

SUPREME COURT OF NEW JERSEY
D-154 September Term 2020
086089

In the Matter of
Brian J. Smith,
An Attorney At Law
(Attorney No. 017501993)

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FILED
FEB 11 2022

ORDER

Heather J. Baker
CLERK

The Disciplinary Review Board having filed with the Court its decision in DRB 20-318, concluding that as a matter of reciprocal discipline pursuant to Rule 1:20-14(a)(4), **Brian J. Smith of Huntingdon Valley, Pennsylvania**, who was admitted to the bar of this State in 1994, should be suspended from the practice of law for a period of one year based on discipline imposed in the Commonwealth of Pennsylvania for unethical conduct that in New Jersey is in violation of RPC 1.15 (d) (failing to comply with the recordkeeping provisions of Rule 1:21-6), RPC 3.1 (engaging in frivolous litigation), RPC 3.4 (c) (knowingly disobeying an obligation under the rules of a tribunal), RPC 4.4 (a) (engaging in conduct that has no substantial purpose other than to embarrass, delay or burden a third person), RPC 8.1 (b) (failing to cooperate with disciplinary authorities), and (RPC 8.4 (d) (conduct prejudicial to the administration of justice);

And the Disciplinary Review Board having further determined that respondent should be required to produce to the Office of Attorney Ethics financial documents produced to the Pennsylvania Office of Disciplinary Counsel and such other financial records as required by the Office of Attorney Ethics prior to reinstatement to practice;

And good cause appearing;

It is ORDERED that **Brian J. Smith** is suspended from the practice of law for a period of one year, effective March 7, 2022, and until the further Order of the Court; and it is further

ORDERED that prior to the reinstatement to the practice of law, respondent shall produce to the Office of Attorney Ethics financial documents provided to the Pennsylvania Office of Disciplinary Counsel and such other financial records required by the Office of Attorney Ethics; 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 25th day of January, 2022.

A handwritten signature in black ink, reading "Heather J. Baker". The signature is written in a cursive style with a large initial "H" and a long, sweeping underline.

CLERK OF THE SUPREME COURT