

SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 18-148
District Docket No. XIV-2017-0679E

In The Matter Of
Katrina F. Wright
An Attorney At Law

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Decision

Argued: September 20, 2018

Decided: November 2, 2018

Johanna Barba Jones appeared on behalf of the Office of Attorney Ethics.

Respondent failed to appear, despite proper notice.

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

This matter was before us on a motion for reciprocal discipline filed by the Office of Attorney Ethics (OAE), following respondent's three-year suspension in Pennsylvania, for her violation of the Pennsylvania equivalent of New Jersey RPC 3.3(a)(1) (knowingly making a false statement to a tribunal);

RPC 5.5(a) (unauthorized practice of law); RPC 7.1(a) (making a false or misleading communication about the lawyer or the lawyer's services); RPC 7.5(a) (using a firm name, letterhead or other professional designation that violates RPC 7.1); RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation); and RPC 8.4(d) (conduct prejudicial to the administration of justice).

The OAE recommends the imposition of a censure or a three-month suspension. For the reasons set forth below, we determine to impose a one-year suspension.

Respondent was admitted to the New Jersey and the Pennsylvania bars in 1988. On May 5, 2008, she received a reprimand, on a certified record, for gross neglect in a divorce proceeding, based on her failure to file an answer on behalf of her client, and for failure to cooperate with disciplinary authorities. In re Wright, 194 N.J. 503 (2008).

On July 16, 2015, respondent received a censure, also in a default matter, for failure to expedite litigation, failure to return a client's file upon termination of the representation, and failure to cooperate with disciplinary authorities in one client matter, and lack of diligence, failure to communicate with the client,

failure to refund all or part of an unearned retainer upon termination of the representation, and failure to cooperate with disciplinary authorities in a second client matter. In re Wright, 222 N.J. 27 (2015).

On September 8, 2017, respondent was suspended from the practice of law for six months, in a third default matter, for knowingly disobeying an obligation under the rules of a tribunal, failure to cooperate with disciplinary authorities, and conduct prejudicial to the administration of justice. In re Wright, 230 N.J. 345 (2017).

On November 22, 1993, the Pennsylvania Supreme Court issued an order, effective December 22, 1993, transferring respondent to inactive status for failure to pay her annual fee. By letter dated November 30, 1993, Elaine M. Bixler, Secretary of the Pennsylvania Disciplinary Board, informed respondent that she had been placed on inactive status, based on her failure to comply with Pennsylvania Rule of Disciplinary Enforcement (Pa.R.D.E.) 219. The letter further informed respondent that she was required to comply with the Pa.R.D.E. and Disciplinary Board Rules, and enclosed copies of Pa.R.D.E. 217, Pa.R.D.E. 219, and Form DB-25 (Statement of Compliance). Respondent received Bixler's letter on December 7, 1993, but failed to file a verified statement, pursuant to

Pa.R.D.E. 217(e), within ten days of the effective date of her transfer to inactive status.

By subsequent order of the Supreme Court of Pennsylvania, dated January 31, 1994, effective thirty days thereafter, respondent was transferred to inactive status for failure to comply with Continuing Legal Education (CLE) requirements. By letter dated February 4, 1994, sent by certified letter, Bixler notified respondent of her transfer to inactive status for failure to comply with CLE requirements. The letter again informed respondent that she was required to comply with the Pa.R.D.E and Disciplinary Board Rules, and enclosed copies of Pa.R.D.E. 217, and Form DB-25 (Statement of Compliance). Respondent received Bixler's letter on February 7, 1994, but failed to file a verified statement, pursuant to Pa.R.D.E. 217(e), within ten days of the effective date of her transfer to inactive status.

On September 1, 2010, respondent was administratively suspended, pursuant to Pa.R.D.E. 219(k)(1) and (2), for failure to maintain an active registration status within one year of the annual attorney registration year, beginning July 1, 2009. Hence, as of September 1, 2010, respondent was ineligible to practice law in Pennsylvania.

In June 2010, respondent represented Jason C. Bush in a child support action pending in the Superior Court of New Jersey, Burlington County. On June 17, 2010, the plaintiff, Deborah D. Chaney, "caused a New Jersey support Order from the Burlington County, New Jersey action to be registered for enforcement in the Court of Common Pleas of Philadelphia County, Domestic Relations Division, under docket number 10-0792." The Superior Court had ordered Bush to pay \$245 per week in child support, and \$50 per week in child support arrears. As of April 2010, Bush's arrears were approximately \$37,000.

On July 1, 2010, Chaney served a Petition for Writ of Contempt on Bush, and, on July 2, 2010, she filed the petition. On July 27, 2010, respondent signed and filed an entry of appearance with the Family Division of the Philadelphia Court of Common Pleas. She inserted her Pennsylvania Attorney Registration Number on the appearance form.

Also, on July 27, 2010, the judge informed the Assistant District Attorney (ADA) that respondent's Pennsylvania law license had been suspended. The ADA privately spoke to respondent, who denied that she was ineligible to practice law. Respondent insisted that the ineligibility had been mistakenly reported.

When her case was called, respondent identified herself as the attorney appearing on behalf of Bush. She told the court that she had "advised" her "client" to be "as cooperative as possible," that her "client" was willing to deposit a lump sum to be held pending a challenge to the New Jersey child support order, and that in her "professional opinion," no child support should have been ordered. She requested that the Chaney matter be relisted so that she could research whether her "client" actually owed the child support. Respondent dated and signed an order providing that, if her "client" failed to appear in court on September 7, 2010, he would be subject to a warrant for his arrest.

On September 7, 2010, respondent appeared telephonically before the Honorable Holly J. Ford on behalf of Bush, but did not inform the court that she was ineligible to practice law in Pennsylvania.

The matter was relisted for October 5, 2010. On that date, respondent again appeared telephonically, before the Honorable Diane Thompson, and requested that the court grant a continuance so that respondent could file pleadings in New Jersey pertaining to the support order. She did not inform the court that she was ineligible to practice law in Pennsylvania. Judge Thompson relisted the matter for December 8, 2010, and provided respondent ten days to

file a petition to modify the support agreement, and send proof of the filing to the District Attorney's Office.

On December 8, 2010, Valerie Holman, a paralegal from respondent's law office, faxed a request for a continuance of the enforcement hearing to the court's customer service line, and asked that the judge assigned to the Chaney matter, and the ADA, be copied on the request. Attached to the cover sheet was a signed letter, dated December 6, 2010, on letterhead from "The Law Offices of Katrina F. Wright," stating that respondent was licensed in New Jersey and Pennsylvania. The letter was copied to the "Honorable Diane Thompson," and referenced New Jersey and Pennsylvania court docket numbers. The letter stated that Bush had no legal obligation to the daughter who was the subject of the support order, and stated further that respondent had a court appearance in Trenton, New Jersey, at 9:00 a.m. (presumably on that day).

The Honorable Barbara A. Joseph, who was presiding over the Chaney contempt of support hearing, received the facsimile letter and cover sheet referenced above, on December 8, 2010. The ADA contacted respondent by telephone while the court's list was called. Respondent told the ADA that she wanted to participate in the hearing via telephone. When Judge Joseph called

the Chaney matter, she informed respondent that, because respondent was on administrative suspension, she could not participate in the Court of Common Pleas hearing. Judge Joseph also told respondent that she was precluded from drafting letters to the court and from participating in legal matters in the court via telephone or in person. Judge Joseph further instructed respondent to contact the Secretary of the Disciplinary Board. On December 8, 2010, Judge Joseph filed an order, removing respondent as counsel in the Bush case.

Subsequently, on June 13, 2011, respondent was personally served with the petition for discipline underlying this matter, but failed to file an answer. On August 9, 2011, at the prehearing conference, the chairperson stated that respondent had contacted his office on July 28, 2011, and left a voicemail message concerning her inability to attend the hearings because of a medical condition.¹ Wishing to avoid engaging in an ex parte conversation with respondent, the chair directed her to call disciplinary counsel to discuss the matter. Respondent informed disciplinary counsel that she was not "ambulatory" and was trying to clean up from a big storm. Disciplinary counsel told

¹ As seen below, respondent followed a similar pattern in connection with this motion for reciprocal discipline.

respondent that she would oppose any request for a continuance and asked respondent whether she would participate in the prehearing conference by telephone. Respondent could not be reached by telephone on the date of the prehearing conference, which proceeded in her absence.

Respondent neither filed an answer to the disciplinary complaint nor appeared at the October 26, 2011 hearing, despite proper service. ADA Lois Koscinski, of the child support enforcement unit, who was assigned to the Chaney-Bush child support contempt case, was the sole witness for the Office of Disciplinary Counsel (ODC).

Koscinski testified that, in July 2010, respondent contacted her to ask for a continuance, but did not tell her that she was ineligible to practice law in Pennsylvania. On July 27, 2010, when Koscinski appeared on the matter, a member of the judge's staff told her that respondent did not have a valid Pennsylvania law license. Hence, when respondent appeared, Koscinski asked to speak with her privately, in the hallway, about the ineligibility. Koscinski told respondent that the judge would not permit her to appear in a courtroom if her license was inactive. Respondent told Koscinski that she was mistaken and that her license was active. On September 8, 2010, at a second hearing in the Chaney-

Bush matter, respondent again failed to inform Koscinski that she did not have an active Pennsylvania law license.

On December 1, 2011, the ODC filed a brief in support of its request that respondent be suspended for her unauthorized practice of law.

On March 21, 2012, the Hearing Committee issued its report and recommendation to the Disciplinary Board of the Supreme Court of Pennsylvania (PADB), recommending that respondent be suspended for at least one year and one day for her unethical conduct.

On July 18, 2012, the PADB issued a report and recommendation, finding "ample support" for all of the facts alleged in the petition. It noted that:

[a]most two decades ago our Supreme Court ordered Respondent transferred to inactive status because she failed to satisfy her continuing legal education requirement as well as pay her annual fee. Even though Respondent was duly notified of the Court's Order and her corresponding obligation to file a verified statement of compliance pursuant to Pa.R.D.E. 217(e), she failed to do so.

In 2009, Respondent received notice that she would be administratively suspended if she did not take the necessary steps to reinstate her license. She did nothing.

The PADB further noted that, in 2010, respondent was placed on administrative suspension, and, subsequently, in July 2010, she entered her

appearance as counsel in a child support contempt proceeding in the Philadelphia Court of Common Pleas. She then proceeded to appear before four judges, embarking on a course of conduct designed to conceal her ineligibility to practice law in Pennsylvania.

According to the PADB, at respondent's first appearance, when the ADA questioned respondent about her law license, respondent misrepresented that her inclusion on the ineligible list was a "mistake." Respondent used her Pennsylvania attorney registration number on numerous court filings, and wrote to a judge on letterhead that "falsely asserted that she was licensed in Pennsylvania." Respondent's continued unauthorized practice of law ended in December 2010, when Judge Joseph of the Philadelphia Court of Common Pleas ordered respondent to cease her representation in the contempt matter, and removed her as counsel in the case.

The PADB referenced respondent's non-participation in the ethics investigation and her failure to appear at her prehearing conference and hearing, concluding that respondent's conduct evidenced "at its best a lack of concern for her license to practice law and at its worst utter contempt for the disciplinary system". Additionally, the PADB pointed out that respondent had a disciplinary

history in New Jersey for misrepresentations to a client and failure to cooperate in the disciplinary process. Finding no mitigating facts, the PADB determined that the record supported a recommendation for a three-year suspension.

On October 25, 2012, the Supreme Court of Pennsylvania ordered respondent suspended from the Pennsylvania bar for a period of three years.

The OAE equated respondent's practice of law in Pennsylvania, while ineligible to do so, to violations of New Jersey RPC 3.3(a)(1); RPC 5.5(a); RPC 7.1(a); RPC 7.5(a); RPC 8.4(c); and RPC 8.4(d). Although respondent was suspended for three years in Pennsylvania, the OAE submits that a three-year suspension would not be warranted in New Jersey. Rather, based on the fact that respondent was aware of her administrative ineligibility in Pennsylvania and was warned not to continue to represent a client while ineligible, coupled with her extensive New Jersey disciplinary history, the OAE recommended a censure or a three-month suspension.

In urging the imposition of such discipline, the OAE emphasized respondent's refusal to conform her conduct to the standards expected of an attorney. In Pennsylvania, she not only attempted to represent a client while administratively suspended, but also misled the ADA assigned to the case about

the status of her law license and, thus, failed to act with the appropriate candor and forthrightness required of an attorney. Additionally, respondent failed to notify the OAE of her Pennsylvania discipline, as R. 1:20-14(a)(1) requires. Therefore, the OAE argued, discipline less than a censure would not be appropriate and a short-term prospective suspension may be required.

Following a review of the record, we determine to grant the OAE's motion for reciprocal discipline.

Reciprocal discipline proceedings in New Jersey are governed by R. 1:20-14(a)(4), which provides in pertinent part:

The Board shall recommend the imposition of the identical action or discipline unless the respondent demonstrates, or the Board finds on the face of the record on which the discipline in another jurisdiction was predicated that it clearly appears that:

(A) the disciplinary or disability order of the foreign jurisdiction was not entered;

(B) the disciplinary or disability order of the foreign jurisdiction does not apply to the respondent;

(C) the disciplinary or disability order of the foreign jurisdiction does not remain in full force and effect as the result of appellate proceedings;

(D) the procedure followed in the foreign disciplinary matter was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or

(E) the unethical conduct established warrants substantially different discipline.

Subsection (E) applies in this matter because the unethical conduct warrants substantially different discipline.

"[A] final adjudication in another court, agency or tribunal, that an attorney admitted to practice in this state . . . is guilty of unethical conduct in another jurisdiction . . . shall establish conclusively the facts on which it rests for purposes of a disciplinary proceeding in this state." R. 1:20-14(a)(5). Thus, with respect to motions for reciprocal discipline, "[t]he sole issue to be determined . . . shall be the extent of final discipline to be imposed." R. 1:20-14(b)(3). In Pennsylvania, the standard of proof in attorney disciplinary matters is the "evidence is sufficient to prove ethical misconduct if a preponderance of that evidence establishes the charged violation and the proof is clear and satisfactory." See Office of Disciplinary Counsel v. Kissel, 497 Pa. 467, 442 A.2d 217 (1982); Office of Disciplinary Counsel v. Duffield, 537 Pa. 485, 644 A.2d 1186 (1994); and Office of Disciplinary Counsel v. Surrick, 561 Pa. 167,

749 A.2d 441 (2000). Moreover, in Pennsylvania, as in New Jersey, a respondent's failure to file a verified answer to the complaint is deemed an admission that the allegations of the complaint are true and that they provide a sufficient basis for the imposition of discipline. See Pa.R.D.E. 208 (b)(3) and R. 1:20-4(f)(1).

Accordingly, we adopt the findings made by the Pennsylvania Disciplinary Board, and determine that respondent's conduct violated New Jersey RPC 3.3(a)(1), RPC 5.5(a)(1), RPC 7.1(a), RPC 7.5(a), RPC 8.4(c), and RPC 8.4(d).

Despite her knowledge that she was ineligible to practice law in Pennsylvania, respondent appeared before four judges over the course of five months in the Philadelphia Court of Common Pleas. She was immediately challenged on her first appearance when the ADA assigned to the matter questioned respondent about the status of her law license. Instead of admitting her ineligibility, she insisted that her inclusion on a list of ineligible attorneys was an error. In so doing, respondent violated RPC 3.3(a)(1), RPC 5.5(a)(1), and RPC 8.4(c). Respondent also used her Pennsylvania attorney registration number on court filings and falsely asserted on letterhead used in

correspondence with the court that she was licensed in Pennsylvania, in violation of both RPC 7.1(a) and RPC 7.5(a). Despite warnings, respondent persisted in her conduct until Judge Joseph finally ordered her to cease representation, removed her as counsel, and ordered her to report her conduct to the Secretary of the Disciplinary Board. The delay caused by respondent's repeated attempts to practice in the Court of Common Pleas disrupted the court and its services, a violation of RPC 8.4(d).

Making matters worse, after Pennsylvania authorities initiated disciplinary proceedings, respondent buried her head in the sand, failed to answer the complaint, failed to appear at her prehearing conference, and failed to attend her disciplinary hearing, even after requesting and receiving a continuance of the original date. Although this conduct would otherwise violate RPC 8.1(b), the OAE did not allege a violation of that RPC in its motion.

In sum, respondent brazenly and knowingly practiced law while ineligible to do so in Pennsylvania, and misrepresented her status to the ADA and the court. Additionally, respondent failed to report her Pennsylvania discipline to the OAE.

Typically, attorneys who practice, knowing that they are not eligible to do so, have received reprimands. See In re Fell, 219 N.J. 425 (2014); In re Moskowitz, 215 N.J. 636 (2013); In re Jay, 210 N.J. 214 (2012); and In re Payton, 207 N.J. 31 (2011). Reprimands also have been imposed in numerous motions for reciprocal discipline – even after the attorney received substantially greater discipline in Pennsylvania for that same misconduct. See, e.g., In re Marzano, 195 N.J. 9 (2008) (the attorney represented three clients after she was placed on inactive status in Pennsylvania; she was aware of her ineligibility; nine-month suspension imposed in Pennsylvania); In re Davis, 194 N.J. 555 (2007) (the attorney represented a client in Pennsylvania while ineligible to practice law in that jurisdiction as a non-resident active attorney and, later, as an inactive attorney; the attorney also misrepresented his status to the court, to his adversary, and to disciplinary authorities; the attorney was suspended for one year and one day in Pennsylvania; extensive mitigation considered); In re Coleman, 185 N.J. 336 (2005) (while on inactive status in Pennsylvania, the attorney practiced law for nine years, signing hundreds of pleadings and receiving in excess of \$7,000 for those services; two-year suspension imposed in Pennsylvania); In re Perrella, 179 N.J. 499 (2004) (attorney informed his

client that he was on the Pennsylvania inactive list and then practiced law; the attorney filed pleadings, engaged in discovery, appeared in court, and used letterhead indicating that he was a member in good standing of the Pennsylvania bar; three-month suspension imposed in Pennsylvania); and In re Forman, 178 N.J. 5 (2003) (for a period of twelve years, the attorney practiced law in Pennsylvania while on the inactive list; he was suspended for one year and one day in Pennsylvania; compelling mitigating factors considered).

Respondent's misconduct here is akin to that of the attorneys in In re Coleman, 185 N.J. 336 (2005), In re Forman, 178 N.J. 5 (2003), and In re Schwartz, 163 N.J. 501 (2000).

In Coleman, the Court imposed a reprimand on an attorney who received a two-year suspension in Pennsylvania for misconduct very similar to that of respondent. Specifically, in 1994, Coleman had been transferred to inactive status in Pennsylvania. In the Matter of Thomas Joseph Coleman III, DRB 05-198 (September 14, 2005) (slip op. at 4). During a period of eight years on the inactive list, Coleman signed hundreds of pleadings and accepted over \$7,000 in legal fees, in Pennsylvania matters, while working out of his New Jersey office. Id. at 7. Like respondent, Coleman accepted Bixler's letters and received

the Supreme Court of Pennsylvania's orders regarding his ineligibility. Id. at 12. Although an adversary challenged his status, Coleman denied that he was ineligible, as did respondent. Id. at 22.

In Forman, the attorney did not file his annual registration form or pay the corresponding fee. In the Matter of Steven Clark Forman, DRB 03-158 (August 27, 2003) (slip op. at 2). The Supreme Court of Pennsylvania's order transferring him to inactive status in 1988 was sent to the residential address shown on the attorney's initial registration form, but was returned marked "unclaimed" or "unknown." Ibid. Starting in 1993, the attorney failed to comply with Pennsylvania's continuing legal education requirements. Ibid. Nevertheless, between 1988 and early 1997, he worked for a law firm with offices in both Pennsylvania and New Jersey. In 1997, the attorney opened his own firm, with offices in Pennsylvania and New Jersey. He did not notify the Pennsylvania Disciplinary Board of his new address, as required, and did not file his annual attorney registration forms or pay the corresponding fees. Ibid. He practiced law in Pennsylvania for twelve years, until 2000, when he was informed of the disciplinary investigation against him. Ibid.

Forman claimed that he was unaware of his inactive status, believing that his law firm had been filing his annual registration forms and paying the fees. Ibid. He explained that he was responsible for an "extremely heavy" personal injury practice and that, because he had not received any notices or orders from Pennsylvania, he was "oblivious" to the fact that his law firm was not handling his attorney registration requirements. Id. at 2-3. Forman contended that his address was easily ascertainable as he regularly appeared in the Court of Common Pleas of Philadelphia County and his name regularly appeared on trial lists in the Legal Intelligencer. Id. at 3.

The OAE urged us to impose a three-month suspension on Forman because of the length of time that he practiced while on inactive status and his failure to correct his status after he started his own law firm. Ibid. Although we considered those aggravating factors, we also took into account the attorney's unblemished legal career of eighteen years, the fact that he had curtailed his practice since suffering a heart attack, and the Pennsylvania Hearing Committee's finding that the attorney had been "a busy and hardworking litigator" who "was respected by his colleagues." Ibid. at 6. We, therefore,

determined that a reprimand was the appropriate measure of discipline and the Court agreed.

For us, one crucial aspect distinguished Coleman from Forman. That is, unlike Coleman, Forman was unaware that he was ineligible, having received no notices or orders from Pennsylvania disciplinary authorities and having relied on his employer's practice of paying its attorneys' annual fees. Coleman, on the other hand, was well aware of his inactive status, at least since June 1994. In the Matter of Thomas Joseph Coleman III, DRB 05-198 (slip op. at 21). Despite this awareness, Coleman signed more than 250 pleadings, from January through October 2002, for which he received \$7,000 in compensation. Even when his status was challenged in a motion from his adversary and his client, Coleman insisted that he was allowed to sign pleadings, having never consulted with the Pennsylvania Board to verify the propriety of his actions. Only when notified of allegations of misconduct by the Pennsylvania Office of Disciplinary Counsel did he withdraw as counsel of record in hundreds of matters. Coleman's conduct was further aggravated by his lack of candor in the course of the disciplinary proceedings. Ibid. at 22.

We acknowledged that the prevailing case law in New Jersey did not support adoption of the two-year suspension that Coleman had received in Pennsylvania but, also, that a reprimand did not adequately address the severity of his ethics offenses. More appropriately, we determined that a term of suspension was required, as found in In re Schwartz, 163 N.J. 501 (2000). There, the attorney was suspended for three months for practicing law during a seven-year period of ineligibility, knowing that she was ineligible. The attorney also failed to maintain a bona fide office.

Like Coleman, Schwartz was aware that she was not an attorney in good standing. Ibid. at 23. Her conduct, however, was confined to ten matters, while Coleman had signed hundreds of pleadings. Id. at 23-24. In addition, Coleman had displayed a lack of candor during the disciplinary proceedings. Therefore, we determined that Coleman should receive more severe discipline, a one-year suspension. Ibid. at 24. Although the Court initially agreed with that determination, ultimately, following Coleman's motion for reconsideration, the Court vacated its original order and imposed a reprimand.

Nonetheless, in Schwartz, the attorney received a three-month suspension for handling approximately ten cases, while aware of her seven-year ineligibility

in New Jersey. She also failed to maintain a bona fide office. Moreover, she violated RPC 8.4(c), as did respondent here, by appearing in court in a bankruptcy matter, thereby misrepresenting to the court that she was an attorney in good standing. In the Matter of Madeline E. Schwartz, DRB 99-084 (November 17, 1999) (slip op. at 5). Schwartz, however, cooperated with the OAE during its investigation. Id. at 6. Although we determined that Schwartz should be reprimanded for her misconduct, the Court disagreed and imposed a three-month suspension.

Respondent's misconduct is most similar to that of the attorney in Schwartz. Although her ineligibility period was more than double that of Schwartz, only one client matter is at issue, versus the ten matters Schwartz handled during her ineligibility period. Both respondent and Schwartz appeared in court during their ineligibility, misrepresenting to the courts their ability to do so in those particular jurisdictions. Therefore, on balance, in our view, a three-month suspension is the baseline discipline for respondent's misconduct in Pennsylvania. Respondent's misconduct, however, includes her letterhead violations, as well as her failure to cooperate with disciplinary authorities during

the pendency of her ethics matter in Pennsylvania, which, in our view, serves to enhance the appropriate quantum of discipline to a six-month suspension.

We note that respondent's lax attitude in respect of her duty to cooperate has extended to this matter as well. Specifically, the OAE's motion originally was scheduled for our consideration at our July meeting. The day before that hearing, respondent submitted to the Office of Board Counsel (OBC) an "emergent" request for adjournment. In support of her request, she noted that she was "in the throes of a serious family medical emergency," but declined to submit documentation in support thereof in the absence of assurances of confidentiality. Her request was granted, and due to our August recess, the matter was rescheduled for our September 2018 meeting.

Nonetheless, despite such a lengthy adjournment, late in the afternoon on the day before the September 2018 hearing, respondent faxed yet another "emergent" request for another adjournment, this time explaining that she was responsible for the care of her ill mother, who had been living with her since June and who needed her constant attention. Thus, she maintained that she could not leave her mother alone to attend our hearing the following morning. OBC

telephoned respondent and left her a message indicating that her matter would proceed as scheduled and inviting her to participate by telephone.

When respondent's matter was called, we attempted, on the record, to reach her by telephone. However, we were able to reach only her voicemail. Notably, respondent's voicemail greeting indicated that we had reached the "Wright Law Firm," which we found troubling, because respondent has been suspended from the practice of law in New Jersey since September 8, 2017 and in Pennsylvania since September 1, 2000. Thus, in context, we considered respondent's requests, along with her failure to participate, at least by telephone, to be disingenuous, at best, and a deliberate attempt to avoid her responsibilities vis-à-vis the disciplinary process, at worst.

Based on the foregoing, we determine to impose a one-year suspension. Moreover, although respondent's Pennsylvania discipline was issued almost five years ago, because she failed to report that discipline to the OAE, we determine to impose the suspension prospectively.


Finally, we do not recommend any further enhancements to the discipline, under the notion of progressive discipline, because the misconduct at issue predated respondent's conduct for which she previously had been disciplined, and,

for the most part, is unrelated in substance to her otherwise substantial disciplinary history in New Jersey. We note, however, that all three of respondent's prior disciplinary matters were before us as defaults and, further, all involved a failure to cooperate with disciplinary authorities. Thus, the conduct in the instant matter represents the beginning of a pattern of non-cooperation, an aspect we find disturbing.

Vice-Chair Clark and Members Boyer and Singer voted for a six-month suspension. Member Joseph voted for a censure. Member Hoberman did not participate.

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
Bonnie C. Frost, Chair

By: 
Ellen A. Brodsky
Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

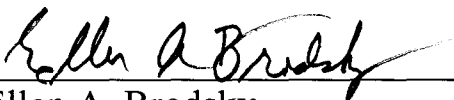
In the Matter of Katrina F. Wright
Docket No. DRB 18-148

Argued: September 20, 2018

Decided: November 2, 2018

Disposition: One-Year Suspension

<i>Members</i>	One-Year Suspension	Six-Month Suspension	Censure	Recused	Did Not Participate
Frost	X				
Clark		X			
Boyer		X			
Gallipoli	X				
Hoberman					X
Joseph			X		
Rivera	X				
Singer		X			
Zmirich	X				
Total:	4	3	1	0	1


Ellen A. Brodsky
Chief Counsel