

*Disciplinary Review Board
of the
Supreme Court of New Jersey*

Annual Report

January 1, 2023 – December 31, 2023

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

It is my pleasure to present to the Supreme Court the 2023 Annual Report of the Disciplinary Review Board (the Board).

In 2023, the Board resolved 273 matters, transmitted to the Court 121 decisions in disciplinary cases, and docketed 282 new cases for adjudication. Additionally, the Office of Board Counsel (the OBC) collected \$273,441.01 in disciplinary costs assessed against attorneys. Moreover, to increase access to Supreme Court and Board disciplinary precedent, the OBC coordinated the addition of New Jersey disciplinary decisions, opinions, and Orders to the Lexis online legal research platform.

As we move forward into 2024, the Board expresses its sincere gratitude to its prior Chair, the Honorable Maurice J. Gallipoli, A.J.S.C. (Ret.), who served for twelve years on the Board, in multiple roles. The Board will continue to honor its important mission, providing objective and expeditious decisions intended to safeguard the interests of both the New Jersey bar and public. The OBC will support the Board in this endeavor while incorporating and utilizing rapidly evolving technology to continue to achieve the goals of the Supreme Court and the Disciplinary Oversight Committee.

Respectfully submitted,

/s/ Timothy M. Ellis

Timothy M. Ellis
Chief Counsel

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THE HISTORY OF THE BOARD

The Disciplinary Review Board (the Board) serves as the intermediate appellate level of New Jersey’s attorney regulatory and disciplinary system. The Office of Attorney Ethics (the OAE) exercises statewide jurisdiction over complex and emergent matters while overseeing district ethics committees who investigate, prosecute, and recommend discipline in most disciplinary matters. In certain cases, the Supreme Court appoints special ethics adjudicators to hear disciplinary matters.

The Board reviews all recommendations for discipline from the districts and from special ethics adjudicators. The Board’s decisions are final in all cases, subject to the Supreme Court’s confirming Order, except for those decisions recommending disbarment. The Board’s determinations of both appeals from dismissals of ethics grievances and appeals from Fee Arbitration Committee rulings are final.

The Supreme Court created the Board in 1978 and the Office of Board Counsel (the OBC) in 1984. In mid-1994, the Supreme Court eliminated all private discipline and made public all disciplinary proceedings subsequent to the filing and service of a formal ethics complaint.

As part of the attorney regulatory and disciplinary system, the Board is funded exclusively by the annual assessments paid by all New Jersey attorneys. In 2023, New Jersey attorneys admitted in their fifth to forty-ninth year of practice were assessed \$239 to fund various components of the disciplinary system. Attorneys in their third and fourth years of practice were assessed \$210. Attorneys in their second year of admission were assessed \$35. Attorneys in their first year of admission and attorneys practicing fifty or more years were not charged a fee.

All Board members are volunteers. However, the OBC staff is professional. The 2023 budget for the disciplinary system, as approved by the Supreme Court, allocated \$2,925,240 to cover salaries and benefits for OBC employees and an additional \$223,100 to cover the Board’s operating costs.

THE BOARD’S FUNCTIONS

The Board reviews disciplinary and fee cases de novo on the record, with oral argument at the Board’s discretion. The Board’s practice is to hear oral argument on all cases in which a district ethics committee¹ or a special ethics adjudicator issues a report recommending discipline greater than an admonition. On occasion, the Board will remand a matter for further proceedings.

In addition to discipline, the Board may impose certain conditions or restrictions upon an attorney’s continued practice of law, such as proctorship; course requirements; proof of fitness certified by a medical doctor; periodic submissions of trust account reconciliations; periodic audits of trust account records; disgorgement of unearned fees; establishment or continuation of psychological/substance abuse treatment; the requirement that an attorney practice under the supervision of another attorney; and, occasionally, community service.

In matters where the Board recommends disbarment, the Supreme Court schedules an Order to Show Cause before it. In all other instances, the Board’s determination that discipline is warranted is deemed final, subject to the attorney’s or the OAE’s right to file a petition for review prior to the Supreme Court’s entry of a conforming Order. Occasionally, the Supreme Court, on its own motion, schedules oral argument in non-disbarment cases.

When a trier of fact recommends an admonition, the Board reviews the matter on the written record, without oral argument. If an admonition is appropriate, the Board issues a letter of admonition without Supreme Court review. Alternatively, the Board may schedule the matter for oral argument, if it appears that greater discipline is warranted, or may dismiss the complaint. R. 1:20-15(f)(3) allows the Board to issue a letter of admonition, without Supreme Court review, in those cases where a district ethics committee or a special adjudicator recommends a reprimand, but the Board determines that an admonition is the more appropriate form of discipline.

When an attorney has been convicted of a crime or has been disciplined in another jurisdiction, the OAE may file with the Board a Motion for Final Discipline (R. 1:20-13(c)) or a Motion for Reciprocal Discipline (R. 1:20-14), respectively. Following receipt of briefs, holding oral argument, and the

¹ References to district ethics committees include the Committee on Attorney Advertising, which may consider “ethics grievances alleging unethical conduct with respect to advertisements and other related communications” R. 1:19A-4(a).

completion of the Board's deliberations, the OBC files the Board's decision with the Supreme Court.

Pursuant to R. 1:20-10, motions for discipline by consent are filed directly with the Board, without a hearing. Discipline by consent is not plea bargaining, which is not permitted in disciplinary matters. In such motions, the parties stipulate to the unethical conduct, the specific Rules of Professional Conduct violated, and the level of discipline supported by precedent. Following the Board's review of the motion on the written record, it may either grant the motion and file a letter decision with the Supreme Court or deny the motion and remand the case to the district ethics committee or to the OAE for further proceedings.

If an attorney fails to timely file a verified answer to a formal ethics complaint, the district ethics committee or the OAE certifies the record directly to the Board for the imposition of discipline. R. 1:20-4(f)(2). The Board treats the matter as a default. If the attorney files a motion to vacate the default, the Board will review the motion simultaneously with the default case. If the Board vacates the default, the matter is remanded to the district ethics committee or to the OAE for further proceedings. Otherwise, the Board will proceed with the review of the case, deeming the allegations of the complaint admitted. R. 1:20-4(f)(1). Thereafter, a decision is filed with the Supreme Court.

A disciplinary matter may also come to the Board in the form of a disciplinary stipulation. In these cases, the attorney and the ethics investigator jointly submit a statement of the attorney's conduct and a stipulation specifying the Rules of Professional Conduct that were violated. The Board may accept the stipulation and impose discipline by way of formal decision filed with the Supreme Court, or it may reject it and remand the matter either for a hearing or for other appropriate resolution.

In addition, the Board reviews cases, pursuant to R. 1:20-6(c)(1), in which the pleadings do not raise genuine disputes of material fact, the attorney does not request to be heard in mitigation, and the presenter does not request to be heard in aggravation. In those cases, the Board reviews the pleadings and a statement of procedural history in determining the appropriate discipline to be imposed.

The Board also reviews direct appeals from grievants who claim that an ethics investigator improperly dismissed their grievance after an investigation, or improperly dismissed their complaint after a hearing, and from parties (both

clients and attorneys) to fee arbitration proceedings who contend that at least one of the four grounds for appeal set out in R. 1:20A-3(c) exists.

The Board reviews petitions for reinstatement, pursuant to R. 1:20-21, filed by attorneys who have been suspended from the practice of law by the Supreme Court. Typically, the Board considers these petitions without the need for oral argument and issues a recommendation to the Supreme Court regarding whether the attorney should be reinstated to the practice of law.

Further, the Board reviews requests for the release of confidential documents in connection with a disciplinary matter, pursuant to R. 1:20-9, and requests for protective orders to prohibit the release of specific information. The Board also evaluates R. 1:20-12(b) motions for medical examination, as well as motions for reciprocal disability inactive status. Finally, the Board considers motions for temporary suspension filed by the OAE, in accordance with R. 1:20-15(k), following an attorney's failure to comply with a fee arbitration determination or a stipulation of settlement. In those cases, the Board recommends to the Supreme Court whether the attorney should be temporarily suspended until the fee and any monetary sanction imposed are satisfied.

THE BOARD'S MEMBERSHIP

The Board is composed of nine members appointed by the Supreme Court who serve, without compensation, for a maximum of twelve years (four three-year appointments). Three appointees are nonlawyer, public members; one member is customarily a retired judge of the Appellate Division or of the Superior Court; and the remaining five members are attorneys. In 2023, the Board was chaired by Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.), and Peter J. Boyer, Esq., served as Vice-Chair. The Supreme Court designated that the Chair and Vice-Chair continue to serve for terms lasting through March 31, 2024.

Chair, Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.)

Maurice J. Gallipoli was appointed to the Board in 2012 to fill the unexpired term of Judge Reginald Stanton and then to a full term in his own right thereafter. He served in the judiciary for 25 years, from 1987 to 2012, when he reached the mandatory retirement age for Superior Court judges. He served as the Presiding Judge, Civil Part, Hudson County for many years and was the Assignment Judge for the Hudson vicinage for the last eight years of his judicial service. He currently is associated with the firm of Porzio, Bromberg & Newman, P.C., in Morristown, in an "of counsel" capacity.

Vice-Chair, Peter J. Boyer, Esq.

Peter J. Boyer was appointed to the Board in 2015. He previously served as a member, Vice-Chair, and Chair of the District IV Ethics Committee, and presently serves as a member of the American Law Institute and of the Business Torts and Unfair Competition Committee of the Section of Litigation of the American Bar Association. Mr. Boyer regularly lectures on the topic of Ethics and Professional Responsibility. Mr. Boyer concentrated his practice on commercial and business litigation matters and pre-litigation counseling with respect to commercial disputes, most recently as a partner at Hyland Levin Shapiro, LLP. He is a graduate of the University of Pennsylvania and the Georgetown University Law Center, where he served as an editor of the American Criminal Law Review.

Jorge A. Campelo

Jorge A. Campelo was appointed to the Board in 2021. He previously served as a public member on the District IX Fee Arbitration Committee. Mr. Campelo is the owner and operator of BRISA Financial Services. The firm focuses on accounting, taxation, and management consulting for business and individual clients worldwide. He was previously a Director of Private Banking at American Express Company and Professor of accounting and business policy at Saint Peter's College/American Institute of Banking. Mr. Campelo is a graduate of Saint John's University (M.B.A.) and S.U.N.Y. Fredonia (B.S.), and is an E.A. and P.M.P.

Thomas J. Hoberman, CPA

Thomas J. Hoberman, CPA/ABV/CFF, was appointed to the Board in November 2013. A graduate of the University of Maryland, Mr. Hoberman is the partner in charge of the Forensic and Valuation Services Department at the advisory, tax, and audit firm WithumSmith+Brown.

Regina Waynes Joseph, Esq.

Regina Waynes Joseph is a solo practitioner at Regina Waynes Joseph Attorney at Law. Her practice concentrates in labor and employment related litigation; corporate; not for profit; civil rights; and entertainment law. Ms. Joseph also is an Arbitrator for FINRA and other panels, Certified Federal Mediator, U.S. District Court of New Jersey, and Civil Mediator, Superior Court of New Jersey. Ms. Joseph was appointed to the Board in 2018, after serving as a member of the District VC Ethics Committee; member, Vice-Chair, and Chair of the District VC Fee Arbitration Committee; member of the Supreme Court

Committee on Complementary Dispute Resolution; and member of the Supreme Court Committee on Minority Concerns. She is a past President of the Garden State Bar Association and previously served as a member of the Board of Governors of the National Bar Association. Ms. Joseph received her B.A. from the College of Mount Saint Vincent, M.A. from Columbia University, and J.D. from Rutgers University School of Law – Newark.

Steven L. Menaker, Esq.

Steven L. Menaker is a partner at Chasan Lamparello Mallon & Cappuzzo, PC in Secaucus. He was appointed to the Board in 2021. For almost two decades, he has been certified by the Supreme Court of New Jersey as a Civil Trial Attorney and concentrates his practice in business, commercial, and professional liability litigation. Mr. Menaker served as a member, Vice Chair, and Chair of the District VI Ethics Committee, on the Supreme Court Advisory Committee on Professional Ethics, as Chair of the New Jersey State Bar Association Ethics Diversionary Committee, and as Chair of the Hudson County Bar Association Professionalism Committee. He is a graduate of Brooklyn College (City University of New York) and Rutgers University School of Law – Newark.

Peter Petrou, Esq.

Peter Petrou was appointed to the Board in April 2019, following previous appointments as a special ethics adjudicator, a member of the Unauthorized Practice of Law Committee, and a member and former Chair of the District X Ethics Committee. Upon graduation from Duke Law School, where he was a member of the Duke Law Review, Mr. Petrou clerked for the Honorable Leo Yanoff, J.S.C. Mr. Petrou primarily practiced in the area of complex commercial litigation and commercial transactions. He also served as a court-appointed mediator and arbitrator for commercial disputes. His clients included many approved private schools for the developmentally disabled, leading to his current position as the Executive Director of ECLC of New Jersey, with administrative responsibility for its receiving schools, adult day programs, and agency providing job placement, supported employment, and support coordination services.

Eileen Rivera

Eileen Rivera was appointed to the Board in June 2014. A Rutgers University – Newark graduate, she is a career social worker who was employed in the Juvenile Justice system prior to her retirement. Prior to her appointment to the Board, Ms. Rivera was a member of the District VB Ethics Committee, for four years, serving as its designated public member.

Lisa J. Rodriguez, Esq.

Lisa Rodriguez is Counsel at Dilworth Paxson LLP. She joined the Board in 2023. Her law firm practice concentrates on complex litigation in the areas of securities fraud, antitrust, intellectual property, and consumer litigation. Ms. Rodriguez is a trustee of the Board of Governors of the Bar Association of the Third Circuit and is a member of the Lawyers Advisory Committee of the U.S. District Court for the District of New Jersey. She is a past president of the Association of the Federal Bar of New Jersey and a past Chair of the New Jersey Lawyers' Fund for Client Protection. She is a graduate of the George Washington University Law School.

THE OFFICE OF BOARD COUNSEL

The OBC is responsible for all administrative aspects of the Board, including docketing; case processing; calendaring; distribution of all decisions; and records retention. Additionally, the OBC acts as a cost assessment and collection agency by invoicing disciplined attorneys for administrative and actual costs, recording payments, and enforcing assessments by filing judgments and seeking temporary suspensions for non-payment when applicable. Moreover, the OBC functions as in-house counsel to the Board, providing legal research, memoranda, and advising on all matters adjudicated by the Board.

Since 1991, the OBC has furnished pre-hearing memoranda to the Board in serious disciplinary cases, motions for consent to discipline greater than an admonition, and matters (such as defaults) containing novel legal or factual issues. To provide greater assistance to the Board's case review function, this policy was modified. In mid-2003, the OBC began supplying the Board with memoranda on all matters scheduled for consideration, except motions for temporary suspension. These extremely detailed memoranda set out the facts relevant to the issues raised; the applicable law; a pertinent analysis of both; and a recommendation regarding the appropriate quantum of discipline, if any, to be imposed.

In 2023, the OBC was allotted nine attorneys (Chief Counsel, First Assistant Board Counsel, Deputy Counsel, and six staff attorneys) and seven administrative support staff members. In October, the Supreme Court appointed Timothy M. Ellis as Chief Counsel. In November, Nicole M. Acchione was selected as Acting First Assistant Counsel. Additionally, one Attorney 1 was

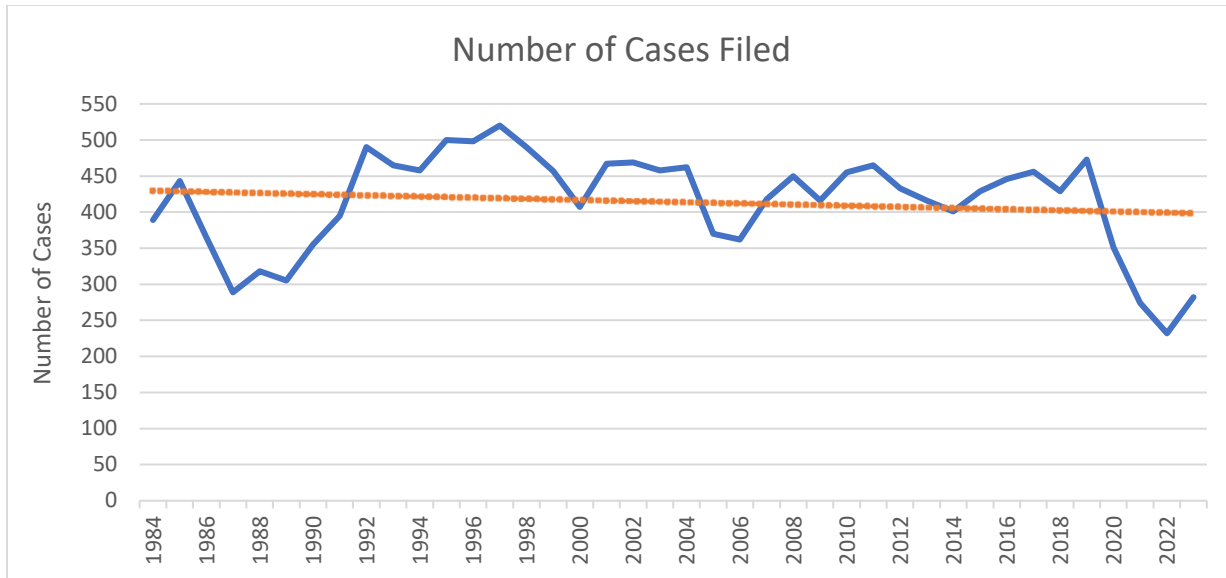
promoted to an Attorney 2 role, and one Attorney 1 departed for a promotional opportunity. Afterwards, the two Attorney 1 vacancies were filled. The long standing vacant secretarial roles were not occupied. Instead, administrative titles within the office were restructured to accurately reflect the functions and the roles within the office. One Administrative Specialist 1 and an Administrative Specialist 2 position were newly created and retained. The Court Services Officer 1 (CSO1) in the office received an advancement to the Supreme Court Clerk's office and a new CSO1 joined the office in December.

THE BOARD'S CASELOAD

The Board carried seventy-two matters into January 2023, twelve fewer than it carried into 2022. See Figure 1. By December 31, 2023, all matters continued from the previous year had been resolved.

Eighty-one matters were pending on December 31, 2023: eight (9.9%) presentments; three (3.7%) stipulations; fifteen (18.5%) defaults; one (1.2%) admonition; five (6.2%) motions for discipline by consent; three (3.7%) motions for final discipline; four (4.9%) motions for reciprocal discipline; thirty-one (38.3%) fee and ethics appeals; one (1.2%) subpoena; two (2.5%) motions to suspend for fee arbitration enforcements; three (3.7%) R. 1:20-7(J) matters; and five (6.2%) R. 1:20-6(C)(1) matters. See Figures 1 and 2. Figure 3 provides a graphic representation of the pending Board caseload at the close of 2023, compared to year-end pending caseloads for 2017 through 2022.

During calendar year 2023, the OBC docketed 282 matters for review before the Board, fifty more than the previous year. The number of matters being docketed are expected to continue to increase and stabilize in 2024.



In all, the Board resolved 273 of the 354 matters carried into or docketed during calendar year 2023, a disposition rate of 77%, the same as 2022. Figure 4 compares the Board’s disposition rates from 2017 to 2023.

In 1995, the Court set specific timeframes for disposition of matters at all levels of the disciplinary system. Pursuant to R. 1:20-8(c), recommendations for discipline are to be resolved within six months of the docket date, and all ethics and fee arbitration appeals have a three-month set timeframe. See Figure 5. In 2023, the Board met its time goal in 99% of disciplinary cases and in 87% of appeals.

THE BOARD’S ACTIONS

Discipline

In 2023, the Board rendered dispositions in twenty-nine presentments; nine stipulations; fifteen motions for reciprocal discipline; and thirteen motions for final discipline. The Board decided fifteen motions by consent for the imposition of discipline greater than an admonition.

Of the thirty-two defaults resolved by the Board, three were dismissed as moot; three were administratively dismissed (to correct service issues); three

were remanded by the Board by granting motions to vacate default; and one was dismissed due to the death of the attorney.

The Board reviewed eight admonition matters. Of these, four resulted in letters of admonition after review on the papers, two were treated as presentments, and two were dismissed. In addition, the Board granted one motion for imposition of admonition by consent, resulting in an Order of admonition by the Court.

The Board also reviewed and resolved nineteen motions for temporary suspension; fifteen petitions for reinstatement; one R. 1:20-6(c)(1) matter; three miscellaneous matters; one motion for reconsideration; one motion for a medical exam; twelve R. 1:20-7(J) matters; and three subpoenas.

Appeals

The Board considered eighty-six appeals in 2023 (ethics and fee combined). Of the fifty-four ethics appeals reviewed, the Board remanded seven cases (12.96%) to the district ethics committees for further action; two became presentments (3.7%); and one appeal was granted for a new investigation (1.85%).

Of the thirty-two fee appeals reviewed, the Board remanded thirteen cases (40.6%) to the district fee arbitration committees. This is an 18.1% increase over 2022's 22.5% rate.

THE SUPREME COURT'S ACTIONS

In 2023, the Supreme Court decided 102 matters, including issuing six disbarments by consent. The Court agreed with the Board's determination in 82.35% of their final Orders. In one matter, the Supreme Court determined to impose greater discipline. In fourteen matters, the Supreme Court determined to impose lesser discipline. In three matters, the Supreme Court resolved a split decision. See Figure 6.

THE COLLECTION OF ADMINISTRATIVE COSTS

Pursuant to Court Rule, the Board uniformly assesses administrative costs in all disciplinary cases, including admonitions. The Supreme Court's final Order of discipline generally includes a requirement that the attorney pay the administrative costs of the action to the Disciplinary Oversight Committee. Since the adoption of R. 1:20-17, in 1995, administrative costs have included a flat charge for basic administrative costs. Since 2004, the administrative cost has ranged from \$650 to \$2,000 per case, depending on the case type, plus disciplinary expenses actually incurred, such as payments made by the disciplinary system for transcripts, court reporter services, file reproduction costs, and other out-of-pocket expenditures.

The OBC assesses and collects costs and, in certain cases, monetary sanctions, on behalf of the Disciplinary Oversight Committee. R. 1:20-17 provides various avenues of recourse for collection when an attorney fails to pay assessed costs, including temporary suspension and entry of judgment.

During calendar year 2023, the OBC assessed disciplined attorneys a total of \$311,214.83 in 112 cases and collected \$273,441.01. The latter number represented costs that were assessed in 2021 and prior years. This amount was \$54,122.20 less than what was collected in 2022.

In 2023, the OBC filed two motions for temporary suspension against attorneys who failed to satisfy cost obligations. Fifty-six judgments were filed, totaling \$137,684.98, and payments totaling \$49,300.05 were received towards outstanding judgments. Additionally, the OBC filed four petitions for release of funds on hold with the Superior Court Trust Fund Unit.

The OBC also processes and collects payments of monetary sanctions that the Board imposes on attorneys, typically when the OAE files a motion for temporary suspension to enforce a fee arbitration award. The Board imposed ten such sanctions in 2023, totaling \$5,000. Two \$500 payments were received to satisfy two of those sanctions, totaling \$1,000 paid.

IN CONCLUSION

The OBC remains dedicated to efficiently docketing and managing cases presented before the Board, while adhering to the directives of the Court, administrative guidelines, and established legal precedents. Furthermore, the OBC is committed to seeking and implementing staffing and procedural improvements aimed at increasing efficiency and advancing the Board's mission to resolve all matters promptly and fairly under its jurisdiction. These forthcoming initiatives, coupled with the unwavering dedication of the Board, are poised to uphold public protection and preserve confidence in the legal profession in New Jersey.

APPENDIX

FIGURE 1

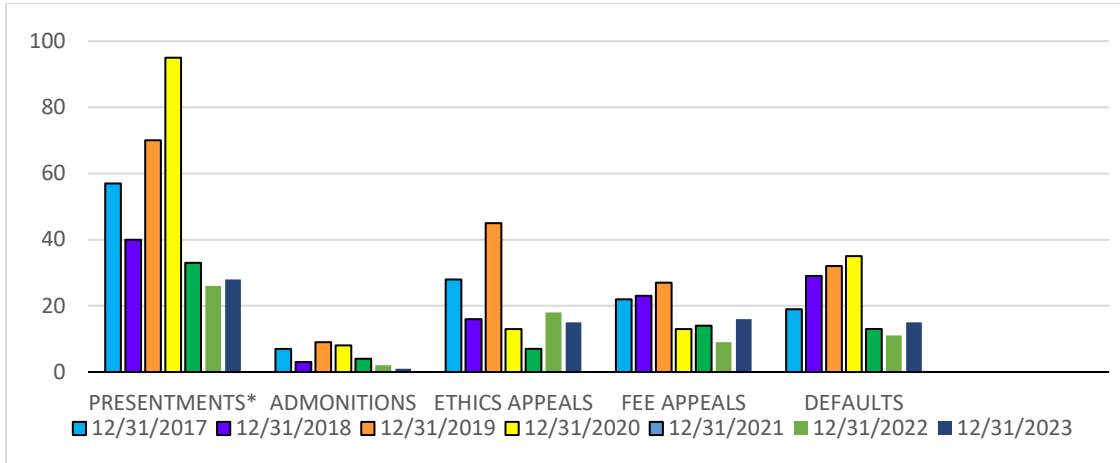
DRB ANNUAL ACTIVITY REPORT January 1, 2023 to December 31, 2023					
Case Type	Carried	Docketed	Total	Disposed	Pending
Admonition/Presentment	3	2	5	5	0
Admonition	2	7	9	8	1
Appeal/Presentment	0	2	2	1	1
Consent to Admonition	0	2	2	1	1
Consent to Discipline	4	15	19	15	4
Consent to Disbarment	0	10	10	10	0
Default	11	36	47	32	15
Ethics Appeal-Post Hearing	3	2	5	5	0
Ethics Appeal	15	49	64	49	15
Fee Appeal	9	39	48	32	16
<u>R. 1:20-7(J)</u>	0	15	15	12	3
Motion for Final Discipline	4	12	16	13	3
Motion for Medical Examination	0	1	1	1	0
Motion for Reciprocal Discipline	5	14	19	15	4
Motion for Reconsideration	1	0	1	1	0
Motion for Temporary Suspension	3	18	21	19	2
Miscellaneous	0	3	3	3	0
Petition for Restoration	2	13	15	15	0
Presentment	9	21	30	23	7
<u>R. 1:20-6(c)(1)</u>	0	6	6	1	5
Stipulation	1	11	12	9	3
Subpoena	0	4	4	3	1
Totals	72	282	354	273	81

FIGURE 2

AGE OF PENDING DRB CASES – BY CASE TYPE as of December 31, 2023				
Case Type	2023	2022	Prior	Total Pending
Admonition	1	0	0	1
Appeal/Presentment	1	0	0	1
Consent to Discipline	5	0	0	5
Default	15	0	0	15
Ethics Appeal	15	0	0	15
Fee Appeal	16	0	0	16
Motion for Final Discipline	3	0	0	3
Motion for Reciprocal Discipline	4	0	0	4
R. 1:20-7(J)	3	0	0	3
Motion for Temporary Suspension	2	0	0	2
Presentment	7	0	0	7
R. 1:20-6(c)(1)	5	0	0	5
Stipulation	3	0	0	3
Subpoena	1	0	0	1
Totals	81	0	0	81

FIGURE 3

COMPARATIVE DRB CASELOAD ANALYSIS
Pending from 12/31/2017 to 12/31/2023



* “Presentments” includes Presentments, Stipulations, Motions for Final Discipline, Motions for Reciprocal Discipline, Consents to Discipline, and R. 1:20-6(c)(1) matters.

FIGURE 4

ANNUAL DISPOSITION RATE OF DRB CASES					
2017 – 2023					
YEAR	CARRIED	DOCKETED	TOTAL	DISPOSED	DISPOSITION RATE
2017	155	456	611	473	77.4%
2018	138	428	566	451	80%
2019	116	472	588	396	67.3%
2020	194	351	545	370	68%
2021	175	272	447	364	81.4%
2022	84	232	316	244	77.2%
2023	72	282	354	273	77.2%

FIGURE 5

AVERAGE RESOLUTION TIMES FOR DRB CASES (IN MONTHS)							
<u>R.</u> 1:20-8(c)		2018	2019	2020	2021	2022	2023
Discipline:							
Presentments	6	4.6	5.9	8.8	9	5.66	5.5
MFD	6	5	7	7	9	5	4.1
MRD	6	5.6	6.9	9.3	9	4.1	4.5
Defaults	6	5.3	6.3	7.6	6.8	4.2	4.1
Consents	6	3	3.2	3.5	4.9	4.2	2.3
Stipulations	6	5.5	6	8.3	8.5	5.1	5.0
<u>R.</u> 1:20-6(c)(1)	6	5.3	7	8.3	7	3.4	5.0
Remands	6	2.7	2.8	-	-	-	-
Admonitions:							
Standard	6	2.9	3.2	4	4.7	2.8	2.4
By Consent	6	3	2.9	3.7	4.6	3.4	2.7
Appeals:							
Ethics Appeals	3	3	3	5.3	3.4	3.3	3.2
Fee Appeals	3	3.5	3.15	3.6	3.4	2.95	2.6
Other:							
MTS	-	1.7	1.4	1.9	1	1.5	1.6
Petitions to Restore	-	1.3	1	1.3	2.6	1.3	1.6

FIGURE 6

**2023 DISCIPLINE COMPARISONS
DISCIPLINARY REVIEW BOARD & NEW JERSEY SUPREME COURT**

SUPREME COURT DISCIPLINE GREATER THAN DRB DECISION		
ATTORNEY	DISCIPLINARY REVIEW BOARD DECISION	SUPREME COURT ACTION
Andrew Spark	Three-Year Suspension	Indeterminate Suspension
SUPREME COURT DISCIPLINE LESS THAN DRB DECISION		
ATTORNEY	DISCIPLINARY REVIEW BOARD DECISION	SUPREME COURT ACTION
Ulysses Isa	Six-Month Suspension	Three-Month Suspension
Edan Pinkas	Six-Month Suspension Prospective	Six-Month Suspension Retroactive
Timothy Mellwain	Three-Month Suspension	One-Month Suspension
Frances Hartman	Three-Month Suspension	Censure
Kenneth Rosellini	Three-Month Suspension	Censure
Kenneth Rosellini	Three-Month Suspension	Censure
David Gray	Three-Month Suspension	Censure
Neal Brunson	Censure	Reprimand
William Witherspoon	Censure	Reprimand
Nabil Kassem	Censure	Reprimand
Nabil Kassem	Censure	Reprimand
Stuart Cottee	Censure	Reprimand
Jon Cooper	Disbar	Dismissed as Moot
Brian Fowler	Reprimand	Dismiss
SUPREME COURT RESOLUTION OF SPLIT DECISION		
ATTORNEY	DISCIPLINARY REVIEW BOARD DECISION	SUPREME COURT ACTION
Marcy Gendel	Disbar (4); Two Year Suspension (4)	One Year Suspension
Mark Jander	Censure (4); Three-Month Suspension (4)	Censure
Ronald Thompson	Censure (4); Reprimand (4)	Censure



STUART RABNER
CHIEF JUSTICE

HEATHER JOY BAKER
CLERK OF THE SUPREME COURT

**DISCIPLINARY REVIEW BOARD
OF THE
SUPREME COURT OF NEW JERSEY**

MAURICE J. GALLIPOLI, A.J.S.C. (Ret.)
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PETER J. BOYER, ESQ.
VICE-CHAIR, DISCIPLINARY REVIEW BOARD

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THOMAS J. HOBERMAN
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STEVEN L. MENAKER, ESQ.
PETER PETROU, ESQ.
EILEEN RIVERA
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FRANCIS L. BOWDRE
SALIMA ELIZABETH BURKE
NICHOLAS LOGOTHETIS
ASSISTANT COUNSEL

ALISA H. THATCHER
AMY MELISSA YOUNG
ASSOCIATE COUNSEL