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OF THE

SUPREME COURT OF NEW JERSEY

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February 24, 2014

Mark Neary, Clerk
Supreme Court of New Jersey
P.O. Box 970
Trenton, New Jersey 08625

Re: In the Matter of Suchis Mita Chatterjee
Docket No. DRB 13-329
District Docket No. IV-2012-0026E

Dear Mr. Neary:

The Disciplinary Review Board has reviewed the motion for discipline by consent (reprimand or such lesser discipline as the Board may deem warranted), filed by the District IV Ethics Committee, pursuant to R. 1:20-10(b)(1). Following a review of the record, the Board determined to grant the motion. The Board found that respondent violated RPC 8.4(c) (conduct involving dishonest, deceit or misrepresentation). In the Board's view, a reprimand is the appropriate discipline for respondent's misconduct.

Specifically, in 2004, when respondent was hired for a position with the Pennsylvania Health Law Project (PHLP), she had passed both the New Jersey and Pennsylvania bar exams and led the PHLP Director to believe that she was taking the steps necessary to complete the application process to be admitted to the Pennsylvania bar. The PHLP personnel manual required attorneys employed by PHLP to pass the Pennsylvania bar

examination within two and a half years, but it did not contain any provisions regarding bar admission requirements. The PHLP Director described respondent's duties as "less legal work and more like administrative paralegal work."

Respondent was admitted to the New Jersey bar in 2004, but not to the Pennsylvania bar. From 2003 through 2006, she suffered from severe rheumatoid arthritis. The disease seriously impacted her mobility, stamina, and physical and emotional health, and prevented her from completing the steps necessary to gain admission to the Pennsylvania bar.

A benefit of working for PHLP was that it paid the annual Pennsylvania attorney fee for full-time staff attorneys. In two separate years, 2004 and 2008, respondent misled the director that she had paid the annual fee. On one occasion, the director had PHLP reimburse respondent for the \$175 fee. Rather than return the check, to which she knew she was not entitled, respondent cashed it and used it for other purposes. She ultimately repaid the \$175.

In sum, respondent misrepresented her status as an admitted Pennsylvania attorney, during her five-year tenure at PHLP, and improperly used funds that were earmarked to reimburse her for a fee that she did not pay.

Attorneys guilty of making misrepresentations to their employers or about their law license status have received discipline ranging from a reprimand to a term of suspension. See, e.g., In re Tan, 188 N.J. 389 (2006) (reprimand for attorney who falsely represented to the New Jersey Board of Bar Examiners that he had achieved a bachelor's degree, when he was one course shy of doing so; he had also graduated from law school without disclosing the deficiency; extreme mitigation considered, including, but not limited to, the attorney's and his fiancée's medical conditions at the time, which prevented him from completing the course; his two attempts to remedy the problem; and his eventual completion of the coursework); In re Prothro, 208 N.J. 340 (2011) (censure for attorney guilty of multiple misrepresentations; he twice submitted self-prepared law school transcripts misstating his grades to his first employer, submitted a falsified copy of his law school transcript to his second employer, and made a misrepresentation to the disciplinary investigator that he did not supply an altered transcript to his first employer); and In re Hawn, 193

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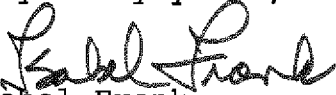
N.J. 588 (2008) (three-month suspension for attorney who, after his falsified resumé failed to secure employment, embarked on a scheme to alter his law school transcripts to try to obtain legal employment; he also involved a third party, a "head hunter" who provided the attorney's falsified documents to prospective employers; after the attorney's deception was discovered, he wrote to the law school's dean that the transcript discrepancies may have been caused by a malfunction in the electronic transmittal of his transcript to him).

Here, the Board considered, in mitigation, that respondent was a young attorney at the time of her transgressions; that the position for which she was hired did not involve the practice of law; that she had intended to complete the licensure requirements, but her illness severely affected her physically and emotionally to the degree that her daily efforts were concentrated on getting up and going to work; that she is not currently practicing law; that she repaid the funds she improperly received; that she admitted her wrongdoing by entering into a disciplinary stipulation; and that she has no ethics history. For these reasons, the Board found that a reprimand was sufficient discipline for respondent's violation of RPC 8.4(c).

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated July 30, 2013;
2. Stipulation of discipline by consent, dated September 9, 2012;
3. Affidavit of consent, dated August 22, 2013;
4. Ethics history, dated February 24, 2014.

Very truly yours,


Isabel Frank
Acting Chief Counsel

IF/sl

Enclosures

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c: (w/o encls.)

Bonnie C. Frost, Chair, Disciplinary Review Board (via email)

Charles Centinaro, Director, Office of Attorney Ethics

Dawn E. Briddell, Chair, District IV Ethics Committee

John M. Palm, Secretary, District IV Ethics Committee

David H. Dugan, III, Respondent's counsel