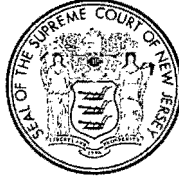


DISCIPLINARY REVIEW BOARD  
OF THE  
SUPREME COURT OF NEW JERSEY



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COLIN T. TAMS  
KATHRYN ANNE WINTERLE  
ASSISTANT COUNSEL

June 25, 2009

**VIA CERTIFIED MAIL, R.R.R. & REGULAR MAIL**

Marcia L. Czapelski, Esq.  
REDACTED -  
CONFIDENTIAL

RE: In the Matter of Marcia L. Czapelski  
Docket No. DRB 09-078  
District Docket No. XIV-2003-0590E  
**LETTER OF ADMONITION**

Dear Ms. Czapelski:

The Disciplinary Review Board has reviewed your conduct in the above-referenced matter and has concluded that it was unethical. Specifically, in April 2003, you and your now-former law partner acted as closing agents in a real estate transaction. Consistent with the partnership's long-term practice, you handled the pre-closing procedures and, at settlement, explained to the client the figures on the HUD-1. Your partner, who had control of the firm's trust account, acted as escrow agent and, accordingly, handled all trust account deposits and wrote all trust account checks at the closing and afterward. He then knowingly misappropriated trust funds received by the firm in connection with the transaction, by issuing trust account checks payable to himself and others and by failing to pay off the seller's \$35,494.02 mortgage lien. Although you were unaware of your partner's improper activities, you violated RPC 1.15(a) by not ensuring that the trust funds were properly safeguarded.

I/M/O Marcia L. Czapelski

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For the following reasons, the Board dismissed the charge addressing your practicing law while temporarily suspended. Your partner intercepted all mail and telephone calls directed to you by the Office of Attorney Ethics (OAE) in its attempt to investigate the misappropriation and also forged your signature on documents, in an attempt to lead the OAE to believe that you were aware of the investigation and that it was you who had engaged in misconduct. As a result of what appeared to be your non-cooperation in the OAE investigation, you were temporarily suspended in November 2003. However, due to your partner's nefarious actions, you were not aware of the investigation and the temporary suspension until August 2004. In the interim, you undertook the representation of three clients. Because, however, of your lack of knowledge of the OAE investigation and of the ensuing temporary suspension order, the Board dismissed the charge of a violation of RPC 5.5(a)(1).

In imposing only an admonition, the Board considered that you had no knowledge of your partner's serious improprieties, that, as soon as you learned that the OAE had been trying to contact you, you began to cooperate with the OAE, and that there was a several-year delay between the date of the filing of the grievance and the date of the hearing.

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.


I/M/O Marcia L. Czapelski

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The Board also has 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,



Julianne K. DeCore  
Chief Counsel

JKD/tk

cc: Chief Justice Stuart J. Rabner  
Associate Justices  
Mark Neary, Clerk  
Supreme Court of New Jersey  
Gail G. Haney, Deputy Clerk  
Supreme Court of New Jersey (w/ethics history)  
Louis Pashman, Chair  
Disciplinary Review Board  
Charles Centinaro, Director  
Office of Attorney Ethics  
John McGill, III, Assistant Ethics Counsel  
Office of Attorney Ethics  
Paul Kopelman, Grievant