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DISCIPLINARY REVIEW BOARD

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SUPREME COURT OF NEW JERSEY

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October 4, 1995

**Certified Mail - R.R.R.
and Regular Mail**

William E. Agrait, Esq.
275 Clifton Avenue
Newark, New Jersey 07104

RE: **In the Matter of William E. Agrait**
Docket No. DRB 94-374
LETTER OF ADMONITION

Dear Mr. Agrait:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was unethical. With the approval of the Supreme Court, the Board has concluded that an admonition is the appropriate discipline for your misconduct.

Specifically, in 1991, you negligently invaded client funds in two matters as the result of both a misdeposit of a check in your business account, instead of your trust account, and your inadvertent failure to collect sufficient monies from the buyers at a closing of title. You also failed to comply with the recordkeeping obligations of R. 1:21-6, in that you did not promptly and accurately record the transactions on your client ledger card, failed to maintain an accurate receipts and disbursements journal for two trust accounts and failed to perform the quarterly reconciliations comparing the bank balance of both trust accounts with the checkbook balances and the ledger cards.

In imposing only an admonition, the Board considered that your misconduct was not the result of abdication of your accounting responsibilities to another or of recklessness in the maintenance of your attorney records. The Board also noted your full

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cooperation with the Office of Attorney Ethics and your quick action in bringing the records into compliance with the rules.

Your conduct reflected not only upon you as an attorney but also upon all members of the bar. Accordingly, the Board, as authorized by Order of the Supreme Court of New Jersey, dated September 11, 1995, has directed the issuance of this letter of admonition to you. R. 1:20-4(f)(2).

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.

The Board has also directed that the costs of the disciplinary proceeding be assessed against you. An affidavit of costs will be forwarded under separate cover.

Very truly yours,

Robyn M. Hill

RMH/dm

c: Chief Justice Robert N. Wilentz
Associate Justices
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Supreme Court of New Jersey
Lee M. Hymerling, Esq., Chair
Disciplinary Review Board
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Office of Attorney Ethics