

SUPREME COURT OF NEW JERSEY
D-99 September Term 2023
089399

In the Matter of :

Dale S. Orlovsky :

O R D E R

An Attorney at Law :

(Attorney No. 000271973) :

This matter having been duly presented pursuant to Rule 1:20-10(b), following a granting of a motion for discipline by consent in DRB 24-041 of **Dale S. Orlovsky of Toms River**, who was admitted to the bar of this State in 1973;

And the Office of Attorney Ethics and respondent having signed a stipulation of discipline by consent in which the parties agreed that respondent violated RPC 1.7(a)(2) (engaging in a concurrent conflict of interest), RPC 1.15(b) (failing to promptly disburse funds to an entitled party), and RPC 1.15(d) (failing to comply with the recordkeeping requirements of Rule 1:21-6), and that respondent's conduct warrants a three-month suspension or such lesser discipline as the Disciplinary Review Board deems appropriate;

And the Office of Attorney Ethics and respondent having further agreed

that as conditions, respondent should be required to (1) take a trust and business accounting class offered by the Office of Attorney Ethics, (2) provide proof that respondent has wound down the attorney trust account referred to in the stipulation as ATA 1 (“ATA 1”), by disbursing all funds, including inactive balances, old outstanding checks, and unidentified funds, to entitled parties and/or the New Jersey Superior Court’s Trust Fund Unit, within thirty days of the Court’s order, and (3) submit quarterly reconciliations to the Office of Attorney Ethics for a two-year period, as well as any other condition the Board may deem appropriate;

And the Disciplinary Review Board having determined that respondent violated RPC 1.7(a)(2), RPC 1.15(b), and RPC 1.15(d), and that a three-month suspension is the appropriate discipline for respondent’s unethical conduct;

And the Disciplinary Review Board having further recommended that respondent (1) take a trust and business accounting class offered by the Office of Attorney Ethics within thirty days of the Court’s order; (2) provide proof, within thirty days of the Court’s order, that respondent has wound down ATA 1, by disbursing all funds, including inactive balances, old outstanding checks, and unidentified funds, to entitled parties and/or the New Jersey Superior

Court's Trust Fund Unit; and (3) submit quarterly reconciliations to the Office of Attorney Ethics for two years;

And the Disciplinary Review Board having granted the motion for discipline by consent in District Docket No. XIV-2022-0087E and having submitted the record of the proceedings to the Clerk of the Supreme Court for the entry of an order of discipline in accordance with Rule 1:20-16(e);

And good cause appearing;

It is ORDERED that **Dale S. Orlovsky** is hereby suspended for a period of three months, and until further order of the Court, effective July 6, 2024; and it is further

ORDERED that respondent shall (1) complete a recordkeeping course offered by the Office of Attorney Ethics within thirty days of this order; (2) provide proof to the Office of Attorney Ethics, within thirty days of this order, that respondent has wound down ATA 1, by disbursing all funds, including inactive balances, old outstanding checks, and unidentified funds, to entitled parties and/or the New Jersey Superior Court's Trust Fund Unit; and (3) submit quarterly reconciliations to the Office of Attorney Ethics for two years; 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
6th day of June, 2024.


CLERK OF THE SUPREME COURT