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SUPREME COURT OF NEW JERSEY

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February 17, 2012

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

Nicholas V. DePalma, Esq.
REDACTED -
CONFIDENTIAL

Re: In the Matter of Nicholas V. DePalma
Docket No. DRB 12-004
District Docket No. IIB-10-14
LETTER OF ADMONITION

Dear Mr. DePalma:

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, attorney Howard L. Egenberg, a longtime friend of yours, was involved in a conflict of interest by representing the sellers and the buyers in a residential real estate transaction. At Egenberg's request, and as a favor to him, you signed a deed as the preparer when, in fact, it was Egenberg who had prepared it. Moreover, you affixed your jurat to the deed and affidavit of title outside the presence of the sellers and in the absence of their signatures. The sellers later signed the affidavit of title. Your conduct violated RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation).

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In imposing only an admonition, the Board took into consideration that you have expressed remorse for your misconduct; that your actions were not born of venality but were, rather, a favor for a friend; that you received no personal gain and were not paid a fee; that no harm resulted to the sellers; that, at the time of the incident, you had been practicing law for twenty-four years, without incident; and that, since the incident, another thirteen years had passed before your retirement for medical reasons, in 2010.

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 costs of the disciplinary proceedings be assessed against you. An invoice of costs will be forwarded under separate cover.

Very truly yours,


By Julianne K. DeCore
Chief Counsel

JDK/tk

c. Chief Justice Stuart Rabner
Associate Justices
Louis Pashman, Chair, Disciplinary Review Board
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
Steven B. Harz, Chair, District IIB Ethics Committee
Nina C. Remson, Secretary, District IIB Ethics Committee
Joseph M. Portee, Grievant