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SUPREME COURT OF NEW JERSEY**

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May 31, 2019

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

Marcia L. Czapelski
REDACTED

Re: In the Matter of Marcia Lynne Czapelski
Docket No. DRB 19-091
District Docket No. XII-2014-0024E
LETTER OF ADMONITION

Dear Ms. Czapelski:

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 1.3 (lack of diligence). The Board further determined that the hearing panel properly dismissed the charged violation of RPC 1.4(b) (failure to keep a client reasonably informed about the status of a matter and to comply with reasonable requests for information).

Specifically, in late 2001, Gary Sumowski retained you to represent him in a divorce action filed by his wife, Barbara Sumowski, who was represented by Cheryl Scott Cashman. Mr. Sumowski, who had been employed by the United States Postal Service since 1974, was entitled to a federal pension upon his retirement. The pension had to be valued for division between the spouses and required the submission of a Court Order Acceptable for Processing (COAP) (the federal equivalent of a Qualified Domestic Relations Order). The parties agreed to retain an expert to prepare the COAP. The pension was to be valued as of the date the complaint for divorce had been filed, December 12, 2001. These terms relating to the preparation of the COAP were set forth in the property settlement agreement.

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Although you were responsible for obtaining the COAP and ensuring that it was submitted to Office of Personnel Management (OPM), you failed to ensure that all necessary steps were taken to accomplish this task. It was not until Mr. Sumowski retired, in January 2015, that he discovered that you had not filed the COAP with the court and it had not been submitted to the OPM. The COAP, therefore, never took effect. As a result, Mr. Sumowski agreed to pay his former wife a greater share of the pension than was contemplated in the property settlement agreement.

In imposing only an admonition, the Board considered the significant passage of time since your misconduct occurred. 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/jm

c: Chief Justice Stuart Rabner
Associate Justices
Heather Joy Baker, Clerk
Supreme Court of New Jersey
Bruce W. Clark, Chair
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Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
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District XII Ethics Committee (regular mail and e-mail)
Gary Sumowski, Grievant (regular mail)