

SUPREME COURT OF NEW JERSEY  
Disciplinary Review Board  
Docket No. DRB 11-206  
District Docket No. XIV-2010-0529E

---

IN THE MATTER OF  
JUHONG J. CHA  
AN ATTORNEY AT LAW

---

:  
:  
:  
:  
:  
:  
:

Decision

Argued: October 20, 2011

Decided: December 8, 2011

Janice L. Richter appeared on behalf of the Office of Attorney Ethics.

Respondent waived appearance for oral argument.

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

This matter was before us on a disciplinary stipulation between the Office of Attorney Ethics (OAE) and respondent. Respondent stipulated to violating RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation). The OAE recommended the imposition of a reprimand. We agree with that recommendation.

Respondent was admitted to the New Jersey bar in 2005 and to the District of Columbia and New York bars in 2006. He maintains a law office in Fort Lee, New Jersey. He has no history of discipline.

By letter/grievance, dated October 13, 2010, Kristen Ritchings, Esq., informed the OAE that respondent had forged her signature on an addendum to a contract of sale for property in Harrington Park, New Jersey. Respondent represented the buyers (Soo Jin Do and Soo Jin Kang) in the real estate transaction and acted as the settlement agent. Ritchings represented the seller, Wells Fargo Bank, N.A., in its capacity as attorney-in-fact for Deutsche Bank National Trust Company, which was Trustee for Freemont Home Loans.

According to the stipulation, the original contract of sale provided that the closing would take place on August 20, 2010. Thereafter, an addendum to the contract extended the closing date to August 27, 2010. Respondent stipulated that he forged Ritchings' signature on the addendum to insure that his travel plans to Korea to visit his mother were not interrupted and to accommodate the buyers. The buyers wanted to move into the house

before the school year started and wanted to avoid a \$50 per day fee for any extension beyond August 20, 2010.<sup>1</sup>

Respondent stipulated that he violated RPC 8.4(c) by forging Ritchings' signature.

The stipulation cited, as mitigating factors, that respondent admitted his conduct to Ritchings and apologized to her; that he cooperated fully, during the OAE investigation, and expressed his remorse and shame for his actions; and that he forged Ritchings' signature to expedite the real estate transaction because he planned to travel to Korea to visit his ailing mother, whom he had not seen in eight years, and because he wanted to accommodate his clients. There were no aggravating factors listed in the stipulation.

Ritchings stated that respondent "apologized profusely, expressed his sincere regret, and requested that [she] overlook his behavior." In his reply to the grievance, respondent admitted the allegations and explained further that his mother had been seriously ill, that he was afraid that she would die

---

<sup>1</sup> The grievance stated that, after respondent admitted the forgery to Ritchings, she informed the seller, realtors, and lender that she could no longer participate in the transaction. The seller canceled the contract, the buyers retained new counsel, a new contract was drafted, and title to the property was "ultimately" transferred, "thereby successfully mitigating any damages to the parties involved."

before he got to see her, and that the family emergency "tempted [him] to cut corners in order to complete the transaction on time." He signed the addendum because he was sure that Ritchings would have consented to it and that most of the terms had been agreed to by her office, beforehand.

Following a review of the stipulation, we find that the facts contained therein fully support a finding that respondent's conduct was unethical.

The scant stipulation established that respondent forged Ritchings' signature on the addendum to the contract of sale, thereby violating RPC 8.4(c). No aggravating factors were cited. Mitigating factors cited in the stipulation were respondent's full cooperation in the investigation, and his remorse and shame for his actions, which were prompted by his desire to accommodate his clients and to visit his ailing mother whom he had not seen in eight years. In addition, Ritchings' grievance stated that damages were "successfully mitigated."

The only issue left for determination is the proper quantum of discipline for respondent's forgery.

Reprimands were imposed in In re Uchendu, 177 N.J. 509 (2003) (attorney signed clients' names on documents filed with the Probate Division of the District of Columbia Superior Court and notarized some of his own signatures on the documents; the

attorney claimed that he had his clients' permission to notarize the documents and that he did not know that his conduct was improper; the falsifications did not involve substantive information); In re Giusti, 147 N.J. 265 (1997) (attorney forged his client's signature on a medical record release form, forged the notary's signature, and used the notary's seal); and In re Reilly, 143 N.J. 34 (1995) (attorney forged a signature on an application for the release of an annuity fund to the wife of his client and improperly witnessed the signature of his client, who was incarcerated at the time; mitigating circumstances were considered).

Greater discipline was imposed in cases involving more serious circumstances, such as the presence of additional ethics violations or misconduct involving more client matters. For example, in In re Homan, 195 N.J. 185 (2008), the attorney was censured for fabricating a promissory note in connection with a line of credit that he had obtained from a non-client, forging the signature of a witness on the note, giving the note to the OAE during the ethics investigation, and telling the OAE that the note had been executed contemporaneously with its creation. During the investigation, the attorney continued to mislead the OAE about the note's authenticity to avoid professional embarrassment. The attorney had failed to formalize the

agreement at the time that it had been reached. A number of compelling mitigating factors were considered.

In In re Bowman, 179 N.J. 367 (2004), the attorney received a three-month suspension for misconduct in six client matters. In addition to forging a client's signature on a settlement and mutual release document, without the client's knowledge or consent, the attorney was also found guilty of gross neglect, pattern of neglect, lack of diligence, failure to abide by a client's decision about the representation, failure to communicate with clients, failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions about the representation, failure to withdraw from the representation when the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client, and misrepresentation to clients. The attorney's problems with alcohol did not "expunge the magnitude of his unethical actions."

Clearly respondent's conduct does not warrant a suspension, as in Bowman, because only one client matter was involved and the forgery, not a host of additional ethics improprieties. Respondent's conduct is, likewise, not as serious as Homan's, who received a censure. During the ethics investigation, Homan

misled the OAE by claiming that the promissory note that he had fabricated had been signed contemporaneously with its creation.

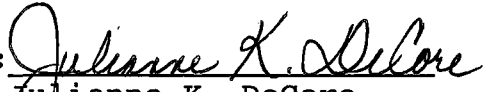
In this case, respondent readily admitted his misconduct to the OAE, apologized to Ritchings, and expressed his remorse and shame. Moreover, his mother's illness and misguided duty to his clients may have prompted him to act improperly.

Finding that respondent's conduct is more in line with the reprimand cases (Uchendu, Giusti, and Reilly), we determine that a reprimand is sufficient discipline for his violation of RPC 8.4(c).

Members Stanton and Yamner did not participate.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and actual expenses incurred in the prosecution of this matter, as provided in R. 1:20-17.

Disciplinary Review Board  
Louis Pashman, Chair

By:   
Julianne K. DeCore  
Chief Counsel

---

---

SUPREME COURT OF NEW JERSEY  
DISCIPLINARY REVIEW BOARD  
VOTING RECORD

In the Matter of Juhong J. Cha  
Docket No. DRB 11-206

---

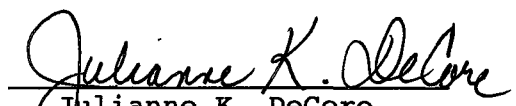
---

Argued: October 20, 2011

Decided: December 8, 2011

Disposition: Reprimand

<i>Members</i>	Disbar	Suspension	Reprimand	Dismiss	Disqualified	Did not participate
Pashman			X			
Frost			X			
Baugh			X			
Clark			X			
Doremus			X			
Stanton						X
Wissinger			X			
Yamner						X
Zmirich			X			
Total:			7			X

  
Julianne K. DeCore  
Chief Counsel