

**DISCIPLINARY REVIEW BOARD**

OF THE

**SUPREME COURT OF NEW JERSEY**

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

JULIANNE K. DECORE  
CHIEF COUNSEL

ISABEL FRANK  
DEPUTY CHIEF COUNSEL

ELLEN A. BRODSKY  
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ASSISTANT COUNSEL

July 26, 2006

**VIA CERTIFIED MAIL, R.R.R & REGULAR MAIL**

Margaret S. Sullivan  
171 East Ridgewood Avenue  
Ridgewood, New Jersey 07450

RE: In the Matter of Margaret S. Sullivan  
Docket No. DRB 06-129  
District Docket No. IIA-05-019E  
**LETTER OF ADMONITION**

Dear Ms. Sullivan:

The Disciplinary Review Board reviewed the motion for discipline by consent (reprimand or such lesser discipline as the Board shall deem warranted) filed by the District IIA Ethics Committee (DEC) in the above matter. Following a review of the record, the Board determined to grant the motion and to impose an admonition.

Specifically, in February 1996, you prepared a will for Elizabeth Clescere, naming you as executrix. Elizabeth died in June 1997. In discharging your duties as executrix, you learned that Elizabeth had never administered the estate of her late husband, Charles. You then became executrix of Charles' estate as well, which included a \$45,000 promissory note to him from his mother, Angelina Clescere. The note was secured by a lien against Angelina's apartment in Jackson Heights, New York. Angelina died in June 1999, at which time her apartment became incorporated into the settlement of Elizabeth's estate, as Angelina had not paid Charles the amount due under the note.

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In the early stages of the administration of Elizabeth's estate, you were in communication with the beneficiaries. By January 1999, returns had been filed, taxes had been paid, and beneficiaries had received partial distribution of the assets, among other things.

After 1999, you had less communication with the beneficiaries. By 2003, your communication with them virtually ceased; and, in April of that year, two of the beneficiaries filed a grievance against you. At the time, you represented to the DEC that an accounting was forthcoming. Yet, as of April 2005, you still had not provided an accounting to the beneficiaries or the DEC. Furthermore, as of May 2005, you still had not filed final tax returns, liquidated an account, and made a final distribution to the beneficiaries.

Your conduct was unethical and a violation of RPC 1.3 (lack of diligence) and RPC 1.4(a) (failure to communicate with the beneficiaries). The Board dismissed the charged violation of RPC 3.2 (failure to expedite litigation), finding that rule inapplicable to the facts of this matter.

In imposing only an admonition, the Board considered that the real estate litigation in Florida and the estate proceedings for Charles and Angelina contributed to the delay in the administration of Elizabeth's estate; that you accepted responsibility and expressed remorse for your actions; and that you have had an unblemished disciplinary record since your admission to the New Jersey bar in 1980.

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.

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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.

Member Matthew P. Boylan recused himself.

Very truly yours,

  
Julianne K. DeCore  
Chief Counsel

/tk

c. Chief Justice Deborah T. Poritz  
Associate Justices  
Stephen W. Townsend, Clerk  
Supreme Court of New Jersey  
Gail G. Haney, Deputy Clerk  
Supreme Court of New Jersey (w/ethics history)  
William J. O'Shaughnessy, Chair  
Disciplinary Review Board  
David E. Johnson, Jr., Director  
Office of Attorney Ethics  
Patrick J. Kelly, Chair  
District IIA Ethics Committee  
Morton R. Covitz, Secretary  
District IIA Ethics Committee