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October 25, 2021

VIA CERTIFIED MAIL, REGULAR MAIL, AND ELECTRONIC MAIL

Joel C. Seltzer, Esq.
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Re: In the Matter of Joel C. Seltzer

Docket No. DRB 21-155

District Docket No. XII-2019-0030E (client Panurgy/OEM);

District Docket No. XII-2019-0046E (client Myron Pokross);

District Docket No. XII-2020-0007E (client Carmen Peat)

LETTER OF ADMONITION

Dear Mr. Seltzer:

The Disciplinary Review Board has reviewed your conduct in the above-referenced 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 1.5(b) (one instance – the Pokross matter), RPC 1.5(c) (one instance – the Pokross matter), and RPC 1.16(d) (one instance – the PanurgyOEM matter). The Board further determined to dismiss all the charged violations in the Peat matter, including RPC 1.1; RPC 1.3; RPC 1.4(b); RPC 1.4(c); RPC 1.5(b); and RPC 1.5(c).

Specifically, in the Pokross matter, you admitted that you failed to set forth the basis or rate of your contingent fee, in writing, to the client. Consequently, the Board found that you violated RPC 1.5(b) and RPC 1.5(c). Additionally, in the PanurgyOEM matter, you admitted that you failed to return your client's file to either your client or your client's new attorney, which forced the new attorney to file an order to show cause to obtain the file. Accordingly, the Board found that you violated RPC 1.16(d).

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However, in the Peat matter, the Board agreed with the DEC's determination that the presenter failed to present clear and convincing evidence of the alleged RPC violations. To the contrary, the record supported your contention that you sent Peat a retainer agreement and that Peat was made aware of the need to file a proof of claim regarding the Sears bankruptcy. Thus, the Board dismissed the charged violations in the Peat matter.

In imposing only an admonition, the Board considered that you have practiced law for over forty years, with your only prior discipline being a 2009 admonition for conduct which occurred between 2000 and 2006. Further, the Board considered that you stipulated to the allegations in the Pokross matter and most of the allegations of the PanurgyOEM matter.

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,

A handwritten signature in black ink, appearing to read "Johanna Barba Jones". The signature is fluid and cursive, written over a white background.

Johanna Barba Jones
Chief Counsel

JBj/jm

c: See attached list

c: Chief Justice Stuart Rabner
Associate Justices
Heather Joy Baker, Clerk
Supreme Court of New Jersey
Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.), Chair
Disciplinary Review Board (e-mail)
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
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Isabel McGinty, Statewide Ethics Coordinator
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Michael F. Brandman, Esq., Secretary
District XII Ethics Committee (regular mail and e-mail)
Susan B. McCrea, Esq., Presenter
Robert L. Munoz, Esq., Presenter
Roy Behren, Grievant (regular mail)
Richard Levinson, Grievant (regular mail)
Carmen E. Peat, Grievant (regular mail)