matter was discovered solely as a result of the RAP.

Mary Elizabeth Lenti – Censured on April 1, 2022 (250 N.J. 292) for knowingly violating RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with client); RPC 5.3(a) (failure to supervise a non-lawyer assistant); RPC 8.1(a) (false statement of material fact in a disciplinary matter); and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Hillary Horton represented the OAE and respondent was pro se.

Audwin F. Levasseur – Suspended for three months on May 23, 2022 on a certified record (___ N.J. ___) for violating RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), and RPC 8.1(b)(failure to cooperate with disciplinary authorities). Respondent allowed his client's complaint to be dismissed, failed to move to reinstate the complaint, and failed to advise his client of the dismissal, leaving the client with no avenue of relief. Paul S. Danner represented District VA and respondent was pro se. Respondent was previously disciplined: Reprimanded twice in 2020.

Audwin Frederick Levasseur – Disbarred by consent on November 18, 2022 (___ N.J. ___) for knowing misappropriation of client funds. HoeChin Kim represented the OAE and Thomas F. Quinn was appointed counsel for respondent. Respondent was previously disciplined: Reprimanded twice in 2020; suspended for three months in 2022.

Donald C. Leventhal – Three-month suspension, on March 14, 2022, effective April 15, 2022 (___ N.J. ___), for respondent's violations of RPC 1.15(d)(failure to comply with recordkeeping Rules) and RPC 8.1(b)(failure to cooperate with disciplinary authorities) on a reciprocal matter from the State of New York. HoeChin Kim represented the OAE and respondent was pro se.

Barbara K. Lewinson – Reprimanded on December 14, 2022, (252 N.J. 416), for violating RPC 1.7(a)(2) (engaging in a concurrent conflict of interest). Angela F. Pastor represented the District VIII Ethics Committee and Teri S. Lodge represented respondent. The respondent was previously disciplined: Publicly reprimanded in 1992; suspended for three months in 1999; and suspended for six months in 1999.

Gary S. Lewis – Admonished on February 18, 2022 (Unreported) for failing to take reasonable steps to

protect his clients' interests after closing his law practice and moving out of state, in violation of RPC 1.16(d). HoeChin Kim represented the OAE and respondent was pro se. Respondent was previously disciplined: Admonished in 2010.

Michael David Lindner, Jr. – Suspended for three months on September 14, 2022 (___ N.J. ___) for violating RPC 1.15(a) (negligent misappropriation of funds); RPC 1.15(d) and Rule 1:21-6 (recordkeeping requirements); and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Hillary Horton represented the OAE before the DRB and respondent was pro se. The respondent was previously disciplined: Admonished in 2019 and censured in 2020. This matter was discovered solely as a result of the RAP.

Thomas Ludwig – Censured on September 26, 2022, (252 N.J. 67), for violating RPC 8.1(b) (failure to cooperate with disciplinary authorities) and RPC 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2018 and suspended for three months in 2021.

Ronald L. Lueddeke - Censured on May 17, 2022, (___ N.J. ___) for violating RPC 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6). Respondent was ordered to complete two courses in attorney recordkeeping. Colleen L. Burden represented the OAE and respondent appeared pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 2015. This matter was discovered solely as a result of the RAP.

Ronald L. Lueddeke - Reprimanded on May 25, 2022, (___ N.J. ___) for violating RPC 1.3 (lack of diligence) and RPC 1.4(b) failure to communicate with client. Tara K. Walsh represented District IX and respondent appeared pro se on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Admonished in 2015 and censured in 2022.

Christopher Joseph Macchi – Reprimanded on July 27, 2022 (251 N.J. 475) for violating RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) when he took client files from his former employer and filed substitution of counsel in two pending lawsuits on behalf of his new practice despite knowing he did not have authority from his prior employer to do so. Robert

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N. Feltoon, who had served as hearing panel chair, represented the District IV Ethics Committee before the DRB, and respondent was represented by Robert N. Agre.

Christopher Michael Manganello – Suspended for six months on two certified records, effective May 9, 2022, (250 N.J. 359), for violating RPC 1.1(a)(gross neglect), RPC 1.3(lack of diligence), RPC 1.4(b)(failure to communicate with client), RPC 8.1(b)(failure to cooperate with disciplinary authorities), and RPC 8.4(c)(conduct involving dishonesty, fraud, deceit or misrepresentation). The Court ordered respondent to refund in full the fees paid in the Hardy and Giordano matters within thirty days of the filing of the order, i.e., by May 9, 2022. Victoria Rand represented the District IV Ethics Committee and respondent was pro se. The respondent was previously disciplined: Censured in 2017.

Christopher Michael Manganello – Suspended for one-year, effective November 9, 2022, (250 N.J. 363) for violating RPC 1.1(a)(gross neglect), RPC 1.3(lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 1.5(a) (unreasonable fee), RPC 1.5(b) (failure to set forth in writing the basis or rate of the fee), RPC 1.16(d) (failure to protect client's interest on termination of the representation), RPC 8.1(b) (failure to cooperate with disciplinary authorities), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation) in two client matters. Victoria Rand represented the District IV Ethics Committee and respondent was pro se. The respondent was previously disciplined: Censured in 2017; suspended for six months in 2022.

Stanley E. Marcus – Censured on March 24, 2022 (250 N.J. 188) for knowingly violating RPC 1.15(a) (negligent misappropriation of funds); RPC 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6); RPC 5.3(a) (failure to supervise non-lawyer staff); RPC 5.3(b) (failure of a lawyer having direct supervisory authority over a non-lawyer employee to make reasonable efforts to ensure that the conduct of the employee is compatible with the professional obligations of the lawyer); and RPC 5.3(c)(3) (lawyer responsible for conduct of a non-lawyer employee that would be a violation of the RPCs if engaged in by the lawyer under certain circumstances). Christina Blunda represented the OAE and Michael R. Perle represented the respondent. The respondent was previously disciplined: Reprimanded in 1991, 1995 and 2011; and censured in

2013. This matter was discovered solely as a result of the RAP.

Scott Michael Marinelli - Suspended for two years on March 10, 2022 (250 N.J. 23) for violating RPC 8.1(b) (failure to cooperate with disciplinary authorities); RPC 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects); and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). The respondent was represented by Robert E. Ramsey and Lauren Martinez, Colleen L. Burden, and Hillary Horton represented the OAE on three matters consolidated before the DRB. The respondent was previously disciplined: Censured in 2019.

Nancy Martellio – Suspended for three months on March 23, 2022, effective April 21, 2022, (250 N.J. 266) for violating RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), RPC 7.1(a) (false communications about the lawyer, the lawyer's services, or any matter in which the lawyer has or seeks a professional involvement), RPC 8.4(b) (criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness as a lawyer), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). Scott D. Sherwood represented the District I Ethics Committee and Vincent J. Pancari represented the respondent.

Madeline M. Marzano-Lesnevich – Suspended for three months on November 15, 2022 (effective December 16, 2022), (___N.J.___) for violating RPC 1.15(a) (failing to safeguard the property of clients or third persons that is in the lawyer's possession in connection with a representation) and RPC 1.15(b) (failing to promptly notify a third party of receipt of property in which that party has an interest). Christopher J. Koller represented District IIB, Darrell M. Felsenstein represented the OAE and Patrick B. Minter represented respondent.

Joel S. Mayer – Admonished on March 14, 2022 (250 N.J. 121) for violating RPC 5.5(a)(1) (engaging in the unauthorized practice of law) in 2007 to 2008 and in 2014 when he was ineligible to practice law but prior to his license revocation in 2015 pursuant to Rule 1:28-2(c). Anne T. Picker represented the District IV Ethics Committee and respondent was pro se.

Keith Michael McWhirk - Suspended for four years on March 17, 2022, retroactive to April 28,

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2016, (250 N.J. 176) based upon discipline imposed in the Commonwealth of Pennsylvania for multiple instances of unethical conduct that in New Jersey is in violation of RPC 1.1(a) (gross neglect), RPC 1.1(b) (pattern of neglect), RPC 1.2(a) (failing to abide by client's decisions concerning the scope and objectives of the representation), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about the representation), RPC 1.15(a) (commingling of funds), RPC 4.1(a) (making a false statement of material fact or law to a third person), RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer), and RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Lauren Martinez represented the OAE on a motion for reciprocal discipline and Amy S. Kline represented respondent.

Kevin Patrick Meehan - Disbarred by consent on July 27, 2022, (244 N.J. 324) after respondent acknowledged that he knowingly misappropriated client trust account funds, and that if he went to a hearing on the matter, he could not successfully defend himself against those charges. Colleen L. Burden represented the OAE and Respondent appeared pro se. This case was discovered solely as a result of the Trust Overdraft Notification Program.

Howard A. Miller - Reprimanded on January 28, 2022 (249 N.J. 466) for violating RPC 1.15(d) (failure to comply with recordkeeping requirements), and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Timothy J. McNamara represented the OAE and respondent was pro se. The respondent was previously disciplined: Reprimanded in 2020. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

Neil I. Mittin – Permanently barred from admission in New Jersey on March 25, 2022, (250 N.J. 182) based on discipline imposed in the Commonwealth of Pennsylvania for conduct that in New Jersey violated RPC 8.4(b) (committed a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects) and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation); and the principles of In re Siegel, 133 N.J. 162 (1993). Hillary Horton represented the OAE and respondent was pro se.

Milena Mladenovich – Suspended for three months on December 1, 2022 (___N.J.___) on a motion for final discipline granted by the DRB. Respondent was convicted in the Court of Common Pleas of Philadelphia County, Pennsylvania, for first-degree misdemeanor terroristic threats, in violation of 18 Pa. C.S. § 2706(a)(1), and first-degree misdemeanor stalking, in violation of 18 Pa. C.S. § 2709.1(a)(1). In New Jersey, these offenses constitute a violation of RPC 8.4(b) (criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer). Michael S. Fogler appeared before the DRB for the OAE and respondent waived appearance.

Mark J. Molz – Admonished on September 26, 2022 (Unreported) for failing to file a complaint in a personal injury lawsuit within the time allowed by the statute of limitations, which barred his clients from pursuing their matter. Alan C. Milstein represented the District IIIB Ethics Committee and respondent appeared pro se.

Philip J. Morin, III - Suspended for three years on March 24, 2022, effective April 21, 2022 on a certified record (250 N.J. 184) for violating RPC 1.1 (a) (gross neglect), RPC 1.2(a) (failure to abide by the client's decision concerning the scope and objectives of the representation), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 4.1(a)(1) false statement of material fact or law to a third person), RPC 8.1(b) (failure to cooperate with disciplinary authorities), RPC 8.4 (b) (criminal act that reflects adversely on the honesty, trustworthiness or fitness of the attorney), RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), and RPC 8.4(d) (conduct prejudicial to the administration of justice). Steven J. Zweig represented the OAE and respondent was represented by Robert J. DeGroot. Respondent was previously disciplined: Reprimanded in 2014.

Arthur G. Nevins, Jr. – Admonished on October 24, 2022 (Unreported) for violation of RPC 1.4(b) (failing to keep a client reasonably informed about the status of a matter); RPC 1.5(c) (failing to provide an accounting in a contingent fee matter); and RPC 1.15(c) (failing to provide an accounting at the conclusion of a contingent fee matter). Amanda W. Figland represented the OAE and Thomas M. Barron represented the respondent.

David Ryan Nussey – Censured on July 14, 2022 (251 N.J. 383) for violating RPC 1.15(a) (negligent misappropriation of client funds); RPC 1.15(d) (failure

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to comply with the recordkeeping provisions of Rule 1:21-6); and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Hillary Horton represented the OAE and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2020. This matter was discovered solely as a result of the Trust Overdraft Notification Program.

Laurence H. Olive - Reprimanded on January 14, 2022 (N.J.) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 3.2 (failure to expedite litigation), and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Respondent was previously disciplined: Temporarily suspended since July 14, 2020.

Sergei Orel - Reprimanded on February 14, 2022 (250 N.J. 19) for violating RPC 1.1 (a) (gross neglect), RPC 1.3 (lack of diligence), and RPC 1.4(b) (failure to communicate with client). Stephanie Lomurro represented the District VI Ethics Committee and Respondent was pro se. The respondent was previously disciplined: Admonished in 2017.

Raymond Charles Osterbye – Reprimanded on July 15, 2022, (N.J.), on a certification of the record, for violating RPC 1.5(b) (failure to set forth in writing the basis or rate of the attorney’s fee) and RPC 8.1(b) (failure to cooperate with disciplinary authorities). M.S. Tashjy represented the District IX Ethics Committee and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2020.

James F. Paguiligan - Censured on February 8, 2022 (N.J.) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter), RPC 1.7(a)(2) and (b)(1) (concurrent conflict of interest by representing a client where there is a significant risk that the representation of one client will be materially limited by the lawyer's responsibilities to another client, without obtaining the informed written consent of the clients, after full disclosure and consultation), RPC 1.13(d) (in dealing with an organization's directors, officers, employees, members, shareholders or other constituents, failure to explain the identity of the client when the lawyer believes that such explanation is necessary to avoid misunderstanding on their part), RPC 1.13(e) (failure to secure consent to dual representation of both an organization and the directors, officers, employees, members, shareholder or other constituents), RPC 1.15(a)

(failure to properly safeguard the property of a client or third person), and RPC 1.15(b) (failure to promptly notify a client or third party upon receipt of funds in which they have an interest). Steven J. Zweig appeared before the DRB for the OAE and Colleen L. Burden handled the matter at the Supreme Court stage. Robert B. Hille represented the respondent.

Hercules Pappas – Suspended for one year, effective April 11, 2022 (250 N.J. 118), for respondent’s violations of RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions), RPC 1.15(b) (failure to promptly deliver funds to the client or a third party), RPC 1.16(d) (failure to protect the client’s interests upon termination of the representation and to refund the unearned portion of a fee), RPC 3.2 (failure to expedite litigation), RPC 3.3(a)(1) (false statement to a tribunal), RPC 3.4(c) (failure to comply with a court order), and RPC 8.1(b) (failing to cooperate with disciplinary authorities) on a reciprocal matter from the Commonwealth of Pennsylvania. Respondent was represented by Marc Garfinkle before the DRB and by William J. Popovich, Jr. at the Supreme Court, who filed a petition for review on respondent’s behalf. HoeChin Kim represented the OAE in opposing the petition, which the Court denied. Respondent was previously disciplined: Admonished in 2019.

Milan K. Patel – Disbarred on September 23, 2022 (252 N.J. 62) on a motion for final discipline based on respondent's conviction in the United States District Court for the District of Massachusetts of conspiracy to commit securities fraud, in violation of 18 U.S.C. §371, and securities fraud, in violation of 15 U.S.C. §§78j (b) and 78ff, conduct in violation of RPC 8.4(b) (committing a criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects), and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation). Michael S. Fogler represented the OAE before the Supreme Court and respondent failed to appear.

Richard J. Pepsny – Suspended for three months on July 14, 2022 (effective August 15, 2022), (N.J.) for violations of RPC 1.7(a)(2) (conflict of interest); RPC 1.8(a) (prohibited business transaction with a client); and RPC 1.15(a) (misappropriation of escrow

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funds). Hillary Horton represented the OAE before the DRB and John A. Zohlman, III represented respondent.

Angelo M. Perrucci - Disbarred on January 20, 2022, (249 N.J. 507) following his conviction in the United States District Court for the Eastern District of Pennsylvania of five counts of felony wire fraud, in violation of 18 U.S.C. §1343, conduct in violation of RPC 1.15(a) and the principles of In re Wilson, 81 N.J. 451 (1979), and In re Hollendonner, 102 N.J. 21 (1985) (knowingly misappropriating client or escrow funds); RPC 1.15(b) (failing to promptly deliver funds to client or a third party); RPC 1.15(c) (failing to keep separate funds in which the attorney and a third party claim an interest); RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects); and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation). Lauren Martinez represented the OAE on a motion for final discipline and respondent failed to appear.

A. Charles Peruto, Jr. – Censured on June 23, 2022 (___ N.J. ___) for violations of RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information), RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), RPC 5.1(b) and (c) (failure to supervise a subordinate lawyer), RPC 1.15(b) (failure to promptly deliver to the client any funds or other property that the client is entitled to receive), RPC 1.16(c) (failure to comply with applicable law requiring notice to or permission of a tribunal when terminating a representation), and RPC 1.16(d) (failure to protect a client's interests on termination of representation and to refund the unearned portion of the fee). Thomas McKay III represented the District IV Ethics Committee before the DRB, and respondent was represented by Kenneth D. Aita. Respondent filed a petition for review with the Court, which was denied.

John J. Pisano - Admonished on October 27, 2022, (___ N.J. ___) for violating RPC 1.5(b) (failure to set forth in writing the basis or rate of the legal fee) and RPC 1.7(a) (2) (concurrent conflict of interest). Timothy J. McNamara represented the OAE and Joseph J. Benedict represented respondent on a motion for discipline by consent granted by the DRB.

Bruce M. Resnick - Censured on January 11, 2022, (249 N.J. 421) for violating RPC 1.5(a) (fee overreaching), RPC 1.15(a) (failure to safeguard client funds), and RPC 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6). Timothy J. McNamara represented the OAE and Mark S. Cherry represented respondent on a motion for discipline by consent granted by the DRB. The respondent was previously disciplined: Reprimanded in 2015. This matter was discovered solely as a result of the Random Audit Program.

Jason Edward Rheinstein – Suspended for one year on June 8, 2022 (___ N.J. ___) for violating RPC 1.1(a) (gross neglect); RPC 3.1 (asserting an issue with no basis in law or fact); RPC 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal); RPC 3.4(e) (alluding to matters that are not relevant or supported by admissible evidence); RPC 4.4(a) (engaging in conduct that has no substantial purpose other than to embarrass, delay, or burden a third person); RPC 8.4(a) (violating or attempting to violate the RPCs); RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation); and RPC 8.4(d) (engaging in conduct that is prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se.

Robert L. Rimberg – Prohibited, on October 27, 2022, from applying for pro hac vice, plenary, or any other form of admission to practice in New Jersey, for a period of two years, (___ N.J. ___), following a motion for final discipline for his criminal conviction to knowingly operating an unlicensed money-transmitting business, contrary to 18 U.S.C. § 1960. Hillary Horton represented the OAE and Respondent was pro se.

Wolfgang G. Robinson – Reprimanded on a certified record on March 25, 2022 (250 N.J. 187) for violating RPC 1.1(a)(gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about the representation), RPC 1.15(b) (failure to promptly deliver to the client or third person any funds the client or third person is entitled to receive), and RPC 8.1(b) (failure to cooperate with disciplinary authorities). HoeChin Kim represented the OAE and respondent was pro se.

Angeles Roca - Suspended for one year from applying for readmission to the bar of this State or being admitted pro hac vice or any other manner by order dated May 16, 2022 (250 N.J. 512) for violating RPC

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3.5(a) (seeking to influence a judge, juror, prospective juror, or other official by means prohibited by law), RPC 8.3(b) (duty of a lawyer to inform the appropriate authorities where she knows that a judge has committed violations of applicable rules of judicial conduct that raise a substantial question as to the judge's fitness for office), RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), RPC 8.4(d) (conduct prejudicial to the administration of justice), and RPC 8.4(f) (knowingly assisting a judge or judicial officer in conduct that is in violation of applicable rules of judicial conduct or other law). Respondent's license to practice New Jersey law was administratively revoked pursuant to Rule 1:28-2(c) on September 24, 2012. Ryan J. Moriarty represented the OAE on a motion for reciprocal discipline granted by the DRB and respondent was represented by Marc D. Garfinkle.

Wayne Robert Rohde – Suspended for six months on October 11, 2022 (N.J.), for violating RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects). Hillary Horton represented the OAE before the DRB and respondent was pro se.

Curtis J. Romanowski - Reprimanded on December 14, 2022 (252 N.J. 415) for violating RPC 3.2 (failure to treat client with courtesy and consideration). Richard Galex represented the District VIII Ethics Committee and respondent was pro se. The respondent was previously disciplined: Admonished in 2020.

Thomas Carmen Rossell – Censured on May 16, 2022 (250 N.J. 515) for violating RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with client); RPC 3.3(a)(1) (false statement of material fact to tribunal); RPC 8.1.(b) (failure to cooperate with disciplinary authorities); and RPC 8.4(c) (conduct involving fraud, dishonesty, deceit, or misrepresentation). Matthew W. Ritter represented District I before the DRB and Eugene A. Racz and Lauren Martinez represented the OAE on respondent's Petition for Review before the Supreme Court. Robert E. Ramsey represented respondent.

Jonathan S. Rudnick – Reprimanded on March 25, 2022 (N.J.) for violating RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to keep a client reasonably informed about the status of a matter and to comply with reasonable requests for information); RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); and

RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). John R. Tatulli represented District IX before the DRB and Charles J. Uliano represented respondent.

Scott A. Rumizen – Prohibited from applying for readmission for a period of two years and from being admitted pro hac vice or in any other manner in New Jersey effective May 10, 2022 (250 N.J. 486). Respondent was disciplined in the State of Ohio for unethical conduct that in New Jersey constitutes violations of RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). Colleen L. Burden represented the OAE and respondent was pro se.

Lanhi Saldana - Disbarred by consent on December 29, 2022 (252 N.J. 431) for respondent's knowing misappropriation of funds and recordkeeping violations. Rachael Weeks represented the OAE and Marc Citron represented the respondent.

George R. Saponaro – Suspended for one year, on January 4, 2022, on the certified record of three matters (249 N.J. 352) for violations of RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information), RPC 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation), RPC 1.5(b) (failure to communicate in writing to the client the basis or rate of fee), RPC 1.16(d) (failure to take steps reasonably necessary to protect the interests of the client upon termination of representation), and RPC 8.1(b) (failing to cooperate with disciplinary authorities). The Court ordered that respondent return a \$2000 fee in the Block matter within sixty days of the filing of the Order. The Court further ordered that respondent provide proof of his fitness to practice law prior to any reinstatement. HoeChin Kim appeared for the OAE before the Supreme Court and respondent failed to appear. Respondent has been suspended effective January 6, 2020, for failure to comply with a fee arbitration award.

George S. Saponaro – Censured on a certified record on June 30, 2022 (N.J.) for violating RPC 8.1(b) (failure to cooperate with disciplinary authorities); and RPC 8.4(d) (conduct prejudicial to the administration of justice) by failing to file the mandated R. 1:20-20 affidavit. Hillary Horton represented the OAE and

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respondent was pro se. Respondent was previously disciplined: Suspended for one year in 2022.

Darryl M. Saunders – Reprimanded on September 15, 2022, (___N.J.___) on a certified record, for violating RPC 8.1(b) (failure to cooperate with disciplinary authorities) and RPC 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se. The respondent was previously disciplined: Suspended for three months in 2021.

David Thomas Schlendorf – Disbarred by consent on December 29, 2022, (252 N.J. 430) Respondent acknowledged that he knowingly misappropriated client trust funds, and that if he went to a hearing on that matter, he could not successfully defend himself against those charges. Darrell M. Felsenstein represented the OAE and Ioana L. Enescu represented the respondent. The respondent was previously disciplined: Admonished in 2018.

Michael R. Shapiro – Disbarred by consent on February 15, 2022, (250 N.J. 20) following his criminal conviction for one count second-degree felony unlawful contact with a minor, contrary to 18 Pa. § 3125(a)(8) (count one); one count second-degree felony criminal solicitation of a person less than 16 years of age, contrary to 18 Pa. § 3125(a)(8) (count two); two counts of third-degree felony unlawful contact with a minor, contrary to 18 Pa. § 6318(a)(1) (count three and count four); and third-degree felony criminal use of communication facility, contrary to 18 Pa. § 7512(a) (count five). Hillary Horton represented the OAE and respondent was pro se.

Stanley Sherer - Reprimanded on March 14, 2022 (250 N.J. 151) for violating RPC 1.15(a) (commingling of funds; failure to safeguard client funds and the funds of third parties; and negligent misappropriation), RPC 1.15(b) (failure to deliver to client or third person any funds the client or third person is entitled to receive), RPC 1.15(d) (failure to comply with recordkeeping requirements), and RPC 8.1(b) (failure to cooperate with disciplinary authorities) Amanda Figland represented the OAE before the DRB and David Waldman represented the respondent. This matter was discovered solely as a result of the RAP

Brian J. Smith – Suspended for one year on February 11, 2022, effective March 7, 2022, (250 N.J. 44) for violating RPC 1.15 (d) (failing to comply with the recordkeeping provisions of Rule 1:21-6); RPC 3.1 (engaging in frivolous litigation); RPC 3.4 (c) (disobeying obligation under the rules of a

tribunal); RPC 4.4 (a) (engaging in conduct that has no substantial purpose other than to embarrass, delay or burden a third person); RPC 8.1 (b) (failing to cooperate with disciplinary authorities); and RPC 8.4 (d) (conduct prejudicial to the administration of justice). Colleen L. Burden represented the OAE and respondent was pro se.

Brian J. Smith – Suspended for six months on September 23, 2022, effective March 7, 2023, on a certified record, pending compliance with the conditions of the Order filed February 11, 2022 (252 N.J. 64) for mishandling a client matter that resulted in a default judgment of \$627,905 entered against the client. The client was required to retain new counsel, who successfully moved to vacate the judgment and reinstate the client's answer. Respondent violated RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep client reasonably informed about the status of a matter), RPC 1.16(a)(1) (failure to withdraw from representation if the representation will result in a violation of the RPCs or other law), RPC 3.4(d) (failure to comply with discovery requests), RPC 5.5(a)(1) (unauthorized practice of law), and RPC 8.1(b) (failure to cooperate with disciplinary authorities). Daniel Harrington represented the District IV Ethics Committee, and respondent was pro se. The respondent was previously disciplined: One-year suspension in 2022.

Royce W. Smith – Censured on May 23, 2022 (___N.J.___) for violating RPC 1.1(a) (gross neglect); RPC 1.5 (unreasonable fee); RPC 1.15(a) (neglect misappropriation of client funds); RPC 1.15(d) (failure to provide with recordkeeping provisions of Rule 1:21-6) and Rule 1:21-6 (recordkeeping requirements). Ryan J. Moriarty and Hillary Horton represented the OAE and Kim D. Ringler represented the respondent.

Marc A. Spielberg – Reprimanded on a certified record, on June 30, 2022 for violating RPC 1.4(b) (failure to communicate with client), RPC 1.15(b) (failure to promptly deliver to client or third person any funds the client or third person is entitled to receive), RPC 1.15(d) (failure to comply with attorney recordkeeping requirements), and RPC 8.1 (b) (failure to cooperate with disciplinary authorities). Amanda Figland represented the OAE and respondent was pro se.

Robert James Stack – Reprimanded on September 14, 2022 (___N.J.___) for violating RPC 8.1(b) (failure

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to cooperate with disciplinary authorities); and RPC 8.4(d) (conduct prejudicial to the administration of justice. Hillary Horton represented the OAE and respondent was pro se. The respondent was previously disciplined: Admonished in 2019; and temporarily suspended in 2020 for non-cooperation with a disciplinary investigation.

David C. Steinmetz - Reprimanded on June 24, 2022 (251 N.J. 216) on a disciplinary stipulation for violating RPC 1.15(a) (negligent misappropriation of client funds and commingling of funds), RPC 1.15(d) (failure to comply with the recordkeeping requirements of Rule 1:21-6). Amanda Figland represented the OAE and Timothy Wedeen represented the respondent. This matter was discovered solely as a result of the RAP.

Ana Ramona Tolentino - Disbarred on March 11, 2022 (250 N.J. 110) for violating RPC 1.15(a) and the principles of In re Wilson, 81 N.J. 451 (1979) and In re Hollendonner, 102 N.J. 21 (1985) (knowing misappropriation of client and escrow funds; failure to safeguard property belonging to a client or a third party), RPC 1.15(b) (failure to promptly disburse funds), RPC 1.15(d) (recordkeeping violations), RPC 8.1(a) (making a false statement in connection with a disciplinary matter), and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation). Amanda Figland appeared before the Supreme Court for the OAE and respondent was pro se.

Joseph Vaccaro - Suspended for six months on a certified record on May 18, 2022, effective June 16, 2022, (___ N.J. ___) for violating RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with client), RPC 8.1(b) (failure to cooperate with disciplinary authorities) and RPC 8.4(c) (conducting involving dishonesty, fraud, deceit or misrepresentation). Ryan J. Moriarty represented the OAE and Respondent was pro se. The respondent was previously disciplined: Censured in 2020 and reprimanded in 2021.

Richard Joseph Vapnar – Censured on January 31, 2022 (249 N.J. 536) for knowingly violating RPC 8.1 (b) (failure to cooperate with disciplinary authorities); and RPC 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se. The respondent was previously disciplined: Suspended for one year in 2019.

Leah A. Vassallo – Admonished on May 11, 2022 (250 N.J. 517) for violating RPC 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal) and RPC 5.5(a)(1) (engaging in the unauthorized practice of law) by practicing law while ineligible to do so for the periods of September 28, 2009, to September 15, 2010; September 26, 2011, to October 2, 2012; October 21, 2011, to July 23, 2013; and September 12, 2016, to September 15, 2016. The DRB had a split decision of four members for a reprimand and four members for an admonition. The Court determined an admonition was the appropriate quantum of discipline. Anne E. Walters represented the District IV Ethics Committee and Katie B. Coleman represented respondent.

Dionne Larrel Wade - Disbarred on June 7, 2022 (250 N.J. 581) for knowing misappropriation of client funds. In a published opinion, the Court declined to adopt an interpretation of In re Wilson, 81 N.J. 451 (1979), that would require a finding of an intent to steal or defraud, as advocated by amicus curiae New Jersey State Bar Association. The Court determined, however, to convene a committee composed of lawyers and non-lawyers to review whether reinstatement from disbarment should be implemented in New Jersey, as well as the parameters therefor, if so recommended. Prior to adoption of any Rule change, the Court noted it would make available the committee's report for comment to ensure the principles at the heart of the Wilson rule (how best to protect the public and maintain confidence in the legal profession) are promoted. HoeChin Kim appeared before the Supreme Court for the OAE, Donald M. Lomurro represented the respondent, and Robert B. Hille appeared for the NJSBA. This matter was discovered solely as a result of the RAP.

Robert A. Wills – Admonished on October 24, 2022 (Unreported) for violation of RPC 1.1(a) (gross neglect); RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with a client); and RPC 1.4(c) (failure to explain a matter to a client to the extent reasonably necessary) in connection with his representation of the sellers of a residential property. Edward N. Testino represented the District VIII Ethics Committee and respondent appeared pro se.

William M. Witherspoon – Censured on a certified record on January 31, 2022 (249 N.J. 537) for violations of RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to communicate with the client), and RPC

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8.1(b) (two instances – failure to cooperate with disciplinary authorities). Abigale M. Stolfe handled the matter for District IIIA and respondent failed to appear.

Matthew W. Woitkowski - Suspended for three months on September 12, 2022, effective October 11, 2022 (252 N.J. 41) for violations of RPC 1.5 (b) (failure to set forth in writing the basis or rate of the fee), RPC 1.8 (a) (improper business transaction with a client), RPC 1.15 (a) (negligent misappropriation of funds), RPC 1.15 (b) (failure to promptly deliver to client or third person any funds the client or third person is entitled to receive), RPC 1.15 (d) (failure to comply with recordkeeping requirements), and RPC 8.4 (c) (conduct involving

dishonesty, fraud, deceit, or misrepresentation. Colleen L. Burden appeared before the DRB for the OAE and Glenn R. Reiser appeared on behalf of respondent. This matter was discovered solely as a result of the Trust Overdraft Notification Agreement.

Joel S. Ziegler – Reprimanded on September 15, 2022, (___N.J.___), on a certified record, for violating RPC 8.1(b) (failure to cooperate with disciplinary authorities) and RPC 8.4(d) (conduct prejudicial to the administration of justice). Hillary Horton represented the OAE and respondent was pro se. Respondent was previously disciplined: Reprimanded in 2009 and suspended for three months in 2020.