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SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 96-051

IN THE MATTER OF
:
:
NICHOLAS G. SKOKOS
:
:
AN ATTORNEY AT LAW
:
:

Decision
Default [R.1:20-4(f)(1)]

Decided: October 15, 1996

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

Pursuant to R.1:20-4(f)(1), the District IX Ethics Committee ("DEC") certified the record in this matter directly to the Board for the imposition of discipline, following respondent's failure to file an answer to the formal ethics complaint. Service of the complaint was made by regular and certified mail. The DEC chair certified that he telephoned respondent after he did not receive an answer. At that time, respondent represented that he would file an answer no later than November 28, 1995. The answer was never filed.

The ethics complaint charged respondent with violations of RPC 1.1, RPC 1.3, and RPC 1.4 for failure to act promptly in concluding the sale of a restaurant business for his client.

Respondent was admitted to the New Jersey bar in 1976. He has no history of prior discipline.

According to the complaint, respondent's misconduct resulted in great harm to his client. Respondent was retained by Carol Maddocks in connection with the sale of her restaurant. A contract was prepared to sell fixtures from the restaurant, involving \$250 weekly payments, to be held in trust by the attorney for the buyer. There is no evidence that a security agreement, financing statement, bill of sale or promissory note was prepared or that Maddocks received a security interest. When the payments stopped, respondent took no action with respect to the default. By the time the suit was filed and judgment was entered, the buyer had become insolvent and recovery was not possible. Finally, respondent was not responsive to Ms. Maddocks throughout the entire case.


* * *

Following a de novo review of the record, the Board deemed the allegations contained in the complaint admitted. The record contains sufficient evidence of respondent's unethical conduct, which clearly violated RPC 1.1, RPC 1.3 and RPC 1.4. This leaves only the issue of appropriate discipline. In the past, conduct similar to that displayed by respondent has resulted in a reprimand. See In re Fody, 139 N.J. 432 (1995) (reprimand for lack of diligence and failure to cooperate with the ethics system). In re Hinds, 138 N.J. 277 (1984) (public reprimand for negligent misappropriation of client funds, gross neglect of one legal matter and failure to cooperate with disciplinary authorities).

The Board unanimously determined to impose a reprimand.

The Board further determined to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs.

Dated: 10/15/96

By: 
LEE M. HYMERLING
Chair
Disciplinary Review Board