

SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. 00-316

IN THE MATTER OF :
:
GLENN R. GRONLUND :
:
AN ATTORNEY AT LAW :
:

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

Decided: December 11, 2001

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

Pursuant to R. 1:20-4(f), the District I Ethics Committee (“DEC”) certified the record in this matter directly to us for the imposition of discipline, following respondent’s failure to file an answer to the formal ethics complaint.

Respondent was admitted to the New Jersey bar in 1974. During the relevant time, he maintained an office in Absecon, New Jersey.

In 1992, respondent was privately reprimanded for lack of diligence and failure to adequately communicate with a client, in violation of RPC 1.3 and RPC 1.4(a). In the Matter of Glenn R. Gronlund, Docket No. DRB 92-384 (November 5, 1992).

On June 10, 2000, the DEC sent a complaint by certified mail to respondent's last known office address, 705 White Horse Pike, Absecon, New Jersey 08201. The certified mail was returned undelivered. On August 3, 2000, the DEC sent a second letter and complaint by certified mail to respondent's home address at 1009 Chelsea Road, Absecon, New Jersey 08201. The certified mail receipt was returned with an illegible signature, indicating delivery on August 10, 2000. Respondent did not file an answer to the complaint. The record was certified directly to us for the imposition of discipline, pursuant to R.1:20-4(f).

* * *

This matter was originally the subject of an agreement in lieu of discipline entered into by respondent, the DEC and the OAE on January 20, 2000. When respondent failed to attend an ICLE course on attorney ethics, as required by the agreement, a formal ethics complaint was filed against him.

On March 14, 1998, respondent was retained by Robert and Laurie Rudloff of Henderson, Nevada, to submit a claim for a riparian grant from the State of New Jersey in connection with the Rudloffs' sale of real property located in Somers Point, New Jersey. At the closing, \$6,200 of the sale proceeds was placed in escrow, pending receipt of the riparian grant.

The complaint alleges that respondent failed to file a claim for riparian grant and failed to reply to Robert Rudloff's twenty-five telephone calls and three letters. In January 1999, Rudloff retained another attorney to process the claim. The complaint does not address the disposition of the \$6,200 held in escrow by respondent. The DEC charged respondent with violations of RPC 1.3 (lack of diligence) and RPC 1.4(a) (failure to communicate).

* * *

Service of process was properly made by certified mail in this matter. Following a review of the complaint, we find that the facts recited therein support the charges 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).

Respondent was retained in March 1998, but failed to file the claim for nine months, at which time his services were terminated. By failing to perform the legal services for which he was retained, respondent exhibited lack of diligence, in violation of RPC 1.3. Respondent also failed to keep Rudloff informed about the status of the case, in violation of RPC 1.4(a) (failure to communicate).

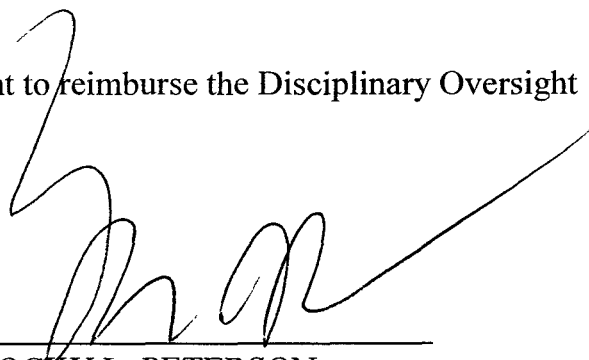
Cases dealing with violations of RPC 1.3 and RPC 1.4(a) generally result in either an admonition or a reprimand. See, e.g., In the Matter of Theodore F. Kozlowski, Docket

No. DRB 96-460 (February 18, 1998) (admonition where, in two separate matters, attorney failed to act diligently and to communicate with his clients); In re Paradiso, 152 N.J. 466 (1998) (reprimand for attorney who, in a personal injury matter, failed to act with diligence and failed to communicate with a client, causing the case to be dismissed with prejudice). Because of the default nature of the case, respondent's failure to comply with the diversion agreement and his prior private reprimand, we unanimously determined to reprimand respondent.

Two members did not participate.

Because we were concerned that respondent did not account for \$6,200 of the Rudloff's funds, we have determined to remand that aspect of the case to the OAE for an audit of respondent's attorney accounts, with particular reference to the missing Rudloff funds.

We further determined to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs.



ROCKY L. PETERSON
Chair
Disciplinary Review Board

SUPREME COURT OF NEW JERSEY

**DISCIPLINARY REVIEW BOARD
VOTING RECORD**

**In the Matter of Glenn R. Gronlund
Docket No. DRB 00-316**

Decided: December 11, 2001

Disposition: reprimand

Members	Disbar	Three-month suspension	Reprimand	Admonition	Dismiss	Disqualified	Did not participate
Hyerling			X				
Peterson			X				
Boylan							X
Brody			X				
Lolla							X
Maudsley			X				
O'Shaughnessy			X				
Schwartz			X				
Wissinger			X				
Total:			7				2

Robyn M. Hill 12/13/01
Robyn M. Hill
Chief Counsel