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SUPREME COURT OF NEW JERSEY

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ASSISTANT COUNSEL

March 23, 2004

VIA CERTIFIED MAIL, R.R.R.R & REGULAR MAIL

Carolyn J. Fleming-Sawyerr, Esq.
c/o Edward F. Bröderick, Jr., Esq.
20 South Street
Morristown, New Jersey 07960

RE: Carolyn J. Fleming-Sawyerr
Docket No. DRB 04-017
Former Docket Nos. DRB 02-315 and 02-362
District Docket Nos. VA-01-016E and VA-01-034E
Letter of Admonition

Dear Ms. Fleming-Sawyerr:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, in November 1999, Ronald Yhap retained you to represent his sons in the purchase of real estate. Despite your obligation to represent your client's interests diligently, you did not record the deed until one year after the closing and did not provide him with copies of the closing documents until one and a half years following the closing. Your conduct was unethical and a violation of RPC 1.1(a) and RPC 1.3. You also failed to comply with your client's request for information about the matter, a violation of RPC 1.4(a).

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In connection with your representation of another client, you did not keep complete records of your client's receipts and expenditures, did not preserve them for a period of seven years, and collected a real estate commission when you sold the client's house, violations of RPC 1.15(d), RPC 1.15(a), and RPC 1.7(b), respectively.¹

You also failed to comply with the recordkeeping requirements of Rule 1:21-6.

In imposing only an admonition, the Board considered that no disciplinary infractions have been sustained against you since your admission to the New Jersey bar in 1989, your unawareness that you could not simultaneously act as an attorney and collect a real estate fee - and, therefore, the lack of any intent on your part to take advantage of your client - and the passage of nearly six years since that transaction.

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.

¹ Although the complaint did not charge a violation of this rule, the Board deemed the complaint amended to conform to the evidence adduced at the hearing below.


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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,


Julianne K. DeCore

/tk

c. Chief Justice Deborah T. Poritz
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Disciplinary Review Board
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District VA Ethics Committee
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Ronald C. Yhap, Grievant