

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
Docket Nos. DRB 24-273 and DRB 24-301
District Docket Nos. IIIB-2023-0009E and XIV-2024-0192E

In the Matters of Chadwick L. Hooker
An Attorney at Law

Decided
May 12, 2025

Certifications of the Record

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Introduction

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

We consolidated these matters for review. DRB 24-273 was before us on a certification of the record filed by the District IIIB Ethics Committee (the DEC), pursuant to R. 1:20-4(f). The formal ethics complaint charged respondent with having violated RPC 1.3 (lacking diligence); RPC 1.4(b) (failing to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information); RPC 1.5(a) (charging an unreasonable fee); RPC 1.16(d) (upon termination of representation, failing to take reasonable steps to protect a client's interests, to surrender papers and property to which the client is entitled, and to refund the unearned portion of the fee); RPC 8.1(b) (two instances – failing to cooperate with disciplinary authorities); and RPC 8.4(d) (engaging in conduct prejudicial to the administration of justice).¹

DRB 24-301 also was before us on a certification of the record filed by the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-4(f). The formal

¹ Due to respondent's failure to file an answer to the formal ethics complaint, and on notice to him, the DEC amended the complaint to include the second charged violation of RPC 8.1(b) and the violation of RPC 8.4(d).

ethics complaint charged respondent with having violated RPC 8.1(b) (two instances)² and RPC 8.4(d).

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

Ethics History

Respondent earned admission to the New Jersey bar in 2015 and to the New York bar in 2016. During the relevant timeframe, he maintained a practice of law in Mount Holly and Mount Laurel, New Jersey. He has no disciplinary history.

Effective March 21, 2024, the Court temporarily suspended respondent from the practice of law for his failure to cooperate with an OAE investigation. In re Hooker, 256 N.J. 506 (2024).

Effective March 26, 2025, Court temporarily suspended respondent from the practice of law for his failure to comply with the determination of the District IIIB Fee Arbitration Committee.

He remains temporarily suspended on both bases to date.

² Due to respondent's failure to file an answer to the formal ethics complaint, and on notice to him, the OAE amended the complaint to include the second charged violation of RPC 8.1(b).

Service of Process

Service of process was proper in each matter.

DRB 24-273

On July 15, 2024, the DEC sent a copy of the formal ethics complaint, by certified and regular mail, to respondent's home address of record. The certified and regular mail was not returned to the DEC.

On September 18, 2024, the DEC sent a second letter, by certified and regular mail, to respondent's home address of record, informing him that, unless he filed a verified answer to the complaint within five days of the date of the letter, the allegations of the complaint would be deemed admitted, the record would be certified to us for the imposition of discipline, and the complaint would be deemed amended to charge a willful violation of RPC 8.1(b) by reason of his failure to answer.³ The certified mail was returned to the DEC as "not deliverable as addressed" and "unable to forward."⁴ The regular mail was not returned to the DEC.

³ On January 16, 2025, respondent appeared before us on an unrelated matter. In response to our questioning, he confirmed that he continued to reside at his home address of record, which has remained the same since his admission to the practice of law.

⁴ New Jersey attorneys have an affirmative obligation to inform both the New Jersey Lawyers' Fund for Client Protection and the OAE of changes to their home and primary law office addresses, "either prior to such change or within thirty days thereafter." R. 1:20-1(c). Respondent's official Court records continue to reflect the home address initially utilized for service in this matter.

As of October 22, 2024, respondent had not filed an answer to the complaint, and the time within which he was required to do so had expired. Accordingly, the DEC certified this matter to us as a default.

On December 30, 2024, Chief Counsel to the Board sent respondent a letter, by certified and regular mail, to his home address of record, and by electronic mail, to his e-mail address of record, informing him that this matter was scheduled before us on February 20, 2025, and that any MVD must be filed by January 20, 2025. The certified mail was returned, unclaimed, to the Office of Board Counsel (the OBC). The regular mail was not returned. On December 31, 2024, the OBC received an electronic return receipt from respondent's e-mail address of record, indicating that he had read the OBC's December 30, 2024 e-mail.

Moreover, the OBC published a notice dated January 6, 2025 in the New Jersey Law Journal, as well as on the New Jersey Courts website, stating that we would consider these matters on February 20, 2025. The notice informed respondent that, unless he filed a successful MVD by January 20, 2025, his prior failure to answer the complaint would remain deemed an admission of the allegations of the complaint.

On February 7, 2025, Chief Counsel to the Board sent respondent an adjournment letter, by certified and regular mail, to his home address of record,

and by electronic mail, to another known e-mail address for respondent, informing him that this matter was rescheduled before us on March 20, 2025. The certified mail was returned to the OBC, marked “unclaimed” and “unable to forward.” The regular mail was not returned. On February 10, 2025, respondent replied to the OBC’s e-mail and acknowledged receipt of its February 7, 2025 e-mail.

Respondent did not file an MVD.

DRB 24-301

On October 3, 2024, the OAE sent a copy of the formal ethics complaint, by certified and regular mail, to respondent’s home address of record, and by electronic mail, to his e-mail address of record. That same date, respondent replied and acknowledged receipt of the OAE’s e-mail. The certified mail was returned to the OAE as “not deliverable as addressed” and “unable to forward.” The regular mail was not returned to the OAE.

On November 19, 2024, the OAE sent a second letter, by regular mail, to respondent’s home address of record, and by electronic mail to his e-mail address of record and an additional known e-mail address, informing him that, unless he filed a verified answer to the complaint within five days of the date of the letter, the allegations of the complaint would be deemed admitted, the record

would be certified to us for the imposition of discipline, and the complaint would be deemed amended to charge a willful violation of RPC 8.1(b) by reason of his failure to answer. On November 20, 2024, respondent replied to the OAE's e-mail and acknowledged receipt of its November 19, 2024 e-mail. The regular mail was not returned to the OAE.

As of December 19, 2024, respondent had not filed an answer to the complaint, and the time within which he was required to do so had expired. Accordingly, the OAE certified this matter to us as a default.

On January 30, 2025, Chief Counsel to the Board sent respondent a letter, by certified and regular mail, to his home address of record, and by electronic mail to his e-mail address of record and an additional e-mail address obtained by the OAE, informing him that this matter was scheduled before us on March 20, 2025, and that any MVD must be filed by February 17, 2025. The certified mail was returned to the OBC marked "attempted – not known" and "unable to forward." The regular mail was not returned. On February 3, 2025, the OBC received an electronic return receipt from respondent's e-mail address of record, indicating that he had read the OBC's January 30, 2025 e-mail.

Moreover, the OBC published a notice, dated February 3, 2025, in the New Jersey Law Journal and on the New Jersey Court's website, stating that we would consider this matter on March 20, 2025. The notice informed

respondent that, unless he filed a successful MVD by February 17, 2025, his failure to answer would remain deemed an admission of the allegations of the complaint.

Respondent did not file an MVD.

Facts

We now turn to the allegations of the complaints.

The Crudup Matter (DRB 24-273)

In or around November 2022, Quivine E. Crudup retained respondent to represent her in connection with a landlord-tenant civil rights action that had been filed against her in the Superior Court of New Jersey, Union County, Special Civil Part. Because Crudup did not reside in New Jersey, her daughter assisted her in finding a local attorney, through a lawyer referral service. After communicating with respondent via telephone and e-mail, Crudup determined to retain him. Crudup informed respondent that a hearing was scheduled for November 15, 2022 and asked him to file an answer on her behalf.

On or around November 11, 2022, respondent sent Crudup a retainer agreement setting forth the scope of the representation and requiring a \$2,000 retainer toward the representation. On November 11, 2022, Crudup signed and

dated the agreement and remitted an electronic payment of \$2,000 to respondent, on or about that same date.

On November 15, 2022, respondent failed to appear at the landlord-tenant hearing. He also failed to file a notice of appearance or an answer to the complaint.

Until March 17, 2023, Crudup was unaware that respondent had failed to appear at the November 2022 hearing or to take any action in pursuit of her defense. On that date, Crudup attended a Zoom mediation in connection with her case and, after she stated that she was “waiting for her representation,” the court clerk informed her that no appearance had been filed on her behalf. Further, the clerk informed her that no one had appeared at the November 15, 2022 hearing on her behalf. Given the choice to continue without counsel or to reschedule the mediation and final hearing, Crudup opted to continue without respondent because she “wanted to get it over with.”

At the final hearing, on an unknown date, the court found Crudup liable for “financial discrimination” against her tenant. Consequently, the court ordered Crudup to return her tenant’s \$1,500 deposit and to pay additional compensatory damages of \$1,500, plus court costs. Subsequently, Crudup attempted to contact respondent, via telephone and e-mail; however, he failed to

reply.

On September 27, 2023, the DEC provided respondent a copy of Crudup's grievance and directed that he submit a written response within ten days. Respondent, however, failed to reply.

On October 19, November 3, and December 12, 2023, the DEC sent three additional letters to respondent, reminding him of his obligations, under R. 1:20-3(g)(3) and RPC 8.1, to provide a detailed written reply to the grievance, to submit any relevant documents or records, and to cooperate with the DEC in its investigation. Additionally, the DEC attempted to contact respondent via telephone on November 21, November 29, and December 12, 2023, and via text message on December 12, 2023. In all of those communications, the DEC informed respondent that his failure to cooperate with the investigation could expose him to a violation of RPC 8.1(b). Respondent failed to reply to any of the DEC's communications.

Based on the foregoing facts, the formal ethics complaint charged respondent with having violated RPC 1.3 by failing to: file, on Crudup's behalf, an answer to the landlord-tenant complaint; appear at the November 2022 hearing; and attend the scheduled mediation and final hearing. Respondent violated RPC 1.4(b) by failing to both keep Crudup reasonably informed about the status of her matter and to respond to her reasonable requests for information

following the November 2022 hearing and Crudup's subsequent attempts to reach him.

Next, the complaint charged respondent with having violated RPC 1.5(a)(4) by failing to perform any work in furtherance of the representation, despite having accepted a \$2,000 fee. The complaint charged respondent with having violated RPC 1.16(d) by failing to: provide Crudup reasonable notice of termination of the representation; allow time for her to retain new counsel; to surrender Crudup's file; and refund his unearned legal fee, despite Crudup's specific request that he do so. Finally, the complaint charged respondent with having violated RPC 8.1(b) and RPC 8.4(d) by failing to cooperate with the DEC's investigation, despite ample opportunity and time to do so, and a second instance of RPC 8.1(b) by failing to file an answer and allowing this matter to proceed as a default.

The Affidavit of Compliance Matter (DRB 24-301)

As detailed above, effective March 21, 2024, the Court temporarily suspended respondent from the practice of law for his failure to cooperate with the OAE's investigation. To date, he remains temporarily suspended.

The Court's Order in that matter directed respondent to comply with R. 1:20-20, which requires, among other obligations, that he, "within 30 days after

the date of the order of suspension (regardless of the effective date thereof) file with the Director the original of a detailed affidavit specifying by correlatively numbered paragraphs how the disciplined attorney has complied with each of the provisions of this rule and the Supreme Court's order." Further, R. 1:20-20(c) expressly states that a suspended attorney's failure to file the affidavit of compliance constitutes a violation of RPC 8.1(b) and RPC 8.4(d).

Respondent failed to file the required affidavit of compliance. Consequently, on May 29, 2024, the OAE sent respondent a letter, by certified and regular mail, to his office and home addresses of record, reminding him of his obligation to file the affidavit, pursuant to R. 1:20-20, and directing that he submit a written reply to the OAE by June 12, 2024. The certified mail sent to respondent's home address was returned as unclaimed. The regular mail sent to his home address was not returned to the OAE. The certified mail sent to respondent's office address was returned to the OAE, marked "attempted-not known." The regular mail sent to respondent's office address was returned to the OAE, marked "not deliverable as addressed."

On July 10, 2024, the OAE sent respondent a second letter, by certified and regular mail, to his home address of record, and by electronic mail to a known e-mail address, advising him that his failure to file a conforming affidavit by July 25, 2024 may result in the OAE's filing of a formal ethics complaint

and, further, may preclude consideration of any reinstatement petition for up to six months. The OAE enclosed its May 29, 2024 letter and a copy of R. 1:20-20 with this mailing. The certified mail was returned as unclaimed. The regular mail was not returned to the OAE. On July 10, 2024, the OAE received a notification from Microsoft Outlook indicating that its July 10, 2024 e-mail had been delivered.

As of October 2, 2024, the date of the formal ethics complaint, respondent had failed to file the required affidavit. Consequently, the formal ethics complaint charged respondent with having violated RPC 8.1(b) and RPC 8.4(d) for his willful violation of the Court's suspension Order by failing to file the required affidavit, a step required of all suspended attorneys. Additionally, on notice to respondent, the OAE amended the complaint to charge him with having violated RPC 8.1(b) a second time by failing to file a verified answer to the complaint.

Analysis and Discipline

Violations of the Rules of Professional Conduct

The Crudup Matter (DRB 24-273)

Following our review of the record in this matter, we determine that the facts set forth in the formal ethics complaint support some, but not all, of the

charges of unethical conduct. Respondent's failure to file an answer to the complaint is deemed an admission that the allegations are true and that they provide a sufficient basis for the imposition of discipline. R. 1:20-4(f)(1).

Notwithstanding that Rule, we must determine whether each charge in the complaint is supported by sufficient facts for us to determine that unethical conduct has occurred. See In re Pena, 164 N.J. 222 (2000) (noting that the Court's "obligation in an attorney disciplinary proceeding is to conduct an independent review of the record, R. 1:20-16(c), and determine whether the ethical violations found by the [Board] have been established by clear and convincing evidence"); see also R. 1:20-4(b) (entitled "Contents of Complaint" and requiring, among other notice pleading requirements, that a complaint "shall set forth sufficient facts to constitute fair notice of the nature of the alleged unethical conduct").

RPC 1.3 states that "[a] lawyer shall act with reasonable diligence and promptness in representing a client." Here, the record establishes, by clear and convincing evidence, that respondent violated this Rule by accepting the representation and Crudup's \$2,000 legal fee yet failing to take reasonable steps in furtherance of that representation. Specifically, Crudup retained respondent to defend her in connection with a pending landlord-tenant matter. Despite accepting the representation, he failed to enter an appearance or to file an answer

on her behalf. Further, without informing Crudup, he failed to appear for the November 2022 landlord-tenant hearing. Indeed, it was not until March 2023, more than four months after respondent accepted the representation, that Crudup learned that he had neither entered an appearance nor filed an answer to the complaint.

Respondent also violated RPC 1.4(b), which requires an attorney to keep their client “reasonably informed about the status of a matter and promptly comply with reasonable requests for information.” Despite his obligation to keep Crudup informed as to the status of the proceeding for which he was retained, he altogether failed to reply to Crudup’s repeated requests for information.

Next, respondent violated RPC 1.16(d), which states that, “[u]pon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client’s interests, such as . . . surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned or incurred.” Although respondent never formally terminated his representation of Crudup, the representation had, in effect, terminated when he failed to take any steps to advance Crudup’s position, leaving her to defend herself in the landlord-tenant proceeding which, ultimately, resulted in an unfavorable judgment against her. He failed to inform her that he was not proceeding with her matter, thereby depriving her of an

opportunity to seek new counsel. Further, despite having performed no legal work, he failed to refund the \$2,000 retainer.

Respondent violated RPC 8.1(b), which requires an attorney to “respond to a lawful demand for information from . . . [a] disciplinary authority,” in two respects. First, he failed to comply with the DEC’s investigation by ignoring the investigator’s four letters, three telephone calls, and a text message, all of which were intended to obtain respondent’s reply to the ethics grievance filed against him. He then violated RPC 8.1(b) a second time by failing to file a verified answer to the complaint, despite proper notice, allowing this matter to proceed as a default.

We conclude, however, that the record lacks clear and convincing evidence to support the charged violations of RPC 1.5(a) and RPC 8.4(d).

Specifically, the complaint charged respondent with having violated RPC 1.5(a), which prohibits an attorney from charging an unreasonable fee, by accepting a \$2,000 fee from Crudup and then failing to perform the work required to advance her interests. However, the complaint failed to analyze respondent’s fee under the eight factors set forth in RPC 1.5(a) that aid in establishing the reasonableness of an attorney’s fee. Thus, we cannot determine, on this record, that, had respondent performed the work for which he had been retained, the fee charged would have been unreasonable. See In the Matters of

Christopher Michael Manganello, DRB 20-199 and 20-235 (April 6, 2021) (dismissing the RPC 1.5(a) charge because the formal ethics complaint did not analyze the attorney's fees under the eight factors of RPC 1.5(a) and, thus, we could not determine that, had the attorney performed the work for which he had been retained, the fee charged would have been unreasonable).

Additionally, although respondent failed to do any legal work for Crudup, the fact that he may not have earned his \$2,000 retainer fee does not, standing alone, render his fee unreasonable. See In the Matter of Thomas J. Whitney, DRB 19-296 (May 12, 2020) (we dismissed the RPC 1.5(a) charge because, although the attorney did little to no work in connection with the client matters at issue, "the fact that he may not have earned his fee [did] not render his fee unreasonable;" we also observed that his failure to return unearned fees was captured by his violation of RPC 1.16(d)).

Likewise, we determine to dismiss the related RPC 8.4(d) charge stemming from respondent's failure to answer the formal ethics complaint. Although failing to file an answer to a complaint constitutes a well-settled violation of RPC 8.1(b), it is not per se grounds for an RPC 8.4(d) violation. See In re Ashley, 122 N.J. 52, 55 n.2 (1991) (following the attorney's failure to answer the formal ethics complaint and to cooperate with the investigator, the DEC charged her with violating RPC 8.4(d); the Court expressly adopted the

Board’s finding that, “[a]lthough the committee cited RPC 8.4(d) for failure to file an answer to the complaint, RPC 8.4(d) deals with prejudice to the administration of justice. RPC 8.1(b) is the correct rule for failure to cooperate with disciplinary authorities.”). Moreover, the Board consistently has dismissed RPC 8.4(d) charges that are based solely upon an attorney’s failure to file an answer to the complaint. See In the Matter of Richard Donnell Robinson, DRB 23-032 (July 5, 2023) at 12-13, and In the Matter of John Anthony Feloney, IV, DRB 22-179 (March 23, 2023) at 9-10. Consequently, consistent with disciplinary precedent, we determine to dismiss the RPC 8.4(d) charge, as a matter of law.

The Affidavit of Compliance Matter (DRB 24-301)

The facts set forth in this formal ethics complaint support all the charges of unethical conduct. Respondent’s failure to file an answer to the complaint is deemed an admission that the allegations are true and that they provide a sufficient basis for the imposition of discipline. R. 1:20-4(f)(1).

Specifically, R. 1:20-20(b)(15) requires a suspended attorney, within thirty days of the Court’s Order of suspension, to “file with the Director [of the OAE] the original of a detailed affidavit specifying by correlatively numbered

paragraphs how the disciplined attorney has complied with each of the provisions of this rule and the Supreme Court's order."

As the Appellate Division has observed, "the provisions of R. 1:20-20(b)(1) to (14) are designed to protect clients of the [suspended or] disbarred attorney, as well as any other individuals who might unknowingly seek to retain that attorney during the period of his suspension." Eichen, Levinson & Crutchlow, LLP v. Weiner, 397 N.J. Super. 588, 596 (App. Div. 2008). Non-compliance with R. 1:20-20 therefore obstructs one of the primary purposes of the disciplinary system, "to protect the public from an untrustworthy lawyer." See In re Rigolosi, 107 N.J. 192, 206 (1987) ("The purpose of a disciplinary proceeding, as distinguished from a criminal prosecution, is not so much to punish a wrongdoer as it is to protect the public from an untrustworthy lawyer.") (citing In re Pennica, 36 N.J. 401, 418-19 (1962)). Non-compliance with R. 1:20-20 may also cause "confusion among . . . clients and an administrative burden for the courts." In re Kramer, 172 N.J. 609, 626 (2002).

For those reasons, and by operation of Rule, in the absence of an extension granted by the Director of the OAE, failure to file an affidavit of compliance pursuant to R. 1:20-20(b)(15) within the time prescribed "constitute[s] a violation of RPC 8.1(b) . . . and RPC 8.4(d)." R. 1:20-20(c).

Here, respondent willfully violated the Court's suspension Order, filed on March 21, 2023, by failing to file the required affidavit, a step required of all suspended attorneys. Respondent, thus, violated R. 1:20-20 and, consequently, RPC 8.1(b) and RPC 8.4(d). Moreover, he violated RPC 8.1(b) a second time by failing to file an answer to the formal ethics complaint and allowing this matter to proceed as a default.

In sum, we find that respondent violated RPC 1.3; RPC 1.4(b); RPC 1.16(d); RPC 8.1(b) (four instances); and RPC 8.4(d). However, we determine to dismiss, for lack of clear and convincing evidence, the charges that respondent violated RPC 1.5(a) and RPC 8.4(d) in connection with the Crudup matter. The sole issue left for our determination is the appropriate quantum of discipline for the totality of respondent's misconduct.

Quantum of Discipline

Generally, an admonition is the appropriate quantum of discipline for lack of diligence and failure to communicate with a client. See In the Matter of Hayes R. Young, DRB 23-215 (November 22, 2023) (in a medical malpractice matter, the attorney filed the client's complaint without the required affidavit of merit; seven months later, the court dismissed the matter for lack of prosecution; during the span of several months, the attorney failed to reply to the client's numerous

inquiries about the status of her case and failed to inform her that her lawsuit had been filed but, thereafter, dismissed; the attorney also failed to set forth to the client, in writing, the basis or rate of the legal fee; violations of RPC 1.3, RPC 1.4(b), and RPC 1.5(b); in imposing only an admonition, we weighed, in mitigation, the attorney's lack of disciplinary history, admission of wrongdoing, contrition, and cooperation with disciplinary authorities, as well as attenuating circumstances related to the illness and death of his spouse), and In the Matter of Christopher J. LaMonica, DRB 20-275 (January 22, 2021) (the attorney promised to take action to remit his client's payment toward an owed inheritance tax; despite the attorney's assurances that he would act, he failed to remit the payment until two years later; in addition, the attorney failed to keep his client apprised of the status of her matter and failed to communicate with her for sixteen months; violations of RPC 1.3 and RPC 1.4(b); in imposing only an admonition, we weighed the attorney's unblemished disciplinary record).

The quantum of discipline is enhanced, however, when additional aggravating factors are present. See, e.g., In re Lueddeke, __ N.J. __ (2022), 2022 N.J. LEXIS 460 (reprimand for an attorney who, eight months after agreeing to pursue a breach of contract claim on behalf of a client, filed a request with a court for a "proof hearing;" the court, however, rejected the attorney's request and notified him to file a motion for a proof hearing; the attorney failed

to file the motion and, nearly five months later, the court dismissed the matter for lack of prosecution; the attorney failed to inform his client of the dismissal of his matter or to reply to his inquiries regarding the status of his case; more than a year later, the client independently discovered that his case had been dismissed, following which the attorney, at the client's behest, successfully reinstated the matter and secured a judgment on the client's behalf; violations of RPC 1.3 and RPC 1.4(b); prior 2015 admonition for similar misconduct, which give the attorney a heightened awareness of his obligations to diligently pursue client matters); In re Lenti, 250 N.J. 292 (2022) (censure for an attorney's combined misconduct encompassing five client matters and eleven RPC violations; in three of the client matters, the attorney failed to timely file necessary motions or pleadings in connection with matrimonial or child custody litigation; additionally, in connection with two of the matrimonial client matters, the attorney engaged in misrepresentations to her clients regarding the status of their cases; further, in connection with a third matrimonial client matter and a separate probate client matter, she failed to communicate with her clients; violations of RPC 1.3 (three instances), RPC 1.4(b) (three instances), RPC 5.3(b), RPC 8.1(b), and RPC 8.4(c) (three instances); in aggravation, the attorney's misconduct resulted in the unnecessary delay of at least two client matters and the dismissal – and potential extinguishment – of at least one client

matter; however, in mitigation, the attorney had no prior discipline in her nine-year career at the bar and expressed sincere remorse and contrition; additionally, the attorney, eventually, engaged a family law attorney to help her review and advance her outstanding family law cases); In re Witherspoon, 249 N.J. 537 (2022) (censure for an attorney who, in a default matter, took little or no action to settle a client's brother's estate; the attorney also failed to reply to the client's repeated inquiries regarding the status of her matter, prompting the client to retain new counsel to protect her interests; the attorney also failed to cooperate with the disciplinary investigation; violations of RPC 1.3, RPC 1.4(b), and RPC 8.1(b) (two instances); although the attorney had no prior discipline in his thirty-three-year career at the bar, the attorney's failure to take any action in furtherance of the representation caused the client significant financial harm; in further aggravation, we considered the default status of the matter);

Attorneys who violate RPC 1.16(d), even when accompanied by other, non-serious ethics infractions, receive admonitions. See In the Matter of Karim K. Arzadi, DRB 23-169 (October 26, 2023) (the attorney, whose representation was terminated by the client, thereafter failed to file either a substitution of counsel or a motion to be relieved as counsel; during the next several months, while the attorney remained counsel of record, the client, who sought to proceed pro se, was unable to pursue settlement negotiations with the opposing party,

and the client's lawsuit ultimately was dismissed for failure to prosecute; violations of RPC 1.16(a)(3) (failing to withdraw from the representation despite being discharged by the client) and RPC 1.16(d)), and In the Matter of Gary S. Lewis, DRB 21-247 (February 18, 2022) (the attorney failed to notify his clients of the sale of his law practice to another attorney, thereby depriving his clients of the opportunity to retain other counsel and to retrieve their property and files; violations of RPC 1.16(d) and RPC 1.17(c) (improperly selling a law practice); among other mitigating factors, we weighed that the attorney's sale of his law practice may have resulted from his spouse's emergent medical situation, he cooperated with disciplinary authorities by stipulating to the facts underlying his misconduct, and, in forty-six years at the bar, he had only one prior admonition, twelve years earlier, for unrelated misconduct).

Attorneys with less serious disciplinary histories have received reprimands, in default matters, for their failure to file the R. 1:20-20 affidavit. See, e.g., In re Hildebrand, ___ N.J. ___ (2025) (the attorney failed to file the required affidavit following his six-month suspension in connection with his misconduct in a prior disciplinary matter); In re Ashton, 257 N.J. 225 (2024) (the attorney failed to file the required affidavit following his disciplinary suspension, in connection with a motion for reciprocal discipline; his disciplinary history consisted only of the prior two-year suspension); In re

Cottee, 255 N.J. 439 (2023) (the attorney failed to file the required R. 1:20-20 affidavit of compliance, despite the OAE's specific requests that he do so; his disciplinary history consisted only of a prior three-month suspension, in a 2021 reciprocal discipline matter); In re Spielberg, 255 N.J. 469 (2022), and In re Stack, 255 N.J. 468 (2022) (the attorneys failed to file their respective affidavits of compliance following their 2020 temporary suspensions for failing to cooperate with separate OAE investigations; Spielberg had no prior final discipline and Stack had a prior 2019 admonition, in a non-default matter).

Based on the foregoing disciplinary precedent, respondent's misconduct in the Crudup matter, standing alone, could be met with a censure. Specifically, respondent's misconduct in that matter is most analogous to the attorney in Witherspoon, who, in a default matter, ignored his client's requests for information and took little or no action to settle the client's matter. Like Witherspoon, respondent's inaction caused his client demonstrable financial harm, and he deprived Crudup of the representation she needed.

Respondent, however, committed additional misconduct by failing to file his affidavit of compliance, conduct that, typically, is met with a reprimand. Like the attorney in Spielberg, who was reprimanded, respondent failed to file his respective affidavit following the Court's issuance of its March 2024 Order temporarily suspending him for failing to cooperate with the OAE's

investigation. Also like Spielberg, respondent has no prior discipline. To craft the appropriate discipline in this case, we also consider any mitigating and aggravating factors.

In mitigation, respondent has no prior discipline.

In aggravation, respondent allowed both matters to proceed as defaults, an aggravating factor that ordinarily results in enhanced discipline. See In re Kivler, 193 N.J. 332, 342 (2008) (“a respondent’s default or failure to cooperate with the investigative authorities acts as an aggravating factor, which is sufficient to permit a penalty that would otherwise be appropriate to be further enhanced”). However, we considered this aggravating factor in setting the baseline discipline and, therefore, we do not accord it additional aggravating weight.

Conclusion

On balance, we determine that a censure is the appropriate quantum of discipline necessary to protect the public and preserve confidence in the bar.

In addition, as a condition to his discipline, we recommend that, within sixty days of the Court’s disciplinary Order in this matter, respondent be required to disgorge his \$2,000 legal fee to Quivine E. Crudup.

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 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

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matter of Chadwick L. Hooker
Docket Nos. DRB 24-273 and DRB 24-301

Decided: May 12, 2025

Disposition: Censure

<i>Members</i>	Censure
Cuff	X
Boyer	X
Campelo	X
Hoberman	X
Menaker	X
Modu	X
Petrou	X
Rodriguez	X
Spencer	X
Total:	9

/s/ Timothy M. Ellis

Timothy M. Ellis
Chief Counsel