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OF THE
SUPREME COURT OF NEW JERSEY

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September 26, 2022

VIA CERTIFIED MAIL, REGULAR MAIL, & ELECTRONIC MAIL

Mark J. Molz, Esq.
1400 Route 38 East
Hainesport, New Jersey 08036
molzlaw@aol.com

RE: In the Matter of Mark J. Molz
Docket No. DRB 22-102
District Docket No. IIIB-2020-0006E
LETTER OF ADMONITION

Dear Mr. Molz:

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 violation of RPC 1.1(a) (gross neglect), RPC 1.3 (lack of diligence), and RPC 1.4(b) (failure to communicate with a client).

Specifically, on November 10, 2017, Warren Unkert and his wife, Karen Unkert, retained you to represent them in connection with a personal injury lawsuit. You drafted a complaint on behalf of the Unkerts, which they reviewed and approved for filing on March 23, 2018. Thereafter, you admittedly failed to file the complaint, for eighteen months, and exceeded the applicable statute of limitations for the cause of action. You were expressly aware of the date of the applicable statute of limitations. You, thus, violated RPC 1.1(a) and RPC 1.3.

You also violated RPC 1.4(b) by failing to reply to Mrs. Unkert's November 13, 2019 e-mail to you, which outlined her unsuccessful efforts to obtain an update on the case for a three-month period, from September to November 2019. You did not dispute Mrs. Unkert's testimony that you failed to reply to her e-mail. Additionally, there is no proof in the record that you replied to the November 13, 2019 e-mail or informed the Unkerts that you failed to file their lawsuit prior to the expiration of the statute of limitations. As a result, your clients lost their ability to pursue a personal injury action.

After weighing your misconduct and that resulting harm, the Board determined that a reprimand was the baseline quantum of discipline. However, in imposing only an admonition, the Board accorded considerable mitigating weight to your lack of discipline in more than thirty-five years at the bar.

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/rs

c: See attached list

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

Office of Attorney Ethics (e-mail)

Megan K. Balne, Chair

District IIIB Ethics Committee (e-mail)

Cynthia S. Earl, Esq., Secretary

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

Alan C. Milstein, Esq., Presenter (regular mail and e-mail)

Seth N. Broder, Esq., Presenter (regular mail and e-mail)

Warren D. Unkert, Grievant