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# DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

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May 30, 2008

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**CERTIFIED MAIL – R.R.R. AND REGULAR MAIL**

Robert F. Spencer, Esq.  
c/o Raymond S. Londa, Esq.  
Londa & Londa  
277 North Broad Street  
Elizabeth, NJ 07208

Re: In the Matter of Robert F. Spencer  
Docket No. DRB 08-068  
District Docket No. XII-07-038E

**LETTER OF ADMONITION**

Dear Mr. Spencer:

The Disciplinary Review Board reviewed the motion for discipline by consent (censure or such lesser discipline as the Board may deem warranted), filed by the District XII Ethics Committee pursuant to R. 1:20-10. Following a review of the record, the Board determined to grant the motion and to impose an admonition.

Specifically, in 2004, you prepared a last will and testament for Aina Roswall, who passed away in the spring of 2007. The estimated value of her estate was between \$300,000 and \$400,000. Although you were not related to Ms. Roswall, you were one of ten residuary beneficiaries named in the will that you prepared. Your conduct was unethical and a violation of RPC 1.8(c). See In the Matter of Frederick L. Bernstein, DRB 98-128 (April 27, 1998) (admonition for attorney who, as the scrivener of several wills for the same client, named himself as a beneficiary, claiming that the provision was intended to satisfy his legal fee) and In the Matter of Robert C. Gruhin, DRB 97-403 (February 9, 1998) (admonition for attorney who prepared a codicil to the will of a longstanding client, which included a bequest of \$25,000 to himself; the attorney did not advise the

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In the Matter of Robert F. Spencer

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client to seek independent counsel regarding the client's desire to bequeath a substantial gift to him).


In imposing only an admonition, the Board considered that, at the time that you drafted the will, you did not believe that the bequest to you would amount to a substantial gift; that, before the distribution of your one-tenth share of the estate, you filed a notice of disclaimer; and that, prior to this incident, you enjoyed an unblemished professional career for thirty-six years.

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  
Christina Blunda Kennedy, Deputy Ethics Counsel  
Office of Attorney Ethics  
Anthony J. LaRusso, Chair  
District XII Ethics Committee  
William B. Ziff, Secretary  
District XII Ethics Committee  
Lori S. Culvar, Grievant