

# DISCIPLINARY REVIEW BOARD

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SUPREME COURT OF NEW JERSEY

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May 21, 1996

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

Joseph S. Caruso, Esq.  
 Station House  
 900 Haddon Avenue  
 Suite 304  
 Collingswood, New Jersey 08108

RE: In the Matter of Joseph S. Caruso  
 Docket No. DRB 96-076  
 LETTER OF ADMONITION

Dear Mr. Caruso:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, as a result of an ethics grievance filed against you, an audit was conducted of your attorney trust account books and records in 1994. The audit revealed that you failed maintain your trust accounts in accordance with R.1:21-6 as follows: 1) client trust ledger card sheets were not fully descriptive 2) your business bank account designation was improper 3) quarterly reconciliations of client trust ledger balances and bank statement balance were not performed, 4) deposit slips from May 1, 1992 through September 30, 1992 were not maintained, 5) deposits into the trust account were made but not recorded on the trust receipts journal, 6) you utilized your trust account for both personal and business expenses, in that you paid both your automobile lease and income tax payments from the account.

In addition, a deposit of \$1,450 was misrecorded on the trust cash receipts journal, inasmuch as the money was deposited to your attorney business account. This misdeposit caused a trust account shortage which was neither identified or timely corrected due to your failure to reconcile your trust account in accordance with R.1:21-6, thereby resulting in a negligent misappropriation. Your conduct was unethical and in violation of R.1:21-6 and RPC 1.15(a) and (d).

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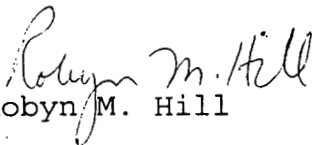
In imposing only an admonition, the Board considered that, at the time of these violations, you were newly admitted to the practice of law, having been admitted to the bar in 1990. In addition, as reflected in the stipulation contained in the transcript of hearing before the District IV Ethics Committee on January 23, 1996, you have, to date, corrected all deficiencies identified by the audit. You now utilize a computerized recordkeeping system and reconcile the attorney trust account on a daily basis. In addition, the Board noted your cooperation with the audit, together with the fact that clients were not harmed by your misconduct.

Your conduct 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.

The Board has also directed that the costs of the disciplinary proceedings 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  
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Disciplinary Review Board  
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Peter J. Boyer, Esq., Chair  
District IV Ethics Committee  
Jaffa F. Stein, Esq., Secretary  
District IV Ethics Committee  
Justine L. Garber, Grievant