### SUPREME COURT OF NEW JERSEY DISCIPLINARY REVIEW BOARD Docket No. DRB 24-038 District Docket No. XIV-2020-0469E

In the Matter of John J. Hopkins, III
An Attorney at Law

Argued April 25, 2024

Decided August 5, 2024

Amanda W. Figland appeared on behalf of the Office of Attorney Ethics.

Respondent appeared pro se.

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#### **Introduction**

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

This matter was before us on a disciplinary stipulation between the Office of Attorney Ethics (the OAE) and respondent. Specifically, respondent stipulated to having violated <u>RPC</u> 1.15(d) (failing to comply with the recordkeeping requirements of <u>R.</u> 1:21-6) and <u>RPC</u> 8.1(b) (failing to cooperate with disciplinary authorities).

For the reasons set forth below, we determine that a reprimand, with conditions, is the appropriate quantum of discipline for respondent's misconduct.

#### **Ethics History**

Respondent earned admission to the New Jersey bar in 1991 and to the Pennsylvania bar in 1992. He has no prior discipline in New Jersey. During the relevant timeframe, he maintained a practice of law in Long Branch, New Jersey.

#### **Facts**

In connection with his legal practice, respondent maintained an attorney trust account (ATA) and an attorney business account (ABA) with Santander Bank.

On October 29, 2019, the OAE conducted a random compliance audit of respondent's financial records, which revealed that respondent (1) failed to maintain a running cash balance in his ATA checkbook, in violation of R. 1:21-6(c)(1)(G); (2) failed to maintain fully descriptive client ledger cards, in violation of R. 1:21-6(c)(1)(B); (3) failed to maintain client ledger cards identifying law firm funds for bank charges, in violation of R. 1:21-6(d); (4) failed to disburse inactive ATA ledger balances for an extended period of time, in violation of R. 1:20-6(d); (5) maintained improper account designation on his ABA, in violation of R. 1:21-6(a)(2); (6) failed to maintain proper ATA and ABA receipts journals, in violation of R. 1:21-6(c)(1)(A); (7) failed to conduct proper three-way reconciliations of his ATA, in violation of R. 1:21-6(c)(1)(H); (8) failed to maintain a fully descriptive ABA disbursements journal, in violation of R. 1:21-6(c)(1)(A); and (9) maintained improperly imaged copies of ABA checks, in violation of R. 1:21-6(b).

The OAE's audit also revealed that, as of September 30, 2019, respondent's failure to reconcile his ATA had created a shortage of \$63,904.30

in entrusted funds. Further, the OAE discovered that respondent handled estate matters using his ATA rather than separate fiduciary accounts, in violation of the recordkeeping <u>Rules</u>, and that he may not have issued W-2 or 1099 income statements to his office staff in tax years 2017 and 2018.

On November 22, 2019, the OAE sent respondent a letter enumerating the above-described recordkeeping deficiencies and requiring that he demonstrate, in writing, the remedial actions he had taken to cure them.

On January 3, 2020, Alan L. Noel, a certified public accountant, contacted the OAE on respondent's behalf to request an extension of time to submit the required materials. The OAE granted the request and set January 17, 2020 as the new deadline.

On January 27, 2020, Noel sent a letter to the OAE seeking another extension. In his letter, Noel indicated that he and respondent were reconstructing accounting records for the prior five years, via QuickBooks. However, the process was delayed due to Noel suffering an illness at the end of 2019. Noel stated he would provide the reply no later than February 14, 2020. The OAE granted the request and set February 14, 2020 as the deadline.

On February 19, 2020, Noel sent a letter to the OAE, advising that he had reconciled respondent's ATA for the period spanning January 1, 2014 to September 30, 2019 and, further, that he had created client ledger cards for all

client matters. Noel attached two "samples" of the client ledger cards, but failed to provide specific records and proof that corrective actions had been taken to cure the remaining recordkeeping deficiencies identified by the OAE.

On February 20, 2020, the OAE left a voicemail for Noel, directing him to provide a complete reply to the deficiency letter by February 28, 2020, and emphasizing that no additional extensions would be granted.

On March 5, 2020, respondent sent a letter to the OAE (dated February 28, 2020), via facsimile, asserting that he had cured the deficiencies in his records. Respondent, however, failed to provide proof that his records had been corrected. That same date, the OAE sent a letter to respondent, directing him to produce, no later than March 9, 2020, a complete reply as well as proof that he had replenished his ATA shortage. The OAE also informed respondent that it would conduct another demand audit of his financial books and records on March 13, 2020.

On March 10, 2020, respondent produced his reconstructed ATA and ABA records to the OAE and, consequently, the OAE rescheduled the demand audit. Based on its review of respondent's reconstructed records. the OAE determined that, between 2007 and 2014, six client matters had accrued debit balances

totaling \$10,850.33.<sup>1</sup> The OAE also determined that \$26,087.90 held in respondent's ATA could not be identified.

On September 3, 2020, the OAE notified respondent of the outstanding deficiencies and directed him to address the following: (1) the \$10,850.33 ATA shortage reflected on his client ledger cards; (2) the \$216,610.99 inactive balances reflected on the client ledger cards and proof that the funds have been returned to the clients or turned over to the Superior Court Trust Fund Unit; (3) the improper designation on the ABA; (4) the ABA checks failed to comply with R. 1:20-6(b); (5) his failure to provide an ATA certification with reconciled ATA records; and (6) his failure to submit proof he issued W-2 or 1099 income statements for any staff employed in tax years 2017 and 2018. The OAE set September 25, 2020 as the final deadline to remedy those shortcomings.

On September 23, 2020, respondent sent the OAE a letter, setting forth his efforts to rectify the recordkeeping deficiencies. He also provided a blank ABA check to confirm the account designation had been corrected, as well as copies of the W-2 forms issued to his secretary for tax years 2018 and 2019. Respondent, however, failed to provide a W-2 or 1099 for any employees for tax year 2017. Respondent also failed to adequately address the other deficiencies

<sup>&</sup>lt;sup>1</sup> The review of the reconstructed records established that the ATA shortage was \$10,850.33 and not \$63,904.30 as stated in the OAE's November 22, 2019 deficiency letter.

identified in the OAE's September 3, 2020 letter and asserted that, due to the COVID-related extension of the income tax filing deadline, Noel needed additional time to verify if the debit balances had been corrected. He further asserted that he could not open a new ATA or ABA and "transfer over the balances" because his accounts were "too old" to access online. He also indicated that, due to the lack of online access to his older account records, the process of converting the accounting to QuickBooks effectively was stalled.

On November 19, 2020, the OAE docketed the matter for investigation.

On December 11, 2020, the OAE again directed respondent to produce the requested information by January 8, 2021. Specifically, the OAE directed respondent to submit a written reply and to produce: (1) monthly three-way reconciliations for his ATA for the period spanning October 1, 2019 to November 30, 2020; (2) proof that the debit balances in five client matters had been corrected;<sup>2</sup> (3) proof that the inactive balances had been returned to the clients or turned over to the New Jersey Superior Court Trust Fund Unit; (4) an explanation for the \$26,087.90 in unidentified funds in his ATA; (5) an explanation for the \$19,564.88 inactive ATA balance in the "Hopkins" matter;

<sup>&</sup>lt;sup>2</sup> The OAE asked respondent to explain and correct the debit balances in the following matters: DiClemente (\$3,667.35 - 2013); Estate of Campbell (later identified as the Estate of Hemhauser) (\$6,254.19 - 2007); Wilkinson (\$150 - 2009); Lamb (\$24.47 - 2012); and Mitbo (\$754.30 - 2014). The OAE did not ask respondent to address the <u>de minimis</u> debit balance of \$.02 in an unknown

(6) all tax statements issued to all employees for tax years 2017, 2018, and 2019; and (7) a fully executed ATA certification form. Respondent failed to reply.

On February 3, 2021, the OAE sent respondent another letter reminding him of his obligation to cooperate with the ethics investigation, as RPC 8.1(b) requires. The following day, respondent contacted the OAE and asked for additional time to submit his reply, which the OAE granted to February 12, 2021. On February 24, 2021, the OAE received respondent's written reply, along with the account reconciliations, client ledger cards, and a list of client matters. Respondent's client list included the five client matters with debit balances that the OAE had asked him to explain and correct; however, he failed to provide proof that he had corrected those debit balances. Respondent's list of client balances still identified \$22,040.0 as remaining "unclassified." Respondent also failed to submit proof that the inactive balances had been turned over to the Superior Court Trust Fund Unit or to provide copies of any additional tax statements for tax years 2017 through 2019. Further, respondent also failed to complete and sign the ATA certification form.

On May 3, 2021, the OAE sent respondent a letter, by certified and regular mail, with another copy sent by e-mail, advising him that a demand audit was scheduled for May 25, 2021. On May 24, 2021, the day prior to the scheduled audit, respondent contacted the OAE and requested an adjournment because he

wanted to retain counsel. The OAE granted the adjournment request and rescheduled the demand audit for June 10, 2021. On June 10, 2021, the OAE conducted the demand audit.

On June 23, 2021, following the audit, the OAE directed respondent to provide the following information and additional records, by July 16, 2021: (1) proof of corrections made to all debit balances and a brief summary as to how they were remediated; (2) an explanation of the steps taken to prevent future debit balances; (3) a description of all steps taken to identify and rectify the \$22,040.01 in unidentified funds held in the ATA; (4) identify all estate matters handled during the audit period; (5) billing records and time logs to support the fees collected for each estate matter; (6) an explanation as to why each estate matter was handled via his ATA and not a separate fiduciary account; (7) an explanation as to why firm employees were issued W-2 income statements instead of 1099s for tax years 2017 and 2018; (8) a chronology and summary of the issues with Santander Bank related to the attempts to open new ATA and ABA with the correct account designation; and (9) copies of bank statements for the period November 2019 through the present.

In his July 16, 2021 reply, respondent provided the OAE with a trust balance ledger sheet, dated May 31, 2021, which identified thirty-one "current cases." He also provided a list of twenty-six matters with "balances of 0.00,"

including the <u>DiClemente</u>; <u>Estate of Hemhauser</u>; <u>J Hopkins Reserve</u>; <u>Wilkinson</u>; and <u>Lamb</u> matters. Respondent asserted that all negative balances could be traced to "mathematical errors," and to address those errors, his accountant would balance the accounts monthly.<sup>3</sup>

Respondent, however, failed to provide an explanation for how the negative balances in the five identified matters occurred; failed to provide proof that he, or his accountant, had corrected those negative balances; failed to provide client ledger cards; failed to produce complete bank records; failed to provide updated monthly three-way reconciliations; and failed to produce the W-2 or 1099 income statements for tax year 2017. Respondent's ATA records continued to reflect \$22,040.01 in "unidentified" funds. Although respondent detailed his attempts to open new bank accounts, he failed to submit proof that separate accounts were opened for the estate matters.

On October 18, 2021, the OAE again directed respondent to explain the steps he had taken to identify and rectify the \$22,040.01 of "unidentified" funds held in his ATA and, for the period spanning April 1 to October 31, 2021, to

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<sup>&</sup>lt;sup>3</sup> The stipulation references that there were debit balances in some of his matters due to respondent's admitted "mathematical errors," which could constitute a violation of <u>RPC</u> 1.15(a) (failing to safeguard client funds or negligently misappropriating client funds). However, respondent was not charged with, and he did not stipulate to, having violated this <u>Rule</u>. The OAE obtained respondent's bank records, via subpoena, as part of its investigation, but could not establish, by clear and convincing evidence, that respondent failed to safeguard or negligently misappropriated client funds.

produce his bank records; client ledgers; three-way reconciliations; and receipts and disbursement journals for both the ATA and ABA. Respondent's reply was due November 9, 2021.

On November 26, 2021, respondent provided the OAE with his ATA bank statements and check stubs. However, he failed to produce the remainder of the required information. Further, respondent still had not opened the separate accounts for the estate matters. Respondent also claimed that he was waiting for "updated trust reconciliations" from his accountant but that he would produce them upon his receipt. Respondent failed, however, to provide the outstanding documents.

On December 27, 2021, the OAE left a voicemail at respondent's law office. Respondent failed to return the call.

Following its review of respondent's records, the OAE determined that respondent committed the following recordkeeping infractions:

- (1) failed to maintain a running cash balance in his ATA checkbook, in violation of R. 1:21-6(c)(1)(G);
- (2) failed to maintain fully descriptive client ledger cards, in violation of R. 1:21-6(c)(1)(B);
- (3) failed to disburse inactive trust ledger balances for an extended period of time, in violation of R. 1:20-6(d);
- (4) maintained improper account designation on his ABA, in violation of  $\underline{R}$ . 1:21-6(a)(2);

- (5) failed to maintain proper ATA and ABA receipts journals, in violation of R. 1:21-6(c)(1)(A);
- (6) failed to conduct three-way reconciliations of his ATA, in violation of R. 1:21-6(c)(1)(H);
- (7) failed to maintain fully descriptive ABA disbursement journal, in violation of  $\underline{R}$ . 1:21-6(c)(1)(A);
- (8) maintained improperly imaged copies of ABA checks, in violation of R. 1:21-6(b); and
- (9) failed to maintain separate fiduciary accounts, in violation of R. 1:21-6(a)(1).

As of January 25, 2023, when the OAE filed a formal ethics complaint, respondent's financial records remained deficient. Specifically, according to the stipulation, respondent failed to correct the following deficiencies or reply to the following requests for information:

- A. Provide monthly reconciliations for all funds in the ATA, for each month from April through November 2021, including a listing of outstanding checks and deposits in transit, lists of all names and amounts of funds held for clients at the end of each month, ATA receipts and disbursement journals, and fully descriptive client ledger cards;
- B. Explain why the following debit balances had occurred and prove that the debit balances had been resolved:
  - i. DiClemente \$3,667.35 (2013);
  - ii. Estate of Hemhauser \$6,254.19 (2007);
  - iii. Wilkinson \$150.00 (2009);

- iv. Lamb \$24.47 (2012); and
- v. Mitbo \$754.30 (2014);
- C. Prove that all \$216,610.99 in inactive ATA balances were either turned over to the State of New Jersey Superior Court Trust Fund Unit or returned to clients;
- D. Fill out and sign a Certification of ATA;
- E. Provide a 1099 or W-2 tax statement for any employee of the firm for tax year 2017;
- F. Explain the \$22,040.10 in unknown inactive balances; and
- G. Open separate accounts for all estate administration matters.

 $[S¶75.]^4$ 

In December 2023, respondent disclosed that he had been experiencing financial difficulties since 2020, which contributed to his inability to resolve his recordkeeping issues. Specifically, throughout 2020 and 2021, respondent struggled to pay Noel, which resulted in Noel ceasing all work to resolve respondent's recordkeeping deficiencies. In 2021, respondent retained counsel to defend against post-judgment litigation stemming from his inability to pay his child support obligation or the substantial counsel fee award to his ex-wife in connection with his 2015 divorce. On April 9, 2021, the court ordered

<sup>&</sup>lt;sup>4</sup> "S" refers to the disciplinary stipulation.

respondent to immediately list his residence for sale to comply with the 2015 judgment of divorce. On March 4, 2022, respondent filed for bankruptcy. On November 8, 2022, the court ordered respondent to turn over his property to the bankruptcy court to be sold, thus, evicting him from his residence.

On January 25, 2023, the OAE filed a formal ethics complaint against respondent. As a result, respondent retained Barry Golub, a certified public accountant, to review respondent's client ledger cards and ATA and ABA records. Golub provided additional records to the OAE and endeavored to identify the inactive and unidentified ATA balances. However, as of the date of the disciplinary stipulation, respondent had failed to resolve those deficiencies.

Based on the forgoing facts, respondent stipulated that he violated <u>RPC</u> 1.15(d) by committing the numerous recordkeeping infractions identified by the OAE. Respondent also stipulated that he violated <u>RPC</u> 8.1(b) by failing to fully cooperate with the OAE's investigation of his financial records. Respondent further agreed that he would correct all deficiencies, enumerated above, within ninety days.

#### The Parties' Positions Before the Board

The OAE recommended the imposition of a reprimand. Citing disciplinary precedent, discussed below, the OAE acknowledged that recordkeeping

irregularities that do not result in the negligent misappropriation of client funds ordinarily are met with an admonition. However, in support of its recommendation for a reprimand, the OAE considered, in aggravation, respondent's prolonged failure to cure his recordkeeping deficiencies, including failing to explain the older debit balances, and failure to resolve the inactive and unidentified ATA balances despite the OAE's persistent efforts throughout the course of the investigation.

In mitigation, the OAE noted that respondent had no prior discipline and had entered into the disciplinary stipulation, thereby accepting responsibility for his misconduct and conserving disciplinary resources. The OAE acknowledged that respondent provided a partial reply to the OAE's requests for information, corrected some of the recordkeeping deficiencies, and appeared to be reconciling the current funds in his ATA. The OAE also considered the financial difficulties respondent experienced at the time of the random audit and throughout 2021, due to his financial obligations under his divorce judgment and his 2022 bankruptcy, all of which affected his ability to pay the accountant assisting him in identifying and resolving his recordkeeping infractions. Lastly, the OAE noted that respondent's misconduct did not cause harm to any clients.

During oral argument before us, respondent emphasized the personal difficulties he encountered during the relevant timeframe, as well as the onset

of the pandemic, which created difficulties in accessing his firm records. He represented to us, however, that his accounts are now balanced and that any unidentified funds had been turned over the Superior Court Trust Fund Unit.

#### **Analysis and Discipline**

#### Violations of the Rules of Professional Conduct

Following a review of the record, we determine that the facts set forth in the stipulation clearly and convincingly support the charged violations of the Rules of Professional Conduct.

Respondent admittedly violated <u>RPC</u> 1.15(d) by failing to comply with the recordkeeping requirements of <u>R.</u> 1:21-6 in numerous respects. Specifically, he (1) failed to conduct monthly three-way ATA reconciliations; (2) failed to maintain ATA and ABA receipts journals; (3) lacked fully descriptive client ledger sheets; (4) lacked a fully descriptive ABA disbursements journal; (5) failed to open or maintain separate fiduciary accounts; (6) held inactive balances in his ATA for an extended period of time; (7) failed to maintain a running balance in his ATA checkbook; and (8) maintained client ledger cards with debit balances.

Respondent also violated <u>RPC</u> 8.1(b) by failing to fully cooperate with the OAE's investigation of his financial records, which spanned more than three

years. Specifically, between October 2019 and January 2023, the OAE granted respondent multiple opportunities to provide the required financial records and explanations for the recordkeeping deficiencies. Notwithstanding the OAE's repeated good faith efforts to accommodate respondent, he failed to provide the OAE with complete financial records and unnecessarily prolonged the OAE's investigation in this matter. At the time of the disciplinary stipulation, respondent still had not brought his records into full compliance and, despite having retained a new accountant, remained unable to identify inactive and unidentified trust balances.

It is well-settled that cooperation short of the full cooperation required by the Rules has resulted in the finding that the attorney violated RPC 8.1(b). See, e.g., In re Sheller, 257 N.J. 495 (2024) (although the attorney timely replied to the OAE's correspondence, he admittedly failed to bring his financial records into compliance, despite the OAE's extensive efforts spanning fourteen months; indeed, on at least four occasions, the OAE provided the attorney with specific guidance on how to correct his records; notwithstanding the OAE's repeated good faith efforts to accommodate him, his submissions consistently remained deficient; we, thus, determined that the attorney violated RPC 8.1(b)); In re Higgins, 247 N.J. 20 (2021) (the attorney failed, for more than seventeen months, to comply with the OAE's numerous requests for information regarding

the matters under investigation, necessitating his temporary suspension; although the attorney ultimately filed a reply to the ethics grievance, brought his records into compliance, and stipulated to his misconduct, we concluded that his lengthy period of non-compliance constituted a failure to cooperate); In the Matter of Marc Z. Palfy, DRB 15-193 (March 30, 2016) at 48 (wherein we viewed the attorney's partial "cooperation as no less disruptive and frustrating than a complete failure to cooperate," nothing that "partial cooperation can be more disruptive to a full and fair investigation, as it forces the investigator to proceed in a piecemeal and disjointed fashion"), so ordered, 225 N.J. 611 (2016).

In sum, we find that respondent violated <u>RPC</u> 1.15(d) and <u>RPC</u> 8.1(b). The sole issue left for our determination is the appropriate quantum of discipline for respondent's misconduct.

## **Quantum of Discipline**

Recordkeeping irregularities ordinarily are met with an admonition where, as here, they have not resulted in negligent misappropriation of funds. See In the Matter of David Stuart Bressler, DRB 22-157 (November 21, 2022) (the attorney committed several recordkeeping violations, including failing to perform three-way reconciliations, maintaining an improper account designation, and failing to preserve images of processed checks; the attorney

also commingled client and personal funds; in mitigation, the attorney rectified his recordkeeping errors, caused no ultimate harm to his clients, and had no disciplinary history), and In the Matter of Grant J. Robinson, DRB 21-059 and DRB 21-063 (July 16, 2021) (the attorney failed to properly designate his ATA, maintain ledger cards for bank charges, and maintain ABA receipts and disbursements journals; the attorney also allowed an inactive balance to remain in his ATA; the attorney's recordkeeping deficiencies resulted in the return of more than twenty dishonored checks, which he had issued to the Superior Court, for insufficient funds; in mitigation, the attorney corrected his recordkeeping errors and took remedial measures to decrease the likelihood of a future recordkeeping violation).

Respondent, however, also failed to cooperate with the OAE's investigation of his financial records. Admonitions typically are imposed for an attorney's failure to cooperate with disciplinary authorities, if the attorney does not have an ethics history, if the attorney's ethics history is remote, or if compelling mitigation is present. The quantum of discipline is enhanced, however, if the failure to cooperate is with an arm of the disciplinary system, such as the OAE, which uncovers recordkeeping improprieties in a trust account and requests additional documents. See, e.g., In re Schlachter, 254 N.J. 375, 376 (2023) (reprimand for an attorney who committed recordkeeping violations,

including failure to maintain adequately descriptive receipts and disbursements journals, ledger cards, and checkbooks with running balances; the attorney also failed to properly designate his ATA and to retain checks for seven years; the attorney repeatedly failed, for almost a year, to comply with the OAE's numerous record requests and ultimately provided only a portion of the requested records; although the OAE attempted to help the attorney take corrective action, he remained non-compliant with the recordkeeping Rules; in mitigation, his misconduct resulted in no harm to his clients and he had no disciplinary history in sixteen years at the bar); In re Leven, 245 N.J. 491 (2021) (reprimand for an attorney who, following two OAE random audits uncovering numerous recordkeeping deficiencies, including an unidentified client ledger card that held a negative \$50,200.35 balance, repeatedly failed, for more than three months, to comply with the OAE's requests for his law firm's financial records; thereafter, for more than eight months, the attorney repeatedly assured the OAE that he would provide the required records but failed to do so, despite two Court Orders directing him to cooperate; the attorney, however, provided some of the required financial records; we found that a censure could have been appropriate for the attorney's persistent failure to address his recordkeeping deficiencies and his prolonged failure to cooperate with the OAE; however, we imposed a reprimand in light of the lack of injury to the clients and the attorney's

remorse, contrition, and otherwise unblemished forty-seven-year career at the bar); In re Tobin, 249 N.J. 96 (2021) (censure for an attorney who, following an OAE random audit that uncovered several recordkeeping deficiencies (including more than \$800,000 in negative client balances), failed to provide the documents requested in the OAE's seven letters and eight telephone calls, spanning more than one year; although we noted that a reprimand was appropriate for the attorney's recordkeeping violations and failure to cooperate, we imposed a censure in light of the attorney's prior reprimand for recordkeeping violations and the default status of the matter; in mitigation, the attorney had been practicing law for sixty-three years and suffered serious health problems prior to the continuation date of the random audit).

Here, like the reprimanded attorney in <u>Schlachter</u>, respondent repeatedly failed, for more than three years, to adequately comply with the OAE's repeated efforts to obtain his complete financial records, which he was duty-bound to create and maintain. Although the OAE granted him numerous extensions, he failed to produce the required documents or to bring his financial records into compliance.

However, in mitigation, unlike the censured attorney in <u>Tobin</u>, who had a prior reprimand for recordkeeping violations, respondent has no disciplinary history in his thirty-three-year career at the bar. Moreover, unlike Tobin, who

allowed his matter to proceed as a default, respondent stipulated to his misconduct underlying this matter and, thus, conserved disciplinary resources.

### **Conclusion**

On balance, weighing respondent's failure to cooperate with the OAE or to remediate his recordkeeping errors against his otherwise unblemished career at the bar, we determine that a reprimand is the appropriate quantum of discipline necessary to protect the public and to preserve confidence in the bar.

Additionally, in light of his ongoing recordkeeping deficiencies, we recommend that respondent be required, within thirty days of the Court's disciplinary Order in this matter, to demonstrate to the OAE that he has corrected all outstanding recordkeeping deficiencies and completed an OAE-approved recordkeeping course. Further, we recommend that respondent submit to the OAE quarterly reconciliations of his ATA, for a period of two years.

Members Hoberman and Rivera were absent.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and actual expenses incurred in the prosecution of this matter, as provided in <u>R.</u> 1:20-17.

Disciplinary Review Board Hon. Mary Catherine Cuff, P.J.A.D. (Ret.), Chair

By: /s/ Timothy M. Ellis
Timothy M. Ellis
Chief Counsel

#### SUPREME COURT OF NEW JERSEY DISCIPLINARY REVIEW BOARD VOTING RECORD

In the Matter of John J. Hopkins, III Docket No. DRB 24-038

Argued: April 25, 2024

Decided: August 5, 2024

Disposition: Reprimand

Members	Reprimand	Absent
Cuff	X	
Boyer	X	
Campelo	X	
Hoberman		X
Menaker	X	
Petrou	X	
Rivera		X
Rodriguez	X	
Spencer	X	
Total:	7	2

/s/ Timothy M. Ellis
Timothy M. Ellis
Chief Counsel