

SUPREME COURT OF NEW JERSEY
D-138 September Term 1988

DISCIPLINARY REVIEW BOARD
RECEIVED

IN THE MATTER OF :
IRWIN P. GOLDSTEIN, : ORDER
AN ATTORNEY AT LAW :

AUG 1 1989

The Disciplinary Review Board having filed a report with the Supreme Court recommending that IRWIN P. GOLDSTEIN of BAYONNE, who was admitted to the bar of this State in 1961, be publicly reprimanded based on its finding that respondent improperly withdrew interest from his trust account, contrary to Opinion No. 326 of the Advisory Committee on Professional Ethics;

And the Disciplinary Review Board having further recommended that the Court put the members of the Bar on notice that, in the future, the mishandling of interest on trust account funds will be met with harsher discipline;

And good cause appearing;

It is ORDERED that the findings of the Disciplinary Review Board are hereby adopted and IRWIN P. GOLDSTEIN is publicly reprimanded for his improper withdrawal of interest from his clients' trust account, contrary to Opinion No. 326 of the Advisory Committee on Professional Ethics, 99 N.J.L.J. 298 (1976); and it is further

ORDERED that because this is the first time the Court has addressed the discipline of an attorney for the retention of interest from trust funds in violation of Opinion No. 326,

the Court concurs in the discipline recommended by the Disciplinary Review Board but cautions the Bar that such conduct belies the public trust in the legal profession's handling of clients' funds, see In the Matter of Wilson, 81 N.J. 451, 455 (1979); in the future, such conduct will be subject to more severe discipline; and it is further

ORDERED that the Decision and Recommendation of the Disciplinary Review Board, together with this order and the full record of the matter, be added as a permanent part of the file of said IRWIN P. GOLDSTEIN as an attorney at law of the State of New Jersey; and it is further

ORDERED that IRWIN P. GOLDSTEIN reimburse the Ethics Financial Committee for appropriate administrative costs.

WITNESS, the Honorable Robert L. Clifford, Presiding Justice, at Trenton, this 11th day of July, 1989.


CLERK OF THE SUPREME COURT

DISCIPLINARY REVIEW BOARD
RECEIVED

AUG 1 1989