

Bull

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

WILLIAM J. O'SHAUGHNESSY, ESQ., CHAIR
LOUIS PASHMAN, ESQ., VICE-CHAIR
EDNA Y. BAUGH, ESQ.
MATTHEW P. BOYLAN, ESQ.
BONNIE C. FROST, ESQ.
RUTH JEAN LOLLA
LEE NEUWIRTH
HON. REGINALD STANTON
SPENCER V. WISSINGER, III



RICHARD J. HUGHES JUSTICE COMPLEX
P. O. Box 962
TRENTON, NEW JERSEY 08625-0962
(609) 292-1011

JULIANNE K. DeCORE
CHIEF COUNSEL

ISABEL FRANK
DEPUTY CHIEF COUNSEL

ELLEN A. BRODSKY
LILLIAN LEWIN
DONA S. SEROTA-TESCHNER
COLIN T. TAMS
KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

December 10, 2007

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

Brain F. Fowler, Esq.
c/o John F. Darcy, Esq.
P.O. Box 2075
Morristown, New Jersey 07962

Re: In the Matter of Brian F. Fowler
Docket Nos. DRB 07-212 and 07-213
District Docket Nos. XIV-05-0013E and XIV-06-0386E
LETTER OF ADMONITION (CORRECTED)

Dear Mr. Fowler:

Enclosed please find a corrected letter of admonition. The letter listed a former docket number, rather than the current one. We apologize for this typographical error.

Very truly yours,

Julianne K. DeCore
Julianne K. DeCore
Chief Counsel

/tk

c. Chief Justice Stuart J. Rabner
Associate Justices
Stephen W. Townsend, Clerk, Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk, Supreme Court of New Jersey
William J. O'Shaughnessy, Chair, Disciplinary Review Board
David E. Johnson, Jr., Director, Office of Attorney Ethics
David Golub, Grievant

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

WILLIAM J. O'SHAUGHNESSY, ESQ., CHAIR
LOUIS PASHMAN, ESQ., VICE-CHAIR
EDNA Y. BAUGH, ESQ.
MATTHEW P. BOYLAN, ESQ.
BONNIE C. FROST, ESQ.
RUTH JEAN LOLLA
LEE NEUWIRTH
HON. REGINALD STANTON
SPENCER V. WISSINGER, III



RICHARD J. HUGHES JUSTICE COMPLEX
P. O. BOX 962
TRENTON, NEW JERSEY 08625-0962
(609) 292-1011

JULIANNE K. DECORE
CHIEF COUNSEL

ISABEL FRANK
DEPUTY CHIEF COUNSEL

ELLEN A. BRODSKY
LILLIAN LEWIN
DONA S. SEROTA-TESCHNER
COLIN T. TAMS
KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

December 10, 2007

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

Brain F. Fowler, Esq.
c/o John F. Darcy, Esq.
P.O. Box 2075
Morristown, New Jersey 07962

Re: In the Matter of Brian F. Fowler
Docket Nos. DRB 07-212 and 07-213
District Docket Nos. XIV-05-0013E and XIV-06-0386E
LETTER OF ADMONITION (CORRECTED)

Dear Mr. Fowler:

The Disciplinary Review Board has reviewed your conduct in the above matters and has concluded that it was improper. Specifically, in the matter under DRB 07-212, you failed to record mortgages on behalf of two clients. In addition, you failed to maintain client trust ledgers and did not reconcile your trust account, as required by R. 1:21-6. You also failed to comply with the OAE's requests that you provide trust account records to that office.

In the matter under DRB 07-213, you were guilty of numerous recordkeeping violations in your attorney trust and business accounts. The violations were discovered as a result of a random audit of your accounts in April 2004. Thereafter, you failed to comply with the OAE's repeated directives that you provide a certification that the recordkeeping deficiencies had been corrected and also provide a trust account reconciliation.

I/M/O Brian F. Fowler

Docket Nos. DRB 07-212 & 07-213

Page Two

Your conduct in the above matters was improper and in violation of RPC 1.3, RPC 1.15(d), and RPC 8.1(b).

In mitigation, the Board considered your representation that the trust account deficiencies have been corrected. The Board also considered that, during the time in question, you were suffering from clinical depression, which impaired your judgment and your ability to make decisions.

The Board also required you to submit to the Office of Attorney Ethics, within sixty days of the date of this letter, proof of fitness to practice law, as attested by a mental health professional approved by the Office of Attorney Ethics.

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 invoice of costs will be forwarded under separate cover.

Very truly yours,



Julianne K. DeCore
Chief Counsel

/tk

c. Chief Justice Stuart J. Rabner
Associate Justices
Stephen W. Townsend, Clerk, Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk, Supreme Court of New Jersey
William J. O'Shaughnessy, Chair, Disciplinary Review Board
David E. Johnson, Jr., Director, Office of Attorney Ethics
David Golub, Grievant