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January 26, 2021

Heather Joy Baker, Clerk
Supreme Court of New Jersey
P.O. Box 970
Trenton, New Jersey 08625-0962

Re: **In the Matter of Lamiaa E. Elfar**
Docket No. DRB 20-265
District Docket No. XIV-2018-0209E

Dear Ms. Baker:

The Disciplinary Review Board has reviewed the motion for discipline by consent (admonition) filed by the Office of Attorney Ethics (OAE) in the above matter, pursuant to R. 1:20-10(b). Following a review of the record, the Board granted the motion and determined to impose an admonition for respondent's violation of RPC 1.15(d); RPC 5.5(a)(1) (two instances); RPC 7.1(a)(1) and RPC 7.5(e). The Board determined to dismiss the admitted violation of RPC 8.4(c).

Specifically, according to the stipulation, from October 17, 2017 through March 5, 2018, respondent was ineligible to practice law due to her failure to comply with the Interest on Lawyers Trust Accounts (IOLTA) Rule. She was unaware of her ineligibility until March 2, 2018, when eCourts prohibited her from uploading a document. Although respondent promptly rectified her IOLTA deficiency and was reinstated to the practice of law, she admitted that, during her period of ineligibility, she improperly represented clients, in violation of RPC 5.5(a)(1). She further violated RPC 5.5(a)(1) by operating her law firm as a professional corporation, despite having failed to maintain the required liability insurance.

Respondent also violated RPC 7.1(a)(1) and RPC 7.5(e) by identifying her law firm as "Elfar & Associates, PC," despite not having employed an associate in more than three years. She rectified that issue by formally changing the name of her firm to "Elfar Law Practice, PC." RPC 8.4(c), however, requires intent. See In re Laufer, ___ N.J. ___ (2019); In the Matter of Ty Hyderally, DRB 11-016 (July 12, 2011); and In re Uffelmann, 200 N.J. 260 (2009). Here, because the OAE stipulated that respondent's misconduct was unintentional, she did not possess the required mens

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rea to be guilty of a misrepresentation. Moreover, RPC 7.1(a)(1) and RPC 7.5(e) adequately address respondent's use of a misleading law firm name.

Finally, respondent violated RPC 1.15(d) by listing inaccurate attorney trust and business accounts on her 2018 IOLTA registration, and by having deficient client ledger cards and three-way reconciliations and a deficient trust receipts and disbursements journal.

In mitigation, the OAE and respondent stipulated that respondent did not intentionally commit the misconduct; that no clients were harmed by her actions; that she promptly rectified all of her misconduct; and that she has no prior discipline in twenty years at the bar. The parties further stipulated that there were no applicable aggravating factors.

The Board determined that, on balance, an admonition is a sufficient quantum of discipline to protect the public and preserve confidence in the bar.

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated March 20, 2020.
2. Stipulation of discipline by consent, dated September 2, 2020.
3. Affidavit of consent, dated July 16, 2020.
4. Ethics history, dated January 26, 2021.

Very truly yours,



Johanna Barba Jones
Chief Counsel

JBj/jm
Encls.

- c: (w/o enclosures)
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Disciplinary Review Board (e-mail)
Charles Centinaro, Director
Office of Attorney Ethics (e-mail and interoffice mail)
Ryan J. Moriarty, Deputy Ethics Counsel
Office of Attorney Ethics (e-mail)
Lamiaa E. Elfar, Respondent (e-mail and regular mail)