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April 10, 2000

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

E. Steven Lustig, Esq.
80 E. Route 4
Paramus, New Jersey 07652

RE: **In the Matter of E. Steven Lustig**
Docket No. DRB 00-003
Consent to Admonition

Dear Mr. Lustig:

The Disciplinary Review Board reviewed the notice of motion for discipline by consent filed by the District IIA Ethics Committee in the above referenced matter. Following a de novo review of the record, the Board determined to grant the motion and to impose an admonition. Specifically, on June 16, 1997, you were retained by Maria Iozza to represent her in a divorce matter. Ms. Iozza signed a fee agreement and paid you a \$500 retainer and \$160 in filing fees. After you prepared the complaint, you sent it to the Clerk's office for filing. That office returned the complaint, however, because it was filed incorrectly. Thereafter, you made no attempt to re-file the complaint. In addition, you failed to return Ms. Iozza's telephone calls. Your conduct was unethical and in violation of RPC 1.1(a), RPC 1.3 and RPC 1.4. Finally, your conduct also violated RPC 1.16(d), in that you should not have accepted Ms. Iozza's representation because you were unable to represent her interests effectively, as a result of severe depression.

In mitigation, the Board considered that, prior to this incident, no disciplinary infractions had been sustained against you since your admission to the bar in 1992, that you voluntary sought medical treatment and that you have been voluntarily practicing under the supervision of a proctor.

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 Deborah T. Poritz
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District IIA Ethics Committee
Michael S. Goodman, Esq.
Counsel for respondent
Maria Iozza, Grievant