

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

MARY J. MAUDSLEY, ESQ., CHAIR
WILLIAM J. O'SHAUGHNESSY, ESQ., VICE-CHAIR
MATTHEW P. BOYLAN, ESQ.
ROBERT C. HOLMES, ESQ.
RUTH JEAN LOLLA
LOUIS PASHMAN, ESQ.
BARBARA F. SCHWARTZ
HON. REGINALD STANTON
SPENCER V. WISSINGER, III



RICHARD J. HUGHES JUSTICE COMPLEX
P. O. Box 962
TRENTON, NEW JERSEY 08625-0962
(609) 292-1011

JULIANNE K. DECORE
ACTING CHIEF COUNSEL

ELLEN A. BRODSKY
JOANN G. EYLER
ISABEL FRANK
LILLIAN LEWIN
DONA S. SEROTA-TESCHNER
COLIN T. TAMS
ASSISTANT COUNSEL

September 17, 2003

Certified Mail – R.R.R. and Regular Mail

Scott D. Liebling
Liebling & Malamut, LLC
1939 Route 70 East
P. O. Box 3836
Cherry Hill, New Jersey 08034

CORRECTED LETTER

Re: In the Matter of Scott A. Liebling
Docket No. DRB 03-182
LETTER OF ADMONITION

Dear Mr. Liebling:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, you failed to maintain your trust account records as required by R. 1:21-6, in that you failed to perform quarterly reconciliations, your trust account client ledgers lacked detail, the account designation on your trust account checks did not identify them as trust checks, and you kept inactive client balances in your trust account for extended periods of time. You thereby violated RPC 1.15(d).

The Disciplinary Review Board dismissed the charges that you violated RPC 1.15(a) and RPC 5.3(a) because there was no clear and convincing evidence that you were guilty of negligent misappropriation or that you failed to supervise your wife, who was also your office manager and bookkeeper. Rather, the evidence was that, on four occasions over a ten-week period of time, your wife issued a trust account check to you, without your knowledge, then forged your name as the drawer and as the endorser of the check. When you became aware of your wife's actions, you replenished your trust

In the Matter of Scott D. Liebling
Docket No. DRB 03-182

account with personal funds and fully cooperated with the OAE's investigation of your trust account overdraft.

With respect to your violation of RPC 1.15(d), 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 invoice of costs will be forwarded under separate cover.

Very truly yours,



Julianne K. DeCore
Acting Chief Counsel

JKD:sw

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

***Letter was corrected to reflect respondent's correct middle initial.**