SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 13-288
District Docket No. XIV-2010-0341E

IN THE MATTER OF

KEITH A. COSTILL

AN ATTORNEY AT LAW

Decision

Argued: January 16, 2014

Decided: February 25, 2014

Hillary K. Horton appeared on behalf of the Office of Attorney Ethics.

Respondent appeared pro se.

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

This matter was before us on a motion for final discipline filed by the Office of Attorney Ethics ("OAE"), pursuant to R. 1:20-13(c), following respondent's guilty plea to one count of

fourth-degree assault by auto, contrary to N.J.S.A. 2C:12-1c(1).[1] The OAE recommended a six-month to one-year suspension. We determine to impose a two-year suspension on respondent, with conditions.

Respondent was admitted to the New Jersey bar in 1990. On December 10, 2002, he was reprimanded, after pleading guilty to the fourth-degree crime of child abuse and neglect. Respondent had left his two infant children unattended and sleeping in a locked car for almost an hour, after dark, in the winter, while he consumed alcohol in a nearby bar. In re Costill, 174 N.J. 563 (2002).

The facts that form the basis for respondent's plea are summarized in the OAE's August 23, 2013 brief to us:[2]

> At approximately 10:30 a.m. on July 9, 2010, New Jersey State Police responded to reports of an auto accident at 100 Riverfront Plaza

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[1] That statute provides that "a person is guilty of assault by auto when the person drives a vehicle recklessly and causes . . . serious bodily injury to another."

[2] The OAE's summary is culled from documents related to the investigation of the crash that led to respondent's guilty plea and from court documents.

in Trenton [Citations omitted]. The officers observed respondent's red Buick Rendezvous on the sidewalk with significant front end damage and pedestrian Hikema George, a senior clerk typist at the New Jersey Department of Education's Office of Finance, trapped underneath. Respondent apparently drove over a curb in front of the sidewalk near the Department of Education Building. The 31-year-old victim was found lying on her back under the front bumper of the car. The vehicle hit Hikema, who was standing on the sidewalk while on her break, and then hit the side of the building. Hikema was "pinned" between the car and [a pillar in front of] the building. She "sustained severe trauma to her lower extremities" which later resulted in the amputation of her right leg "above the knee." She died later that day as a result of "hemorrhagic shock from trauma to the lower extremities" and the resultant amputation.
Respondent sustained injuries from air bag deployment. At the scene, police smelled alcohol coming from his body. At the hospital where respondent was transported for treatment, police smelled alcohol on his breath and noticed that his speech was "slow and slurred" and his eyes were "bloodshot and watery." Investigators believed that respondent was under the influence of alcohol. Blood samples were taken but the toxicology report came back negative for the presence of alcohol. After getting a warrant, officers searched respondent's vehicle and found a glass that they believed contained alcohol. Ultimately, it could not be tested.

At his plea hearing, respondent admitted to losing consciousness while driving. He admitted that his vehicle jumped the curb and caused Hikema's injuries. Respondent admitted that he was intoxicated on the day

before the accident, specifically while at work at the Department of Community Affairs. According to Kevin Luckie, Assistant Director for the Department of Community Affairs, respondent was sent to a hospital in the morning because "he appeared to be impaired due to drinking alcohol." Upon release from the hospital, respondent returned to work where he told Mr. Luckie that he had a blood alcohol content ("BAC") reading of .20, yet insisted that he was able to drive home. Mr. Luckie called the state police in an attempt to prevent respondent from driving home. The responding officer observed signs of intoxication and advised respondent that he should not drive. Respondent received a ride home from a co-worker.

Respondent also acknowledged previously losing consciousness while at work on August 18, 2008. After his health crisis at work, a doctor diagnosed him with a seizure condition, specifically a history of "alcohol related seizures that occur within twelve to 24 hours after drinking." Respondent's condition was reported to the Medical Unit of the Motor Vehicle Commission. Respondent also agreed that, since the date of that report, he had been "under the continuous supervision" of the Motor Vehicle Commission's medical unit. On May 13, 2010, approximately two months prior to the tragic accident that cost Hikema her life, the medical unit of the Motor Vehicle Commission notified respondent that it intended to indefinitely suspend his license. On June 10, 2010, respondent appealed that decision. Respondent agreed that the accident occurred on July 9, 2010 while he was waiting for his appeal hearing to be held. The hearing was scheduled for August 4, 2010. Respondent admitted that it was reckless for him to drive during the

> time that his appeal was pending. Further, the State's medical expert, Dr. John Brick, found "within a reasonable degree of scientific certainty that [respondent] was impaired, and that alcohol withdrawal was a significant contributing factor to, if not a primary cause of, [Hikema's] fatality."
>
> [OAEb3-4.][3]

Hikema George's great-aunt spoke for the family at the sentencing hearing:

> Your choice, Mr. Costill, has robbed her and all of us of those opportunities. You have robbed us of the joy of her laughter, the light of her smile, the frailty of her sigh. Your choice has robbed us of all Hikema's light. There is no length of time that would be an adequate trade off for the life you so willingly and knowingly took, driven by your destructive lifestyle choices. No matter your intentions that day, the outcome remains the same. Hikema is gone. Her son has no mother. Her grandfather has no granddaughter. Her cousins have no cousin. Her friends have no friend. Her co-workers have no co-worker. Hikema is gone, 31 years old on her morning break, struggling as a single mother to raise her son, Hikema is gone. Careless, flagrant, malicious, destructive lifestyle choices that you, Mr. Costill, made. Hikema is gone. At your hand, because of you, Hikema is gone. I would urge you to take this time to

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[3] "OAEb" refers to the OAE's brief in support of its motion for final discipline.

> reflect on the choices you have made and where they have led you, Mr. Costill. There is no sentence that this Court can impose that will bring Hikema back into her son's life or ours, but I hope this experience has made you contemplate your destructive lifestyle choices. Your choices impact far beyond your physical reach and the choice you made that day has brought all of us here today. You cannot erase this and you should never forget this. You killed Hikema Ann George on July 9th, 2010 and we will never be able to forget it. But I find solace, I find solace because I believe in God and in his holy word.
>
> [OAEbEx.E12-8 to 13-22.]

At respondent's plea hearing, he clearly acknowledged that his actions were reckless, in that he should not have been driving an automobile during the pendency of his appeal of the DMV determination to suspend his driver's license, because of his propensity toward seizures:

> [PROSECUTOR]: The question is, would your recklessness be also based on the fact that you were intoxicated the day before and drove your vehicle knowing not only that Motor vehicle was intending to suspend your license due to being subject to seizures, but also that seizures could result from having been drinking?
>
> THE DEFENDANT: I have a problem with that, your Honor.
>
> THE COURT: Yeah, Miss Hersh, what is the relevance as to what occurred the day before? And what proof does that --
>
> THE DEFENDANT: I had three beers.

THE COURT: Mr. Costill, please. And what medical proof is there that what he did the day before affected what happened the day of this incident?

[PROSECUTOR]: Your Honor, there is documentation that there are alcohol related seizures that occur within 12 to 24 hours after drinking, and that would be the basis of that question. However, if Mr. Costill contests that, he contests that -- but I understand that he is agreeing to being reckless having driven given the warnings of the Division of Motor Vehicles.

THE COURT: Mr. Troy.

[RESPONDENT'S COUNSEL]: Your Honor, the only thing I want to say is that was the contest of the trial. That particular statement is what the trial was about. However, after reviewing everything with Mr. Costill for many, many times, we feel that it's enough that he should not have been driving during the pendency of that appeal based on his past medical record. And I believe that that is sufficient to establish that it was reckless, the reckless part of that statute. In other words, the whole trial was about this. That other question was to be determined at trial. After we discussed it at length -- actually, I discussed it with Miss Hersh, we felt that it was enough that he drove during this period of time during this appeal based on many years of medical records, and that alone would establish --

THE COURT: And the fact that he was prone to have seizures.

[RESPONDENT'S COUNSEL]: Correct, whatever – the question is whatever the reason was, the reason was --

THE DEFENDANT: Seizures.

> [RESPONDENT'S COUNSEL]: -- not to be determined. One other thing, I just want to say, when Motor Vehicle used the term seizure, they're referring to any loss of consciousness whatsoever. That word from Motor vehicle encompasses anything that causes a loss of consciousness.
>
> THE COURT: Whether it's alcoholic or non-alcohol --
>
> [RESPONDENT'S COUNSEL]: Yes, yes.
>
> THE COURT: Or drugs or --
>
> [RESPONDENT'S COUNSEL]: It could be anything.
>
> [OAEbEx.D21-14 to 23-21.]

Respondent filed a brief with us, under cover letter dated September 16, 2013, contesting the OAE motion and proposed sanction. The brief also contains a counterstatement of facts and procedural history. Respondent did not take issue with the factual details of the actual accident, as he had "lost consciousness while operating the vehicle he was driving and struck a pedestrian who subsequently died as a result of the injuries she sustained." Respondent did, however, disagree with the State's expert, Dr. Brick, regarding the cause for his loss of consciousness:

> Dr. Brick issued a letter to the Prosecutor on November 15, 2011 (Ra42-Ra54), from which petitioner makes the cursory assertion that "he (Dr. Brick) found within a reasonable degree of scientific certainty that [respondent] was impaired, and alcohol

> withdrawal was a contributing factor to, if not a primary cause of, [Hikema's] fatality."
>
> Once again, the report was assembled in the course of preparation for trial in this matter.
>
> In response thereto, Dr. John Vester, M.D., a neurologist retained by respondent, issued a report on December 1, 2011 (Ra55-Ra61). Upon analysis, Dr. Vester wholly refuted the aforesaid finding and underlying assumptions, as well as others proffered by Dr. Brick (Ra60, Ra61). Second, the other key witness for the State in the trial that was originally anticipated was respondent's sister (Ra62). However, upon contact with her on March 12, 2012 in preparation thereof, Detective Santora reported that she recanted the information she clandestinely conveyed to him on July 12, 2010 (petitioner's Confidential Criminal Investigation Materials/1, p. 4/7, p. 1). Other factors included the validity of respondent's driver's license and the lack of intoxication or confirmable signs of seizure symptoms at the time of the accident (petitioner's Confidential Criminal Investigation Materials/1, pp. 3 and 4).
>
> [Rb7-8.][4]

Dr. Vester's analysis did not seek to refute the basic premise upon which the State's case was based and which formed the basis for respondent's plea, namely, that it was reckless

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[4] "Rb" refers to respondent's brief to us.

for respondent to have driven that day, given his propensity to have seizures or "lose consciousness," as respondent calls it, whatever the reason. Rather, it sought to minimize the number of seizures that respondent experienced and to leave respondent's black-out episodes unexplained, but without relation to alcohol. So, too, respondent explained the reasoning behind his guilty plea:

> In light of the gravity of the accident on the one hand and the factors enumerated above on the other, agreement was reached between the prosecution and defense that respondent would plead guilty to the offense of Assault by Auto (Fourth Degree), in contravention of N.J.S.A. 2C:12-1c(1) [citation omitted]. Thus, on March 29, 2012, the stipulations of the plea agreement were presented to and accepted by the Honorable Thomas J. Sumners, J.S.C. (petitioner's Exhibits B, C and D). The plea agreement was conditioned on respondent receiving a sentence of probation for a term of five years, compliance with a TASC evaluation and recommendations, loss of his driver's license for a period of two years, and restitution to the family of the victim for funeral expenses in the amount of $3,356.
> The sentence embodying the terms of the plea agreement, with the addition of 100 hours of community service and incidental fines and costs, was entered against respondent by Judge Sumners on June 4, 2012.
>
> [Rb8.]

In essence, respondent argued that his loss of consciousness on July 9, 2010 was not related to alcohol. He did not account, however, for why it happened.

Dr. Brick's report for the State, in the underlying criminal matter was included in respondent's materials to us. In that report, Dr. Brick stated that "paramedics at the [accident] scene reportedly observed [respondent] seizing" and that his medical records, immediately after having been taken to the hospital, were "replete with references to alcohol withdrawal over the course of his post-crash hospitalization." Dr. Brick also stated as follows:

> Approximately a year prior to this incident, [respondent's] medical record indicates a progressive worsening of his alcohol abuse (45:7/16/09), along with essential hypertension. His medications at that time included Avalide, Bystolic and Librium (chlordiazepoxide). Chlordiazepoxide is commonly used to treat alcohol withdrawal symptoms (including seizure and tremor).
>
> [Respondent] was diagnosed with "*alcohol abuse continuous*" although his medical record indicates that [respondent] has a "*significant history for alcoholism and he has had previous admissions to Capital Health for alcohol dependence and withdrawal seizure as well as diagnosis of mild delirium tremens*" (50:Consultation Record). [Respondent's] past medical history further reveals "*…chronic alcoholism as well as a history of seizure disorder with his last seizure approximately 3 years ago*"

> (50:Personal History and Physical Examination; also see 55).
>
> [RbEx.Ra47.]

Dr. Brick shed further light on respondent's propensity toward seizures, when quoting from hospital records on the date of the accident:

> There was more than one reference in the medical record to [respondent] "seizing" at the scene, as reported by paramedics (e.g., 50:Consultation Record). On admission (July 9, 2010), [respondent's] heart rate was 170 bpm (lowered to 110 bpm subsequent to IV Lopressor) his blood pressure was 170/100 and during the course of his hospitalization, signs of alcohol withdrawal were noted as follows:
>
> At 11:05 a.m. (7.9.10), it is noted that [respondent] showed slightly tremulous hands and odor "*not unlike ETOH*" was noted (50:Trauma Flow Sheet) [footnote omitted.] Minimal tremors (arms extended) continued to be observed at 12:20 p.m. (50:Trauma Flow Sheet).
>
> At 1:35 p.m. (7.9.10), according to CADC, a medical record shows a history of seizure disorder, with the last seizure "*3 days ago.*"
>
> At 6:00/7:00 a.m. (7.11.2010), [respondent] was noted to be impulsive, disrupting treatment and unable to follow instructions basic to patient safety (50:Restraint Documentation).
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> At 6:10 a.m. (7.11.10), [respondent] was noted to be confused, tremulous, and diaphoretic. At that time he also appeared agitated and his benzodiazepines dose was

> increased proportional to his alcohol withdrawal (50:Progress Notes).
>
> At 12:00 p.m. (7.11.10 - check date), [respondent's] delirium tremens worsened despite multiple doses of Ativan (50:Progress Notes).
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> On July 12, 2010, [respondent] was restless, disoriented to place and time and agitated (50:Critical Care Flow Sheet).
>
> All of these observations are consistent with alcohol withdrawal.
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> [RbEx.Ra49.]

With regard to the Division of Motor Vehicles Services' (DMVS) determination to suspend respondent's license due to his propensity for seizures, which determination was on appeal by respondent at the time of the accident, Dr. Brick stated as follows:

> NOTE 2: Consistent with the numerous medical references to Mr. Costill's alcohol withdrawal and seizures, the DMVS Medical Emergency Report also notes that based on EEG performance, "*no epileptogenic focus*." This means there was no neurophysiological evidence of brainwave activity that would cause epilepsy.
>
> There are multiple DMVS Medical Examination Reports attesting to the fact that [respondent] should not be driving because of his risk for alcohol withdrawal seizures.
>
> As of January 10, 2009, Mr. Costill's driving privileges were suspended indefinitely because he was deemed "*…not medically and/or physically able to operate*

> *a motor vehicle safely because you are subject to seizures*" (53:Scheduled Suspension Notice) and did not comply with medical data required by the Commissioner of Motor Vehicles (53:Scheduled Suspension Notice).
>
> Driving privileges were reinstated on January 22, 2009, presumably because Frederick Banerman, a Physician's Assistant concluded Mr. Costill had "*No restrictions from a cardiac standpoint to drive a motor vehicle*" (53:Rx from Frederick Banerman). The NJ Motor Vehicle Commission (53:NJ Motor Vehicle Commission Medical Examination Report of 1.20.09) concluded that Mr. Costill was "*Clinically clear by cardiologist, neurologist and myself for driving (w/o ETOH).*
>
> On March 5, 2009, the New Jersey Motor Vehicle Commission determined that Mr. Costill could possess a New Jersey driver's license under the condition that he submits reports on his seizure and alcohol rehabilitation and remains under medical care (53).
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> [RbEx.Ra48.]

Finally, two days after respondent's sentencing, he was found sitting on a roadside guardrail near his home, intoxicated and bloodied, after an apparent fall. He complained to responding police that he "was having a bad day" because "yesterday" he had been sentenced to a five-year term of probation.

For purposes of sanction, the OAE first cited several cases involving attorneys convicted of assault by automobile, where the injury to the victim was minor:

> Lesser discipline is sometimes imposed following third- and fourth-degree assault by auto convictions. See, e.g., In re Cardullo, 175 N.J. 107 (2003) (reprimand following fourth-degree assault by auto conviction where attorney caused only minor bodily injury and took serious measures to combat her alcohol addiction") (citation omitted); In re Fedderly, 189 N.J. 127 (2007) (reprimand following third-degree assault by auto and driving while intoxicated convictions where the bodily injury was minor and "substantial mitigation" justified sanction less than a censure); and In re Terrell, 204 N.J. 3 (2010) (admonition following fourth-degree assault by auto, driving while intoxicated and leaving the scene of an accident convictions [sic] where attorney had no prior discipline in a legal career spanning forty years; injury to other party was minor and he cooperated with the OAE's investigation).
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> [OAEb10.]

Next, the OAE cited several accident cases where attorneys who were under the influence of alcohol caused automobile accidents involving serious injury or death of others. In re Barber, 148 N.J. 74 (1997) (attorney received a six-month suspension after having been found guilty of vehicular homicide; intoxicated, the attorney drove at a high rate of speed, causing

a one-car accident that killed his passenger, a fellow attorney with whom he had been drinking in two Pennsylvania bars); In re Murphy, 200 N.J. 427 (2009), (attorney received a six-month suspension after traveling in the wrong direction on the Pennsylvania Turnpike, causing a head-on collision with another vehicle; one occupant of the other vehicle suffered a broken femur, which required surgery to repair); In re Saidel, 180 N.J. 359 (2004), (attorney received a six-month suspension for flipping his vehicle while intoxicated and driving thirty miles per hour over the speed limit in Arizona; his two passengers were seriously injured); In re Guzzino, 165 N.J. 24 (2000), (attorney received a two-year suspension after plowing his automobile into two automobiles on Route 287; a passenger in one of them was ejected from his vehicle, resulting in fatal head injuries); and In re Howard, 143 N.J. 526 (1996) (attorney received a three-month suspension, having been found guilty of death by auto after running her husband down with an automobile during a domestic quarrel; alcohol was not a factor).

The OAE likened this case to Guzzino, Barber, and Howard:

> Respondent's conduct is most similar to that of Guzzino and Barber. Like Guzzino, Howard and Barber, respondent killed a person (pedestrian) with his car. There is no doubt that respondent's alcoholism contributed to

> the causation of the accident even if he was no longer clinically intoxicated when his blood was tested. Respondent opted to drive knowing that the Motor Vehicle Commission intended to suspend his license indefinitely as a result of his alcohol-related seizure disorder. However, instead of doing the responsible thing and deciding not to drive while the appeal of that suspension was pending, respondent got behind the wheel with deadly results.
>
> [OAEb10.]

Because of Hikema's death at the hands of respondent's recklessness and the aggravating factor of his prior reprimand, which evidenced a reckless disregard for his own children's well-being, the OAE recommended the imposition of a six-month or a one-year suspension, with the condition that, prior to reinstatement, respondent provide proof of alcohol counseling and fitness to practice law, as attested by a drug and alcohol counselor approved by the OAE.

Following a review of the full record, we determine to grant the OAE's motion for final discipline. The existence of a criminal conviction is conclusive evidence of respondent's guilt. R. 1:20-13(c)(1); In re Gipson, 103 N.J. 75, 77 (1986). Respondent's criminal conviction constitutes a violation of RPC 8.4(b) (commission of a criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer). Only the

quantum of discipline to be imposed remains at issue. R. 1:20-13(c)(2); In re Lunetta, 118 N.J. 443, 445 (1989).

Respondent pleaded guilty to the lesser charge of fourth-degree assault by auto, contrary to N.J.S.A. 2C:12-1c(1), after an initial charge of vehicular homicide. The reduced charge was due to the lack of evidence that respondent had alcohol in his system at the time of the crash that killed Hikema George.

Respondent argued that the accident was not alcohol-related and that, in effect, it was just an unforeseeable tragedy. Yet, there is a mountain of evidence in this case showing that respondent was prone to seizures from alcohol withdrawal.

The day before the accident, respondent appeared for work intoxicated and required an ambulance and hospitalization. Yet, he reappeared at work later that day, with a .20 percent blood alcohol level, ready to work or drive himself home. He was not permitted to do so and was driven home by co-workers, who were sent to his home the following, fateful morning, to pick him up and bring him to work.

A chronic alcoholic (according to the records in the case), with no alcohol left in his system, respondent went to retrieve his car from a parking garage, when the accident occurred. He recalled nothing about the accident, but was seen "seizing" on

the scene by police officers and, thereafter, by medical personnel.

Although respondent disputed that his actions were the result of alcohol intoxication, he agrees that they were reckless. Under R. 1:20-13(c)(2), all evidence that is not inconsistent with the elements of the crime to which respondent pleaded guilty may be considered. Respondent pleaded guilty to assault by auto when driving recklessly. The State's expert, Dr. Brick, presented an ironclad report that very clearly established that alcohol (albeit alcohol withdrawal) played a significant role in respondent's accident.

Under R. 1:20-6(c)(2)(b), medical defenses shall be established by clear and convincing evidence. Respondent has provided no such evidence. Even his own expert, Dr. Vester, did not refute the basic premise upon which the State's case was based and which formed the basis for respondent's plea – that it was reckless for respondent to have driven that day, given his propensity to have seizures or "lose consciousness," as respondent called it, whatever the reason therefor.

Respondent admitted that he acted recklessly, when he took the wheel that day, knowing that he could "black out." That the accident was caused by respondent's own recklessness is,

therefore, undisputed. Moreover, given Dr. Brick's report, it is a stretch to say that the accident was not alcohol-related, inasmuch as respondent was having seizures on the scene, remembered nothing of the accident, and had a history of seizures during alcohol withdrawal – a history that continued to play out later on the accident date, as evidenced by hospital records showing that he showed seizure behavior and alcohol withdrawal symptoms in hospital, after the crash. There is nothing from respondent to refute that evidence of seizures from alcohol withdrawal.

All that remains is the issue of the proper discipline for this respondent. As indicated earlier, the OAE recommended either a six-month or a one-year suspension. That recommendation, in our view, does not give sufficient weight to the aggravating factors present in this case. Unquestionably, respondent has shown, over the years, that he is incapable of making the type of responsible decisions required of an attorney and, moreover, decisions that deeply affect the safety of others, from innocent bystanders to his very own children. Indeed, respondent's prior disciplinary record includes another reckless, alcohol-fueled, criminal event, when he left his two infant children strapped in their car seats, in the dark, on a

cold January night, outside a bar, while he drank inside the pub for almost an hour. He was convicted of fourth-degree child abuse and neglect and received a reprimand.

Respondent showed incredibly poor judgment, when he showed up for work intoxicated, the day before the Hikema George accident. He even returned to the office on that day, after having been sent to the hospital and released with a BAC of .20. He was prepared to drive himself home, but the State Police prevented him from taking that irresponsible step.

Next, two days immediately following his sentencing for the Hikema George accident, respondent was found sitting on the guardrail of a road near his house, drunk and bloodied, after an apparent fall. He complained to responding police that he was "having a bad day" because he had just been sentenced to a five-year term of probation.

Finally, a reading of respondent's brief forms a firm conviction that, to this date, he has not accepted any responsibility for his actions and is seeking to minimize his own blame for the Hikema George tragedy that his recklessness caused. The brief, particularly the counterstatement of facts, smacks of a tacit denial that his chronic drinking, whether through alcohol intoxication or seizures induced by alcohol

withdrawal, played a role in George's death. The entire record does not reveal a morsel of regret on his part for the monumental tragedy that his recklessness brought about.

We determine that respondent's actions were so egregious as to warrant a two-year suspension, the same discipline meted out in Guzzino, where the attorney's reckless actions behind the wheel also caused a death.

We also require that, prior to reinstatement, respondent submit proof of fitness to practice law, as attested by a medical health professional approved by the OAE, as well as proof that he is undergoing continuing alcohol treatment. He should be required to continue such treatment, after reinstatement, until further order of the Court.

Members Clark and Zmirich voted for a one-year suspension, with the above conditions. Member Doremus did not participate.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and

actual expenses incurred in the prosecution of this matter, as provided in R. 1:20-17.

Disciplinary Review Board
Bonnie C. Frost, Chair

By: [signature]
Isabel Frank
Acting Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

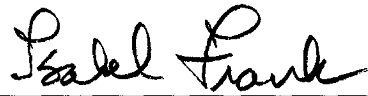
In the Matter of Keith A. Costill
Docket No. DRB 13-288

Argued: January 16, 2014

Decided: February 25, 2014

Disposition: Two-year suspension

Members	Disbar	Two-year Suspension	One-year Suspension	Dismiss	Disqualified	Did not participate
Frost		X				
Baugh		X				
Clark			X			
Doremus						X
Gallipoli		X				
Hoberman		X				
Singer		X				
Yamner		X				
Zmirich			X			
Total:		6	2			1



Isabel Frank
Acting Chief Counsel