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OF THE

SUPREME COURT OF NEW JERSEY

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September 25, 2000

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

John S. Giava, Esq.
17 Academy Street
Newark, New Jersey 07102

Re: In the Matter of John S. Giava
Docket No. DRB 00-204
LETTER OF ADMONITION

Dear Mr. Giava:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, on December 27, 1990, you were retained by Leon Coursey to represent him in a personal injury action. After the matter was settled, but before the funds were paid, you lent Mr. Coursey \$500 as an advance against the settlement funds. Your conduct was unethical and in violation of RPC 1.8(e).

On May 19, 1995, the court entered an order for judgment, following its review and approval of the settlement reached with the defendant, the Unsatisfied Claim and Judgment Fund Board ("Board"). Under the applicable statute, it would have been required to obtain an order directing the Board to pay the funds pursuant to the order of judgment. Notwithstanding your duty to represent your client's interests responsibly, you did not obtain the order directing payment. The three-year delay between the order of judgment and the order directing payment was the result of your inaction. In fact, the order was obtained only after you were replaced by the attorney who took over the representation at your request. Your conduct in this regard was unethical and in violation of RPC 1.3.

Also, after Mr. Coursey's death in 1996, you failed to communicate with Mrs. Coursey, despite her numerous requests for information about the status of the matter. Your conduct was unethical and in violation of RPC 1.4(a).

I/M/O John S. Giava
DRB No. 00-204

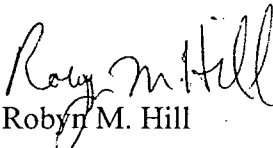
In imposing only an admonition, the Board considered that Mrs. Coursey suffered no financial harm and that, prior to this incident, you had practiced law for almost fifty years without having been disciplined.

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:ms

- c. Chief Justice Deborah T. Poritz
- Associate Justices
- Stephen W. Townsend, Clerk
- Supreme Court of New Jersey
- Lee M. Hymerling, Chair
- Disciplinary Review Board
- David E. Johnson, Jr., Director
- Office of Attorney Ethics
- Cynthia Walters, Chair
- District VB Ethics Committee
- Michael Haratz, Secretary
- District VB Ethics Committee
- Lewis B. Cohn, Esq., Respondent's counsel