

Bark

SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 97-005

IN THE MATTER OF :
 :
STEVEN B. MIROW :
 :
AN ATTORNEY AT LAW :
_____ :

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

Decided: July 14, 1997

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

Pursuant to R. 1:20-4(f)(1), the District IV Ethics Committee ("DEC") certified the record in this matter directly to the Board for the imposition of discipline, following respondents' failure to file an answer to the formal ethics complaint. Service of the complaint was made by both certified and regular mail to respondent's last known office address, as listed in the New Jersey Lawyers' Diary and Manual. The certified mail receipt was returned, indicating delivery on October 2, 1996. The signature of the agent accepting delivery is illegible. The regular mail was not returned. Service of process was, therefore, properly made.

Respondent was admitted to the New Jersey bar in 1983. He has no prior ethics history.

The formal complaint charged respondent with a violation of RPC 5.5(a) (failure to maintain a bona fide office in New Jersey).

According to the complaint, on or about June 1, 1994, the Office of the Burlington County Civil Case Manager mailed to respondent a notice to appear in a matter titled DiBattista v. PVM Corporation, Docket No. L-204-94. The notice was returned as "undeliverable." Thereafter, arbitration personnel attempted to contact respondent at his New Jersey phone number, 609-547-2603. A representative of National Health Labs answered the phone. On August 17, 1995, the Office of Attorney Ethics ("OAE") met with respondent at his new office in Stratford, New Jersey. There was no sign on the door indicating that respondent maintained a law office at that location. Respondent did not maintain a separate office space in the premises, but instead had the use of a conference room. Respondent's mail and telephone calls were being forwarded to his office in Philadelphia. Another attorney who had offices at that location indicated that respondent did not have a secretary or keep client files at his "New Jersey office."

* * *

Following a de novo review of the record, the Board deemed the allegations contained in the complaint admitted. The record contains sufficient evidence of respondent's unethical conduct.

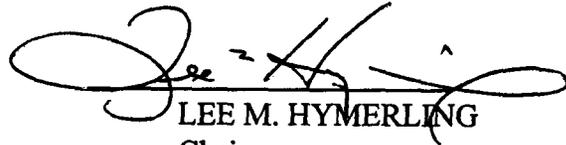
This leaves only the issue of appropriate discipline. Similar misconduct generally results in reprimand. See In re Schutzman, 145 N.J. 568 (1996) (where attorney was reprimanded for failing to maintain a bona fide office in New Jersey while representing a party in a litigated matter and for failing to maintain business and trust accounts in this state as required by the rules); In re Kasson, 141 N.J. 83 (1995) (where attorney was reprimanded for failing to maintain a bona fide office while he was the New Jersey associate of a Pennsylvania attorney).

In light of the foregoing, the Board unanimously determined that a reprimand is the appropriate discipline. The Board also decided to direct the OAE to review this matter in one year to determine compliance with the bona fide office rules.

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

Dated: _____

7/14/87



LEE M. HYMERLING

Chair

Disciplinary Review Board

SUPREME COURT OF NEW JERSEY

**DISCIPLINARY REVIEW BOARD
VOTING RECORD**

**In the Matter of Steven B. Mirow
Docket No. 97-005**

Decided: July 14, 1997

Disposition: Reprimand

Members	Disbar	Suspension	Reprimand	Admonition	Dismiss	Disqualified	Did not Participate
Hymerling			x				
Zazzali			x				
Cole			x				
Lolla			x				
Maudsley			x				
Peterson			x				
Schwartz			x				
Thompson			x				
Total:			8				

By Robyn M. Hill 7/30/97
Robyn M. Hill
Chief Counsel