

**DISCIPLINARY REVIEW BOARD**  
**OF THE**  
**SUPREME COURT OF NEW JERSEY**

HON. MAURICE J. GALLIPOLI, A.J.S.C. (RET.), CHAIR  
PETER J. BOYER, ESQ., VICE-CHAIR  
JORGE A. CAMPELO  
THOMAS J. HOBERMAN  
REGINA WAYNES JOSEPH, ESQ.  
STEVEN MENAKER, ESQ.  
PETER PETROU, ESQ.  
EILEEN RIVERA  
LISA J. RODRIGUEZ, ESQ.



RICHARD J. HUGHES JUSTICE COMPLEX  
P.O. BOX 962  
TRENTON, NEW JERSEY 08625-0962  
(609) 815-2920

TIMOTHY M. ELLIS  
CHIEF COUNSEL  
NICOLE M. ACCHIONE  
ACTING FIRST ASSISTANT COUNSEL  
BARRY R. PETERSEN, JR.  
DEPUTY COUNSEL  
FRANCES L. BOWDRE  
SALIMA ELIZABETH BURKE  
NICHOLAS LOGOTHETIS  
ASSISTANT COUNSEL  
ALISA H. THATCHER  
AMY MELISSA YOUNG  
ASSOCIATE COUNSEL

January 25, 2024

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

**Re: In the Matter of Joseph M. Colella**  
Docket No. DRB 23-237  
District Docket No. XIV-2020-0486E

Dear Ms. Baker:

The Disciplinary Review Board has reviewed the motion for discipline by consent (admonition) filed by the Office of Attorney Ethics (the OAE) in this 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 violations of RPC 1.15(a) (commingling personal and client funds in an attorney trust account); RPC 1.15(d) (failing to comply with the recordkeeping requirements of R. 1:21-6); and RPC 8.1(b) (failing to cooperate with disciplinary authorities).

Specifically, according to the stipulation, in January 2019, the OAE conducted a random compliance audit of respondent's financial books and records and concluded that he had committed six recordkeeping violations. Because respondent certified, at the conclusion of the audit, that he had "corrected the deficiencies found by the auditor," the OAE closed the matter.

In November 2020, the OAE reopened the matter to confirm whether respondent had, in fact, corrected the aforementioned deficiencies. Although the

OAE worked with respondent to ensure his records complied with R. 1:21-6, as of October 2023, three of those deficiencies remained.

Despite the passage of almost three years, respondent's client ledger cards were not fully descriptive and he had no ledger card identifying attorney funds held for bank charges (R. 1:21-6(c)(1)(B)); his attorney trust account (ATA) three-way reconciliations were improperly designated and he had no reconciliations for the period between January and August 2019 (R. 1:21-6(c)(1)(H)); and his attorney funds for bank charges held in his ATA exceeded \$250 (RPC 1.15(a)). Respondent, thus, acknowledged these recordkeeping deficiencies and that he violated RPC 1.15(a) and RPC 1.15(d).

Though respondent made multiple submissions to the OAE, each was incomplete, despite the OAE having provided specific and repeated directions on what was required. Respondent stipulated that his failure to fully cooperate frustrated the OAE's continuous efforts to get his records into compliance. Therefore, he violated RPC 8.1(b).

In imposing only an admonition, the Board weighed, in mitigation, that none of respondent's clients were harmed, he stipulated to his misconduct and consented to discipline, and, most significantly, he has no prior discipline in more than fifty years at the bar.

Enclosed are the following documents:

1. Notice of motion for discipline by consent, dated October 25, 2023 (confidential and redacted).
2. Stipulation of discipline by consent, dated October 25, 2023 (confidential and redacted).
3. Affidavit of consent dated October 6, 2023.
4. Ethics history dated January 25, 2024.

Very truly yours,

*/s/ Timothy M. Ellis*

Timothy M. Ellis  
Chief Counsel

TME/trj  
Enclosures

I/M/O Joseph M. Colella, DRB 23-237

January 25, 2024

Page 3 of 3

c: (w/o enclosures)  
Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.), Chair  
Disciplinary Review Board (e-mail)  
Johanna Barba Jones, Director  
Office of Attorney Ethics (e-mail)  
Rachael L. Weeks, Deputy Ethics Counsel  
Office of Attorney Ethics (inter-office mail and e-mail)  
Joseph M. Colella, Esq., Respondent (regular mail and e-mail)