SUPREME COURT OF NEW JERSEY DISCIPLINARY REVIEW BOARD Docket No. DRB 24-274 District Docket No. XIV-2023-0514E

In the Matter of Barbara K. Lewinson An Attorney at Law

Argued February 20, 2025

Decided May 20, 2025

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

Respondent waived appearance for oral argument.

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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. Respondent stipulated to having violated RPC 1.1(a) (committing gross neglect); RPC 1.3 (lacking diligence); RPC 1.4(b) (failing to keep a client reasonably informed about the status of a matter); RPC 1.4(c) (failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); and RPC 8.4(d) (engaging in conduct prejudicial to the administration of justice).

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 and Pennsylvania bars in 1981. At the relevant time, she maintained a practice of law in East Brunswick, New Jersey.

On January 31, 1992, the Court reprimanded respondent for her negligent

misappropriation of entrusted funds. <u>In re Lewinson</u>, 126 N.J. 515 (1992) (<u>Lewinson I</u>).

On March 24, 1999, the Court suspended respondent for six months, on a motion for reciprocal discipline, following her consent to disbarment in Pennsylvania for practicing law while ineligible and for misrepresenting her eligibility to a Pennsylvania judge. <u>In re Lewinson</u>, 157 N.J. 627 (1999) (<u>Lewinson II</u>). In that matter, respondent paid for her former client's new lawyer and assisted the new lawyer through trial.

On October 7, 1999, the Court suspended respondent for three months for her gross neglect in two client matters. The Court also required that she practice under the supervision of a proctor for a period of two years upon her reinstatement to the practice of law. <u>In re Lewinson</u>, 162 N.J. 4 (1999) (Lewinson III).

On February 7, 2000, the Court reinstated respondent to the practice of law. <u>In re Lewinson</u>, 162 N.J. 359 (2000).

On December 14, 2022, the Court reprimanded respondent for having violated RPC 1.7(a)(2) (engaging in a concurrent conflict of interest). <u>In re</u> <u>Lewinson</u>, 252 N.J. 416 (2022) (<u>Lewinson IV</u>). In that matter, in 2003, respondent represented a client in a divorce proceeding, resulting in the entry of a final judgment of divorce that included the equitable distribution of the marital

home. Nearly sixteen years later, respondent undertook the representation of the client's former spouse, who sought to enforce the terms of the final judgment of divorce. After respondent withdrew from the representation, her former client proceeded <u>pro se</u>.

We now turn to the matter currently before us.

Facts

Respondent and the OAE entered into a disciplinary stipulation, dated November 15, 2024, which sets forth the following facts in support of respondent's admitted <u>RPC</u> violations.

Specifically, on December 18, 2023, the Honorable Colleen Flynn, P.J. Cr., contacted the District VIII Ethics Committee to report concerns about respondent's court appearance before her earlier that day.

Judge Flynn's concerns arose out of respondent's representation of M.K.,¹ a criminal defendant, who had been charged with aggravated sexual assault of a minor, a first-degree crime. During an October 23, 2023 plea hearing, after conferring with respondent, M.K. agreed to plead guilty to the charge. Thus, Lynne G. Seborowski, Esq., Assistant Prosecutor for the Middlesex County Prosecutor's Office (the MCPO), explained that, in exchange for his guilty plea,

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¹ Initials are given to preserve the identity of the victim of M.K.'s crime.

the State would recommend a thirteen-year term of imprisonment, with no parole, that would run concurrent to a child luring case M.K. had pending in Monmouth County. M.K.'s guilty plea before Judge Flynn was part of a global resolution to his criminal charges in Middlesex and Monmouth counties.

Before providing a factual basis for his guilty plea, Judge Flynn asked M.K. whether he had received and reviewed discovery in his case. M.K. indicated that he had not. Respondent denied having received discovery and explained that she had difficulties accessing the MCPO's online discovery portal, as well as evidence.com.

Respondent's husband, who also was her legal assistant, was present for the hearing. He indicated that respondent's law office had received an e-mail a few days prior to the hearing regarding discovery, but that he was unable to access the system because he lacked a password. Therefore, respondent had neither obtained nor reviewed the discovery Seborowski had provided in connection with M.K.'s case. Respondent failed to inform the MCPO that she was experiencing difficulties in downloading the discovery.

Nevertheless, respondent recommended to M.K., without having reviewed the discovery herself, that he plead guilty to first-degree aggravated sexual assault. After learning that respondent and M.K. had not reviewed discovery in the case, Judge Flynn advised respondent that "it would be inappropriate to

proceed with a plea without [M.K.] having had the opportunity to review discovery."

Judge Flynn indicated that she would conditionally accept M.K.'s guilty plea, subject to respondent's receipt and review of the discovery with M.K. During the hearing, Judge Flynn stressed that, before she sentenced M.K., she would question him, on the record, to ensure that he had received and reviewed the discovery. Alternatively, Judge Flynn suggested that respondent provide the court with an affidavit from M.K. indicating he had an opportunity to review the discovery.

Thereafter, the court proceeded with M.K.'s plea allocution. During the plea allocution, he admitted that, in 1984, he sexually assaulted the minor relative he was babysitting. Respondent requested that Judge Flynn clarify for M.K. that he was prohibited from contacting the victim and his family members concerning the case. Seborowski explained to the court that M.K. previously had written letters to his family members in an attempt to get messages to the victim; however, the MCPO did not to pursue charges because of his intention to enter a guilty plea to aggravated sexual assault. Seborowski warned, however, that if he continued to contact family members in an effort to send messages to the victim, he would face additional criminal charges. Accordingly, Judge Flynn directed M.K. not to contact the victim or the victim's family about the case.

Notwithstanding Judge Flynn's warning, between October 30 and November 8, 2023, M.K. sent threatening letters to witnesses in his criminal case. Consequently, he was charged with making terroristic threats, engaging in witness tampering, and stalking four individuals.

On December 18, 2023, Judge Flynn held a pre-indictment conference for M.K.'s new criminal charges. The conference initially was scheduled to occur in the morning; however, respondent failed to appear in court. Judge Flynn's secretary called respondent to remind her of the conference, and she appeared before Judge Flynn in the afternoon.

Before the hearing began, respondent had a conversation with Judge Flynn and Seborowski that was recorded by CourtSmart audio. During the conversation, respondent admitted to Judge Flynn and Seborowski that she still had not reviewed the discovery with M.K. Nevertheless, respondent informed Judge Flynn that she wanted to "wrap this up as soon as possible" in the best interests of society.

Also, during the conversation, in the presence of Judge Flynn, respondent asked Seborowski if it was inappropriate for respondent to "say he should go to jail forever, right?" Seborowski replied "I don't think . . . you can say anything like that." She explained to respondent that, if she believed that, it created a conflict of interest for her to remain as M.K.'s attorney. Respondent replied that

she did not "feel he should get out ever. I don't feel he should get out now. And I think it's imperative that he gets [psychological] treatment."

As M.K. was being transported to the courtroom, Judge Flynn informed respondent that she was "very concerned with some of the things that you said today. I agree with Ms. Seborowski, that it kind of sets up a conflict" and that "[a]s his defense attorney, you really can't say those things." Both Judge Flynn and Seborowski reminded respondent that she must represent M.K.'s best interests. Respondent explained that "my job is also to do what's in the best interest of society." Respondent denied that she had a problem with representing M.K. but expressed that she was "appalled . . . at what he did."

Both Judge Flynn and Seborowski then agreed that M.K. would need new counsel. Respondent asked, "why don't we ask him?" Judge Flynn informed respondent that it was not respondent's decision because the court could sign an order disqualifying her as counsel.

When M.K. entered the courtroom, he told Judge Flynn that he had a letter he wished to read to the court. M.K. declined Judge Flynn's invitation to "run it past your lawyer first," indicating that "my attorney hasn't been representing me properly [the] last couple of months." When Judge Flynn asked M.K. if he was requesting that she remove respondent from the case, M.K. replied "yes," and respondent said "good." Consequently, Judge Flynn removed respondent from

the case.

Thereafter, when M.K. still wanted to read his letter to the court, respondent stated that she wanted to look at it first. Judge Flynn informed M.K. that she was concerned he may incriminate himself with his letter because "anything you say in Court can be used against you." M.K. told Judge Flynn "I would still rather read it." In reply to respondent's insistence that she review the letter before he read it in court, M.K. asked Judge Flynn "she's dismissed, isn't she?" Respondent answered, "No . . . Yes, I'm getting dismissed. But I still have the right to --" at which point Judge Flynn suggested that M.K. provide the court with the letter to review in camera.

Judge Flynn confirmed that the letter lacked incriminating information as it related to M.K.'s criminal cases and read the letter into the record. In his letter, M.K. stated that he had asked respondent to file a motion to withdraw his guilty plea, but that respondent was not listening to him. M.K. also alleged that respondent was not helping him with his case, and that he had received the discovery in the mail earlier that day but had not had time to review it. Thus, M.K. requested the ability to "put in a motion today, December 18, 2023, to withdraw a guilty plea, to not guilty."

Judge Flynn denied M.K.'s request and informed him that he qualified for a public defender, who would independently contact him to review the discovery

with him and would have the opportunity to file motions in the case. Respondent asked Judge Flynn for "a couple days, just for me to go – make sure I've gone over all of the discovery, and get it to [M.K.]." Judge Flynn reminded respondent that she was no longer M.K.'s attorney. Respondent stated, "Your Honor, but in the meantime, I have the right to give him the discovery that I got, which I brought – which he's entitled to." Judge Flynn told respondent that she could provide the documents to M.K. at that time; however, respondent stated that she would mail the documents to him. Thereafter, respondent wanted to "put on the record, that I'm going to get this discovery to him." Judge Flynn suggested that respondent wait until the Office of the Public Defender appointed counsel and then provide the documents to the superseding attorney. Respondent questioned "why shouldn't I be able to give it to my client?" Judge Flynn again reminded respondent that M.K. was no longer her client.

After a public defender entered an appearance on behalf of M.K., his guilty plea was not withdrawn or vacated and, ultimately, he was sentenced to thirteen years in prison, consistent with the sentence the State initially had recommended while respondent was his counsel.

At the time respondent entered this disciplinary stipulation, she no longer actively represented any clients but was continuing to oversee one post-judgment of divorce issue regarding the preparation of a Qualified Domestic

Relations Order (QDRO)² for her client, Brandon French (the <u>French</u> matter). Additionally, respondent had a fee arbitration matter pending against a former client and was considering filing a motion to compel a second client to comply with a court order to pay her \$1,700 legal fee.

On January 8, 2024, the OAE sent respondent a letter notifying her of Judge Flynn's concerns and directing her to provide a reply to the allegations.

Via letter dated February 23, 2024, respondent explained that her client had entered a plea agreement before he had the opportunity to review "all discovery" in the matter. She acknowledged that she had told Judge Flynn she had not received discovery in the matter, but was corrected by her husband, who explained they had received the discovery recently. Further, respondent did not dispute that she had a conversation with Seborowski in the courtroom about the "terrible things" her client had done.

Respondent also contended that she was not confused about Judge Flynn removing her from the case; rather, she wanted to provide M.K. with the discovery she recently had received so that he "could be prepared to move forward with new counsel."

Finally, respondent stated that she was retiring from the practice of law

² A QDRO is required to transfer funds from one individual's retirement account to another individual's account, the marital portion of which is typically divided as part of the equitable division of assets in a divorce proceeding.

and had no matters involving the active representation of clients.

Based on the foregoing facts, respondent stipulated that she violated <u>RPC</u> 1.1(a) and <u>RPC</u> 1.3 by failing to review all discovery and to discuss the discovery with M.K. before advising him to enter a guilty plea. Respondent also stipulated that she violated <u>RPC</u> 1.4(b) and <u>RPC</u> 1.4(c) by failing to keep M.K. reasonably informed of developments in his criminal case, specifically, by failing to provide him with the discovery and, further, by failing to sufficiently explain to M.K. the strengths and weaknesses of his criminal case so that he could make an informed decision about entering a guilty plea. Finally, she stipulated that she violated <u>RPC</u> 8.4(d) by failing to provide M.K. with all discovery prior to entering a guilty plea and failing to ensure he had sufficient time to review the discovery prior to the relisted hearing date.

The Parties' Positions Before the Board

In its written submission and during oral argument before us, the OAE acknowledged that conduct involving violations of RPC 1.1(a); RPC 1.3; RPC 1.4(b); RPC 1.4(c); and RPC 8.4(d) typically results in the imposition of an admonition. However, based on the aggravating factors presented, the OAE recommended the imposition of a reprimand for respondent's misconduct.

Specifically, the OAE emphasized that the instant matter represented

respondent's fifth disciplinary matter before us, with her most recent occurring in 2022. Further, the OAE contended that, although respondent's misconduct in this matter was dissimilar to the misconduct we addressed in <u>Lewinson IV</u>, the end result was the same – she had to withdraw as counsel and her clients were required to obtain new counsel.

In mitigation, the OAE noted that, notwithstanding respondent's mishandling of M.K.'s criminal case, he did not suffer harm and his case was not unduly delayed. In further mitigation, the OAE asserted that respondent had entered into this disciplinary stipulation; was helping her husband address his health issues in December 2023; admitted her errors to Judge Flynn and Seborowski during the December 18, 2023 conference; and was no longer representing clients. Additionally, the OAE noted that respondent planned to retire from the practice of law, represented that she already had closed her law office, and was no longer holding any client or third-party funds in her attorney trust account.

The OAE recommended, as conditions to her discipline, that respondent be required to (1) file a Certification of Retirement with the New Jersey Lawyers' Fund for Client Protection (the CPF),³ (2) resolve the QDRO in the

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 $^{^3}$ Pursuant to \underline{R} . 1:28-2(b), an attorney may request an exemption from payment to the CPF by submitting a certification of retirement indicating that they are "retired completely from the practice of law" in every jurisdiction.

<u>French</u> matter within thirty days of the Court's disciplinary Order in this matter or, alternatively, proof that she has withdrawn from the representation, and (3) provide the OAE with any order compelling her client to pay respondent's \$1,700 fee.

Respondent waived oral argument and stated that she agreed with the OAE's recommendations.

Analysis and Discipline

<u>Violations of the Rules of Professional Conduct</u>

Following a review of the record, we determine that the facts set forth in the stipulation clearly and convincingly support respondent's admitted violations of <u>RPC</u> 1.1(a); <u>RPC</u> 1.3; <u>RPC</u> 1.4(b); <u>RPC</u> 1.4(c); and <u>RPC</u> 8.4(d).

Specifically, respondent violated <u>RPC</u> 1.1(a), which prohibits lawyers from grossly neglecting matters entrusted to them, and <u>RPC</u> 1.3, which requires lawyers to act with reasonable diligence and promptness in their representation of clients. Respondent violated both <u>Rules</u> by failing to review any of the prosecution's discovery herself and with M.K. prior to recommending that he plead guilty to a first-degree aggravated sexual assault charge. Rather than take any affirmative steps to obtain the discovery, or the necessary log-in credentials

to obtain the discovery, she did nothing and, instead, placed her own interests in moving the case along ahead of the best interests of her client.

Next, the record amply supports the finding that respondent violated <u>RPC</u> 1.4(b), which requires a lawyer to keep a client "reasonably informed about the status of a matter," and <u>RPC</u> 1.4(c), which requires that attorneys "explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation." Respondent's complete failure to review the prosecution's discovery and to discuss it with M.K. deprived him of information directly related to the criminal case pending against him and, further, of the ability to make an informed decision regarding strategic decisions in the case, including whether to enter a guilty plea or to proceed to a trial.

Finally, respondent violated <u>RPC</u> 8.4(d), which prohibits a lawyer from engaging in conduct prejudicial to the administration of justice, by appearing at the plea hearing, on M.K.'s behalf, despite her admitted failure to review the discovery related to her client's criminal case. She further violated the <u>Rule</u> when, two months later, she appeared in court, still having failed to review the discovery with M.K. – at a hearing that was moved to the afternoon because she failed to appear in court for at the scheduled that morning. Importantly, respondent's waste of judicial resources affected not just the Middlesex County Court because, as noted above, M.K. had a criminal matter pending in

Monmouth County Court, which was to be a part of the global resolution finalized before Judge Flynn. However, respondent's failure to properly prepare for the hearings affected two courts and, ultimately, resulted in the postponement of M.K.'s criminal matter due to Judge Flynn's removal of respondent from the case. Although respondent's misconduct wasted court resources, it did not harm M.K. because, ultimately, he was sentenced to a term of incarceration consistent with the sentence the State initially had recommended while respondent was counsel.

In sum, we find that respondent violated <u>RPC</u> 1.1(a); <u>RPC</u> 1.3; <u>RPC</u> 1.4(b); <u>RPC</u> 1.4(c); and <u>RPC</u> 8.4(d). The sole issue left for our determination is the appropriate quantum of discipline for respondent's misconduct.

Quantum of Discipline

Absent serious aggravating factors, such as harm to the client, conduct involving gross neglect, lack of diligence, and failure to communicate ordinarily results in an admonition, even when accompanied by other non-serious ethics infractions. See, e.g., In the Matter of James E. Gelman, DRB 24-004 (February 20, 2024) (a pro bono program assigned the attorney, on a volunteer basis, to represent a veteran in connection with his service-related disability claim; for ten months, the attorney took very little action to advance his client's case;

thereafter, the attorney took no further action on behalf of his client, incorrectly assuming that the pro bono program had replaced him as counsel due to his lack of experience; moreover, the attorney failed to advise his client that he was no longer pursuing his case; the attorney's conduct violated RPC 1.1(a), RPC 1.3, RPC 1.4(b), and RPC 1.16(d); no prior discipline in more than forty years at the bar); In the Matter of Hayes R. Young, DRB 23-215 (November 22, 2023) (the attorney filed a medical malpractice lawsuit on behalf of a client without having obtained the required affidavit of merit; seven months later, the Superior Court dismissed the lawsuit for lack of prosecution; the attorney, however, failed to notify his client that he had filed her lawsuit or that it had been dismissed due to his inaction; meanwhile, during the span of several months, the attorney failed to reply to several of his client's e-mail messages inquiring about the status of her case; no prior discipline in thirty-eight years at the bar; finally, during the of the misconduct, the attorney experienced extenuating circumstances underlying his wife's illness and death); In the Matter of Mark A. Molz, DRB 22-102 (September 26, 2022) (the attorney's failure to file a personal injury complaint allowed the applicable statute of limitations for his clients' cause of action to expire; approximately twenty months after the clients had approved the proposed complaint for filing, the attorney failed to reply to the clients' e-mail, which outlined the clients' unsuccessful efforts, spanning

three months, to obtain an update on their case; the record lacked any proof that the attorney had advised his clients that he had failed to file their lawsuit prior to the expiration of the statute of limitations; no prior discipline in more than thirty-five years at the bar).

The quantum of discipline is enhanced, however, when additional aggravating factors are present. See 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; prior 2015 admonition for similar misconduct, which give the attorney a heightened awareness of his obligations to diligently pursue client matters), and 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; 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; 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).

Ordinarily, the minimum discipline imposed for engaging in conduct prejudicial to the administration of justice is a reprimand. See In re Ali, 231 N.J. 165 (reprimand for an attorney who disobeyed court orders by neither appearing in court when ordered to do so nor filing a substitution of attorney, violations of RPC 3.4(c) and RPC 8.4(d); he also lacked diligence and failed to expedite litigation (RPC 3.2) in one client matter and engaged in ex parte communications with a judge, a violation of RPC 3.5(b); in mitigation, we considered the attorney's inexperience and unblemished disciplinary history in eight years at

In re Casci, 231 N.J. 136 (2017) (reprimand for an attorney who violated RPC 1.15(c) (failing to keep separate funds over which the lawyer and another claimed an interest, until there was an accounting and severance of their interests) and RPC 3.4(c) by disbursing to himself a fee in violation of a court order precluding that disbursement; the attorney's conduct also violated RPC 8.4(d); no aggravating factors and substantial mitigation).

Censures have been imposed where any attorney's unethical conduct had a significant impact on court operations. See In re D'Arienzo, 207 N.J. 31 (censure for an attorney who failed to appear in municipal court for a scheduled criminal trial and, thereafter, failed to appear at two orders to show cause stemming from his failure to appear at the trial; by scheduling more than one matter for the trial date, the attorney inconvenienced the court, the prosecutor, the complaining witness, and two defendants; in addition, his failure to provide the court with advance notice of his conflicting calendar prevented the judge from scheduling other cases for that date; prior three-month suspension, two admonitions, and failure to learn from similar mistakes justified a censure).

Attorneys are often in the unenviable position of representing individuals who have committed heinous criminal acts. Nevertheless, our adversarial system of justice and constitutional protections require that those individuals receive

competent representation, even if the attorney finds their conduct repugnant. Indeed, the <u>Rules of Professional Conduct</u> apply equally to an attorney representing a model citizen as a client or an individual accused of committing crimes.

In our view, it is clear that respondent allowed her personal feelings about her client's conduct to interfere with her duty as his counsel. She was required to review the prosecution's evidence against her client, provide it to him, and to discuss with him the strengths and weaknesses of his case in view of that evidence. She was required to advocate on his behalf, and she failed to do so. Even worse, rather than advocate for M.K.'s rights, respondent instead described to both the prosecutor and Judge Flynn that she was "appalled" at his behavior and believed he should never get out of prison.

Based on the foregoing disciplinary precedent, we determine that the baseline discipline for respondent's misconduct is a reprimand. To craft the appropriate discipline in this case, however, we also consider aggravating and mitigating factors.

In aggravation, this matter represents respondent's fifth disciplinary matter before us. Although the discipline imposed in <u>Lewinson II</u>, <u>Lewinson III</u>, and <u>Lewinson III</u>, occurred decades ago, in 1992 and 1999, the discipline imposed in Lewinson IV occurred just three years ago, in 2022. Moreover, like

here, respondent's client in <u>Lewinson II</u> was forced to obtain new counsel, and her client in <u>Lewinson IV</u> opted to proceed <u>pro se</u> as a result of her misconduct. The Court has signaled an inclination toward progressive discipline and the stern treatment of repeat offenders. In such situations, enhanced discipline is appropriate. <u>See In re Kantor</u>, 180 N.J. 226 (2004) (disbarment for an attorney who abandoned clients and repeatedly failed to cooperate with the disciplinary system).

In mitigation, respondent stipulated to her misconduct underlying this matter, thereby conserving disciplinary resources. Moreover, she was forthcoming with her errors when speaking with Judge Flynn, and with two limited exceptions (the QDRO in the <u>French</u> matter and the outstanding fee arbitration matter against a former client), she has begun the process to retire from the practice of law.

Conclusion

On balance, we find that the aggravating and mitigating factors are in equipoise and, thus, determine that a reprimand is the appropriate quantum of discipline necessary to protect the public and preserve confidence in the bar.

Additionally, as conditions to her discipline, we recommend that, within thirty days of the Court's disciplinary Order in this matter, respondent be

required to submit proof to the OAE that she has finalized the QDRO in the

French matter or, alternatively, that she has withdrawn from the representation.

We recommend that, thereafter, respondent file a Certification of Retirement

with the CPF.

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 Barbara K. Lewinson Docket No. DRB 24-274

Argued: February 20, 2025

Decided: May 20, 2025

Disposition: Reprimand

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

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