

# DISCIPLINARY REVIEW BOARD

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SUPREME COURT OF NEW JERSEY

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February 24, 2016

George P. Helfrich, Jr.  
Marshall Dennehey Warner Coleman & Goggin  
425 Eagle Rock Avenue  
Suite 302  
Roseland, New Jersey 07068

Re: In the Matter of George P. Helfrich, Jr.  
Docket No. DRB 15-410  
District Docket No. VC-2014-0034E

Dear Mr. Helfrich:

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 2014, you represented the defendant in Michael Roche v. Aramark Correctional Services, LLC, docketed in the Superior Court of New Jersey, Middlesex County. Although you properly prepared the case for trial, you failed to notify Aramark or the requisite defense witnesses of the pending trial date.

After jury selection was completed, the trial commenced on Thursday, September 17, 2014. You appeared for trial that day and again on Friday, September 18, 2014. You did not inform the trial judge that your client and witnesses were not aware of and, therefore, unavailable for trial.

On Monday, September 22, 2014, you informed the court and your adversary that client Aramark, the defense witnesses, and

your own law firm were not aware that the trial had commenced. The trial judge immediately declared a mistrial, subject to any application for costs filed by plaintiffs.

Also on September 22, 2014, you informed your law firm of your offense. The law firm then notified the client of the events in the case, stripped you of your shareholder status, and suspended you from the law firm for an undisclosed period of time. Thereafter, the Aramark matter went to mediation and was settled for an amount that was consistent with pre-trial estimates. Of its own accord, the firm then reimbursed the plaintiff approximately \$40,000 in legal fees and costs. Consequently, neither Aramark nor the plaintiff suffered a pecuniary loss, and your law firm was able to keep Aramark as a client. Since your reinstatement to the firm, your legal work has been monitored by senior partners.

You stipulated that you failed to communicate important events in the case to your client, namely that the matter had been set down for trial, a violation of RPC 1.4(b). By your failure to inform the trial judge of the crucial fact that Aramark and the defense witnesses were unaware of and unavailable for trial, you lacked candor to the court, a violation of RPC 3.3(b). Finally, you lacked fairness to the opposing party and to counsel by your failure to inform them that your client and witnesses were unavailable for trial, thereby disobeying an obligation under the rules of the tribunal, a violation of RPC 3.4(c).

In imposing only an admonition, the Board considered aggravating and mitigating factors. In aggravation, precious judicial resources were wasted when the court impaneled a jury and commenced trial, before you acknowledged your wrongdoing to the judge.

In mitigation, this is your first ethics infraction in a thirty-eight year legal career; you suffered from anxiety and high blood pressure at the time of your actions; the client suffered no pecuniary loss; your law firm demoted you from shareholder to hourly employee, resulting in significantly lower earnings on your part; and you are remorseful and working hard to regain the trust of the court, your adversaries, and the members of your firm.

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

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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,



Ellen A. Brodsky  
Chief Counsel

EAB/paa

c: Chief Justice Stuart Rabner  
Associate Justices  
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Disciplinary Review Board  
Mark Neary, Clerk  
Supreme Court of New Jersey  
Gail G. Haney, Deputy Clerk  
Supreme Court of New Jersey (w/ethics history)  
Charles Centinaro, Director  
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