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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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October 1, 2012

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

William Timothy Howes, Esq.
HOWES & HOWES
26 Anderson Street
Raritan, New Jersey 08869

Re: In the Matter of William Timothy Howes
Docket No. DRB 12-193
District Docket No. VII-2011-0023E
LETTER OF ADMONITION

Dear Mr. Howes:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Following a review of the record, the Board determined to impose an admonition.

Specifically, in April 2010, you were retained by Ivonne MacEwen to represent her "in an administrative and/or judicial reconciliation of a 1998 substantiation of neglect that remain[ed] in the DYFS Registry." After your attempts to resolve the matter were unsuccessful, in October 2010, you sent an email to MacEwen's husband, advising him that you had filed a notice of appeal and case information statement with the Appellate Division and that you were waiting for a "scheduling order" from the court. This statement was untrue, as you had not filed an appeal.

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In November 2010, you again misrepresented the status of the case to MacEwen's husband, when you stated that you had not received a "scheduling order" from the court and that you had made an inquiry to the Appellate Division about the status of the case. MacEwen discovered that there was no record of a notice of appeal. Two days later, you sent her an email advising her that you would send documentary evidence of filing. At the time that you made that representation, you knew you had not filed a notice of appeal.

In March 2011, MacEwen terminated your services. As of the date of the hearing panel's report, May 21, 2012, McEwen's case was pending before the Appellate Division.

Your conduct violated RPC 1.3 and RPC 8.4(c). The Board dismissed the charged violations of RPC 3.2 as inapplicable to the facts of this case and of RPC 1.4(b) for lack of clear and convincing evidence.

In imposing only an admonition, the Board considered your remorse, the absence of personal gain from your actions, the lack of permanent harm to your client, and your unblemished disciplinary history of twenty-three years. Two members would have treated the committee's recommendation for an admonition as a recommendation for greater discipline. R.1:20-15(f)(4).

Your conduct has 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.

Very truly yours,



Julianne K. DeCore
Chief Counsel

JKD/paa

- c: Chief Justice Stuart Rabner
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Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
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District VII Ethics Committee
Ivonne MacEwen, Grievant