

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

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October 23, 2013

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

Linda M. Smink, Esq.
c/o Lennox S. Hinds, Esq.
Stevens, Hinds and White, P.C.
42 Van Doren Avenue
Somerset, New Jersey 08873

Re: In the Matter of Linda M. Smink
Docket No. DRB 13-115
District Docket No. VIII-2011-0001E
Letter of Admonition

Dear Ms. Smink:

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 2007, you were retained to handle Antonio McGeary's appeal from a criminal conviction. Although you had not represented McGeary in an appellate matter before, you did not communicate either to him or his mother, who paid the fee, the basis or rate of the fee, in writing, either before or within a reasonable time after commencing the representation, a violation of RPC 1.5(b).

In addition, you failed to communicate to McGeary's mother, who acted as his emissary with respect to the details of the appeal, that the time to file the notice of appeal had expired, as had the time to seek to reinstatement of the appeal.

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Moreover, McGeary's mother's attempts to communicate with you, during a three-month period, were unsuccessful. This lack of communication on your part violated RPC 1.4(b).

Finally, your failure to retain hard copies of your client files at your office was a violation of RPC 1.15(d).

The Board dismissed the remaining charges for lack of clear and convincing evidence.


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).

In imposing only an admonition, the Board considered that you have no prior discipline in your twenty-four years at the bar.

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,


Isabel Frank
Acting Chief Counsel

IF/lg

c: Chief Justice Stuart Rabner
Associate Justices
Bonnie Frost, Chair (via e-mail)
Disciplinary Review Board
Mark Neary, Clerk
Supreme Court of New Jersey
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)

Linda M. Smink, Esq.

October 23, 2013

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Charles Centinaro, Director

Office of Attorney Ethics

Glynn J. Dwyer, Jr., Chair, District VIII Ethics Committee

Manny Gerstein, Secretary, District VIII Ethics Committee

Janice M. McGeary, Grievant