SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 13-249
District Docket Nos. XIV-2012-0077E;
XIV-2012-0327E; and XIV-2012-0531E

IN THE MATTER OF	:
OWEN CHAMBERS	:
AN ATTORNEY AT LAW	:

Decision

Decided: December 16, 2013

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

This matter was before us on a certification of default filed by the Office of Attorney Ethics (OAE), pursuant to R. 1:20-4(f). The four-count complaint charged respondent with having violated RPC 1.15(a) (failure to safeguard funds), the principles of In re Wilson, 81 N.J. 451 (1979), and of In re Hollendonner, 102 N.J. 21 (1985), RPC 1.15(b) (failure to promptly deliver funds to a third person), RPC 5.5(a) (practicing law while suspended), RPC 8.1(b) (failure to cooperate with disciplinary authorities (mistakenly cited as RPC 8.1(a)), RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and RPC 8.4(d) (conduct

prejudicial to the administration of justice). For the reasons expressed below, we recommend that respondent be disbarred.

Respondent was admitted to the New Jersey bar in 2000. At the relevant times, he maintained a law practice in New Brunswick, New Jersey.

In 2012, respondent was suspended for three months for gross neglect and lack of diligence, when he failed to file a wage execution against an individual who was improperly holding his client's funds; failure to communicate with the client; failure to safeguard the client's funds and property; failure to cooperate with ethics authorities; misrepresentations about keeping inviolate property that he was required to safeguard; and failure to testify truthfully, under oath, at the ethics hearing. In re Chambers, 209 N.J. 417 (2012).

In 2013, respondent received a six-month suspension, in a default matter, for his conduct in connection with an escrow agreement. There, he failed to safeguard escrow funds, when he improperly released them without a reasonable belief that he could do so; failed to promptly deliver funds to a third party; failed to communicate with the parties to the escrow agreement; failed to supervise a non-lawyer employee, his paralegal; and authorized the paralegal to falsely represent to third parties that he was

holding in his trust account $648,800, the purchase price for equipment. In re Chambers, 215 N.J. 303 (2013).

Respondent has not applied for reinstatement from his initial three-month suspension.

Service of process was proper in this matter. On June 10, 2013, the OAE sent copies of the complaint, by regular and certified mail, to respondent's home address, in New York. The certified mail receipt, signed by respondent, showed that it was delivered on June 27, 2013. The regular mail was not returned.

On July 9, 2013, the OAE sent a letter to the same address, by regular and certified mail. The letter notified respondent that, if he did not file an answer within five days of the date of the letter, the allegations of the complaint would be deemed admitted, the record would be certified to us for the imposition of discipline, and the complaint would be deemed amended to include a willful violation of RPC 8.1(b).

A copy of the United States Postal Service's track and confirm report shows that delivery of the certified mail was attempted and that, on July 13, 2013, a notice of the certified mail was left, presumably at respondent's home address. The regular mail was not returned.

As of the date of the certification of the record, July 16, 2013, respondent had not filed an answer to the ethics complaint.

According to count one of the complaint, Michael LaChapelle is the senior managing partner of United Expediting and Consulting Services (United), a New York-based company that corrects building code violations and reviews, audits, and negotiates balances due on water bills for commercial properties. United used respondent to "legitimize its business" by having its clients "send their payments to an attorney."

Innovative Property Management, Inc. (Innovative) is a New York company that assists its clients in finding low income housing. Innovative retained United to negotiate its code violations and its outstanding water bills with the New York City Department of Environmental Protection (DEP).

On November 5, 2010, at LaChapelle's instruction, Innovative sent respondent a $25,000 check (no. 6647), payable to respondent's law office. Innovative expected that respondent would pay its water bills with those funds.

At an OAE interview, respondent admitted knowing that Innovative's funds were to be used to pay its water bills. According to the complaint, despite this knowledge, on November 8, 2010, respondent deposited Innovative's check into his business account, rather than his trust account. The check was drawn on Alliance Housing II Associates' (Alliance) account. Innovative is the parent company of Alliance.

On November 9, 2010, respondent issued a $24,000 business account check payable to "cash." He endorsed the back of the check, using his driver's license for identification. He did not apply any of Innovative's funds to its water bill.

On December 29, 2010, Innovative issued another check (no. 6716) for $15,000, also payable to respondent's law office, expecting that respondent would use the funds to pay its water bill. According to the complaint, on that same day, respondent deposited the check into his business account, instead of his trust account.

On January 5, 2011, respondent wire-transferred $13,695 from his business account to Hilario Dennis' JP Morgan Chase bank account, knowing that the funds had been earmarked for Innovative's water bill. According to the complaint, Dennis "works" for United. Respondent did not apply any of Innovative's funds to its water bill.

The complaint charged respondent with violating RPC 1.15(a) and the principles of Wilson and Hollendonner, in that he knowingly misappropriated client trust funds; RPC 1.15(b), in that he failed to give prompt notice to the DEP that he had received funds that the DEP was entitled to receive and to promptly deliver them to the DEP; RPC 8.4(c), in that he engaged in conduct involving dishonesty, fraud, deceit and misrepresentation; and RPC

8.4(d) (more properly, RPC 8.4(b)), in that he "intentionally took funds belonging to another with the purpose to deprive him thereof, in violation of N.J.S.A. 2C:20-3."[1]

Count two charged respondent with practicing law while suspended. As indicated previously, by order dated March 7, 2012, the Court suspended respondent for three months, effective April 9, 2012. On May 22, 2012, using his office letterhead, respondent wrote to Elizabeth Municipal Court Prosecutor Ashton Thomas, referencing the case of State v. Joseph Caban. Respondent's letter to Thomas stated that he had been "retained to provide legal representation as it relates to the above captioned matters[s]," that he understood that the matter had been scheduled for May 24, 2012, and that he was "requesting that this matter be adjourned to after June due to the fact that I am currently suspended for 90 days which started on April 9, 2012."

R. 1:20-20(b)(4) provides, in relevant part, that a suspended attorney is prohibited from using stationery that suggests that the attorney is entitled to practice law.

The second count of the complaint also cited R. 1:20-20(b)(11), which, in relevant part, requires that a suspended

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[1] N.J.S.A. 2C:20-3 provides, in relevant part, that "a person is guilty of theft if he unlawfully takes, or exercises unlawful control over, movable property of another with purpose to deprive him thereof."

attorney promptly give notice of the attorney's suspension and consequent inability to represent the client to "(1) each client; (2) the attorney for each adverse party in any matter involving clients; and (3) the Assignment Judge with respect to any action pending in any court in that vicinage, or the clerk of the appropriate appellate court or administrative agency in which a matter is pending." This section also requires the suspended attorney to advise clients to obtain new counsel and to promptly substitute new counsel for the disciplined attorney.

The second count of the complaint further cited R. 1:20-20(b)(15), which requires, among other things, that, within thirty days after the date of an order of suspension, the suspended attorney file with the OAE Director a detailed affidavit specifying "by correlatively numbered paragraphs how the disciplined attorney has complied with each of the provisions" of the rule and the Court's order.

The complaint alleged that respondent did not comply with the requirements of these rules because he failed to advise his client in the State v. Joseph Caban case to obtain new counsel, instead seeking an adjournment, and because he failed to file an affidavit of compliance with R. 1:20-20.

By letter dated June 26, 2012, the OAE asked Donald Lomurro, who represented respondent in a pending ethics matter, for

information and documentation in the Caban matter, within ten days of his receipt of the letter. When Lomurro did not reply, the OAE sent him a second letter, dated August 1, 2012, seeking confirmation that he represented respondent in connection with three ethics investigations.[2] Thereafter, by letter to respondent, dated August 13, 2012, the OAE scheduled a "demand interview" for August 28, 2012. The letter was sent to respondent's law office address by regular and certified mail. Lomurro was copied on the letter.[3] By letter dated August 15, 2012, with a copy to respondent, Lomurro informed the OAE that he was no longer representing respondent in connection with any ethics investigation.

Respondent did not appear at the August 28, 2012 OAE demand interview and did not inform the OAE that he would not appear.

According to the second count of the complaint, by letter dated August 31, 2012, sent by regular and certified mail to respondent's home address, the OAE scheduled a demand interview

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[2] Respondent was copied on both letters.

[3] The OAE sent the letter to respondent's office address, even though he had not been reinstated to practice law and, therefore, his law office should have been closed.

for September 13, 2012.[4] The certified mail was not claimed and the regular mail was not returned. Respondent neither appeared for the demand interview nor notified the OAE that he would not appear.

The second count charged that respondent violated RPC 5.5(a), by continuing to practice law while suspended, and RPC 8.1(b), by failing to cooperate with disciplinary authorities.

Count three charged respondent with failure to safeguard funds and failure to promptly turn over settlement funds to a client. According to the complaint, in March 2007 and October 2007, respondent was retained to represent J.S., a minor, in two matters, a personal injury claim and a criminal matter, respectively.

In December 2008, respondent settled the personal injury claim for $5,000. New Jersey Re-Insurance Company sent a settlement check to respondent, dated December 1, 2008. The check was payable to J.S.'s parent, as J.S.'s legal guardian, and to respondent's law office. Although J.S.'s parent did not endorse the check, on December 10, 2008, respondent deposited the check, stamped "For Deposit Only," into his New Millennium Bank business account. Because J.S. was a minor, respondent was only entitled to

[4] Contrary to the allegations of the complaint, the August 31, 2012 letter did not set a date for the demand interview.

twenty-five percent of the net settlement, or $1,250 (R. 1:21-7(c)(6)).

The May 8, 2008 fee agreement for the criminal matter called for a flat fee of $5,000 for pre-trial services and an additional $3,000, if the matter proceeded to trial. The agreement acknowledged that respondent had received $2,700, which he would credit to the flat fee, and that there was an outstanding balance of $2,300.[5] The agreement also stated that, upon its execution, the new total balance due was $5,300, reflecting the prior balance and the additional trial fee.

According to the third count of the complaint, respondent did not disburse any of the $3,750 of the settlement funds to J.S. or his parent. Instead, he applied the $3,750 towards J.S.'s outstanding $5,300 criminal defense fee. The third count of the complaint charged that respondent violated RPC 1.15(a), because he failed to safeguard his client's funds and because he failed to deposit the client's settlement funds into his attorney trust account. The complaint also charged a violation of RPC 1.15(b), based on respondent's failure to promptly deliver J.S.'s settlement funds.

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[5] The balance was to be paid in monthly installments of $200, due on the twentieth of each month.

The fourth count of the complaint alleged that, on September 4, 2012, Assistant Public Defender Dale Jones filed a grievance against respondent for his submission of false information, in certified invoices for services that he had provided as a pool attorney for the Office of the Public Defender (OPD). By letter dated October 17, 2012, the OAE sent a copy of Jones' grievance, by regular and certified mail, to respondent's home address, instructing him to submit a reply within ten days. The OAE sent a November 5, 2012 "follow-up" letter to respondent, by regular and certified mail, seeking a written reply by November 12, 2012. Both certified letters were returned as unclaimed. The regular mail was not returned. As of the date of the complaint, June 10, 2013, respondent had not submitted a reply to the grievance.

Jones' grievance arose out of the following conduct:

In early June 2011, respondent was assigned, as the public defender, to represent Alnisa Fatimah Shumate. Shumate's matter went to trial in March 2012.

On March 16, 2012, Shumate was convicted of a second-degree criminal offense. On March 19, 2012, Deputy Public Defender Richard Barker instructed respondent to file a motion for a new trial, before respondent's suspension took effect, on April 9, 2012. Although respondent agreed to do so, he did not file the motion.

On or about March 23, 2012, respondent submitted his timesheet in the Shumate matter to the OPD. It included a two-hour visit with Shumate, at the Middlesex County jail, research for a motion for a new trial, and the filing of the motion, "with a total balance of $5,535."

On April 2, 2012, the OPD removed respondent as a pool attorney "on a statewide basis" and ordered him to return all of his outstanding active files to Barker. Barker notified respondent that the OPD would not approve or pay his outstanding bill for Shumate, until the newly assigned public defender completed Shumate's trial.

By letter dated July 16, 2012, OPD investigator Yralda Fernandez requested the visitors' records from the Middlesex County Department of Corrections (MCDOC) for March 17 through March 23, 2012, in order to verify whether respondent had visited Shumate, during that period. The MCDOC's July 19, 2012 letter informed Fernandez that it had not found any visitor records for Shumate, during that period. Fernandez' August 13, 2012 investigation report indicated that, on August 13, 2012, she had gone to the MCDOC and had personally reviewed the log in question. After carefully inspecting the records, Fernandez had not seen respondent's name on the log.

On August 17, 2012, respondent sent an email to Jones about outstanding bills in two matters, one of which was the Shumate matter. As to that matter, respondent stated only that an adjustment had to be made in that bill to deduct

> any time charged for post-verdict motions because I was not in a position to do those motions based on my pending suspension which started on April 9, 2012 and my inability to be able to obtain trial transcripts in a time frame that would have allowed me to order those transcripts and then receive them and be in a position to file those post verdict motions.
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> [Ex.24;C¶IV.17.][6]

Respondent added that he could not understand why Barker needed to review his bills for accuracy. Respondent's email did not mention that he needed to deduct from his bill the two hours that he had charged for visiting Shumate at the prison.

By letter to Jones, dated August 17, 2012, Barker pointed out that respondent had been less than candid with him in the past[7] and that respondent had submitted timesheets for services that he had

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[6] C¶IV refers to count four of the June 10, 2013 ethics complaint.

[7] According to the letter, in respondent's prior ethics matter, he had requested Barker to write a character letter on his behalf. Respondent had informed Barker that he had been involved in a "minor dispute with a client." When Barker received a copy of our decision, he realized that respondent had not been candid with him about the matter. Barker added that we had made "specific reference to [his] letter as a factor in reducing [respondent's] suspension."

not provided. Respondent certified that he had worked a specific number of "in-court hours and out-of-court hours for the Shumate matter." The voucher also included two hours for in jail visits with Shumate that had not taken place. Respondent requested that he be paid $4,930.

In a September 4, 2012 email to respondent, Jones told him that he had included hours for services not rendered and that the OPD had to report the conduct to the OAE, as a violation of N.J.S.A. 2C:21-34, which states as follows:

> a.) A person commits a crime if the person knowingly submits to the government any claim for payment for performance of a government contract knowing such claim to be false, fictitious, or fraudulent. . . . If the claim exceeds $2,500.00, but is less than $25,000.00, the offender is guilty of a crime of the third degree. If the claim is for $2,500.00 or less, the offender is guilty of a crime of the fourth degree.

The fourth count of the complaint charged respondent with a violation of RPC 8.1, presumably (b), for his failure to comply with the OAE's requests for a reply to the grievance; RPC 8.4(c), for conduct involving fraud, deceit or dishonesty; and RPC 8.4(d), for his submission of a fraudulent bill for payment to the OPD, a third-degree crime, in violation of N.J.S.A. 2C:21-34(a).

The facts recited in the complaint support the charges of unethical conduct. Respondent's failure to file an answer is

deemed an admission that the allegations of the complaint are true and that they provide a sufficient basis for the imposition of discipline. R. 1:20-4(f)(1).

As to count one, respondent deposited Innovative's checks, earmarked for water bills, into his business account and then did not pay the bills. Instead, the day after he deposited the first $25,000 check into his business account, he issued a $24,000 check payable to cash and did not use the funds to pay Innovative's water bills, as he was required to do.

The following month, after receiving an additional check for $15,000, respondent wire-transferred $13,695 into a United employee's bank account, knowing that "the funds he received from Innovative were meant to pay Innovative's water bills."

As mentioned previously, the complaint charged that respondent's conduct in this regard violated RPC 1.15(a), the principles of Wilson (knowing misappropriation of client funds) and Hollendonner (knowing misappropriation of escrow funds), RPC 1.15(b), RPC 8.4(c), RPC 8.4(d) (more properly, 8.4(b), and N.J.S.A. 2C:20-3.

RPC 1.15(a) provides that "a lawyer shall hold property of clients or third persons that is in the lawyer's possession in connection with a representation separate from the lawyer's own property [emphasis supplied]." The complaint never identified

respondent's relationship to either United or Innovative. It did not establish if one or both were respondent's clients or if a "representation" was involved. Thus, RPC 1.15(a) is inapplicable here.

The same analysis is appropriate to determine the applicability of Wilson, which calls for disbarment for the knowing misappropriation of client funds. "Misappropriation means any unauthorized use by the lawyer of clients' funds entrusted to him, including not only stealing, but also unauthorized temporary use for the lawyer's own purpose, whether or not he derives any personal gain or benefit therefrom [emphasis supplied]." In re Wilson, supra, 81 N.J. at n1.

Here, the complaint did not establish that Innovative's funds were client funds. It alleged merely that United "used respondent as a means to legitimize its business by having clients send their payments to an attorney." Conceivably, that could mean through respondent's business account, rather than his trust account. Similarly, the complaint did not state that the funds had to be placed in respondent's trust account or in a special escrow account. Therefore, it cannot be found that the funds were escrow funds, within the meaning of Hollendonner.

If neither Wilson nor Hollendonner applies in this case, given that the factual recitation in the complaint did not allege

that Innovative was respondent's client or that respondent was the escrowee for Innovative, within the meaning of Hollendonner, then what did his use of Innovative's funds for purposes other than the payment of its water bills constitute? More properly, it amounted to theft. Respondent stole Innovative's funds, rather than knowingly misappropriating them. Indeed, the complaint charged respondent with theft, a violation of N.J.S.A. 2C:20-3, "in that he intentionally took funds belonging to another with the purpose to deprive him thereof."[8],[9]

Count two charged respondent with continuing to practice law while suspended (RPC 5.5(a)) and failing to cooperate with disciplinary authorities (RPC 8.1(b)). We dismiss the charged violation of RPC 5.5(a). Although respondent improperly used his letterhead, when he wrote to the Elizabeth municipal prosecutor, his purpose was to inform the prosecutor of his suspension and request an adjournment of his client's case. It is true that he committed a technical violation of R. 1:20-20(b)(4), which prohibits the use of stationery suggesting that a suspended

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[8] Although the complaint alleged that such conduct violated RPC 8.4(d), the applicable rule is RPC 8.4(b) (commission of a crime that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer).

[9] As seen below, an attorney who commits theft does not automatically face disbarment.

attorney is entitled to practice law. But it cannot be found that he practiced law while suspended.

It is also true that respondent did not advise his client to obtain a new attorney and that he did not file an affidavit in compliance with R. 1:20-20, following his first suspension, in 2012. His failure to do so violated RPC 8.1(b) and RPC 8.4(d). It matters not that respondent was not specifically charged with a violation of RPC 8.4(d). Pursuant to R. 1:20-20(c), an attorney who does not file an affidavit in compliance with R. 1:20-20 is guilty of a violation of both RPC 8.1(b) and RPC 8.4(d).

Respondent further violated RPC 8.1(b), when he did not comply with the OAE's requests for information about the Caban matter.

Count three charged respondent with failure to promptly turn over J.S.'s settlement funds. Contrary to the provisions of the fee agreement for the criminal matter, which called for monthly installment payments, respondent applied J.S.'s proceeds from the civil settlement towards J.S.'s outstanding criminal defense fee. An attorney cannot apply a fee received for representation in one legal matter to another matter, even if it is for the same client, without that client's permission. In re Schwartz, 99 N.J. 510, 520 (1985). By failing to turn over the settlement funds to J.S. and,

instead, applying them to outstanding legal fees in another matter, respondent violated RPC 1.15(b).

Finally, respondent failed to comply with the OAE's requests for a reply to the Jones grievance, a violation of RPC 8.1(b), and submitted a bill for services that he did not provide, a violation of RPC 8.4(c). This count (fourth) also charged that such conduct violated RPC 8.4(d), more properly 8.4(b), and N.J.S.A. 2C:21-34(a)[10] (a third-degree crime).

In all, respondent was guilty of having violated RPC 1.15(b), RPC 8.1(b), RPC 8.4(b), and RPC 8.4(c).

Unquestionably, respondent's most serious offense was his theft of Innovative's funds. As indicated above, disbarment is not mandatory for an attorney found guilty of theft, as opposed to the knowing misappropriation of client or escrow funds. See, e.g., In re Bevacqua, 185 N.J. 161 (2005) (three-year suspension for attorney who was arrested for attempting to use a fraudulent credit card to purchase electronic items at a K-Mart store; his

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[10] R. 1:20-4(b) states that "[t]he complaint shall . . . set forth sufficient facts to constitute fair notice of the nature of the alleged unethical conduct, specifying the ethical rules alleged to have been violated." Here, respondent was not charged with a violation on RPC 8.4(b). No due process violations will occur from a finding of a violation of RPC 8.4(b), however. The complaint charged respondent with a crime, in violation of N.J.S.A. 2C:21-34(a). A violation of a criminal statute is a violation of RPC 8.4(b).

wallet contained six credit cards in different names and a driver's license with his picture and someone else's name; the attorney was charged with identity theft, credit card fraud, and theft; he was accepted into PTI); In re Boccieri, 170 N.J. 191 (2001) (three-year suspension for attorney who instructed a stock transfer agent to issue 42,500 shares of a company's common stock in his name; the company was the attorney's former client; the attorney alleged entitlement to the stock by way of legal fees; we remarked that, if not for the attorney's colorable claim of fees, he would have faced disbarment); In re Meaden, 165 N.J. 22 (2000) (three-year suspension for attorney who ordered golf clubs and other equipment worth $5,800 by using stolen credit card information); In re Breyer, 163 N.J. 502 (2000) (three-year suspension for law librarian who stole $16,000 in books from a library in the Administrative Office of the Courts); In re Infinito, 94 N.J. 50 (1983) (three-year suspension for attorney convicted of larceny of property valued over $500 and conspiracy to commit larceny; the attorney and his wife appropriated several thousand dollars belonging to two adult sisters that a State facility had placed in the attorney's home as domestics; the stolen funds were not clients' or escrow funds, but employees' savings; mitigating factors, including the attorney's prior unblemished record, numerous civic and charitable contributions,

and good reputation among his peers were considered); In re Raqucci, 112 N.J. 40 (1988) (on a motion for reciprocal discipline, two-year suspension for attorney who converted to his own use a $194 check found on the floor of his apartment lobby; the attorney forged the payee's signature and deposited it in his account); In re Burns, 142 N.J. 490 (1995) (six-month suspension imposed on attorney involved in several burglary and theft incidents, including $5 stolen from four cars); and In re Hoerst, 135 N.J. 98 (1994) (six-month suspension for attorney who, while a county prosecutor, withdrew $7,500 from the County's forfeiture fund to pay for a trip to California for himself, a female companion, the First Assistant Prosecutor, and the latter's wife, for the ostensible purpose of attending a conference; the funds were used to pay for air fare, lodging, and meals at the conference site; thereafter, the group spent three days in another location; in imposing discipline, the Court considered the absence of Attorney General guidelines on official trips taken by members of a prosecutor's office and spouses).

In some cases, the circumstances were too egregious to justify a suspension. The Court ordered the attorneys' disbarment. See, e.g., In re Buonopane, 201 N.J. 408 (2007) (attorney, as owner and operator of approximately twenty car-wash and oil-lube facilities, was convicted of two counts of misapplication of $2.7

million in entrusted property and one count of failure to file corporate business tax returns with the intent to evade taxes; during a five-year period, the attorney withheld income and other taxes from his employees and failed to remit them to the government; he also failed to remit sales taxes that he had collected); In re Imbriani, 149 N.J. 521 (1997) (attorney who was also a Superior Court judge converted approximately $75,000 from his business partners; the attorney managed a real estate corporation that leased offices to medical doctors and converted the rent checks from the tenants to his own use; disbarment required because of commission of crime of dishonesty, for personal gain, over an extended period of time and during tenure as a judge); and In re Spina, 121 N.J. 378 (1990) (attorney acknowledged that, while employed by Georgetown University's International Law Institute, he deposited the University's funds into his personal account and converted $15,000 to his own use; the attorney pleaded guilty to a lesser-included offense of petty larceny and admitted that, during a two-and-one-half-year period, he had converted $32,000, in addition to the $15,000; the Court determined that no discipline short of disbarment could be justified).

In this case, respondent committed a theft of $37,695 ($24,000 plus $13,695) that belonged to Innovative. But for the

following factors, a long-term suspension might have been justified, as in some of the cases cited above. Specifically, respondent has a serious ethics history: a three-month suspension in 2012 and a six-month suspension in 2013. In both of those matters, he displayed dishonest conduct: in the first, by making a misrepresentation to the ethics investigator that he was safekeeping property that was required to be maintained inviolate, and lying under oath at the ethics hearing; and, in the second, by authorizing his paralegal to make false statements to third parties. In all of his disciplinary matters, he also showed an utter disrespect for ethics authorities. He was found guilty of violating RPC 8.1(b) in his prior matters and in this one, his second default.

Respondent's pervasive dishonesty, his refusal to cooperate with ethics authorities, and the overriding need to protect the public from attorneys who, like him, demonstrate a deficiency of character require that he be disbarred. We so recommend to the Court.

Member Gallipoli did not participate. Members Singer and Hoberman abstained.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and

actual expenses incurred in the prosecution of this matter, as provided in R. 1:20-17.

Disciplinary Review Board
Bonnie C. Frost, Chair

By: Isabel Frank
Isabel Frank
Acting Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matter of Owen Chambers
Docket No. DRB 13-249

Decided: December 16, 2013

Disposition: Disbar

Members	Disbar	Suspension	Reprimand	Dismiss	Abstained	Did not participate
Frost	X					
Baugh	X					
Clark	X					
Doremus	X					
Gallipoli						X
Hoberman					X	
Singer					X	
Yamner	X					
Zmirich	X					
Total:	6				2	1

Isabel Frank
Acting Chief Counsel