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OF THE

SUPREME COURT OF NEW JERSEY

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November 25, 2013

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

Tonya M. Smith, Esq.
c/o John McGill, Esq.
McGill Law Practice, LLC
406 Grant Ave.
Edgewater Park, NJ 08010

RE: In the Matter of Tonya M. Smith
Docket No. DRB 13-193
District Docket No. XIV-2012-0619E
LETTER OF ADMONITION

Dear Ms. Smith:

The Disciplinary Review Board has reviewed the motion for discipline by consent (admonition) filed by the Office of Attorney Ethics (OAE), pursuant to R. 1:20-10(b). Following a review of the record, the Board concluded that your conduct in the above matter was improper and determined to grant the motion. In the Board's view, an admonition is the appropriate discipline for your violation of RPC 1.15(d) and R. 1:21-6 (recordkeeping violations).

Specifically, on or about November 23, 2012, your trust account was overdrawn by \$65, when a \$1,000 check was presented against the account. This led the OAE to conduct a demand audit of your attorney records. The audit revealed that you had failed to prepare monthly three-way trust account reconciliations; that you cashed a trust account check, payable to yourself for a legal fee, without first depositing it into

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your business account; and that the trust account balances included unidentified client funds.

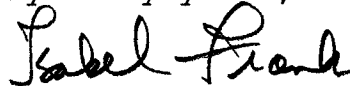
In mitigation, the Board considered that no disciplinary infractions have been sustained against you since your 1984 admission to the New Jersey bar, that you admitted your wrongdoing, and that you have retained the services of a qualified certified public accountant to assist you in the proper maintenance of your books and records.

Your conduct 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 cost 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/tk

c: Chief Justice Stuart Rabner
Associate Justices
Bonnie C. Frost, Chair
Disciplinary Review Board (via email)
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
Michael J. Sweeney, First Assistant Ethics Counsel
Office of Attorney Ethics