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April 21, 2020

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

Kevin D. Sisco, Esq. c/o Ronald J. Ricci, Esq. Ricci & Fava, LLC 16 Furler Street Totowa, New Jersey 07512 rricci@riccifavalaw.com

Re:

In the Matter of Kevin D. Sisco

Docket No. DRB 19-462

District Docket No. XI-2017-0017E **LETTER OF ADMONITION**

Dear Mr. Sisco:

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 <u>RPC</u> 1.1(a) (gross neglect); <u>RPC</u> 1.3 (lack of diligence); <u>RPC</u> 1.4(b) (failure to communicate with a client); and <u>RPC</u> 8.1(b) (failure to cooperate with disciplinary authorities). The Board further determined to dismiss the charged violation of <u>RPC</u> 1.4(c) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions).

Specifically, Duncan Quinn retained you to file a motion to reduce his alimony obligation, based on a reduction in his income, for a flat fee of \$2,500. You violated <u>RPC</u> 1.1(a) and <u>RPC</u> 1.3 by wholly failing to render the legal services for which you were paid; violated <u>RPC</u> 1.4(b) by failing to communicate with Quinn and failing to reply to his requests for information; and violated <u>RPC</u> 8.1(b) by failing to reply to the lawful demands for information made by the District XI Ethics Committee.

The Board determined to dismiss the additional allegation that you violated <u>RPC</u> 1.4(c), because the facts contained in the record are insufficient to establish such a violation. <u>RPC</u> 1.4(c) requires a lawyer to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, and more typically applies to scenarios where lawyers perform some work, but fail to inform their clients of material events in their cases, such as the dismissal of a complaint. Here, you wholly failed to perform the legal services for which you had been retained and, thus, the Board dismissed the charge as inapplicable.

In imposing only an admonition, the Board considered your articulated contrition, remorse and ready admission of wrongdoing; your lack of prior discipline in almost thirty years at the bar; your stipulation to the infractions; and your refund of the entire fee to Quinn.

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,

For: Ellen H. Bodsky

Ellen A. Brodsky Chief Counsel

EAB/trj

c: See attached list

I/M/O Kevin D. Sisco, DRB 19-462

April 21, 2020

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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

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Isabel McGinty, Statewide Ethics Coordinator

Office of Attorney Ethics (e-mail)

Mary Tom, Chair

District XI Ethics Committee (e-mail)

Michael Pasquale, Secretary

District XI Ethics Committee (regular mail and e-mail)

Michael E. Damico, Presenter

District XI Ethics Committee (e-mail)

Duncan Quinn, Grievant (regular mail)