

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
Docket No. DRB 25-154
District Docket No. XIV-2023-0108E

In the Matter of Bruce M. Ginsburg
An Attorney at Law

Argued
October 23, 2025

Decided
December 10, 2025

Oluwakolapo Sapara 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 motion for reciprocal discipline filed by the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-14(a), following the issuance of a September 16, 2022 order of the Disciplinary Board of the Supreme Court of Pennsylvania reprimanding respondent.

The OAE asserted that, in the Pennsylvania matter, respondent was found to have violated the equivalents of New Jersey RPC 1.15(a) (failing to safeguard and negligently misappropriating client funds) and RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation).

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

Ethics History

Respondent earned admission to the New Jersey bar in 1977; to the California bar in 1975; to the Pennsylvania bar in 1976; to the New York bar in 1992; and to the Colorado bar in 1994. At all relevant times, he maintained a

practice of law in Philadelphia, Pennsylvania. He has no prior discipline in New Jersey.

Facts

In October 2018, Barbara Schieber retained respondent's law firm, Ginsburg & Associates (G&A), in connection with a dental malpractice matter. Respondent's associate, Brendan Mulligan, Esq., handled Schieber's matter on behalf of G&A. Respondent had managerial and direct supervisory authority over Mulligan.

In January 2021, Schieber's matter settled for \$25,000. Respondent received Schieber's \$25,000 settlement check, dated February 18, 2021, issued by Eastern Dentist Insurance Company and payable to "Barbara Schieber and Ginsburg & Associates." Respondent deposited the check in his attorney trust account (ATA) at PNC Bank.

On February 26, 2021, Mulligan notified Schieber, via e-mail, that G&A had received her settlement check. Mulligan attached documentation relating to the settlement, including (1) a distribution sheet, which he requested that Schieber sign and return, and (2) a Release of All Claims (the Release), dated February 5, 2021 and bearing a notarized signature, purportedly Schieber's.

Crystal Lynn Schwartz, a G&A employee over whom respondent had managerial and direct supervisory authority, falsely notarized Schieber's signature, after having been informed by Mulligan that Schieber had signed the document.

Mulligan's February 26, 2021 e-mail also stated "[u]pon receipt [of the signed distribution sheet,] we can then forward you the client proceeds." The distribution sheet indicated that the amount due to Schieber was \$16,014.85, after deducting \$977.73 in costs, plus attorneys' fees. Attached to the distribution sheet was a "Summary of Costs" itemizing the \$977.73.

On February 26, 2021, a reply e-mail was sent to Mulligan, purporting to be from Schieber, stating "[c]an you send the \$16,014.85 through wire transfer? I will provide the account information along with the signed distribution sheet?" Schieber, however, had not sent that e-mail. Rather, the e-mail had been sent by a fraudster who had gained access to Mulligan's and/or Schieber's e-mail accounts and proceeded to defraud Schieber and G&A.

On March 1, 2021, Mulligan replied to the bogus e-mail, stating that a wire transfer was possible and providing the information required to proceed; specifically, he needed the name of the bank, the routing number, and the

account number. Mulligan copied Lisa Ginsburg,¹ G&A's office manager, on the e-mail. Notably, Mulligan's reply e-mail was to Schieber's e-mail of record.

Thirty-five minutes after sending his March 1, 2021 e-mail, Mulligan received a reply e-mail from the fraudster (purporting to be Schieber), on which Lisa was copied. The e-mail included the bank name (BBVA USA), wire address (located in Alabama), routing number, account number, and name associated with the account. The name associated with the account, however, was not Schieber's but instead "Rosalie Rochelle." Despite the fact that the name on the account did not match the client's name, neither respondent, Mulligan, nor Lisa called Schieber to confirm that the wire transfer instructions were legitimate.

On March 1, 2021, the same date as the fraudster's e-mail, Schieber called G&A's offices to speak with Mulligan and, when unable to reach him, left a message requesting a return call. Nobody in the firm returned her call.

Using the bank information provided by the fraudster, Lisa prepared, and respondent signed, a "Single Authorization Funds Transfer Request" authorizing PNC Bank to wire the funds. In completing the form, in the spaces that called for the name and address of the beneficial owner of the transferee bank account, Lisa substituted Schieber's name and address. Consequently, G&A provided

¹ Because Lisa Ginsburg and respondent share a last name, we use Lisa's first name. No disrespect is intended by the informality.

PNC with inaccurate information concerning the name and address of the beneficiary of the wire transfer.²

On the same date, following its receipt of the authorization form, PNC Bank wired \$16,014.85 from respondent's ATA to the account provided by the fraudster.

Respondent learned of the fraudster's actions after speaking with an attorney from another law firm regarding another case handled by Mulligan. That attorney informed respondent about several strange e-mails from Mulligan pertaining to settlement negotiations. In one of the e-mails, Mulligan requested that settlement funds be transferred to the same account provided by the fraudster.

On April 7, 2021, in reply to respondent's request, the attorney forwarded the strange e-mails to him. That same date, respondent informed Schieber that, from March 1 through April 6, 2021, the e-mails she had sent to and received from Mulligan had been compromised by a hacker. The e-mails forwarded by Schieber to respondent's firm indicated that the hacker impersonated Mulligan and gained access to Schieber's personal information. After learning that G&A had wired the settlement funds in accordance with the fraudster's instructions,

² Based on communications between Mulligan and Schieber, between March 4 and April 6, 2021, Schieber was expecting her settlement check to arrive in the mail.

Schieber made numerous requests that respondent pay her the amount to which she was entitled. Nevertheless, respondent failed to pay Schieber for more than a year.

Findings of the Pennsylvania Disciplinary Board

On January 26, 2022, the Pennsylvania Office of Disciplinary Counsel (the ODC) sent respondent, through counsel, a DB-7 Request for Statement of Respondent's position concerning the Schieber matter.³ In his March 25, 2022 reply, respondent stated that he was "in the process of reimbursing Mrs. Schieber for the loss sustained as a result of the unfortunate cyberfraud episode." Respondent stated that he would send a confirmation letter once payment was issued.

On May 24, 2022, respondent, through counsel, notified the ODC that Schieber had received her settlement proceeds, totaling \$16,305.09. The amount represented the funds lost to the fraudster, plus interest, at a 1.5% interest rate from March 1, 2021. Respondent did not, however, provide an explanation for his year-long delay in disbursing the settlement funds to Schieber.⁴

³ In Pennsylvania, the DB-7 letter is similar to the OAE's initial request to a respondent to provide a written reply to a grievance.

⁴ Instead, respondent stated that he paid Schieber the settlement proceeds after "nothing came" of his reports of report to PNC Bank and the FBI. He failed to explain why he did not pay Schieber the settlement funds while he waited for a response from those entities.

On April 10, 2023, after minor modifications to the factual allegations were agreed upon, respondent was reprimanded for having violated Pa. RPC 1.4(a)(3) by failing to contact his client to ensure the wire instructions were accurate after receiving a suspicious e-mail, Pa. RPC 1.15(b) by paying his client's settlement funds to an unknown third party in response to a suspicious e-mail and without questioning the suspicious wire-transfer instructions, and Pa. RPC 8.4(c) by (1) delaying payment of the settlement proceeds, despite knowing that a fraud had been perpetrated resulting in the wiring of his client's funds to an unknown third party, and (2) signing a wire transfer form knowing the form contained inaccurate information. Specifically, respondent "lacked the address of the beneficial owner of the transferee bank account and did not contact his client for the missing information (which would have revealed the fraud in play)." Rather, "though acting in good faith, [respondent] listed [his] client's name and address as the purported beneficial owner of the account," along with the routing and account numbers for the transferee bank. Thus, PNC Bank had no cause to question the name and address that were provided on the transfer authorization form.

The Parties' Submissions to the Board

In its written submission to us, the OAE asserted that respondent's unethical conduct in Pennsylvania constituted violations of RPC 1.15(a) and RPC 8.4(c).⁵ Specifically, the OAE alleged that respondent violated RPC 1.15(a) by transferring Schieber's settlement proceeds to the bank account of an unknown third party without verifying that the account belonged to the client. Next, the OAE alleged that respondent violated RPC 8.4(c) by using inaccurate information on the wire transfer authorization form, causing PNC Bank to transfer Schieber's settlement proceeds to an unknown third party. PNC had no reason to question the name and address provided by respondent on the wire transfer authorization form.

With respect to the appropriate quantum of discipline, the OAE maintained that New Jersey disciplinary precedent warranted a reprimand, the same discipline imposed in Pennsylvania. Specifically, the OAE cited precedent in which attorneys were reprimanded for negligently misappropriating client

⁵ The OAE asserted that it had declined to charge respondent with the equivalent of RPC 1.4(a)(3) because the record lacked clear and convincing evidence that respondent failed to keep Schieber reasonably informed about the status of the case. Rather, he called her as soon as he learned of the fraudulent activity. Further, although Schieber's payment was delayed for one year, the OAE concluded that the record lacked clear and convincing evidence that the delay violated RPC 1.15(b) (failing to promptly deliver funds to a client or third person who has an interest). Finally, the OAE explained that it had considered charging respondent with violations of RPC 5.1(b) (failing to supervise another lawyer) and RPC 5.3(b) (failure to supervise nonlawyer staff); however, the record lacked evidence that respondent failed to supervise his staff. Further, his staff was unaware of the fraudster's scheme.

funds. Likewise, the OAE noted that conduct involving dishonesty, fraud, deceit, or misrepresentation requires a reprimand.

In aggravation, the OAE emphasized that respondent had failed to remediate the situation despite opportunities to do so. In re Silber, 100 N.J. 517 (1985). Specifically, despite becoming aware of the fraud by April 7, 2021, he failed to disburse the replacement settlement funds to Schieber until May 24, 2022, more than a year later.

In mitigation, the OAE acknowledged respondent's ready admission of wrongdoing. In re Alum, 162 N.J. 313 (2000). Specifically, in his answer to the Pennsylvania Petition for Discipline, he admitted signing the wire transfer authorization form and, in hindsight, conceded that someone should have verified that the request to transfer was legitimate, notwithstanding it having come from the same e-mail account used by Schieber. Further, respondent stated that he has taken remedial steps to ensure this type of conduct does not recur.

In his September 16, 2025 brief, respondent, through counsel, stated his agreement with the conclusions and recommendations of the OAE. Specifically, he conceded to having violated RPC 1.15(a) by "transferring client settlement proceeds to a bank account without verifying that the bank belonged to his client," and RPC 8.4(c) "by using inaccurate information on the wire transfer

authorization form thereby allowing the Bank to transfer the settlement proceeds to an unknown third-party account.”

Respondent urged us, however, to impose discipline no greater than a reprimand for his misconduct, citing significant mitigating factors. First, he emphasized his longstanding service to the bar and to the community, including over twenty years on the board of the Philadelphia Trial Lawyers Association, where he encouraged younger lawyers to join, attend trial courses, and support initiatives designed to strengthen the rights of injured individuals. He has also served as an arbitrator and Judge Pro Temp for the Philadelphia courts.

Beyond his professionalism, respondent has been married for forty-eight years, is a father and grandfather, and has supported various charitable institutions through donations, without fanfare or publicity.

In addition, respondent provided two character letters for our consideration. First, Jon Weiswasser, an independent businessperson who has known respondent for more than forty years, stated that respondent is a long-valued and trusted friend and counselor. Next, Edward F. Chacker, Esq., a Philadelphia attorney who served as Chancellor of the Philadelphia Bar Association, President of the Philadelphia Bar Foundation, and President of the Philadelphia Trial Lawyers Association, stated that he has known respondent for more than twenty years through professional associations, and more recently, as

partners following the merger of their firms. He described respondent as thoughtful, hardworking, reliable, and deeply committed to his clients.

In further mitigation, respondent emphasized that the instant matter represents the only blemish in his otherwise long and distinguished career. Further, he accepts responsibility and is truly remorseful.

Thus, based on disciplinary precedent cited by the OAE, along with compelling mitigation, respondent urged us to impose a reprimand.

Analysis and Discipline

Following a review of the record, we determine to grant the OAE's motion for reciprocal discipline. Pursuant to R. 1:20-14(a)(5), "a final adjudication in another court, agency or tribunal, that an attorney admitted to practice in this state . . . is guilty of unethical conduct in another jurisdiction . . . shall establish conclusively the facts on which it rests for purposes of a disciplinary proceeding in this state." Thus, with respect to motions for reciprocal discipline, "[t]he sole issue to be determined . . . shall be the extent of final discipline to be imposed." R. 1:20-14(b)(3).

In Pennsylvania, like in New Jersey, the standard of proof in attorney disciplinary proceedings is "clear and convincing evidence to establish attorney misconduct." Office of Disciplinary Counsel v. Anonymous Atty., 331 A.3d

523, 539 (Pa. 2025). Here, respondent admitted to the material facts and misconduct that formed the basis for the Pennsylvania disciplinary action.

Reciprocal discipline proceedings in New Jersey are governed by R. 1:20-14(a)(4), which provides in pertinent part:

The Board shall recommend the imposition of the identical action or discipline unless the respondent demonstrates, or the Board finds on the face of the record on which the discipline in another jurisdiction was predicated that it clearly appears that:

(A) the disciplinary or disability order of the foreign jurisdiction was not entered;

(B) the disciplinary or disability order of the foreign jurisdiction does not apply to the respondent;

(C) the disciplinary or disability order of the foreign jurisdiction does not remain in full force and effect as the result of appellate proceedings;

(D) the procedure followed in the foreign matter was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or

(E) the unethical conduct established warrants substantially different discipline.

We conclude that none of the above subsections apply to this case. Rather, we determine to follow the presumption set forth in Rule 1:20-14(a)(4), to grant the OAE's motion for reciprocal discipline, and to recommend the imposition of the identical discipline imposed by Pennsylvania. As the Court observed in In re Sigman, 220 N.J. 141, 154 (2014), the "application of discipline identical to

that imposed by the foreign jurisdiction . . . promotes the imposition of consistent sanctions for the misconduct of an attorney admitted to practice in multiple states.”

Violation of the Rules of Professional Conduct

Turning to the application of New Jersey’s Rules of Professional Conduct, in the context of a motion for reciprocal discipline, the Court’s review “involves ‘a limited inquiry, substantially derived from and reliant on the foreign jurisdiction’s disciplinary proceedings.’” In re Barrett, 238 N.J. 517, 522 (2019) (quoting In re Sigman, 220 N.J. 141, 153 (2014)). However, we previously have noted that the OAE’s motion and supporting brief serve as the charging documents in a motion for reciprocal discipline. See In the Matter of Edan E. Pinkas, DRB 22-001 (June 23, 2022) at 29, so ordered, 253 N.J. 227 (2023). Nevertheless, clear and convincing evidence must support each of our findings that respondent violated the New Jersey Rules. See Barrett, 238 N.J. at 521; In re Pena, 164 N.J. 222 (2000).

Consistent with that body of law, we have, on occasion, declined to find RPCs charged by the OAE in motions for reciprocal discipline. See In the Matter of Robert Captain Leite, DRB 22-164 (February 24, 2023) (granting the OAE’s motion for reciprocal discipline but declining to find violations of RPC 1.2(d);

RPC 3.3(a)(1); RPC 8.4(a); RPC 8.4(b); and RPC 8.4(d), where the underlying facts did not support the charges), so ordered, 254 N.J. 275 (2023), and In the Matter of Richard C. Gordon, DRB 20-209 (April 1, 2021) at 19-20 (granting the OAE’s motion for reciprocal discipline but declining to find a violation of RPC 8.4(d) where underlying facts did not support the charge), so ordered, 249 N.J. 15 (2021).

Here, we determine that the record contains clear and convincing evidence that respondent violated RPC 1.15(a). However, we determine to dismiss, for lack of clear and convincing evidence, the charge that respondent violated RPC 8.4(c).

Specifically, RPC 1.15(a) requires a lawyer to appropriately safeguard funds belonging to a client or third person. New Jersey has not yet had occasion to address the circumstances under which the indicators of fraud are so clear that they might constitute a failure to safeguard client funds, nor whether a lawyer’s failure to detect a staff member’s inaction in the face of such indicators might constitute a failure to supervise (although, in the instant reciprocal discipline matter, the OAE did not charge respondent with failure to supervise his lawyer and nonlawyer staff). However, the Advisory Committee on Professional Ethics has described an attorney’s duty to “exercise reasonable care against the possibility of unauthorized access to client information” in the setting of

electronic storage of, and remote access to, client files. See Opinion 701 of the Advisory Committee on Professional Ethics, “Electronic Storage and Access of Client Files,” 184 N.J.L.J 171 (April 24, 2006). Here, we conclude that respondent violated RPC 1.15(a) by failing to take any reasonable steps to confirm that the wiring instructions were legitimate, particularly considering the name of the purported beneficiary of the account was not his client’s name, thereby allowing the funds to be misappropriated by the fraudster.

Specifically, respondent accepted the \$25,000 settlement proceeds, on his client’s behalf, and promptly deposited the funds in his ATA. Following his receipt of his client’s purported request to wire the settlement proceeds to her, respondent’s associate informed her that it was possible to do so and that he needed her bank name, routing number, and account number. In reply, Mulligan (the associate) received an e-mail from a fraudster purporting to be the client, providing the required information and stating that the name of the account was “Rosalie Rochelle.” Despite the name of the account belonging to an individual who was not respondent’s client or an otherwise known individual, neither respondent, Mulligan, nor Lisa called the client to verify the request.

Rather, based on the bank information contained in the fraudster’s e-mail, Lisa completed the electronic transfer request form, which respondent signed, thereby authorizing PNC Bank to make the wire transfer to the fraudster’s bank

account. However, in the spaces that called for the name and address of the beneficiary to whom the funds were to be wired, Lisa substituted Schieber's name for Rosalie Rochelle, and listed Schieber's address, thus, providing PNC Bank with inaccurate information. Respondent should have known that the banking information provided needed to be independently verified because the name was not that of Schieber, and no address was provided. Nevertheless, per respondent's instructions, on March 1, 2021, PNC Bank disbursed \$16,014.85 from respondent's ATA to BBVA USA Bank. Consequently, respondent's actions allowed Schieber's settlement funds to be stolen by an unknown third party, in violation of RPC 1.15(a).

We decline to find, however, that respondent violated RPC 8.4(c), which prohibits an attorney from engaging "in conduct involving dishonesty, fraud, deceit or misrepresentation." The OAE alleged that respondent violated this Rule by using inaccurate information on the wire transfer authorization form, causing PNC Bank to transfer the settlement proceeds to an unknown third-party account. Specifically, respondent lacked the address of the beneficial owner (Rosalie Rochelle) of the transferee bank account and did not contact his client to obtain that missing information. Rather, as found in Pennsylvania, acting in good faith, he listed Schieber's name and her address as the purported beneficial owner of the account, and provided PNC with the routing number and account

number at the transferee bank. Consequently, PNC had no cause to question the name and address that respondent provided on the wire transfer authorization form.

Accordingly, we determine to dismiss the charge that respondent violated RPC 8.4(c) by virtue of the foregoing facts. It is well-settled that a violation of this Rule requires a finding that the attorney engaged in a knowing act of deception by clear and convincing evidence. See In the Matter of Ty Hyderally, DRB 11-016 (July 12, 2011). We conclude that the record before us lacks clear and convincing evidence that respondent intended to deceive the bank when he signed the wire transfer authorization form that included the client's name and address rather than the name and address of the purported beneficial owner of the bank account. First, the form was completed by another person in his office (albeit an individual over whom respondent admittedly had supervisory responsibility). Next, at the time respondent signed the form, he had no reason to believe that a fraudster had intercepted Schieber's and/or Mulligan's e-mails and was attempting to orchestrate a scheme to steal the settlement funds. Although respondent should have acted with greater diligence to obtain the address associated with "Rosalie Rochelle" (which would have revealed the fraud and ensured his client's funds were safeguarded), his neglect in doing so is insufficient to, standing alone, establish that he intended to deceive the bank.

Thus, on these facts, we determine that there is insufficient evidence to sustain this charge.

In sum, we find that respondent violated RPC 1.15(a). We determine to dismiss, for lack of clear and convincing evidence, the charge that respondent violated RPC 8.4(c). The sole issue left for our determination is the appropriate quantum of discipline for respondent's misconduct.

Quantum of Discipline

Generally, regardless of mitigation, a reprimand is the appropriate discipline for negligent misappropriation of client funds, even if accompanied by other, non-serious ethics infractions, such as recordkeeping deficiencies, commingling of funds, and failing to promptly disburse client funds. See, e.g., In re Sherer, 250 N.J. 151 (2022) (as a consequence poor recordkeeping, the attorney negligently invaded \$3,366 in client and third-party funds; additionally, for a two-week period, the attorney commingled \$8,747 in personal funds in his ATA; the attorney also failed to comply with the OAE's demand audit requirements and failed to reimburse the parties impacted by his negligent misappropriation; in mitigation, the attorney had no prior discipline in a thirty-six-year legal career and was no longer practicing law); In re Steinmetz, 251 N.J. 216 (2022) (the attorney committed numerous recordkeeping violations,

negligently misappropriated more than \$60,000, and commingled personal funds in his ATA; the attorney failed to correct his records; in mitigation, the attorney had no prior discipline in sixteen years at the bar, hired an accountant to assist with his records, and no clients were harmed by his misconduct); In re Osterbye, 243 N.J. 340 (2020) (the attorney's poor recordkeeping practices caused a negligent invasion of, and failure to safeguard, funds owed to clients and others in connection with real estate transactions, in violation of RPC 1.15(a); his inability to conform his recordkeeping practices despite multiple opportunities to do so also violated RPC 8.1(b) (failing to cooperate with disciplinary authorities); in mitigation, the attorney had no prior discipline and stipulated to his misconduct).⁶

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

In aggravation, respondent failed to deliver the settlement funds to his client for more than a year, thereby depriving her of the use of those funds. It is well-settled that harm to the client constitutes an aggravating factor. In the

⁶ The additional cases cited by the OAE are in accord. See, e.g., In re Shim, 213 N.J. 572 (2013); In re Arrechea, 208 N.J. 430 (2011) (reprimand); In re Gleason, 206 N.J. 139 (2011) (reprimand); In re Macchiaverna, 203 N.J. 584 (2010) (reprimand).

Matter of Brian Le Bon Calpin, DRB 13-152 (Oct. 23, 2013), so ordered 217 N.J. 617 (2014).

In mitigation, respondent has no prior discipline in his forty-eight-year career at the bar. In further mitigation, he accepted responsibility for the misconduct and submitted evidence of his good character and reputation.

Conclusion

On balance, we determine that the sole aggravating factor is insufficient to warrant a departure from the baseline discipline and, thus, conclude that a reprimand is the appropriate quantum of discipline necessary to protect the public and preserve confidence in the bar.

Vice-Chair Boyer and Member Campelo were 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 Bruce M. Ginsburg
Docket No. DRB 25-154

Argued: October 23, 2025

Decided: December 10, 2025

Disposition: Reprimand

<i>Members</i>	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