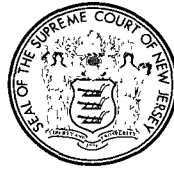


**DISCIPLINARY REVIEW BOARD**  
**OF THE**  
**SUPREME COURT OF NEW JERSEY**

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ROBERT C. ZMIRICH



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

May 29, 2019

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

Mark A. Bernstein, Esq.  
c/o Robert Ramsey, Esq.  
2000 Hamilton Avenue  
Hamilton, New Jersey 08619

Re: In the Matter of Mark A. Bernstein  
Docket No. DRB 19-084  
District Docket No. IIIA-2018-0001E  
**LETTER OF ADMONITION**

Dear Mr. Bernstein:

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 violations of RPC 1.3 (lack of diligence); RPC 1.4(b) (failure to communicate with a client); RPC 5.3(a) (failure to supervise a nonlawyer assistant); and RPC 8.4(d) (conduct prejudicial to the administration of justice). The Board determined to dismiss the allegation that you violated RPC 1.5(b) (failing to set forth, in writing, the basis or rate of the fee).

Specifically, you represented Justin Medal in a New Jersey criminal matter. During a court hearing in which Medal entered a guilty plea, you agreed to the court's scheduling of a January 13, 2012 sentencing date. You claimed that you subsequently instructed your secretary to secure a postponement of Medal's sentencing hearing, but admitted that you neither received a response from the court nor followed up with either the court or your client regarding that request. You further claimed that you learned that the court had contacted your office, on multiple occasions, attempting to reschedule Medal's sentencing hearing, but that your secretary, whom you

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eventually fired, failed to inform you of the court's efforts. Your misconduct resulted in court delay and necessitated the substitution of the Office of the Public Defender as counsel for Medal.

You did not seek to excuse your misconduct, admitting that it was your obligation to be diligent in behalf of your client, to communicate with your client, and to properly supervise your staff, and that you had failed to conscientiously fulfill those duties. Finally, you admitted that your conduct prejudiced the administration of justice. You, thus, violated RPC 1.3; RPC 1.4(b); RPC 5.3(a); and RPC 8.4(d).

In imposing only an admonition, the Board allocated substantial weight to your unblemished disciplinary history, since your 1997 admission to the bar, and to your wholesale acceptance of responsibility during the ethics hearing. Moreover, the Board found no aggravating factors.

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

See Attached list

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)  
Isabel McGinty, Statewide Ethics Coordinator  
Office of Attorney Ethics (e-mail)  
Linda Rehrer, Chair  
District IIIA Ethics Committee (e-mail)  
Steven Secare, Secretary  
District IIIA Ethics Committee (regular mail and e-mail)  
Justin Medal, Grievant (regular mail)