IF

SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket Nos. 87-106, 87-107,
87-108, 87-109, 87-110,
87-111, 87-112, 87-113,
87-114, 87-115, 87-116,
88-51, 88-52, 88-53, 88-54

IN THE MATTER OF :
:
JAMES V. SPAGNOLI :
:
AN ATTORNEY-AT-LAW :
:

Decision and Recommendation
of the
Disciplinary Review Board

Argued: August 17, 1988

Decided: Oct. 31, 1988

Carmine Liotta, Esq., appeared on behalf of the District XII Ethics Committee.

Respondent did not appear.

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

This matter is before the Board based on 15 presentments filed by the District XII (Union County) Ethics Committee.

MATTERS CREATING A PATTERN OF NEGLECT

1. The Christoffersen Matter

John E. Christoffersen ("Grievant") retained respondent in September or October 1984 to represent him in a matrimonial action, at which time he paid respondent a $1,500.00 retainer. On October 25, 1984, grievant signed a complaint for divorce. He requested respondent file the complaint immediately, but not have

it served until grievant's return from vacation in December. On several occasions in the fall of 1984, respondent assured grievant that "everything was taken care of". On March 19, 1985, six months after he instructed respondent to file a complaint in his behalf, grievant was served with a divorce complaint filed by his wife. Respondent then agreed to file an answer and counterclaim and a pendente lite motion.

On March 20, 1985, grievant was told that the answer and counterclaim and the motion had been filed. On May 19, 1985, a default judgment was entered against him. He discovered then that respondent had not filed any pleadings in his behalf. Between May 30, 1985, and June 21, 1985, grievant attempted to contact respondent by telephone, but his calls were not returned. On June 6, 1985, grievant sent respondent a telegram terminating his services. Grievant then retained new counsel, who was successful in vacating the default. The Clients' Security Fund reimbursed to grievant the total retainer of $1,500.00.

2. The Headley Matter

Ruth Headley ("Grievant") retained respondent in August 1984 to represent her in connection with a potential interest in her ex-husband's pension benefits. On numerous occasions grievant attempted to contact respondent, without receiving a return phone call. Dissatisfied with respondent's representation, in August 1985, grievant requested that respondent return her file. Although she called respondent's office almost daily for a week, her calls remained unanswered. On a particular occasion,

grievant was told that her file could not be returned to her, only to another attorney.

In August 1985, grievant appeared at respondent's office, unannounced. She was told that she could not have the file because it had to be copied. After the presenter in this matter contacted respondent's office, grievant was informed that the file would be available at respondent's office. Once again, when she appeared at respondent's office, she was unable to secure her file. Although she wrote a letter to respondent on November 21, 1985, as of the date of the ethics hearing, January 27, 1986, respondent had not returned her file. When grievant consulted with new counsel, he would not agree to represent her without prior review of the file.

3. The Kudla Matter

Kathleen A. Kudla ("Grievant") paid respondent a $1,475.00 retainer on May 3, 1984, for represention in a divorce action filed by her husband in April 1984. Pursuant to respondent's testimony, he dictated an answer and counterclaim on June 15, 1984, having instructed his secretary to have the affidavit of verification and non-collusion signed and the documents properly filed with the court. On July 2, 1984, respondent acknowledged service of the complaint for divorce against grievant. On August 20, 1984, respondent's adversary in the matter filed a request to enter default. On September 19, 1984, a default judgment was entered against grievant. The judgment provided that equitable distribution had already been accomplished, pursuant to agreement

by the parties. That was untrue.

Upon discovering the judgment, grievant met with respondent, who informed her the court had apparently lost her file and he would have to make an application to set aside the default. Respondent testified he prepared the notice of motion and certification in November 1984, again delegating to his secretary the responsibility for the filing of the documents. Upon inquiries in October 1984, November 1984, and January 1985, grievant was informed by respondent that the papers had been filed. On March 3, 1985, upon reviewing the court file, grievant discovered the motion had not been filed. Accordingly, she wrote to the judge, requesting information about the status of her case. By letter dated April 3, 1985, the judge advised her a default had been entered against her. Pursuant to respondent's testimony, on April 27, 1985, he found the answer and counterclaim and the notice of motion in an unrelated file.

On May 28, 1985, respondent was contacted by an attorney with whom grievant had consulted. Thereafter, respondent took no further steps to represent grievant. On July 22, 1985, respondent received a letter from yet another attorney, requesting grievant's retainer be returned, along with her file. When respondent did not return the file or the fee, the attorney was forced to file a motion seeking the return of both. The motion was granted. Although the court order provided for personal service upon respondent, service was made on a secretary in respondent's office. Respondent, however, admitted knowledge

of its contents. As of September 22, 1985, he had not returned the file to grievant or her attorney, in spite of the court order. Grievant testified, also, that she had considerable difficulty in reaching respondent throughout their professional relationship. Respondent did not return her telephone messages and cancelled 20 - 25 appointments with her.

Respondent's neglect of the matrimonial matter caused grievant financial injury. In one particular instance, because of respondent's inaction, she was forced to pay storage charges for a boat kept in a marina, which boat was an asset subject to equitable distribution.

4. The Imes Matter

Shirley Imes ("Grievant") retained respondent in late November or early December 1984 to represent her in a matrimonial matter. At that time, grievant informed respondent that she was in dire financial straits and instructed him to file a motion for support forthwith. Respondent assured her that the matter would be before the court within two weeks. From December 1984 through February 1985, grievant had considerable difficulty in contacting respondent. She was finally able to reach him in February 1985, at which time she was advised the motion would be heard in two weeks. Although a notice of motion was indeed filed on March 11, 1985, it was not heard until August 2, 1985, as a result of adjournments requested by respondent's adversary. On the return date, respondent failed to appear.

By letter dated June 26, 1985, grievant advised respondent

of her dissatisfaction with his representation and requested a refund of her retainer. Respondent ignored her request. Once again, in August 1985, grievant expressed her unhappiness and informed respondent that she was terminating his representation, having retained new counsel. In December 1985, she requested the return of her file. As of the date of the ethics hearing, April 1, 1986, the file had not been returned.

5. The Burslem Matter

In August 1985, Gloria Burslem ("Grievant") paid a $1,500.00 retainer to respondent for the preparation of a property settlement agreement. In October 1985, when she inquired about the status of the matter, respondent informed her the delay in the preparation of the agreement was the fault of her husband's attorney. He added he had written several letters to the attorney and had tried to call him several times, all to no avail. Between October 1985 and January 1986, grievant attempted to contact respondent, unsuccessfully. When she was finally able to reach him, she requested copies of the letters written to her husband's attorney. Respondent hung up on her. On February 18, 1986, grievant telephoned her husband's attorney. She discovered respondent had not contacted the attorney at all, with the exception of an initial letter written in August 1985.

On April 23, 1986, grievant requested respondent send her file to her new attorney. When respondent ignored her request, the attorney interceded in her behalf. His efforts were also unavailing. Pursuant to grievant's testimony, respondent's

inaction detrimentally affected her position with regard to the negotiation of the property settlement agreement.

7. The Cook Matter

In January 1986, Deborah Cook ("Grievant") paid respondent a $900.00 retainer for representation in certain post-judgment matrimonial matters and a bankruptcy case. Although another attorney in respondent's office eventually filed the bankruptcy petition, after a complaint by grievant, respondent never filed any pleadings in connection with her matrimonial matters. This notwithstanding, he misrepresented to grievant the papers had been filed and her ex-husband had been served.

Beginning in May 1986, grievant asked respondent for the return of her file at least a dozen times. As of the date of the ethics hearing, November 14, 1986, respondent had not complied with her request, to grievant's financial detriment. Specifically, she was forced to work 18 to 25 hours a week overtime as a result of her inability to seek an increase in child support.

7. The (John) Arendt Matter

Early in 1986, John Arendt ("Grievant") retained respondent to object to a motion filed by his ex-wife, seeking to hold him in contempt for failure to make child support payments. Although the motion was originally returnable on January 17, 1986, it was adjourned to March 7, 1986. Respondent neither filed an objection to the motion in grievant's behalf, nor appeared in court on the return date of the motion. As a result,

the court entered an order holding grievant in contempt and requiring him to convey his one-half interest in the marital home to his ex-wife.

When grievant apprised respondent of the contempt order, respondent offered to file a motion to vacate it. On March 21, 1986, he prepared an affidavit in support of the motion. As of July 10, 1986, four months later, grievant had not been told whether the motion had been filed. When grievant sought to obtain the return of his file, directly at first, and then through his new attorney, respondent refused to release it. As of the date of the ethics hearing, September 19, 1986, respondent had not returned the file to grievant. As of that same date, the judgment which grievant's ex-wife obtained against him was still in effect.

8. The (Joan) Arendt Matter

Grievant, Joan Arendt, is the current wife of John Arendt, the grievant in the preceding matter. In August 1985, respondent undertook to represent her with regard to a post-judgment matrimonial matter. On August 21, 1985, grievant's ex-husband signed a deed transferring his interest in the former marital home to her, which deed was promptly forwarded to respondent for recording. Not having received the recorded deed within a reasonable time, grievant made frequent telephone calls to respondent, inquiring about the status of the matter. Invariably, respondent would furnish grievant with various and conflicting stories as to why the deed still had not been

recorded, including the loss of the deed by the clerk's office and its misfiling by respondent's office. As of the date of the filing of the ethics complaint, one year after the deed had been signed, respondent still had not recorded the deed. As a result, grievant was forced to hire new counsel to have the deed properly recorded.

9. The Perrotti Matter

Nancy Perrotti ("Grievant") retained respondent to represent her with regard to certain post-judgment matrimonial matters. On August 16, 1985, grievant and her ex-husband reached an agreement, which was placed on the record. Eleven months thereafter, however, the order incorporating the terms of the agreement still had not been submitted for the court's signature. Although respondent testified his adversary was responsible for the preparation of the proposed form of order, he took no steps to submit the order himself, after he discovered the order had not been prepared by his adversary within a reasonable period of time. Without the order, grievant was unable to enforce her right to child support and to the distribution of marital assets.

On numerous occasions, grievant attempted to contact respondent to inquire about the order. Her telephone calls were ignored. On April 10, 1986, grievant appeared at respondent's office to request the return of her file. Pursuant to grievant's testimony, respondent replied "you made me wait for my payment. Now, when I'm good and ready, I will give you the file". (T8 12-

13)[1] Subsequent letters to respondent requesting the return of the file produced no results.

Respondent's conduct caused substantial financial injury to grievant inasmuch as she has not received any child support payments since October 1985. Similarly, she has not received the proceeds of sale of two lots totalling $5,500.00, designed to satisfy her ex-husband's support arrearages as of the date of the agreement.

10. The Huneke Matter

Helen Huneke ("Grievant") consulted with respondent on May 3, 1985, to discuss the filing of an employment discrimination claim in her behalf. On June 2, 1985, she paid respondent a $1,500.00 retainer. Between June and July 1985, grievant or her husband called respondent's office 42 times. She was invariably told respondent was either on the phone, in conference or out of the office. The only phone call respondent returned was on December 16, 1985, shortly after she contacted the secretary of the district ethics committee. At a meeting in December, respondent indicated the complaint had already been filed. In fact, respondent never filed any pleadings in her behalf.

By letter dated July 23, 1986, grievant informed respondent she no longer wished him to represent her. She consulted with

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[1]T8 denotes the transcript of the ethics hearing on October 10, 1986.

another attorney, who was, however, unwilling to undertake representation prior to review of the file. On July 24, 1986, new counsel wrote to respondent requesting the return of grievant's file. As of the date of the ethics hearing, October 3, 1986, the file still had not been released. The Clients' Security Fund reimbursed the total retainer of $1,500.00.

11. The Small Matter

William Small, Jr. ("Grievant") retained respondent to represent him in a divorce matter. On August 18, 1986, grievant and his wife reached an agreement, which was placed on the record. Respondent agreed to submit within 30 days thereof the proposed form of judgment incorporating the terms of the agreement.

Following the hearing, grievant attempted to obtain an appointment with respondent to discuss the form of judgment or, more specifically, the revision of certain provisions of the judgment which grievant believed to be inaccurate. Unable to obtain an appointment, on October 28, 1986, grievant wrote to respondent setting forth the pertinent revisions. When he did not receive a response, grievant contacted the trial judge, who wrote to both counsel on November 29, 1986, directing that respondent's adversary prepare the form of judgment, with a copy being sent to grievant. On December 24, 1986, grievant received a copy of the signed judgment from his ex-wife's attorney. Upon reviewing said judgment, he discovered the inaccuracies that he had raised with respondent had not been corrected. Respondent

then agreed to order a copy of the transcript and to file a motion to modify the judgment. The motion was never filed.

12. The Sloane Matter

In September 1986, respondent agreed to represent Anna M. Sloane ("Grievant") in connection with a divorce action. She paid him a $400.00 retainer and instructed him to file the divorce at the earliest opportunity. She explained she wished the divorce finalized prior to the birth of her child because she intended to resume her maiden name and to give the baby her surname. Respondent assured her she would be divorced by the end of 1986. On a subsequent occasion, when grievant asked respondent about the filing of the complaint, he represented to her it had already been filed and that there was no need for her to sign any documents.

Around Thanksgiving of 1986, grievant telephoned respondent to inquire about the status of her matter. Respondent informed her that the complaint had already been filed and forwarded to the sheriff's office for service. In mid-December of 1986, grievant called the sheriff's office. She was informed that the summons and complaint had not been received. She then called the Superior Court clerk's office and discovered the complaint had never been filed. In January 1987, grievant both orally and in writing requested respondent return her retainer and her file. Respondent ignored her request. The Clients' Security Fund reimbursed grievant $500.00.

13. The Wigfall Matter

In August 1985, Edna Wigfall ("Grievant) retained respondent to represent her in a divorce action filed by her husband. She paid him a $935.50 retainer. During a court appearance, after the attorneys conferred with the judge, respondent told grievant the court would schedule a new date for the divorce trial. Subsequently, respondent received from her husband's attorney a copy of a Supplemental Final Judgment of Divorce dated September 26, 1986, which stated the matter had been called for trial on April 2, 1986, no one having appeared in her behalf. Respondent neither notified grievant of the April 2 date nor appeared for the trial. When she showed the judgment to respondent, he told her "it was impossible." He promised grievant he would have a conference with the judge and would promptly advise her of its outcome. Subsequently, grievant attempted to reach respondent on numerous occasions, including written requests for information, without any response whatsoever from respondent. A claim is presently pending with the Clients' Security Fund.

14. The Solomine Matter

On March 9, 1987, Ruth Solomine ("Grievant") paid respondent a $525.00 retainer to object to a notice of motion filed by her ex-husband concerning custody and visitation of the parties' son. The motion was returnable on March 13, 1987. On March 9, grievant and her son met with respondent, at which time she signed blank certifications dated March 12, 1987. Between March 16 and April 1, 1987, grievant called respondent's office on a

daily basis. On that last day, she was advised respondent had been suspended from the practice of law.

Upon receiving her file, grievant found copies of two certifications marked "filed" with the Superior Court clerk's office on March 17, 1987. She then personally delivered them to the judge, who agreed to carry the matter until she was able to obtain new counsel. She also discovered a copy of a letter which respondent had forwarded to the court after the return date of the motion, referring to the fact that the motion had been heard on the previous Friday and requesting an adjournment on the ground that grievant had been out of state. That was false.

Clients' Security Fund

To date the Clients' Security Fund has been required to reimburse 13 clients a total of $14,750.00 for completely unearned retainers. Five additional claims are presently pending.

FAILURE TO COOPERATE WITH THE ETHICS COMMITTEE

The district ethics committee filed 15 separate ethics complaints against respondent. He failed to answer eight of those complaints. Ethics hearings were held on ten different days, encompassing 14 matters.[2] Respondent failed to appear at

[2]No hearing was held on the ethics complaint alleging a pattern of neglect.

nine of those hearings, held on five separate days.

On one particular occasion, respondent appeared at a hearing on October 3, 1986, at which a grievant and her husband testified. That hearing was continued until October 10, 1986, at 1:00 p.m. On the new date, respondent telephoned the committee at 11:00 a.m. to advise the chair that he was unable to attend because of illness. By letter dated October 20, 1986, respondent was advised the hearing would be continued to November 14, 1986. On the day scheduled for the hearing, respondent failed to appear.

A hearing on a different matter had been scheduled for October 17, 1986. Respondent telephoned the Chair on that day, again informing him he would be unable to attend because he was ill. Although the Chair was able to adjourn a companion hearing for the same day, he advised respondent the committee would hear the testimony of one of the grievants because she had traveled from Florida especially for the hearing. Respondent was also advised of the opportunity to present a defense at a later date. By letter dated October 20, 1986, the presenter informed respondent he would have seven days within which to request a hearing, if he so desired. By a second letter dated October 30, 1986, the committee chair furnished respondent with ten days within which to move to reopen the case. Respondent did not respond to either of those letters or otherwise request the appropriate relief.

On another occasion, a hearing had been scheduled for

November 14, 1986. Although the respondent called the presenter's office prior to the hearing to confirm it would be held, and was told the hearing would take place, he failed to appear at the scheduled time. At 1:30 p.m., the presenter called respondent's office. He was advised by respondent's secretary that respondent's diary reflected the date and time of the hearing and that respondent had left at 12:20 p.m. to attend the hearing. At 1:45 p.m. the hearing began, respondent having failed to appear.

Following the conclusion of the 14 hearings, the committee concluded respondent had been guilty of gross negligence in ten matters; of a pattern of neglect in seven matters; of lack of due diligence in representing clients in seven matters; of failure to communicate with the client in four matters; of failure to return the clients' files in nine of these matters; and of making a misrepresentation to the court in one matter. Although the committee acknowledged respondent had not cooperated with the investigation of the ethics matters in nine of the 15 matters, it only charged respondent formally with non-cooperation in one instance. The committee found that respondent violated RPC 1.1(a) and (b), RPC 1.3, RPC 1.4, RPC 1.16(d), RPC 3.3(a) and RPC 8.1(b). The committee recommended that respondent receive public discipline.

By an order dated March 30, 1987, respondent was temporarily suspended from the practice of law until further order of the Court.

The hearing before the Board took place on August 17, 1988. Respondent did not appear, although provided with proper notice thereof.

CONCLUSION AND RECOMMENDATION

Upon a review of the full record, the Board finds that the conclusions of the committee are fully supported by clear and convincing evidence. Each instance of ethical violation is amply supported by the record. Moreover, respondent's actions, taken together, exhibit a disturbing pattern of neglect.

The Board finds that, in all but two of the 14 matters under review, respondent was guilty of gross negligence. Conduct evidencing a pattern of neglect was found in six of those matters. In seven matters, respondent failed to take initial action by not preparing or filing any papers [Christoffersen, Kudla, Burslem, Cook, (John) Arendt, Huneke and Sloane]. In some instances, default judgments or contempt orders were entered against clients [Christoffersen, Kudla, (John) Arendt and Wigfall]. In three cases, respondent failed to appear in court [Imes, (John) Arendt and Wigfall]. In three matters, he misrepresented to the client the papers had been filed or the delay in preparing the documents was caused by his adversary [Burslem, Cook and Sloane]. In the Solomine matter, he lied to the court when he requested an adjournment on the basis that his client was out-of-state. In eight matters, he failed to communicate with the clients or to respond to their reasonable requests for information. In eight instances, he refused to

return the clients' files, as requested. In one matter, he ignored a court order providing for the return of the file [Kudla]. In at least two cases, [Kudla and Sloane] he refused to refund unearned retainers.

Respondent's egregious conduct transcends the matters heretofore reviewed by this Board and the Supreme Court where numerous instances of gross negligence and conduct evidencing a pattern of neglect have warranted a long-term suspension from the practice of law. See e.g., Matter of Templeton, 99 N.J. 365 (1985); Matter of O'Gorman, 99 N.J. 482 (1985). Respondent did not act with gross negligence alone. He acted with malice. The record reveals that, in the majority of the matters, respondent never intended to take any action to safeguard his clients' interests from the outset of the representation. This is not the case where the attorney undertakes the representation, receives a retainer, files the initial pleadings and subsequently loses interest in the matter. Here, respondent accepted the clients' money, promised to take legal action in their behalf, induced the clients to rely on his promise, all the while never intending to take any steps whatsoever to protect the clients' property -- and in some cases liberty[3] -- to the clients' great detriment. Respondent did not only abandon his clients. He defrauded them.

The Board finds respondent's conduct egregious and in violation of RPC 1.1(a) and (b), RPC 1.3, RPC 1.4, RPC 1.16(d),

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[3]A contempt order was entered against (John) Arendt.

RPC 3.3(a) and RPC 8.4.

The Board is gravely concerned also with respondent's contumacious failure to cooperate with the ethics proceedings. Respondent did not answer eight of the 15 complaints instituted against him. He failed to appear at five of the scheduled hearings, covering nine of the ethics matters. He also failed to appear at the Board hearing.

An attorney has the duty to file an answer to the ethics complaint within the time prescribed by the rules of the court. An ethics complaint should be entitled to a priority over any matter in which the lawyer is involved and that can possibly be postponed. In re Kern, 68 N.J. 325, 326 (1975).

The same applies with equal force to the duty of an attorney to appear at the ethics hearings. The lawyers and public members of the district ethics committees are extremely busy individuals who are willing to dedicate their efforts and valuable time to this time-consumming, but crucial, work. An attorney's failure to cooperate with the committee constitutes disrespect thereto and, consequently, disrespect to the Supreme Court, of which the committee is an arm. In re Grinchis, 75 N.J. 495, 496 (1978).

Respondent's willful disregard for the solemnity of the ethics proceedings cannot be countenanced. Hearings were scheduled for ten days, encompassing 14 separate matters. Respondent failed to appear at five of those hearings, covering nine matters. On one occasion, although the committee had already convened, respondent telephoned the Chair and requested

an adjournment because he was ill. The hearing was continued to a later date, of which respondent was duly notified. He again failed to appear.

Respondent's cavalier attitude to his ethical responsibilities cannot be tolerated. It shows contempt toward his clients, the profession and the entire judicial system. Respondent is not a young, new and inexperienced attorney. He has been a member of the bar for some 19 years. He was experienced in the field of matrimonial law, the subject matter of 13 of the 14 ethics complaints filed against him. Seemingly, he was well-regarded by his colleagues, including the presenter herein, prior to his quick downhill slide. Nevertheless, he repeatedly abandoned his clients and shirked his professional responsibilities. Like the attorney in In re Netchert, 78 N.J. 445 (1979), whose conducted merited disbarment,

> [W]e are not confronted here with a single instance of abberrational conduct. Rather, what emerges is a pattern of abandonment of clients, casting adrift of professional responsibilities, neglect of practice, violations of fundamental disciplinary rules governing the practice of law, and contumacious and repeated failure to cooperate with the arm of this Court charged with enforcement of the disciplinary rules. In re Netchert, supra, 78 N.J. 445, 453 (1979).

Moreover, this is not respondent's first encounter with the disciplinary system. In 1982, he received a public reprimand for signing a client's name on three separate affidavits filed with the court. In re Spagnoli, 89 N.J. 128 (1982). Instead of paying heed to that first admonition, he went on an "ethical violation spree" between May 1984 and March 1987, until he was

suspended temporarily from the practice of law. Respondent remains under suspension.

Respondent's failure to conform to the high standards required of the profession after receiving a public reprimand, coupled with the grievous ethical breaches that followed it, leads the Board to the inescapable conclusion that his professional character is beyond rehabilitation. Respondent's repetitive, unscrupulous acts reveal not only a callous disregard for his responsibilities toward his clients and disdain for the entire legal system, but a deficiency in his character. He embarked on a predetermined course of conduct designed to defraud those who sought his legal protection, entrusting him with their property and freedom alike, namely, his clients.

The Board is convinced that respondent's ethical deficiencies are intractable and irremediable. His conduct smacks of venality and immorality, unlike that found in Matter of Templeton, supra, 99 N.J. 365 (1985) (where attorney who was guilty of pattern of neglect, refusal to return unearned retainers, failure to carry out contracts of employment, misrepresentation of status of cases to clients and failure to cooperate with ethics committee was suspended for five years, instead of disbarred, because the evidence left the Court "slightly short of a conviction that the ethical violations mirrored an unsalvageable professional character").

The Board concludes that the record shows that respondent's conduct is incapable of mitigation. A lesser sanction than

disbarment will not adequately protect the public from this attorney, who has amply demonstrated that his "professional good character and fitness have been permanently and irretrievably lost". Matter of Templeton, supra, 99 N.J. 365, at 376 (1985).

Accordingly a five-member majority of the Board recommends that respondent be disbarred. Three members would impose a three-year suspension, to be continued indefinitely thereafter until respondent is able to demonstrate that he is fit to resume the practice of law.

The Board further recommends respondent be required to reimburse the Ethics Financial Committee for appropriate administrative costs.

Dated: 10/31/88

Raymond R. Trombadore
Chair
Disciplinary Review Board