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March 24, 2015

Mark Neary, Clerk
Supreme Court of New Jersey
Post Office Box 970
Trenton, New Jersey 08625

Re: In the Matter of José M. Cameron
Docket No. DRB 15-013
District Docket No. XIV-2012-0674

Dear Mr. Neary:

The Disciplinary Review Board reviewed the motion for discipline by consent ("in the range of a reprimand to a censure" or such lesser discipline as the Board may deem warranted) filed by the Office of Attorney Ethics (OAE), pursuant to R. 1:20-10(b). Following a review of the record, the Board determined to grant the motion and to impose a reprimand on respondent for his recordkeeping deficiencies and negligent misappropriation of client funds.

Specifically, on March 13, 2013, an OAE demand audit of respondent's attorney books and records uncovered "various recordkeeping deficiencies." Although the stipulation of discipline by consent does not identify the nature of the deficiencies, the parties have agreed that respondent failed to comply with the recordkeeping requirements of R. 1:21-6, a violation of RPC 1.15(d).

Further, on March 3, 2011, respondent deposited in his trust account \$8,000 for the pay-off of a second mortgage on a Perth

March 24, 2015

Page 2 of 3

Amboy property that clients Franklin and Pedro Diaz intended to purchase. The deal fell through, however. Prior to returning the \$8,000 to the Diazes, respondent withdrew \$3,500 against those funds, representing legal fees that the Diazes owed to him for prior matters. The Diazes did not dispute respondent's entitlement to these fees or their payment from the \$8,000. After these two disbursements, \$4,500 remained in respondent's trust account on behalf of the Diazes, in addition to \$4,406.77 belonging to other clients.

On June 26, 2012, respondent, who had likely forgotten that he had already disbursed \$3,500 of the Diazes' funds, issued an \$8,000 trust account check to Franklin Diaz. Because respondent held only \$4,500 for the Diazes, the payment of the \$8,000 check invaded other client funds, a violation of RPC 1.15(a). When respondent learned of the \$3,500 overpayment to the Diazes, he collected that sum from Pedro Diaz and deposited it into his trust account.

Recordkeeping improprieties and negligent misappropriation of client funds generally lead to a reprimand. See, e.g., In re Wecht, 217 N.J. 619 (2014) (attorney's inadequate records caused him to negligently misappropriate trust funds, violations of RPC 1.15(a) and RPC 1.15(d)) and In re Gleason, 206 N.J. 139 (2011) (in five real estate transactions involving a single client, attorney disbursed more funds than he had collected for the client; the excess disbursements were the result of the attorney's poor recordkeeping practices; he did not take more monies than he was owed in fees for his work and all overdisbursements were for the client's benefit; the attorney also failed to communicate to the client in writing the basis or rate of the fee).

The Board balanced the mitigating factors cited in the stipulation of discipline by consent against respondent's 2007 admonition.

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated January 8, 2015;
2. Stipulation of discipline by consent, dated December 16, 2014;

March 24, 2015

Page 3 of 3

3. Affidavit of consent, dated December 30, 2014;
4. Ethics history, dated, March 24, 2015.

Very truly yours,



Ellen A. Brodsky
Chief Counsel

EAB/lg

Enclosures

c: (w/o encl.)

Bonnie C. Frost, Chair

Disciplinary Review Board

Charles Centinaro, Director

Office of Attorney Ethics

Christina Blunda Kennedy, Deputy Ethics Counsel,

Office of Attorney Ethics

José M. Cameron, Respondent