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SUPREME COURT OF NEW JERSEY

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September 26, 2003

## CERTIFIED MAIL, R.R.R. & REGULAR MAIL

James D. Brady, Esq.  
11 W. Walnut Avenue  
Merchantville, NJ 08109

RE: In the Matter of James D. Brady  
Docket No. DRB 03-176  
**LETTER OF ADMONITION**

Dear Mr. Brady:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was unethical. Specifically, you represented Valerie Jackson in a personal injury matter, which resulted in an award of \$15,000. You received the funds in December 1999 and deposited them in your trust account. Jackson's outstanding medical bills totaled more than the award and you attempted to compromise them on her behalf. Due to Jackson's apparent failure to complete a necessary form, you could not make the disbursements to the medical providers. As of the date of our hearing in this matter, September 11, 2003, the \$15,000 remained in your trust account, although on that date, you filed a motion to have the funds deposited with the court. We also noted that you failed to comply with the recordkeeping requirements of R. 1:21-6 in connection with the Jackson matter.

In a second matter, you were retained by Elizabeth Ann Crepeau to handle the estate of Howard Scheckler. Although you initially performed a substantial amount of work in the matter, you failed to conclude the estate, and Crepeau retained another attorney. You failed to comply with several subsequent requests that the file be provided to new counsel. Ultimately, you turned over the file when instructed to do so in a court order entered in unrelated litigation involving an estate heir. Your conduct was improper and in violation of RPC 1.3 and RPC 1.16(d).

In both of these cases you failed to promptly conclude the matter before you. Be advised that you cannot allow cases to linger unresolved for inordinate periods of time. In imposing only an admonition, the Board considered that, with the exception of a previous diversion for conflict of interest, you have an otherwise unblemished twenty-plus-year career at the bar.

Two additional points warrant mention. You testified before the DEC that you occasionally have difficulty with your mail delivery. That situation must be resolved. In addition, on several occasions you have been declared ineligible to practice law by the New Jersey Lawyers' Fund for Client Protection for failure to pay the annual assessment to the Fund. Given the short duration of your periods of ineligibility, likely they were the result of oversights. You must pay more attention to your responsibility to make the annual payment timely to prevent further periods of ineligibility.

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,



Julianne K. DeCore  
Acting Chief Counsel

JKD/paa

- C: Chief Justice Deborah T. Poritz  
Associate Justices  
Stephen W. Townsend, Clerk, Supreme Court of New Jersey  
Mary J. Maudsley, Chair, Disciplinary Review Board  
David E. Johnson, Jr., Director, Office of Attorney Ethics  
Patricia B. Santelle, Chair, District IV Ethics Committee  
John M. Palm, Secretary, District IV Ethics Committee  
Marianne Espinosa Murphy, Esq., Respondent's Counsel  
Elizabeth Ann Crepeau, Grievant  
Valerie Jackson, Grievant