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January 16, 1997

Certified Mail - R.R.R. and Regular Mail

Joel F. Shapiro, Esq.
105 E. Union Avenue
P.O. Box 12
Bound Brook, New Jersey 08805

Re: In the Matter of Joel F. Shapiro
Docket No. DRB 96-434

LETTER OF ADMONITION BY CONSENT

Dear Mr. Shapiro:

Pursuant to R. 1:20-10, the Disciplinary Review Board reviewed the motion for discipline by consent filed by District X Ethics Committee. After a review of the record, the Board determined to grant the motion.

Specifically, in or about July 1993, Elsa Schweizer retained the law firm with which you were associated, Clark, Leonard and Honig ("the law firm") to represent her in a future matrimonial action. Following your application to relieve the law firm of its representation, the court signed an order dated June 24, 1994. At that time, Ms. Schweizer owed your law firm in excess of \$4,000 for legal fees. In June 1994, Ms. Schweizer sent you a written request for the return of her file. You did not reply to her letter. On July 19, 1994, Ms. Schweizer again requested that you return her file and personal papers. Once again, you did not comply with her request. For a third time, on September 7, 1994, Ms. Schweizer requested that her file be turned over to her. Her request went unheeded.

Following a fee arbitration hearing, as a result of which on February 10, 1995 the committee entered a decision upholding the fee sought by your firm, Ms. Schweizer one more time requested the return of her file, to no avail.

Ultimately, on or about February 24, 1995, you left the law firm to start your own law practice. At no time during your employment with the law firm did you return the file to Ms. Schweizer or recommend to your superiors that the file be turned over to her. Instead, you refused to return the file without a court order directing you to do so or without Ms. Schweizer's agreement to a lien on the equitable distribution proceeds to guarantee the payment of the legal fees to the law firm.

Your conduct was unethical and in violation of RPC 1.16(d) and ACPE Opinion 554, 115 N.J.L.J. 565 (May 16, 1985).

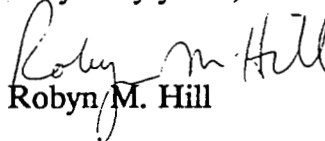
In mitigation, the Board considered your honest, but mistaken, belief that the file could not be released if the law firm hoped to preserve its attorney charging lien. The Board also noted that no harm was caused to Ms. Schweizer as a result of your conduct.

Your conduct adversely reflected not only upon you as an attorney but also upon all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R. 1:20-15(f)(4).

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, it will be taken into consideration.

The Board has also directed that the costs of the disciplinary proceedings be assessed against you. An affidavit of costs will be forwarded under separate cover.

Very truly yours,


Robyn M. Hill

/ghv

cc: Chief Justice Deborah T. Poritz
Associate Justices
Stephen W. Townsend, Clerk
Supreme Court of New Jersey
Lee M. Hymerling, Esq., Chair
Disciplinary Review Board
David E. Johnson, Jr., Esq., Director
Office of Attorney Ethics
James D. Bride, Esq., Chair
District X Ethics Committee
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District X Ethics Committee
Elsa Schweizer