

Book

# DISCIPLINARY REVIEW BOARD

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SUPREME COURT OF NEW JERSEY

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October 1, 2008

**VIA CERTIFIED MAIL, R.R.R**

Keith T. Smith, Esq.  
2327 New Road  
Ridgewood Plaza, Suite 202  
Northfield, NJ 08225

**In the Matter of Keith T. Smith**

Docket No. DRB 08-187

District Docket No. I-06-020E

**LETTER OF ADMONITION**

Dear Mr. Smith:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. After a careful review of the record, the Board has determined to impose an admonition.

Specifically, in 2004, you represented Adam Rintchen in a personal injury matter, pursuant to a fee-sharing agreement with another attorney. Your inaction caused the dismissal of the complaint. Thereafter, you failed to take steps to have the complaint reinstated. In addition, you failed to contact Rintchen about the status of his case. Your conduct was unethical and a violation of RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), RPC 1.4(b) (failure to keep the client reasonably informed), and RPC 1.4(c) (failure to explain the matter to the extent reasonably necessary for the client to make informed decisions about the representation).

Finally, you conceded that the fee-sharing agreement between you and Gary Trachtman, Esq., violated RPC 1.5(e), inasmuch as the proportionality of Trachtman's fee (forty percent) was not reasonable for the limited work that he performed. Moreover, it is not clear that your client consented to your participation in the matter.

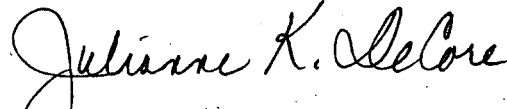
In mitigation, the Board considered that no disciplinary infractions have been sustained against you since your admission to the bar in 1998.

Your conduct has 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

JKD/sj

c: Chief Justice Stuart 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  
Adam Rintchen, Grievant