SUPREME COURT OF NEW JERSEY DISCIPLINARY REVIEW BOARD Docket No. DRB 24-190 District Docket No. XIV-2022-0349E

In the Matter of Paul M. Schofield, Jr. An Attorney at Law

Argued January 16, 2025

Decided February 12, 2025

John J. Hays, II appeared on behalf of the Office of Attorney Ethics.

Richard F. Klineburger, III appeared on behalf of respondent.

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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 motion for final discipline filed by the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-13(c)(2), following respondent's guilty plea and conviction, in the Superior Court of Delaware, New Castle County, for misdemeanor assault in the third degree, in violation of 11 Del. C. § 611. The OAE asserted that this offense constitutes a violation of RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer).

For the reasons set forth below, we determine to grant the motion for final discipline and conclude that a reprimand is the appropriate quantum of discipline for respondent's misconduct.

Ethics History

Respondent earned admission to the New Jersey bar in 2001 and to the Pennsylvania bar in 1998. He has no prior discipline in New Jersey. During the relevant time, he maintained a practice of law in Chadds Ford, Pennsylvania.

Facts

On August 15, 2023, in the Superior Court of Delaware, New Castle County, respondent appeared before the Honorable Calvin L. Scott, Jr. and entered a guilty plea to one count of assault in the third degree, in violation of 11 Del. C. § 611, a Class A misdemeanor in that jurisdiction.¹

The facts underlying respondent's criminal conviction follow.

On April 29, 2022, respondent and Edward Morris were at the Stapler Athletic Association (the Club), in Wilmington, Delaware. The men, who had known each other for more than forty years, were drinking and watching baseball on television. Prior to that date, they had been assisting a mutual friend with repairing his house. While sitting at the bar in the Club, respondent began needling Morris about assisting him with finishing the project. During the conversation, Morris became upset, and the men began arguing, which caused them both to rise from their seats. According to a witness, respondent then lunged toward Morris and "shoulder blocked" him. Both men fell to the floor and respondent landed on top of Morris. Morris hit the back of his head on the

¹ 11 Del. C. § 611 provides that a person is guilty of assault in the third degree when "the person intentionally or recklessly causes physical injury to another person" or "[w]ith criminal negligence the person causes physical injury to another person by means of a deadly weapon or a dangerous instrument." According to the statute, "[a]ssault in the third degree is a class A misdemeanor."

floor and, at some point, stopped breathing. Despite their desperate attempts, the people at the Club could not revive Morris. The bartender called 911. The paramedics further attempted to revive Morris and transported him the hospital; four days later, he passed away.

An indictment initially charged respondent with two felonies – criminally negligent homicide, in violation of 11 Del. C. § 631, and assault in the second degree, in violation of 11 Del. C. § 612, with the cause of death described as cerebral edema with hypoxic encephalopathy (a brain injury) following an altercation while intoxicated. However, the autopsy determined that Morris had an underlying cardiac condition known as ventricular hypertrophy. During the argument with respondent, Morris' heart went into cardiac arrest and "flatlined." The lack of oxygen to Morris' brain caused brain damage, which led to brain swelling and, ultimately, caused his death. The prosecution's medical expert agreed with the defense – that Morris had died from cardiac arrest and not due to the injury to his head caused by the assault.

At the time of the altercation, respondent was not aware of Morris' heart condition. Accordingly, the prosecution determined that it could not establish a causal connection between respondent's actions and Morris' death and, thus, would amend the charged second-degree felony assault to third-degree

misdemeanor assault and, upon sentencing, the criminally negligent homicide charge would be dismissed.

On August 15, 2023, respondent executed a plea agreement, agreeing to plead guilty to one count of assault in the third degree, in violation of 11 Del. C. § 611. On November 8, 2023, respondent pleaded guilty to the sole count of the plea agreement. During his testimony at the sentencing hearing, respondent expressed remorse for his actions as well as his condolences for the Morris family. He stated that "[i]f there was anything [he] could do to change that night, obviously [he] would."

At the sentencing hearing, Morris' wife of thirty-one years, Victoria, provided a victim impact statement in which she described how her husband's death had impacted her. She also elaborated on the circumstances surrounding Morris' death in the hospital four days after the altercation with respondent. She described how Morris was in a coma in the intensive care unit and was surviving through the assistance of a ventilator. She further detailed that, upon the realization that her husband "was never going to wake and keeping him like that was against his wishes," she made the difficult decision to cease the life-sustaining treatment.

On February 16, 2024, Judge Scott sentenced respondent to a one-year

term of probation and required him to pay a fine of \$1,000 and restitution of \$19,004. The court further prohibited respondent from having any contact with the Morris family and directed that he undergo a substance abuse evaluation and follow all treatment recommendations.

The Parties' Positions Before the Board

In its motion for final discipline, the OAE argued that respondent's guilty plea and conviction constituted a violation of RPC 8.4(b) and warranted the imposition of a three-month suspension. In support of its recommendation, the OAE emphasized respondent's extremely poor judgment and his unjustified assault on Morris. The OAE further noted that respondent's alcohol consumption potentially played a role in his behavior. Citing disciplinary precedent, discussed below, the OAE analogized respondent's conduct to that of attorney's found guilty of criminal acts of violence, including acts of domestic violence and assault, who received terms of suspension.

In mitigation, the OAE noted that respondent had no prior discipline and had entered into a plea agreement in the underlying criminal matter, thereby accepting responsibility for his misconduct. The OAE further considered that, as part of his plea agreement, respondent agreed to participate in a substance

abuse evaluation and follow any recommended treatment. Respondent reported that he began attending Alcoholic Anonymous in 2023. However, during oral argument, the OAE maintained that the mitigation did not justify a downward departure from its recommended quantum of discipline.

During oral argument, the OAE asserted that, although respondent stated that he took "full responsibility for everything that occurred," he had attempted to distance himself from his deliberate act of physical contact by characterizing the incident as a "tragic accident." In addition, the OAE maintained that it was foreseeable that shoving Morris could result in a loss of balance and cause a physical injury. However, in response to our questioning, the OAE conceded that, given the facts of this case, it could not establish a causal connection between the physical contact and an injury to Morris.

Respondent, through counsel, in his written submission to us and during oral argument, characterized Morris' death as a "tragic accident" that resulted in the loss of "a friend of over four (4) decades over a disagreement." Although he admitted to the act that underpinned the criminal charges, he asserted that nothing in the record established that the act implicated his honesty, trustworthiness, or fitness as a lawyer.

Respondent added that, on November 14, 2024, he had agreed to enter,

with the Pennsylvania disciplinary authorities, a Joint Petition in Support of Discipline on Consent for a public reprimand based on additional mitigating evidence, including his diagnosis of stage-four bladder cancer. He argued that we apply R. 1:20-14(a)(5), governing reciprocal discipline proceedings, in this matter, despite the procedural posture as a motion for final discipline, requesting that deference be given to "the investigation, findings of fact, conclusions of law and sanctions imposed by [a] foreign jurisdiction" and, thus, the discipline imposed in New Jersey be no greater.²

Further, respondent argued that, when considering the mitigating factors presented to the Pennsylvania disciplinary authorities, including (1) his lack of prior discipline in twenty-five years at the bar; (2) his criminal act was a single episode that did not involve a weapon or repeated physical attacks and resulted in a probationary sentence with no incarceration; (3) his lack of other criminal convictions; (4) the misconduct did not involve the practice of law, his clients, dishonesty, or a breach of trust; (5) his significant medical issues; (6) his remorse and acceptance of responsibility; (7) his cooperation with the disciplinary authorities; (8) the unlikelihood of recurrence; and (9) the fact that

² Notably, even in matters before us on motions for reciprocal discipline, we routinely impose discipline different than what was imposed in the foreign jurisdiction.

no clients were harmed, the totality of the misconduct did not warrant discipline greater than the reprimand imposed by Pennsylvania.

In support of his recommendation for a reprimand, respondent did not cite to any cases directly on point but, instead, relied on In the Matter of Paul Dougherty, DRB 19-169 (December 12, 2019), where the Court imposed a reprimand following the attorney's guilty plea to a conspiracy to confer an unlawful benefit on a public employee. Respondent argued that he should not face a term of suspension for a misdemeanor, when other attorneys, including the attorney in Dougherty, received reprimands for third-degree felonies. Further, he asserted that discipline greater than a reprimand would constitute additional punishment beyond what he already had suffered.

Analysis and Discipline

Violations of the Rules of Professional Conduct

Following a review of the record, we determine to grant the OAE's motion for final discipline. Final discipline proceedings in New Jersey are governed by R. 1:20-13(c). Pursuant to that Rule, a criminal conviction is conclusive evidence of guilt in a disciplinary proceeding. R. 1:20-13(c)(1). See also In re Magid, 139 N.J. 449, 451 (1995), and In re Principato, 139 N.J. 456, 460 (1995).

Thus, respondent's guilty plea to assault in the third degree, in violation of 11 Del. C. § 611, establishes his violation of <u>RPC</u> 8.4(b), which provides that it is professional misconduct for an attorney to "commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness[,] or fitness as a lawyer." Hence, the sole issue left for our determination is the proper quantum of discipline for his misconduct. <u>R.</u> 1:20-13(c)(2); <u>Magid</u>, 139 N.J. at 451-52; <u>Principato</u>, 139 N.J. at 460.

Quantum of Discipline

In determining the appropriate measure of discipline, we must consider the interests of the public, the bar, and respondent. "The primary purpose of discipline is not to punish the attorney but to preserve the confidence of the public in the bar." Principato, 139 N.J. at 460. Fashioning the appropriate penalty involves the consideration of many factors, including "the nature and severity of the crime, whether the crime is related to the practice of law, and any mitigating factors such as respondent's reputation . . . prior trustworthy conduct, and general good conduct." In re Lunetta, 118 N.J. 443, 445-46 (1989).

The Court has noted that, although it does not conduct "an independent examination of the underlying facts to ascertain guilt," it will "consider them

relevant to the nature and extent of discipline to be imposed." Magid, 139 N.J. at 452. In motions for final discipline, it is acceptable to "examine the totality of the circumstances, including the details of the offense, the background of respondent, and the pre-sentence report" before reaching a decision as to the sanction to be imposed. In re Spina, 121 N.J. 378, 389 (1990). The "appropriate decision" should provide "due consideration to the interests of the attorney involved and to the protection of the public." Ibid.

The fact that an attorney's conduct did not involve the practice of law or arise from a client relationship will not excuse an ethics transgression or lessen the degree of sanction. <u>In re Musto</u>, 152 N.J. 165, 173 (1997). "Offenses that evidence ethical shortcomings, although not committed in the attorney's professional capacity, may, nevertheless, warrant discipline." <u>Ibid.</u> (citing <u>In re Hasbrouck</u>,140 N.J. 162, 167 (1995)). The obligation of an attorney to maintain the high standard of conduct required by a member of the board applies even to activities that may not directly involve the practice of law or affect the attorney's clients. <u>In re Schaffer</u>, 140 N.J. 148, 156 (1995).

In our view, disciplinary cases involving violent behavior by attorneys require fact-sensitive considerations. There is no typical or baseline measure of discipline for these cases. Given the Court's and our ever-decreasing tolerance

for violent conduct by members of the bar, discipline ranging from a censure to a one-year suspension has been imposed on New Jersey attorneys who engage in such misconduct that does not constitute domestic violence.³ Accordingly, we begin our analysis with a detailed review of relevant disciplinary precedent addressing criminal acts of violence and assaultive behavior by attorneys.

In <u>In re Viggiano</u>, 153 N.J. 40 (1997), the Court imposed a three-month suspension on an attorney who pleaded guilty to simple assault. In that matter, the attorney exited his vehicle after a minor traffic accident, walked to the other vehicle, where the female driver remained seated, and began striking her with a closed fist. <u>In the Matter of Thomas J. Viggiano</u>, DRB 97-112 (November 18, 1997) at 1. Police officers arrived at the scene and attempted to physically restrain the attorney; however, rather than submit, the attorney began to push and kick a police officer. <u>Id.</u> at 2. After pleading guilty to assaulting both the victim and one of the officers, the court sentenced the attorney to a one-year term of probation and payment of statutory fines. <u>Id</u>.

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³ We do not include in our analysis the additional cases cited by the OAE that involve acts of domestic violence. We note, however, that with few exceptions, as the Court announced in <u>In re Margrabia</u>, 150 N.J. 198, 201 (1997), attorneys convicted of an act of domestic violence will receive a three-month suspension, depending on the presence of aggravating and mitigating factors.

Citing <u>Magid</u> and <u>Principato</u> for the proposition that "[a]cts of violence are condemned in our society," we determined that a three-month suspension was the appropriate quantum of discipline for the misconduct and recommended, as a condition to reinstatement, that the attorney submit proof of fitness to practice law. <u>Id</u>. at 3. We expressly cautioned that "any act of violence committed by an attorney will not be tolerated." <u>Id</u>. Condemning the attorney's physical assault of the other motorist and the police, we determined that "[n]othing less than a suspension would be appropriate for this kind of violent behavior," notwithstanding the attorney's lack of prior discipline. <u>Id</u>. at 1, 3. The Court agreed with our recommendation.

In <u>In re Bornstein</u>, 187 N.J. 87 (2006), the Court suspended an attorney for six-months following his unprovoked assault on a stranger. In that case, the attorney fell backward while walking up the stairs at a Boston train station. <u>In the Matter of Eric H. Bornstein</u>, DRB 06-073 (May 24, 2006) at 4, 10. A doctor broke his fall and tried to assist him. <u>Id.</u> Inexplicably, the attorney then choked the doctor and slammed his head, several times, against a plexiglass window. <u>Id.</u> The attorney was charged with assault and battery and a weapons offense but was allowed to enter a diversionary program in Massachusetts. <u>Id.</u> at 5. Although the attorney admitted, in court, to the foregoing facts, he never was convicted of

a criminal offense. <u>Id.</u> The court placed him on probation for three months and ordered him to pay fines. <u>Id.</u>

We described the attorney's violent actions as "unprovoked, vicious, and outrageous," and found the conduct to be most factually similar to that of the attorney in <u>Viggiano</u>, who received a three-month suspension <u>Id.</u> at 10. However, based solely on the default status of the matter, we determined to enhance the discipline to six months. <u>Id.</u> The attorney had no prior discipline. <u>Id.</u> at 1. The Court agreed with our determination.

In <u>In re Buckley</u>, 226 N.J. 478 (2016), the Court imposed a three-month suspension for an attorney who pleaded guilty to a simple assault on a taxi driver. In that matter, the attorney negotiated a \$63 fee for a taxi ride from Manhattan to Jersey City. <u>In the Matter of Christopher J. Buckley</u>, DRB 15-148 (December 15, 2015) at 4. Upon arrival, he told the driver he did not have the money and needed to go to his apartment to get additional money. <u>Id.</u> The driver locked the doors, keeping the attorney trapped in the back. <u>Id.</u> The attorney began to kick at a door and window of the vehicle. <u>Id.</u> Presumably to preserve his vehicle, the cab driver released the attorney and, as he started to walk away, the driver followed on foot seeking payment of the fare. <u>Id.</u> at 5. The attorney eventually spun around, grabbed the driver by the face, and punched him with a

closed fist, breaking his glasses and causing lacerations. Id.

Declining to follow the implication in Viggiano that all attorney violence matters should result in a term of suspension, we recommended that the attorney be censured. Id. at 16. Specifically, we stated that "[b]ut for the mitigation . . . the violent behavior under scrutiny in this case – the assault of a taxi driver who was seeking the fare for his services – would result in the imposition of a threemonth suspension to protect the public and to preserve confidence in the bar." Id. However, in mitigation, we considered that the attorney had entered a guilty plea; he openly acknowledged his criminal conduct and exhibited remorse; he agreed to pay a total of \$750 in restitution in an effort to make the victim whole; he had no disciplinary history and was a recently-admitted attorney at the time of his misconduct; and he was not engaged in the practice of law and, thus, the concern for the protection of the public was reduced. Id. at 15. The Court, however, disagreed with our determination and imposed a three-month suspension for the misconduct.

In <u>In re Collins</u>, 226 N.J. 514 (2016). the Court imposed a three-month suspension on an attorney following a "road rage" incident that led to the attorney's guilty plea to simple assault and criminal mischief charges. <u>Id.</u> at 1, 3. In that case, the attorney, angered by the actions of another driver, exited his

vehicle, retrieved a baseball bat from the trunk, and struck the driver's vehicle multiple times. In the Matter of John J. Collins, DRB 15-140 (December 15, 2015) at 3. The attorney's strikes to the vehicle broke the windshield and a side mirror and caused the driver and a passenger imminent fear of bodily injury. Id. The attorney did not admit to striking either of the victims with his fist, attempting to strike either of the victims with the baseball bat, or causing actual injury to either of the victims, as the victims alleged. Id. Neither the prosecution nor the court required the attorney to address those allegations during his plea allocution. Id. The court sentenced the attorney to three concurrent one-year terms of probation, no contact with the victims, mandatory statutory fines, and \$1,500 in restitution. Id. at 3-4.

In determining that a three-month suspension was the appropriate quantum of discipline, we concluded that the attorney's violent behavior was more serious than that of the attorney in <u>Buckley</u>. <u>Id.</u> at 20-21. The Court agreed with our determination.

In <u>In re Goiran</u>, 224 N.J. 446 (2016), the Court censured an attorney who pleaded guilty, in a Colorado state court, to one count of third-degree assault. In that matter, following a verbal confrontation that escalated to a physical altercation, the attorney struck and bit his father-in-law, as they wrestled to the

ground. In the Matter of Philip Alexander Goiran, DRB 15-215 (December 18, 2015) at 2. The Colorado court sentenced the attorney to probation and required him to attend an alcohol treatment program and receive domestic violence treatment. Id. The attorney reported the discipline to the OAE, cooperated with the disciplinary authorities in both jurisdictions, engaged in substantial rehabilitation efforts, attended domestic violence prevention classes, expressed remorse, and worked to repair his relationship with his in-laws. Id. We found the attorney's conduct to be less egregious than that of the attorney in Buckley, who received a three-month suspension, and that substantial mitigation weighed in the attorney's favor. Id. at 5. We, thus, recommended a censure and the Court agreed.

In <u>In re Gonzalez</u>, 226 N.J. 170 (2017), the Court imposed a three-month suspension for an attorney who, following a "road rage" incident, exited his vehicle, retrieved a golf club from his trunk, swung it at another vehicle "as if he were going to hit it," and then threw the club at the car as the other driver attempted to drive away. The attorney stated that "he lost control over his emotions and [was] remorseful." <u>In the Matter of Ralph Alexander Gonzalez</u>, DRB 16-422 (March 21, 2017). The attorney cooperated with the police investigation and reported his charges to the OAE. <u>Id</u>.

We recommended a three-month suspension, noting that the attorney's misconduct was similar to that of the attorney in <u>Collins</u>, who had received the same discipline, notwithstanding his clean disciplinary record. <u>Id.</u> at 5. In both cases, the attorneys committed an act of road rage and terrorized their victims in public places. <u>Id.</u> at 4. We rejected the attorney's claim of remorse, citing his state of mind when he exited his car, to wit, that he wanted to hurt someone or take "even worse" action, in addition to his verbal attack on the victim. Id.

Moreover, we were troubled that the case constituted the attorney's third disciplinary matter, including two prior violations of <u>RPC</u> 8.4(d). <u>Id.</u> In our decision, we noted that the attorney had "demonstrated a penchant for lack of respect for the administration of justice." <u>Id.</u> at 5. Thus, we recommended a three-month suspension in order "to protect the public and to preserve confidence in the bar." <u>Id.</u> The Court agreed.

Finally, in <u>In re Chechelnitsky</u>, 232 N.J. 331 (2018), the Court imposed a six-month suspended suspension on an attorney following her guilty plea to two counts of aggravated assault on a law enforcement officer, as well as creating a dangerous condition and possession of a weapon for an unlawful purpose. In that matter, during a four-year period, the attorney had four encounters with the criminal justice system. In the Matter of Yana Chechelnitsky, DRB 17-043 (July

24, 2017) at 15. Her misconduct, fueled by alcohol, resulted in her attempted assault on her former husband by threatening him with a knife; an assault upon a police officer; and charges of endangering the welfare of her children, causing her to temporarily lose custody of them. <u>Id.</u> She failed to conform her behavior despite being given every opportunity to do so. <u>Id.</u> We noted that the consequences of her inability to remain sober were serious and the discipline for her conduct should reflect the seriousness of her repeated offenses. <u>Id.</u> Taking account of the attorney's "considerable efforts toward rehabilitation and the hardships that a suspension may cause at this juncture," we recommended a sixmonth, suspended term of suspension, "conditioned on [the attorney's] continued sobriety and good behavior." <u>Id.</u> at 19. The Court agreed with our recommendation.

In our view, the matter currently before us, again, illustrates that a bright-line rule as alluded to in <u>Viggiano</u> is inappropriate. First, when <u>Viggiano</u> was decided, no quantum of discipline between a reprimand and a term of suspension existed. A censure first became available as a quantum of discipline in 2002. Second, these cases are all fact sensitive and, therefore, have a clear need for a case-by-case determination.

Although physical contact and the characteristics of the victim(s) are

among the factors relevant for dispositive consideration in matters involving an attorney's violent behavior, they are not, by themselves dispositive. In our view, the nature of the violent behavior should be the focus of our analysis. Here, sadly, Morris passed away following the altercation with respondent, a fact that is devastating to his family and friends. However, as determined by medical experts, Morris did not die as a direct result of respondent's physical assault. The autopsy established that Morris had an underlying heart condition that caused a cardiac arrest to occur simultaneous to the altercation with respondent. That cardiac arrest caused significant brain damage through a lack of oxygen to Morris' brain, which led his family to make the difficult decision to end his life-sustaining treatments four days later.

Therefore, in determining the appropriate discipline, we do not consider the aftermath of the cardiac arrest and Morris' ultimate death as part of the analysis of the nature of the violent behavior. Rather, we focus on the nature of respondent's violent behavior in "shoulder blocking" Morris and scrutinize that behavior in the context of Viggiano and subsequent case law.

The conduct here, while troubling, is far less egregious than the violence displayed in cases involving unprovoked assaults on strangers, as addressed in Collins, Gonzalez, Viggiano, and Bornstein, all of whom we determined

exhibited a degree of violence that warranted a three-month suspension.⁴ Specifically, in <u>Collins</u> and <u>Gonzalez</u>, the attorneys, in separate "road rage" incidents, wielded weapons at the other drivers' vehicles, and terrorized their victims in public places. Although there was no physical contact between Collins and the other driver, the act of violence was no less severe, as Collins bludgeoned the victim's vehicle with a baseball bat, leaving the victim in imminent fear of bodily injury.

In <u>Viggiano</u>, following a minor traffic accident, the attorney violently struck the female driver of the other vehicle with a closed fist, and then pushed and kicked the responding police officers as they tried to restrain him and stop the assault. In <u>Bornstein</u>, following a fall on a staircase, the attorney inexplicably and violently attacked a bystander who came to the attorney's aid by choking him and slamming his head, several times, against a plexiglass window. These four cases illustrate the serious attorney violence that clearly warrants harsh discipline.

Although the assault in the matter currently before us involved physical contact with the victim, the nature of the physical contact is significantly

⁴ In <u>Borenstein</u>, we determined that the violent conduct warranted a three-month suspension. We, however, enhanced the discipline to a six-month suspension due to the default status of the matter.

different from that found in <u>Collins</u>, <u>Gonzalez</u>, <u>Viggiano</u>, and <u>Bornstein</u>. The physical contact in this matter is most akin to that of the attorney in <u>Goiran</u>, for whom we recommended a censure.

Here, respondent did not become enraged and unleash an unprovoked, vicious, and outrageous attack on a stranger that involved choking, repeated closed fist blows to the victim, or significant property damage. Rather, he engaged in a verbal confrontation with Morris, whom he had known for more than forty years, which unfortunately escalated to a physical altercation that resulted in respondent shoulder blocking Morris once causing both men to fall the floor, where Morris sustained an injury to his head. As the OAE noted, it is likely that respondent's alcohol consumption played a role in his behavior. There is nothing in the record to indicate that, prior to or any time after this incident, respondent engaged in any other violent or assaultive behavior. Nonetheless, discipline is warranted to protect the public, while reminding the bar that violence by attorneys will not be tolerated.

Like <u>Goiran</u>, there is substantial mitigation in this matter. Respondent has no prior discipline in twenty-three years at the bar. He has had no subsequent criminal conduct and there is a low risk of reoccurrence of similar conduct. He expressed sincere remorse for what occurred and entered into a plea agreement

for the underlying criminal matter, thereby accepting full responsibility for his

misconduct. He also agreed to participate in a substance abuse evaluation and

follow any recommended treatment plans. Since 2023, he has engaged in

rehabilitation efforts through Alcoholic Anonymous and is experiencing serious

medical issues.

Conclusion

On balance, in view of significant compelling mitigating factors and the

unique facts presented, we determine that a reprimand is the quantum of

discipline necessary to protect the public and preserve confidence in the bar.

Members Rodriguez and Spencer voted to dismiss this matter.

Member Campelo was 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 \underline{R} . 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

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SUPREME COURT OF NEW JERSEY DISCIPLINARY REVIEW BOARD VOTING RECORD

In the Matter of Paul M. Schofield Docket No. DRB 24-190

Argued: January 16, 2025

Decided: February 12, 2025

Disposition: Reprimand

| Members | Reprimand | Dismiss | Absent |
|-----------|-----------|---------|--------|
| Cuff | X | | |
| Boyer | X | | |
| Campelo | | | X |
| Hoberman | X | | |
| Menaker | X | | |
| Modu | X | | |
| Petrou | X | | |
| Rodriguez | | X | |
| Spencer | | X | |
| Total: | 6 | 2 | 1 |

/s/ Timothy M. Ellis

Timothy M. Ellis Chief Counsel