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February 27, 2012

VIA CERTIFIED MAIL, R.R.R. & REGULAR MAIL

William E. McManus, II, Esq.
1060 Raintree Lane
Palm Beach Garden, FL 33410

Re: In the Matter of William E. McManus, II
Docket No. DRB 11-286
District Docket No. XA-10-001E
LETTER OF ADMONITION

Dear Mr. McManus:

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

Specifically, in November 2009, James S. Swiatek retained you to represent him in connection with a divorce proceeding. You reviewed a property settlement agreement between Swiatek and his then-wife, prepared additional documents, and accepted service of the complaint filed by your adversary. You then advised your client to allow the case to proceed as a default.

In December 2009, you informed Swiatek that you would be traveling and would be unreachable for some time. Thereafter, you closed your office, failed to maintain a bona fide office and left no way for your client to contact you, although his matrimonial matter was still pending. Your conduct was unethical and a violation of RPC 1.4(b) and RPC 5.5(c)(5).

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In imposing only an admonition, the Board considered that you admitted your misconduct in leaving no way for your client to communicate with you. The Board also considered that you did not intend to harm your client but, rather, believed that you did not have to take further steps in the case because of your advice that it should proceed as a default.

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,


By *Julianne K. DeCore*
Julianne K. DeCore
Chief Counsel

JKD/paa

c: Chief Justice Stuart Rabner
Associate Justices
Louis Pashman, Chair, Disciplinary Review Board
Mark Neary, Clerk, Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk, Supreme Court of New Jersey
(w/ethics history)
Charles Centinaro, Director, Office of Attorney Ethics
Robert M. Vinci, Chair, District XA Ethics Committee
Caroline Record, Secretary, District XA Ethics Committee
James S. Swiatek, Grievant