SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
Docket No. DRB 25-064
District Docket No. XIV-2024-0028E

In the Matter of Mitchell Lee Chambers, Jr.
An Attorney at Law

Argued
May 21, 2025

Decided
August 11, 2025

Saleel V. Sabnis 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. Specifically, respondent stipulated to having violated RPC 3.3(a)(1) (knowingly making a false statement of material fact to a tribunal); RPC 8.4(b) (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer); RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation); 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 is the appropriate quantum of discipline for respondent's misconduct.

Ethics History

Respondent earned admission to the New Jersey bar in 2004 and to the Pennsylvania bar in 2005. He has no disciplinary history. During the relevant timeframe, he maintained a practice of law in Blackwood, New Jersey.

Facts

Respondent and the OAE entered into a disciplinary stipulation, dated March 19, 2025, which sets forth the following facts in support of respondent's admitted ethics violations.

On March 19, 2021, Fulton Bank, N.A. (Fulton Bank) filed a complaint for foreclosure, in the Superior Court of New Jersey, against defendants Mt3, Inc., and Martin and Matthew Taylor; respondent represented all three parties. Four months later, on July 19, 2021, the Superior Court issued a final judgment of foreclosure and a writ of execution in favor of Fulton Bank. Thereafter, on November 3, 2021, the defendants' property sold at a sheriff's sale for $151,000. The sale proceeds exceeded the amount Fulton Bank was entitled to as the lender. Consequently, in April 2023, respondent prepared a motion to disburse the $58,287.97 in surplus funds held by the Superior Court Trust Fund Unit (the TFU) to the defendants, pursuant to R. 4:57-2 and R. 4:64-3.[1]

Prior to filing his submission, respondent arranged for the TFU and the Clerk of the Superior Court (the Clerk) to review his proposed motion, in order

[1] Previously, in 2022, Fulton Bank unsuccessfully petitioned the Office of Foreclosure of the Superior Court Clerk's Office to disburse $5,782.32 from the surplus funds, an amount representing the real estate taxes it previously had paid but which were not encompassed by the final judgment of foreclosure.

to verify the amount of surplus funds held by the TFU, pursuant to R. 4:57-2(a) (requiring "[a]ll proposed orders to pay out along with any accompanying motion [to] be submitted to the [TFU] for review and verification of the amount on deposit prior to submission to the court"). On April 17, 2023, following her review, the Clerk executed a notation on a document provided by respondent stating that she had "verified" that the TFU held a total of $58,287.97 in surplus funds in connection with the matter.[2]

One week later, on April 25, 2023, respondent filed, with the Office of Foreclosure of the Superior Court Clerk's Office, his motion to disburse the entirety of the surplus funds to the defendants. Respondent's motion included the document bearing the Clerk's signed verification. Moreover, his motion noted that Fulton Bank sought $17,375.76 in counsel fees, costs, and post-judgment interest from the defendants. In his motion, respondent claimed that the defendants sought to recover the surplus funds in order to satisfy their outstanding financial obligations to Fulton Bank.

[2] The document containing the Clerk's executed verification was a prior, 2022 draft form of order, prepared by Fulton Bank, in connection with its unsuccessful motion seeking $5,782.32 from the surplus funds.

On May 25, 2023, the Office of Foreclosure denied the motion, citing unrelated procedural deficiencies.

On October 5, 2023, respondent filed a second motion to disburse the $58,287.97 in surplus funds to the defendants. In his motion, respondent again noted that the defendants intended to utilize the surplus funds to satisfy their outstanding obligations to Fulton Bank, which continued to seek a total of $17,375.76 in counsel fees, costs, and post-judgment interest. Additionally, he arranged for the defendants to execute a certification stating that "[t]he Clerk . . . verified the amount being held by the [TFU] on April 17, 2023 in the sum of $58,287.97." However, he failed to arrange for the Clerk to review his proposed order in connection with his October 2023 motion, as R. 4:57-2(a) requires. Rather, respondent electronically "copied" the Clerk's signed April 17, 2023 verification from his first motion to disburse and then "transplanted" that same verification onto his proposed form of order that he submitted with his October 2023 motion.

On November 5, 2023, the Honorable Sherri L. Schweitzer, P.J.Ch., issued an order granting respondent's motion and directing the TFU to disburse the entirety of the $58,287.97 in surplus funds to respondent. However, on January 5, 2024, Judge Schweitzer vacated her November 2023 order after the

Superior Court Clerk's Office informed her that respondent had manipulated the Clerk's signed verification onto his proposed form of order.[3]

Two months later, on March 12, 2024, respondent filed a third motion to disburse the surplus funds, this time submitting an "updated," March 5, 2024 verification, duly executed by the Clerk, stating that the TFU continued to hold $58,287.97 in surplus funds in connection with the matter. On June 7, 2024, Judge Schweitzer granted the motion. Thereafter, respondent withdrew from the representation for unrelated reasons, following which the defendants obtained substitute counsel. On March 3, 2025, Judge Schweitzer ordered that the TFU disburse the surplus funds to the defendants' substitute counsel.

Based on the foregoing facts, the parties stipulated that respondent violated RPC 3.3(a)(1) and RPC 8.4(c) by including, in his proposed form of order to his October 2023 motion to disburse, a copied and manipulated image of the Clerk's April 2023 signed verification, in an attempt to satisfy the requirements of R. 4:57-2(a) under false pretenses. The parties further stipulated that respondent materially misrepresented to the Office of Foreclosure that his October 2023 motion and proposed form of order had been reviewed and

[3] In addition to reporting respondent's conduct to Judge Schweitzer, the Superior Court Clerk's Office notified the OAE of his actions.

verified by the TFU and that the Clerk had executed an original verification stamp to that form of order.[4]

Similarly, the parties stipulated that respondent violated RPC 8.4(b) by knowingly and falsely altering a new proposed form of order to appear as if it were properly reviewed by the TFU and the Clerk, and, thus, criminally tampered with public records, contrary to N.J.S.A. 2C:28-7(a)(1).[5]

Finally, the parties stipulated that respondent violated RPC 8.4(d) by submitting a false and manipulated proposed form of order to the Office of Foreclosure, conduct which resulted in a needless waste of judicial resources.

The Parties' Positions Before the Board

The OAE recommended the imposition of discipline no greater than a reprimand, analogizing respondent's conduct to that of attorneys who have received admonitions or reprimands for engaging in misrepresentations to courts or executing false jurats. The OAE characterized respondent's actions as an

[4] As the parties stipulated, the Office of Foreclosure is a "tribunal" within the purview of RPC 3.3(a)(1). See RPC 1.0(n) (noting, in relevant part, that a tribunal "denotes a court . . . or other body acting in an adjudicative capacity").

[5] The disciplinary stipulation did not set specify the level of offense in charging respondent with having criminally tampered with public records.

attempt to "bypass" the Rule-based verification requirements concerning the disbursement of surplus funds held by the TFU. Specifically, by electronically "manipulating" the Clerk's April 2023 verification onto his October 2023 proposed form of order, respondent gave the false impression to the Office of Foreclosure that the TFU and the Clerk had reviewed his October 2023 motion and order when, in fact, they had not done so. In the OAE's view, respondent's conduct took "planning and deliberation" and resulted in needless deception to the Office of Foreclosure.

The OAE emphasized, in mitigation, respondent's lack of prior discipline, his cooperation with disciplinary authorities, and the fact that he stipulated to his misconduct, thereby conserving disciplinary resources.

In his submission to us, respondent urged the imposition of an admonition for his stipulated misconduct. In support of his recommendation, he emphasized his view that the Clerk mistakenly had executed her April 2023 verification onto Fulton Bank's prior 2022 proposed form of order, which he submitted to the Office of Foreclosure as part of his April 2023 motion to explain the procedural history of the matter. Further, because the amount of the surplus funds remained unchanged between April and October 2023, respondent stated that he "took"

the Clerk's April 2023 executed verification and "put it on" his proposed form of order for his October 2023 motion to disburse.

Although respondent conceded that "he made a poor decision," he contended that he was unaware that he had committed "any ethic[s] violation" until Judge Schweitzer vacated her November 2023 order granting his manipulated application, in January 2024. However, "once [he] was made aware of the violation," he arranged for the Clerk to execute a genuine verification in connection with his third motion to disburse, which Judge Schweitzer granted, in June 2024. Respondent alleged that he "did not think that reusing" the Clerk's previously executed verification "would be an issue," arguing that there was no substantive difference between the October 2023 motion containing the Clerk's manipulated verification and the March 2024 motion containing the Clerk's duly executed verification.

Respondent urged, in mitigation, the lack of any pecuniary gain resulting from his misconduct, given that he charged the defendants a flat fee for the representation. He also emphasized that he had no malicious intent "to defraud the [Office of Foreclosure] or anybody else in this case." Additionally, he represented that this matter "was the first time he [had] handled this type of case." He also highlighted his lack of prior discipline in his more than twenty

years at the bar. Respondent concluded that he "made a terrible mistake" but urged us to exercise leniency in recommending the imposition of discipline in this matter.

Analysis and Discipline

Violations of the Rules of Professional Conduct

Following a review of the record, we find that the stipulated facts set forth in this matter clearly and convincingly support respondent's admitted violations of RPC 3.3(a)(1); RPC 8.4(b); RPC 8.4(c); and RPC 8.4(d).

Specifically, RPC 3.3(a)(1) prohibits a lawyer from knowingly making a false statement of material fact or law to a tribunal. Similarly, RPC 8.4(c) prohibits an attorney from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. It is well-settled that a violation of RPC 8.4(c) requires intent. See In the Matter of Ty Hyderally, DRB 11-016 (July 12, 2011).

Here, respondent admittedly violated both of those Rules by electronically transposing the Clerk's April 17, 2023 signed verification onto his October 2023 proposed form of order, in an attempt to give the false impression to the Office of Foreclosure that his motion complied with the verification requirements of R. 4:57-2(a) when, in fact, it did not. Rather than arrange for the Clerk and the TFU

to review his draft October 2023 motion and proposed form of order, as he had done in connection with his April 2023 motion, respondent surreptitiously attempted to bypass the Rule-based verification procedures required of all motions to disburse. By his conduct, respondent willfully allowed the Office of Foreclosure – which, initially, remained unaware of his ruse – to erroneously grant his application, based on a falsely manipulated document.

Respondent's admitted deception toward the Office of Foreclosure unquestionably prejudiced Judge Schweitzer's ability to adjudicate the defendants' otherwise straightforward motion, in violation of RPC 8.4(d). Specifically, following the issuance of Judge Schweitzer's November 5, 2023 order granting the motion, but prior to the TFU's disbursement of the funds,[6] the Superior Court Clerk's Office independently discovered respondent's manipulated document. Consequently, on January 5, 2024, based on the Clerk's discovery, Judge Schweitzer was forced to vacate her order granting the motion, requiring the defendants, in March 2024, to file a third motion to disburse – this time containing the Clerk's duly executed verification. Three months later, on June 7, 2024, Judge Schweitzer granted that application. Had respondent simply

[6] Among other provisions, R. 4:57-2(a) requires the Clerk, or another "person designated by the Chief Justice," to review all "[o]rders to pay out . . . prior to payment" to ensure that "the order is consistent with the account records as to the amount involved."

arranged for the Clerk and the TFU to conduct the required review of his October 2023 motion, the needless waste of judicial resources and the serious deception toward Judge Schweitzer could have been avoided.

Finally, respondent violated RPC 8.4(b) by committing disorderly persons tampering with public records, in violation of N.J.S.A. 2C:28-7(a)(1).

It is well-settled that we may find a violation of RPC 8.4(b) even in the absence of a formal criminal conviction. See In re McEnroe, 172 N.J. 324 (2002) (the attorney was found to have violated RPC 8.4(b), despite not having been charged with or found guilty of a criminal offense), and In re Nazmiyal, 235 N.J. 222 (2018) (although the attorney was not charged with, or convicted of, violating New Jersey law surrounding the practice of debt adjustment, the attorney was found to have violated RPC 8.4(b)).

In relevant part, a person criminally tampers with public records if:

> (1) . . . [he] ma[kes] a false entry in, or false alteration of, a record, document or thing;
>
> (2) . . . [he] knew that the entry or alteration was false; and
>
> (3) . . . [he] knew that the record, document or thing belonged to, or was received or kept by, the government[7] for information or record, or was

[7] "Government" in this context means "any branch, subdivision or agency of the government of the State or any locality within it." N.J.S.A. 2C:27-1(b).

> required by law to be kept by others for information of the government.
>
> Model Jury Charges (Criminal), "Tampering with Public Records or Information (False Entry or Alteration) (N.J.S.A. 2C:28- 7(a)(1)" (rev. May 22, 2000).

Criminally tampering with public records is a disorderly persons offense, "unless the actor's purpose is to defraud or injure anyone, in which case the offense is a [third-degree] crime." N.J.S.A. 2C:28-7(b).

Here, respondent admittedly violated N.J.S.A. 2C:28-7(a)(1) by creating an electronic copy of the Clerk's previously signed verification and then affixing that duplicate onto his October 2023 proposed form of order, without the Clerk's knowledge or authorization. Respondent knew that Judge Schweitzer would rely on his falsely manipulated submission in adjudicating his motion and, thereafter, that the Office of Foreclosure would maintain that record to document the outcome of his motion. Stated differently, respondent knowingly tampered with a court document, purporting to contain the signature of a high-ranking court official, knowing that his altered submission would be received and maintained as an official court record. However, given the lack of clear and convincing evidence that respondent acted with the purpose to "defraud or injure anyone," and considering that the disciplinary stipulation did not specify the level of

offense in charging respondent with having violated N.J.S.A. 2C:28-7(a)(1), we determine that respondent committed disorderly persons tampering with public records, rather than a third-degree crime.

In sum, we find that respondent violated RPC 3.3(a)(1); RPC 8.4(b); RPC 8.4(c); and RPC 8.4(d). The sole issue left for our determination is the appropriate quantum of discipline for respondent's misconduct.

Quantum of Discipline

The OAE partly analogized respondent's conduct to that of attorneys who have received admonitions or reprimands for executing false jurats. However, in our view, respondent's submission of a manipulated proposed form of order to the Office of Foreclosure is more aptly analyzed against disciplinary precedent involving misrepresentations to courts and the fabrication of documents.

Generally, attorneys who make misrepresentations to courts receive discipline ranging from a reprimand to a term suspension, the length of which varies based on the presence of aggravating factors, including if their conduct results in prejudice to the administration of justice. See e.g., In re Marraccini, 221 N.J. 487 (2015) (reprimand for an attorney who attached to approximately

fifty eviction complaints, filed on behalf of a property management company, verifications that had been pre-signed by the manager, who had since died; the attorney was unaware that the manager had died and, upon learning that information, withdrew all complaints; in mitigation, the attorney's actions were motivated by a misguided attempt at efficiency, rather than by dishonesty or personal gain; no prior discipline); In re Bradley, __ N.J. __ (2022), 2022 N.J. LEXIS 1166 (censure for an attorney who misrepresented to a municipal court, in connection with his representation of a client in a driving while intoxicated (DWI) matter, that his client had no prior convictions for DWI; in fact, earlier that same day, the client had been sentenced as a "first offender" for DWI purposes in a separate municipal court; the client's driver's abstract had not been updated between his court appearances, and neither the court nor the prosecutor were aware of the earlier conviction; as a result, the client was sentenced as a "first offender" twice; no prior discipline); In re Russo, 212 N.J. 191 (2012) (three-month suspension for an attorney who provided his client with three court orders and a notice of appeal, each of which he had fabricated or altered, in order to conceal his lack of diligence or to placate his client's concerns; the attorney also forged the client's signature on a certification filed with the court; further, the attorney misrepresented the status of the litigation to the client; no prior

discipline); In re DeClement, 241 N.J. 253 (2020) (six-month suspension for an attorney who, in an attempt to secure a swift dismissal of a federal lawsuit, made multiple, brazen misrepresentations to a federal judge; specifically, although the attorney did not affirmatively fabricate documents, he misrepresented, in a certification under penalty of perjury to the federal judge, that earlier state court litigation had settled, despite knowing that it merely had been dismissed without prejudice; to support his deception, the attorney omitted, in his submissions to the federal judge, critical portions of the state court record; the attorney then continued to misrepresent to the federal judge and, later, to the OAE, the status of the state court matter; in aggravation, the attorney did not cease his dishonesty until he was "completely cornered" by the OAE; prior 2013 reprimand for unrelated misconduct).

However, lack of candor to a tribunal can result in an admonition if compelling mitigating factors are present. For example, in In the Matter of William T. Haggerty, DRB 18-067 (May 24, 2018), an attorney who served as a municipal prosecutor failed to notify the municipal court of the fact that his brother served as a high-ranking official of a business that had filed a criminal complaint before the municipal court. Id. at 2. During the trial, a witness for the business revealed Haggerty's relationship during cross-examination, which led

the municipal court to declare an immediate mistrial. Ibid. In imposing an admonition for Haggerty's lack of candor, we considered that he had an otherwise unblemished forty-two-year legal career. Ibid.

In addition, in In the Matter of George P. Helfrich, Jr., DRB 15-410 (February 24, 2016), although the attorney made a misrepresentation to the court, he subsequently rectified his falsification and suffered serious consequences from his misconduct. Specifically, Helfrich prepared for trial but failed to notify the requisite defense witnesses of the trial date. Id. at 1. Although jury selection had been completed and Helfrich appeared for two days of trial, he did not inform the trial judge that his client and witnesses were unaware of, or unavailable for, trial. Ibid. Finally, on the third day of trial, Helfrich notified the court and his adversary that neither his client, their witnesses, nor his own law firm were aware that the trial had begun. Id. at 1-2. The judge then immediately declared a mistrial. Id. at 2. After Helfrich notified his law firm, the firm stripped him of his shareholder status and suspended him for an undisclosed period. Ibid. Additionally, Helfrich went through mediation and reimbursed the plaintiff for legal fees and costs. Ibid. Neither the plaintiff nor defendant suffered pecuniary losses. Ibid. In imposing an admonition, we considered that it was Helfrich's first ethics infraction in his thirty-eight years

at the bar; he was demoted by his law firm, resulting in significantly lower earnings; and he was remorseful and working hard to regain the trust of all those affected by his conduct. Ibid.

Finally, we imposed an admonition in In the Matter of Robin K. Lord, DRB 01-250 (September 24, 2001). In that matter, the day after Lord had misrepresented her client's real name to the municipal court, she advised the court of her client's true identity. Id. at 1. In imposing an admonition, we noted that, had Lord not promptly advised the municipal court, her discipline would have been more severe. Ibid.

Respondent's deception toward the Office of Foreclosure regarding his compliance with the R. 4:57-2(a) verification requirements was compounded by his submission of a manipulated court document. In our view, his misconduct in that respect bears some resemblance to that of the circumstances in In re Carmel, 219 N.J. 539 (2014), a more serious disciplinary matter in which the attorney received a three-month suspension for fabricating a lis pendens notice and affixing a court's seal to that document, in an attempt to defraud the Internal Revenue Service (the IRS).

Specifically, Carmel represented a bank in a successful foreclosure action against a borrower. In the Matter of David R. Carmel, DRB 14-163 (September

23, 2014) at 1. To avoid duplicate transfer taxes, Carmel and the bank chose not to immediately record the bank's deed in lieu of foreclosure. Id. at 1-2. When a subsequent buyer for the property was under contract, Carmel discovered that, in the interim, the IRS had filed a lien against the property. Id. at 2. Rather than disclose the prior IRS lien to his client, Carmel – using an authentic lis pendens notice filed by another party in the foreclosure action – fabricated a lis pendens notice, "backdated" the document, and affixed a "filed" court stamp from the authentic lis pendens notice onto his fabricated document, in order to deceive the IRS into believing that its lien was junior to the bank's interest. Ibid. Thereafter, Carmel sent the false lis pendens to the IRS, represented that it had been filed prior to the IRS lien, and attempted to engage the IRS in settlement discussions. Ibid. Rather than settle, the IRS referred the matter to the United States Attorney's Office. Ibid.

In determining that a three-month suspension was the appropriate quantum of discipline, we weighed Carmel's "egregious misconduct" against his lack of prior discipline and the fact that he had paid off the IRS lien with his own funds, in order to make both his client and the government whole. Id. at 3. The Court agreed with our recommended discipline.

Here, like Carmel, respondent manipulated a public record in an attempt

to gain an improper advantage for his clients. Specifically, approximately six months after the Clerk executed her April 17, 2023 verification in connection with respondent's initial, unsuccessful motion to disburse surplus funds, he transposed that same verification onto his proposed form of order for his second, October 2023 motion to disburse, in an attempt to deceive the Office of Foreclosure that he had complied with the R. 4:57-2(a) verification requirements.

By his conduct, respondent brazenly utilized the signature of a high-ranking court official to obscure his failure to arrange for the TFU and the Clerk to review his proposed order and accompanying motion, as R. 4:57-2(a) expressly requires. Compounding his misconduct, unlike the admonished attorneys in Lord and Helfrich, respondent refused to come forward and reveal his deception to the Office of Foreclosure. Consequently, on or before January 5, 2024, the Clerk's Office independently discovered respondent's manipulated document, forcing Judge Schweitzer to vacate her order granting respondent's motion. In addition to the needless waste of judicial resources, respondent's actions forced the defendants, in March 2024, to file a third motion to disburse, thereby delaying their ability to recover their surplus funds, which they intended to utilize to satisfy their outstanding financial obligations to Fulton Bank.

Additionally, unlike Lord, who promptly rectified her deception to a municipal court, respondent, in his submission to us, admittedly failed to recognize the impropriety of his actions until Judge Schweitzer vacated her order granting his motion, in January 2024, three months after he had filed his altered document with the Office of Foreclosure. As an experienced attorney with a more than twenty-year career at the bar, respondent immediately should have understood the serious consequences of tampering with a court document.

Nevertheless, unlike Carmel, who received a three-month suspension in connection with his attempt to utilize a fabricated document to defraud the IRS, respondent's misconduct did not appear to have been motivated by any improper pecuniary gain or venal intent. Rather, his actions, arguably, resulted from a misguided attempt to circumvent the verification requirements concerning the amount of surplus funds held by the TFU, which continuously had maintained the same sum of funds throughout the relevant timeframe of this matter. Further, in contrast to Russo, who received a three-month suspension for fabricating or altering at least four court documents to falsely placate his client, respondent's conduct was limited to a single instance in which the amount of surplus funds held by the TFU was, fortunately, never in dispute. Finally, like Carmel and Russo, respondent has no prior discipline in his twenty-one-year career at the

bar, and he stipulated to his misconduct underlying this matter, thereby conserving disciplinary resources.

Conclusion

On balance, considering that the circumstances underlying respondent's serious manipulation of a court document were far less egregious than that of the attorneys' conduct in Carmel and Russo, we determine that a reprimand is the appropriate quantum of discipline necessary to protect the public and preserve confidence in the bar.

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 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 Mitchell Lee Chambers, Jr.
Docket No. DRB 25-064

Argued: May 21, 2025

Decided: August 11, 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:	8	1

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