

Bank

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

LOUIS PASHMAN, ESQ., CHAIR
BONNIE C. FROST, ESQ., VICE-CHAIR
EDNA Y. BAUGH, ESQ.
MATTHEW P. BOYLAN, ESQ.
BRUCE W. CLARK, ESQ.
JEANNE DOREMUS
RUTH JEAN LOLLA
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
FIRST ASSISTANT COUNSEL

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

May 30, 2008

CERTIFIED MAIL, R.R.R. AND REGULAR MAIL

Theresa A. Markham, Esq.
529 Route 515, Suite 201
Vernon, NJ 07462

Re: In the Matter of Theresa A. Markham
Docket No. DRB 08-083
District Docket No. X-2006-0067E
LETTER OF ADMONITION

Dear Ms. Markham:

The Disciplinary Review Board reviewed the recommendation for an admonition filed by the District X Ethics Committee in the above matter. Following a de novo review of the record, the Board determined to impose an admonition.

Specifically, on March 12, 2005, you were retained by Karen Lisa to represent her in a divorce action. The fee agreement required you to send Lisa itemized bills on a regular basis. In particular, the agreement provided that she would receive weekly invoices "every Tuesday for all communications and work performed the previous week."

Despite having represented Lisa from March through November 2005, you never sent her a bill for your services. In November 2005, after Lisa terminated your services, she asked you, on several occasions, for a final statement and a refund of any unused portion of the retainer. You did not comply with her requests. Your conduct was unethical and a violation of RPC 1.4(b).

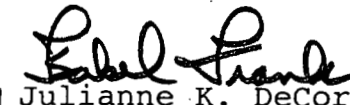
In imposing only an admonition, the Board considered that you have taken steps to improve your billing system; that you have delegated more responsibility in this regard to your assistant; that, seemingly, Lisa was not financially harmed by your actions inasmuch as you refunded her the entire retainer, pursuant to a fee arbitration determination; and that you have no history of final discipline.

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 also has 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,


by Julianne K. DeCore
Chief Counsel

JKD/IF/ns

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 (w/ethics history)
Louis Pashman, Chair
Disciplinary Review Board
David E. Johnson, Jr., Director
Office of Attorney Ethics
John McGill, III, Deputy Ethics Counsel
Office of Attorney Ethics
Catherine M. Brown, Chair
District X Ethics Committee
Caroline Record, Secretary
District X Ethics Committee
Karen Lisa, Grievant