

Book

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November 26, 1996

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

Jack D. Berson, Esq.
508 New Jersey Avenue
Absecon, New Jersey 08201

**RE: In the Matter of Jack D. Berson
Docket No. DRB 96-356
LETTER OF ADMONITION**

Dear Mr. Berson:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, on March 19, 1994, you were retained by Kenneth J. Groome to incorporate a theater group as a not-for-profit corporation. You were paid a fee of \$375. Despite your client's repeated inquiries, you failed to accomplish the incorporation and also represented to him that the work was either being done or about to be done. In December 1994, Mr. Groome demanded the returned of the \$375 retainer, to which you agreed. Nevertheless, you did not refund the retainer to him until August 1995 and only after a fee arbitration hearing was conducted. Your conduct was unethical and in violation of RPC 1.1(a), RPC 1.3 and RPC 1.4. The Board did not find a violation of RPC 8.1(b) (failure to cooperate with the committee) only because you appeared at the ethics hearing and expressed genuine remorse for your conduct.


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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,

By 
Robyn M. Hill

RMH/dm

c: Chief Justice Deborah T. Poritz
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Kenneth J. Groome, Grievant