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SUPREME COURT OF NEW JERSEY**

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RICHARD J. HUGHES JUSTICE COMPLEX
P.O. BOX 962
TRENTON, NEW JERSEY 08625-0962
(609) 815-2920

ELLEN A. BRODSKY
CHIEF COUNSEL

MELISSA URBAN
DEPUTY COUNSEL

BARRY R. PETERSEN, JR.
DEPUTY COUNSEL

TIMOTHY M. ELLIS
LILLIAN LEWIN
COLIN T. TAMS
KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

April 26, 2019

VIA CERTIFIED MAIL, R.R.R. & REGULAR MAIL

James M. Duckworth, Esq.
c/o Marc D. Garfinkle, Esq.
89 Headquarters Plaza
North Tower, Suite 1212
Morristown, New Jersey 07960

Re: In the Matter of James M. Duckworth
Docket No. DRB 19-072
District Docket No. XIV-2017-0631E
LETTER OF ADMONITION

Dear Mr. Duckworth:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Following a review of the record, the Board determined to impose an admonition for your violation of RPC 1.15(a) and RPC 1.15(d).

Specifically, on November 2, 2017, you notified the Office of Attorney Ethics (OAE) of an October 30, 2017 overdraft of \$24,000.17 in your New Jersey trust account. The overdraft occurred because one of the firm's attorneys mistakenly disbursed settlement funds from the New Jersey trust account for a Pennsylvania matter, causing the negligent misappropriation of client trust funds. Once you learned about the problem, you cured it by transferring and disbursing funds from the proper accounts, and issued a new check, together with the returned check fee, to the client whose check had been returned. Further, the ensuing OAE demand interview revealed several recordkeeping deficiencies in your trust account, including the commingling of funds because you maintained excessive personal funds in that account for bank charges.

In imposing only an admonition, the Board considered that you have no disciplinary history in your more than twenty years at the bar; that you reported the overdraft to the OAE, demonstrating a willingness to take responsibility for your actions; and that you fully cooperated with the OAE, including entering into a disciplinary stipulation.

Your conduct has adversely reflected not only on you as an attorney but also on all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R. 1:20-15(f)(4).

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, this admonition will be taken into consideration.

The Board also has directed that the costs of the disciplinary proceedings be assessed against you. An invoice of costs will be forwarded to you under separate cover.

Very truly yours,



Ellen A. Brodsky
Chief Counsel

EAB/

c: Chief Justice Stuart Rabner
Associate Justices
Heather Joy Baker, Clerk
Supreme Court of New Jersey
Bruce W. Clark, Chair
Disciplinary Review Board (e-mail)
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
Charles Centinaro, Director
Office of Attorney Ethics (interoffice mail and e-mail)