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**OF THE**  
**SUPREME COURT OF NEW JERSEY**

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November 24, 2014

Mark Neary, Clerk  
Supreme Court of New Jersey  
Richard J. Hughes Justice Complex  
P. O. Box 970  
Trenton, New Jersey 08625

**Re: In the Matter of Andrew Kevin Murray**  
Docket No. DRB 14-298  
District Docket No. XIV-2013-0178E

Dear Mr. Neary:

The Disciplinary Review Board reviewed the motion for discipline by consent (reprimand or such lesser discipline as the Board deems warranted), filed by the Office of Attorney Ethics (OAE), pursuant to R. 1:20-10(b)(1). Following a review of the record, the Board determined that a reprimand is the appropriate discipline for respondent's stipulated violation of RPC 1.15(d) (failure to comply with the recordkeeping requirements of R. 1:21-6).

Specifically, respondent was the subject of a random audit, on August 24, 2011, about a month after he had received an admonition for the negligent misappropriation of client funds caused by his failure to reconcile his attorney trust account on a monthly basis, violations of RPC 1.15(a) and RPC 1.15(d). In the Matter of Andrew Kevin Murray, DRB 11-145 (July 25, 2011). The August 2011 random audit disclosed that, notwithstanding the admonition, respondent still was not reconciling his attorney trust account.

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In addition, the audit uncovered inactive trust ledger balances and other unspecified recordkeeping violations.

In October 2011, respondent assured the OAE that he had "begun the process of creating and maintaining a schedule of clients' ledger accounts and will reconcile with bank statement monthly." Nevertheless, at a follow-up review, conducted sometime after April 24, 2013, respondent failed to produce three-way trust account reconciliations (as required by R. 1:21-6(c)(1)(H)) and fully descriptive client ledger cards (as required by R. 1:21-6(c)(1)(B)).

At another demand audit, on July 31, 2013, respondent admitted that he had not prepared the three-way reconciliations during the past year, in addition to "the other supporting documentation" requested by the OAE, as part of the demand audit, because he was not sure how to prepare the documents. Respondent did not provide fully-compliant records to the OAE until January 17, 2014.

For respondent's repeated failure to bring his recordkeeping practices into compliance with R. 1:21-6, for a period of two-and-a-half years after the July 2011 admonition, the Board determined to impose a reprimand. See, e.g., In re Colby, 193 N.J. 484 (2008) (reprimand; although the attorney's recordkeeping irregularities did not cause a negligent misappropriation of client funds, he had received a prior reprimand for the same violations and for negligent misappropriation as well).

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated September 17, 2014;
2. Stipulation of discipline by consent, dated September 17, 2014;
3. Affidavit of consent, dated September 15, 2014;
4. Ethics history, dated November 24, 2014.

Very truly yours,



Ellen A. Brodsky  
Chief Counsel

I/M/O Andrew Kevin Murray, DRB 14-298

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Enclosures

c: Bonnie C. Frost, Chair (via email; w/o encl.)

Disciplinary Review Board

Charles Centinaro, Director (w/o encl.)

Office of Attorney Ethics

Michael J. Sweeney, First Assistant Ethics Counsel (w/o encl.)

Office of Attorney Ethics

Andrew Kevin Murray, Esq. (w/o encl.)