

SUPREME COURT OF NEW JERSEY
D-141 September Term 2019
084529

In the Matter of

Dennis Aloysius Durkin,

An Attorney At Law

(Attorney No. 017701982)

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:

: **FILED** **ORDER**

: **SEP 10 2020**


CLERK

The Disciplinary Review Board having filed with the Court its decision in DRB 19-254, concluding that **Dennis Aloysius Durkin** of **Roseland**, who was admitted to the bar of this State in 1982, should be suspended from the practice of law for a period of one year for unethical conduct in multiple matters, including conduct in violation of RPC 1.4(b)(failure to communicate with client), RPC 1.5(a)(unreasonable fee), RPC 1.5(b)(failure to set forth in writing the basis or rate of the fee) RPC. 1.5(c)(failure to enter into a written contingent fee agreement, improper calculation of a contingent fee, and failure to provide the client with an accurate settlement statement at the conclusion of a contingent fee matter), RPC 1.15(d)(failure to comply with the recordkeeping provisions of R.1:21-6), RPC 4.1(a)(1)(false statement of material fact or law to a third person), RPC 5.5(a)(1)(unauthorized practice of law), and RPC 8.4(c)(conduct involving dishonesty, fraud, deceit or misrepresentation);

And the Disciplinary Review Board having further determined that respondent should be required to attend five hours of courses in recordkeeping and five hours of courses in law office management, in addition to the mandatory continuing legal education requirements imposed on all New Jersey attorneys, and

that after reinstatement to the practice of law and for a period of two years, respondent should be required to provide the Office of Attorney Ethics with monthly reconciliations of his attorney trust accounts on a quarterly basis, and the Office of Attorney Ethics should conduct semi-annual audits of respondent's attorney accounts and records;

And good cause appearing;

It is ORDERED that **Dennis Aloysius Durkin** is suspended from the practice of law for a period of one year, effective October 12, 2020, and until the further Order of the Court; and it is further

ORDERED that prior to reinstatement to practice, respondent shall complete five credits of courses in recordkeeping and five credits of courses in law office management, in addition to the mandatory continuing legal education requirements imposed on all New Jersey attorneys, and shall submit proof of successful completion thereof to the Office of Attorney Ethics; and it is further

ORDERED that the following reinstatement to practice, respondent shall provide the Office of Attorney Ethics with monthly reconciliations of his attorney accounts, on a quarterly basis, for a period of two years and until the further Order of the Court; and it is further

ORDERED that following respondent's reinstatement to practice, the Office of Attorney Ethics shall conduct semi-annual audits of respondent's attorney accounts and records for a period of two years, and until the further Order of the Court; and it is further

ORDERED that respondent comply with Rule 1:20-20 dealing with suspended attorneys; and it is further

ORDERED that pursuant to Rule 1:20-20(c), respondent's failure to comply with the Affidavit of Compliance requirement of Rule 1:20-20(b)(15) may (1) preclude the Disciplinary Review Board from considering respondent's petition

for reinstatement for a period of up to six months from the date respondent files proof of compliance; (2) be found to constitute a violation of RPC 8.1(b) and RPC 8.4(d); and (3) provide a basis for an action for contempt pursuant to Rule 1:10-2; and it is further

ORDERED that the entire record of this matter be made a permanent part of respondent's file as an attorney at law of this State; and it is further

ORDERED that respondent reimburse the Disciplinary Oversight Committee for appropriate administrative costs and actual expenses incurred in the prosecution of this matter, as provided in Rule 1:20-17.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this 9th day of September, 2020.

A handwritten signature in cursive script, reading "Heather J. Baker". The signature is written in black ink and is positioned above the printed title.

CLERK OF THE SUPREME COURT