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## SUPREME COURT OF NEW JERSEY

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March 20, 2018

Mark Neary, Clerk  
Supreme Court of New Jersey  
P.O. Box 970  
Trenton, New Jersey 08625

**Re: In the Matter of Kareem J. Crawford**

Docket No. DRB 18-016

District Docket Nos. IIIB-2015-0043E  
and IIIB-2016-0027E

Dear Mr. Neary:

The Disciplinary Review Board has reviewed the motion for discipline by consent (reprimand or such lesser discipline as the Board deems warranted), filed by the District IIIB Ethics Committee (DEC), pursuant to R. 1:20-10(b)(1). Following its review of the record, the Board determined to grant the motion and to impose a reprimand on respondent for his violation of RPC 1.4(b) (failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information) and RPC 8.4(d) (conduct prejudicial to the administration of justice) in one client matter, and RPC 1.5(b) (failure to communicate to the client in writing the basis or rate of the fee) in another client matter.

Specifically, in the first matter, in 2014, Rasean McCoy retained respondent to represent her in a Chapter 7 bankruptcy proceeding. She paid him a \$1,000 retainer. On April 27, 2015, McCoy appeared for a first meeting of creditors, but respondent did not. Respondent had informed McCoy that the hearing had been adjourned. The trustee in bankruptcy, however, proceeded with the hearing, with McCoy appearing pro se.

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Thereafter, the bankruptcy court issued an order to show cause why respondent should not be compelled to return McCoy's \$1,000 retainer. Although respondent obtained an adjournment, he never informed his client, who appeared at the hearing. Eventually, respondent was ordered to return McCoy's retainer, but he failed to do so.

McCoy made numerous unsuccessful attempts to contact respondent, by telephone, text, and Facebook. Finally, on March 19, 2016, respondent proposed to McCoy and her husband that, in exchange for the return of her \$1,000 retainer, they sign a release, waiving "any and all claims against respondent for 'ethical actions.'" The McCoy's agreed, signed the release, and received the \$1,000.

The Board accepted respondent's stipulated violations of RPC 1.4(b) and RPC 8.4(d). He violated RPC 1.4(b) when he failed to notify his client that the order to show cause hearing had been adjourned and ignored her efforts to contact him after he was ordered to refund the \$1,000 retainer. Further, respondent violated RPC 8.4(d) when he failed to comply with the bankruptcy court's order and, again, when he required McCoy and her husband to sign releases waiving any claim based on respondent's unethical conduct. See, e.g., In re Cerza, 220 N.J. 215 (2015) (attorney who failed to obey a bankruptcy court's order compelling him to comply with a subpoena violated RPC 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal) and RPC 8.4(d)), and In re Gazdzinski, 220 N.J. 218 (2015) (attorney violated RPC 8.4(d) by entering into an agreement with the client to dismiss the ethics grievance against him, in exchange for a resolution of the fee arbitration between them).

In the second client matter, in 2014, Ky-Shah Smith retained respondent to represent him in a New Jersey court proceeding. Respondent did not provide Smith with a writing communicating the basis or rate of his fee, even though he had not regularly represented Smith. Thus, the Board determined that respondent violated RPC 1.5(b).

For the totality of respondent's ethics infractions, the Board determined to impose a reprimand – the discipline imposed on the attorneys in In re Cerza and In re Gazdzinski. Respondent's additional violation of RPC 1.4(b) and RPC 1.5(b) did not affect the quantum of discipline because those violations warranted only an admonition. See, e.g., In the Matter of John L. Conroy, Jr., DRB 15-248 (October 16, 2015) (attorney violated RPC 1.5(b) when he agreed to draft a will, living will, and power of attorney, and to process a disability claim,

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for a new client, but failed to provide the client with a writing setting forth the basis or rate of his fee; thereafter, the attorney was lax in keeping his client and the client's sister informed about the matter, which resulted in the client's filing the claim, a violation of RPC 1.3 and RPC 1.4(b); the attorney practiced law while administratively ineligible to do so for failure to submit the required IOLTA forms, a violation of RPC 5.5(a); finally, he failed to reply to the ethics investigator's three requests for information, a violation of RPC 8.1(b)).

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated November 29, 2017.
2. Stipulation of discipline by consent, dated December 5, 2017.
3. Affidavit of consent, dated November 29, 2017.
4. Ethics history, dated March 20, 2018.

Very truly yours,



Ellen A. Brodsky  
Chief Counsel

EAB/sl

c: See attached list

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c: (w/o enclosures)  
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Rasean McCoy, Grievant (regular mail)  
Ky-Shah Smith, Grievant (regular mail)