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SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 07-039
District Docket NO. XII-05-049E

IN THE MATTER OF :
 :
 :
WILFRED LeBLANC, JR. :
 :
 :
AN ATTORNEY AT LAW :
 :

Decision
Default [R. 1:20-4(f)]

Decided: May 24, 2007

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

This matter came before us on a certification of default
filed by the District XII Ethics Committee ("DEC") pursuant to
R. 1:20-4(f). The complaint charged respondent with violating
RPC 8.1(b) (failure to cooperate with disciplinary authorities).
We determine to impose a reprimand.

Service of process was proper. In August 2006, the DEC
secretary forwarded the complaint, via certified and regular
mail, to respondent's home address at 817 Riffle Avenue, Rahway,
New Jersey 07065. The certified mail was returned "unclaimed."
The regular mail was not returned. Respondent did not file an
answer.

In January 2007, following numerous unsuccessful attempts to contact respondent, the DEC secretary sent him a second letter at the above address, via certified and regular mail. The letter advised respondent that, if he did not file an answer within five days of the date of the letter, the charges would be deemed admitted and the record certified to us for the imposition of discipline. The regular mail was not returned. The certified mail receipt was returned showing delivery in January 2007. The signature is illegible. Respondent did not file an answer to the complaint.

Respondent was admitted to the New Jersey bar in 1998. In November 2006, he received a censure for multiple violations of the RPCs in three matters, including gross neglect, pattern of neglect, lack of diligence, failure to communicate with the client, charging an unreasonable fee, failure to remit funds to a third party, failure to expedite litigation, failure to abide by a court order, failure to cooperate with disciplinary authorities, receiving a prohibited non-refundable retainer in a family law matter, and conduct prejudicial to the administration of justice, specifically failing to appear at a fee arbitration hearing. In re LeBlanc, 188 N.J. 480 (2006).

On September 27, 2004, respondent was declared ineligible to practice law for failure to pay the annual assessment to the

New Jersey Lawyers' Fund for Client Protection ("CPF"). He remains ineligible to date.

At our February 15, 2007 session, we determined to remand to the OAE a default matter against respondent. We asked the OAE to file a new complaint because the facts alleged in the complaint were insufficient for us to make findings. In the Matter of Wilfred LeBlanc, Jr., DRB 06-336.

In April 2006, the DEC investigator sent a letter to respondent asking him to reply to a grievance filed by Elisa Dominques, and to provide a copy of his file within ten days. The letter was not returned as unclaimed or undeliverable. Respondent failed to reply. In May 2006, the investigator had a discussion with respondent, at which time respondent promised to provide his file the following week. He failed to do so, however.

The investigator sent subsequent letters to respondent in July 2006 and August 2006, requesting a reply to the grievance, and a copy of the file. The letters, which were not returned by the post office, were ignored.

The complaint charged respondent with violating RPC 8.1(b).¹

Following a review of the record, we find that the facts recited in the complaint support the charge of unethical conduct. Because of respondent's failure to file an answer, the allegations of the complaint are deemed admitted. R. 1:20-4(f).

An admonition is ordinarily adequate discipline for a single instance of failure to cooperate with ethics authorities. See, e.g., In the Matter of Donald R. Stemmer, DRB 98-394 (April 11, 2000) (in the course of a disciplinary investigation, attorney failed to cooperate with disciplinary authorities by not replying to the grievance) and In the Matter of Arnold M. Abramowitz, DRB 97-150 (July 25, 1997) (attorney failed to cooperate with reasonable requests for information by a district ethics committee during its investigation of a disciplinary grievance against him). Even when the matter proceeds as a default, the Court has at times deemed an admonition sufficient for an attorney's violation of RPC 8.1(b). In re Ventura, 183 N.J. 226 (2005).

¹ The complaint states "Respondent was Reprimanded by Order of the Disciplinary Review Board on July 26, 2006," for, among other things, violating RPC 8.1(b) in three cases. Although we had voted to impose a reprimand, as noted above, the Court censured respondent.

This matter, however, can be distinguished from Ventura. Ventura had no disciplinary history. Respondent has received a censure for, among other improprieties, failure to cooperate with disciplinary authorities. The censure was imposed in October 2006, subsequently to the DEC investigator's attempts to contact respondent, but prior to his default in this case. Even in the face of discipline for failure to cooperate with disciplinary authorities, respondent did not conform his conduct to the rules. Given the aggravating factors of default and respondent's discipline for, among other things, the same misconduct, more severe discipline than was imposed in Ventura is appropriate. We, therefore, determine to impose a reprimand. Members Lolla, Wissinger, and Neuwirth would impose a censure.

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
William J. O'Shaughnessy, Chair

By: Julianne K. DeCore
Julianne K. DeCore
Chief Counsel

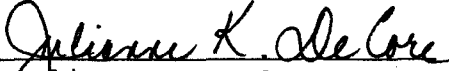
**SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD**

In the Matter of Wilfrid LeBlanc, Jr.
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Disposition: Reprimand

Members	Suspension	Reprimand	Censure	Disqualified	Did not participate
O'Shaughnessy		X			
Pashman		X			
Baugh		X			
Boylan		X			
Frost		X			
Lolla			X		
Neuwirth			X		
Stanton		X			
Wissinger			X		
Total:		6	3		


Julianne K. DeCore
Chief Counsel