SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
Docket No. DRB 25-096
District Docket No. XIV-2024-0137E

In the Matter of Christopher J. Lombardo
An Attorney at Law

Argued
June 19, 2025

Decided
September 10, 2025

Kaitlyn Compari appeared on behalf of the
Office of Attorney Ethics.

Patricia B. Quelch appeared on behalf of respondent.

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Introduction

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

This matter was before us pursuant to R. 1:20-6(c)(1).[1] The Office of Attorney Ethics (the OAE) charged respondent with having violated RPC 1.15(a) (commingling), RPC 1.15(b) (failing to promptly disburse funds), and RPC 1.15(d) (failing to comply with the recordkeeping requirements of R. 1:21-6).

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 1993. He has no prior discipline in New Jersey. During the relevant period, he maintained a practice of law in Philadelphia, Pennsylvania.

[1] That Rule provides that the pleadings and a statement of the procedural history of the matter may be filed directly with us, without a hearing, if the pleadings do not raise genuine disputes of material fact, respondent does not request an opportunity to be heard in mitigation, and the presenter does not request to be heard in aggravation.

Facts

During the relevant period, respondent maintained an attorney trust account (ATA) at TD Bank and an attorney business account (ABA) at a financial institution not identified in the record before us.

On March 20, 2024, TD Bank notified the OAE of an overdraft of respondent's ATA.[2]

On September 10, 2024, during the ensuing investigation, the OAE conducted a demand audit of respondent's financial books and records. The OAE's review of respondent's submissions during the investigation, as well as bank records obtained by subpoena, revealed the following recordkeeping deficiencies: (1) failure to prepare and maintain client ledger cards, in violation of R. 1:21-6(c)(1)(B); (2) failure to prepare monthly receipts and disbursements journals for his ATA and ABA, in violation of R. 1:21-6(c)(1)(A); (3) failure to prepare monthly three-way reconciliations of his ATA, in violation of R. 1:21-6(c)(1)(H); (4) inactive funds held in his ATA, in violation of R. 1:21-6(d); and (5) attorney funds held in his ATA in excess of an amount reasonably sufficient for bank charges.

[2] TD Bank issued the overdraft notice after respondent, having deposited a check for settlement proceeds in his ATA, issued a check to his client for the client's portion of the settlement before the original check had cleared. The client then sought to negotiate it, also before the original check cleared. TD Bank did not honor the check and, consequently, no client funds in the ATA were invaded. Subsequently, respondent's client successfully negotiated the check.

Respondent identified the inactive balances in his ATA, totaling $6,720.58, as follows:

- $1,500 for client Jason Dinh (held since May 2019);
- $219.98 owed to Relievus on behalf of client Louis Moralez (held since May 2019);
- $1000.60 owed to ARS on behalf of client Bernedette Giorgi (held since April 2022); and
- $4,000 for client Vinh Phong (held since December 2022).

In addition, respondent acknowledged that he had $3,500 in personal funds in his ATA "to maintain the [account's] operation."

Based on the foregoing, the OAE charged respondent with having violated RPC 1.15(a) by maintaining, in his ATA, funds in excess of those permitted for bank charges, RPC 1.15(b) by failing to promptly deliver funds to entitled parties, and RPC 1.15(d) by failing to maintain his financial books and records in compliance with R. 1:21-6.

In aggravation, the OAE asserted that, as of the date of the complaint, respondent had not brought his records into full compliance or provided proof

of having fully resolved the outstanding funds in his ATA, including funds to be disbursed to clients or third parties and excess personal funds.[3]

In further aggravation, the OAE alleged that respondent had a heightened awareness of his recordkeeping responsibilities because, in 2012, he had taken part in a random compliance audit that revealed numerous recordkeeping infractions and, subsequently, attended a trust and business accounting class offered by the OAE. Notably, all the deficiencies identified by the OAE following its 2024 audit replicated deficiencies found during the 2012 audit (although that audit revealed many other deficiencies, as well). Specifically, the 2012 audit revealed the following infractions: (1) improper ATA designation; (2) failure to prepare receipts and disbursements journals for ATA and ABA; (3) failure to maintain individual client ledger cards; (4) no ledger card identifying attorney funds for bank charges; (5) failure to prepare monthly three-way reconciliations; (6) personal funds (earned legal fees) held in ATA; and (7) inactive funds held in ATA.

In his verified answer, respondent admitted all the factual allegations and charged violations of the Rules of Professional Conduct set forth in the formal

[3] The OAE incorrectly stated the amount to be disbursed as $10,220.48 in the formal ethics complaint and in its letter brief to us. The correct total – subtracting the $250 that respondent may maintain in his ATA for bank charges and correcting a $0.10 error – is $9,970.58: $3,250 in excess personal funds and $6,720.58 in funds owed to clients or third parties.

ethics complaint. In mitigation, he asserted that he had a good reputation and character; cooperated with disciplinary authorities; was candid and admitted his wrongdoing; did not engage in the misconduct for personal gain; was unlikely to engage in similar misconduct in the future; and had no history of discipline.

On April 20, 2025, respondent submitted to the OAE a supplemental letter in mitigation. In addition to expanding on the above factors, he wrote that his mother had died in 2020, he assists his eighty-six-year-old father, and, also, on an almost weekly basis, he travels from the Philadelphia area to Long Island, New York, to co-parent his two minor children. Further, he explained the circumstances of the overdraft (described above), indicating that it had not resulted in fines or fees to the client, but rather "only inconvenience," for which he offered his sincere apologies.

Continuing, he admitted that his "book keeping [sic] and organizing skills are severely lacking." He added, "I am in the process of making arrangements to hire an independent professional bookkeeper in order to address these deficiencies." Finally, he wrote that he made no excuse for the conduct underlying the instant charges, expressed his regret, and "request[ed] leniency in the retention of [his] privilege to practice [l]aw" in New Jersey.

The Parties' Positions Before the Board

The OAE, in both its written submission to us and during oral argument, reiterated the facts and allegations contained in the formal ethics complaint and asserted that a reprimand was the appropriate quantum of discipline for respondent's misconduct.

Specifically, citing relevant precedent, the OAE asserted that an admonition typically is imposed for recordkeeping violations where, as here, they do not result in the negligent misappropriation of funds. Likewise, admonitions are imposed for commingling personal funds with client funds, even when combined with other recordkeeping violations. Finally, admonitions or reprimands typically result when an attorney fails to promptly deliver funds to clients or third parties. Reiterating the aggravating factors set forth in the formal ethics complaint, with particular emphasis on respondent's heightened awareness of his recordkeeping responsibilities following his 2012 audit, the OAE asserted that a reprimand was the appropriate quantum of discipline.

Further, in response to our questioning, the OAE confirmed that, like the 2024 audit, the 2012 audit revealed inactive trust account balances; failure to maintain client ledger cards; failure to prepare monthly receipts and disbursements journals; and failure to conduct monthly three-way reconciliations.

In his written submission to us and during oral argument, respondent, through counsel, asserted that an admonition was the appropriate quantum of discipline for his misconduct. He emphasized that an admonition ordinarily results when an attorney's recordkeeping violations do not cause a negligent misappropriation of client funds. Moreover, he reiterated the mitigating factors set forth in his verified answer and supplemental letter and added that, since the audit, he has taken steps to ensure his compliance with R. 1:21-6 by hiring a bookkeeper. Further, during oral argument, respondent represented to us that he had disbursed the inactive funds to the appropriate parties.

Thus, he urged, an admonition will satisfy the disciplinary goal of promoting confidence in the legal system.

In addition, shortly after the OAE transmitted this matter to us, respondent submitted a character letter to the OAE, which the OAE forwarded to us for consideration. In the letter, Orest Bezpalko, Esq., a friend and colleague who has known respondent for more than three decades, wrote that he consulted with respondent when he was making the choice to become an attorney, and that respondent encouraged him to proceed into the legal field "with [his] eyes open" while sharing that, in respondent's case, "being a lawyer is what he always wanted to do." Since becoming an attorney, Bezpalko and respondent have

represented clients together and have referred cases to each other based on their respective areas of practice.

Bezpalko indicated that respondent maintains a successful law practice in New Jersey and Pennsylvania; attracts clients by word of mouth, without need for advertising; gives his all to clients in an effort to get the best results for them; and is "a passionate attorney for his clients and for the law." At times when respondent has experienced frustration with himself or the law, Bezpalko "ha[s] seen [him] ask for help and follow through with suggestions," demonstrating his potential "to understand his limitations and try to grow." Further, respondent "gives of himself unconditionally" and, "[b]ecause of his focus, reliability, and concern . . . ensures that his family, friends, and clients come before himself." Bezpalko added that, recently, respondent has "deal[t] with a great deal of personal stress," considering his mother's death, his father's declining health, and that he is co-parenting two minor children.

Analysis and Discipline

Violations of the Rules of Professional Conduct

Following a review of the record, we conclude that the facts set forth in the formal ethics complaint, as admitted by respondent in his verified answer,

clearly and convincingly support all the charged violations of the Rules of Professional Conduct.

Specifically, RPC 1.15(a) provides, in relevant part, that "a lawyer shall hold property of clients or third persons that is in a lawyer's possession in connection with a representation separate from the lawyer's own property." Such funds "shall be kept in a separate account;" however, an attorney may deposit in the account personal funds "reasonably sufficient to pay bank charges." Here, respondent admittedly commingled client and personal funds, in violation of RPC 1.15(a), by maintaining, in his ATA, $3,500 of his own funds, far exceeding the amount authorized to cover bank charges.

Next, respondent violated RPC 1.15(b), which requires an attorney to "promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive." Respondent admittedly violated this Rule by failing to promptly deliver funds, totaling $6,720.58, to clients or third persons in connection with four client matters, over the span of years.

Finally, respondent violated RPC 1.15(d) by failing to comply with the recordkeeping requirements of R. 1:21-6 in multiple respects. Specifically, he admittedly failed to prepare and maintain client ledger cards; failed to prepare monthly receipts and disbursements journals for his ATA and ABA; failed to prepare monthly three-way reconciliations of his ATA; held inactive funds in his

ATA; and (5) held attorney funds in his ATA in excess of an amount reasonably sufficient for bank charges.

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

Quantum of Discipline

Recordkeeping irregularities ordinarily are met with an admonition where, as here, they have not caused a negligent misappropriation of clients' funds. However, a reprimand is imposed if the attorney has failed to correct recordkeeping deficiencies previously brought to the attorney's attention. See, e.g., In re Sheller, 257 N.J. 495 (2024) (a random compliance audit of the attorney's financial records revealed recordkeeping deficiencies that the OAE also had identified in a random audit eight years earlier; the second random audit revealed more than twenty deficiencies; the attorney also failed to cooperate with the OAE's investigation despite four specific prompts from the OAE; in mitigation, the attorney had no prior discipline in thirty-one years at the bar and stipulated to his misconduct); In re Polcari, 255 N.J. 403 (2023) (reprimand for an attorney who had a heightened awareness of her obligations under R. 1:21-6, having previously been the subject of a random compliance audit; no prior

discipline in thirty-seven years at the bar); In re Abdellah, 241 N.J. 98 (2020) (reprimand for an attorney who should have been mindful of his recordkeeping obligations based on a prior interaction with the OAE regarding his recordkeeping, although that interaction had not led to disciplinary charges; no prior discipline in thirty-six years at the bar).

In our view, respondent's misconduct is analogous to that of the attorney in Polcari. Specifically, like respondent, Polcari failed to timely disburse more than $27,000 to her clients, in violation of RPC 1.15(b); kept, in her trust account, personal funds exceeding an amount reasonably sufficient for bank charges, in violation of RPC 1.15(a); and failed to comply with the recordkeeping requirements of R. 1:21-6, in violation of RPC 1.15(d). In the Matter of Meryl M. Polcari, DRB 23-151 (September 27, 2023) at 2.

In determining that a reprimand was the appropriate quantum of discipline for Polcari's misconduct, we weighed, in aggravation, the fact that the OAE had addressed a number of the same recordkeeping deficiencies during a prior random compliance audit and, thus, she had a heightened awareness of her obligations under R. 1:21-6. Id. at 4. Of particular concern, Polcari was still holding unidentified funds in her trust account, even though the OAE had alerted her of the need to address these funds during the prior audit. Ibid. In mitigation, we considered that she had (1) no prior discipline in her thirty-seven-year career

at the bar; (2) cooperated with the OAE's investigation; (3) expressed remorse; (4) rectified all deficiencies identified in the second audit; and (5) entered into a disciplinary stipulation, thereby accepting responsibility for her misconduct and conserving disciplinary resources. Ibid.

Here, in addition to the similarity in facts giving rise to the same ethics violations in Polcari, many of the same or similar aggravating and mitigating factors apply. Most notably, in aggravation, respondent had a heightened awareness of his recordkeeping obligations, having taken part in a 2012 random compliance audit that revealed deficiencies in his recordkeeping practices. Like Polcari, many of the same infractions identified during respondent's 2012 audit were again identified during the 2024 audit. Of particular concern, the OAE found inactive client and third-party funds maintained in respondent's ATA.

In further aggravation – and in contrast to the attorney in Polcari, who fully corrected the recordkeeping issues revealed by the second audit – here, as of the date of the complaint, respondent had not brought his records into full compliance with R. 1:21-6 or submitted proof to the OAE that he had fully resolved the inactive balances in his ATA. However, in his written submission to us and during oral argument, he represented, through counsel, that he has hired a bookkeeper to ensure his compliance with the recordkeeping

requirements and, further, that he disbursed the inactive funds to the appropriate parties.

In mitigation, like Polcari, respondent has no prior discipline in thirty-two years at the bar, a factor that both we and the Court accord significant weight. In re Convery, 166 N.J. 298, 308 (2001).

In further mitigation, respondent cooperated with the OAE's investigation and was candid with disciplinary authorities; admitted his misconduct; exhibited remorse; did not obtain personal benefit from his deficient recordkeeping; and submitted a persuasive letter from a colleague, attesting to his good character and dedication to the practice of law. In addition, the OAE acknowledged that he learned from this incident and is unlikely to engage in similar misconduct in the future.

Conclusion

On balance, based on disciplinary precedent, Polcari in particular, and weighing the applicable aggravating and mitigating factors, we determine that a reprimand is the appropriate quantum of discipline necessary to protect the public and preserve confidence in the bar.

As conditions to his discipline, we recommend that respondent be required, within sixty days of the Court's disciplinary Order in this matter, to (1)

attend an OAE-approved course in trust and business accounting, (2) submit proof to the OAE that he has brought his records into compliance with R. 1:21-6, and (3) submit proof to the OAE that he has disbursed the inactive balances in his ATA to the clients and third parties to whom the funds are owed, as represented to us during oral argument. In addition, we recommend that respondent be required to submit to the OAE, on a quarterly basis, his monthly three-way reconciliations, for a period of two years and until further Order of the Court.

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.

Member Rodriguez was recused.

Member Modu was absent.

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 Christopher J. Lombardo
Docket No. DRB 25-096

Argued: June 19, 2025

Decided: September 10, 2025

Disposition: Reprimand

Members	Reprimand	Recused	Absent
Cuff	X		
Boyer	X		
Campelo	X		
Hoberman	X		
Menaker	X		
Modu			X
Petrou	X		
Rodriguez		X	
Spencer	X		
Total:	7	1	1

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