

SUPREME COURT OF NEW JERSEY  
DISCIPLINARY REVIEW BOARD  
Docket No. 25-176  
District Docket No. XIV-2024-0407E

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In the Matter of Janet C. Navarro  
An Attorney at Law

Decided  
January 16, 2026

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Certification of the Record

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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 certification of the record filed by the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-4(f). The formal ethics complaint charged respondent with having violated RPC 1.15(d) (failing to comply with the recordkeeping requirements of R. 1:21-6) and RPC 8.1(b) (two instances – failing to cooperate with disciplinary authorities).<sup>1</sup>

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 bar in 2000 and to the New York bar in 1998. She has no prior discipline. During the relevant timeframe, she maintained a practice of law in Denville, New Jersey.

Effective August 26, 2021, the Court declared respondent ineligible to practice law in New Jersey for her failure to comply with the mandatory

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<sup>1</sup> Due to respondent’s failure to file an answer to the formal ethics complaint, and on notice to her, the OAE amended the complaint to include the second RPC 8.1(b) charge.

procedures for the annual Interest on Lawyer's Trust Account program, pursuant to R. 1:28A-2(b).

On October 18, 2021, the Court declared respondent administratively ineligible to practice law for her failure to comply with continuing legal education requirements.

On June 27, 2022, the Court declared respondent administratively ineligible for her failure to pay the required annual assessment to the New Jersey Lawyers' Fund for Client Protection (the Fund), as R. 1:28-2(b) requires.

To date, respondent remains administratively ineligible on all three bases.

During the OAE's investigation of this matter, respondent represented that she had closed her office and no longer was practicing law.<sup>2</sup> However, she has not taken the steps necessary to formally retire or resign from the practice of law in New Jersey.

### **Service of Process**

Service of process was proper. On May 22, 2025, the OAE sent a copy of the formal ethics complaint, by certified and regular mail, to respondent's home address of record. According to the United States Postal Service tracking

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<sup>2</sup> Respondent did not provide the OAE with a specific date that she purportedly stopped practicing law, however, she made this representation in a February 28, 2025 e-mail to the OAE.

system, the letter sent by certified mail was being returned to the OAE as “unclaimed/being returned to sender.” The regular mail was not returned to the OAE.<sup>3</sup>

On June 24, 2025, the OAE sent a second letter, by certified and regular mail, to respondent’s home address of record, with an additional copy sent by electronic mail, to her e-mail address of record. The letter informed her that, unless she filed a verified answer to the complaint within five days of the date of the letter, the allegations of the complaint would be deemed admitted, the record would be certified to us for the imposition of discipline, and the complaint would be deemed amended to charge a willful violation of RPC 8.1(b) by reason of her failure to answer. On the same date, the OAE received a relayed receipt indicating that delivery to the respondent’s e-mail was complete. The letter sent by certified mail was returned to the OAE as “unclaimed.” The regular mail was not returned to the OAE.

As of June 24, 2025, respondent had failed to file an answer to the complaint and the time within which she was required to do so had expired. Accordingly, the OAE certified this matter to us as a default.

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<sup>3</sup> New Jersey attorneys have an affirmative obligation to inform both the Fund and the OAE of changes to their home and primary law office addresses, “either prior to such change or within thirty days thereafter.” R. 1:20-1(c). Respondent’s official Court records continue to reflect the home address utilized for service in this matter.

On September 2, 2025, Chief Counsel to the Board sent respondent a letter, by certified and regular mail, to her home address of record, with an additional copy sent by electronic mail, to her e-mail address of record, informing her that this matter was scheduled before us on October 23, 2025, and that any motion to vacate the default (MVD) must be filed by September 22, 2025. On the same date, the Office of Board Counsel (the OBC) received notice that the electronic mail was undeliverable to respondent's e-mail address because her "mailbox is disabled." The letter sent by certified mail was returned to the OBC as "not deliverable as addressed/unable to forward." The regular mail was not returned to the OBC.

Moreover, the OBC published a notice dated September 15, 2025 in the New Jersey Law Journal and on the New Jersey Courts website, stating that we would consider this matter on October 23, 2025. The notice informed respondent that, unless she filed a successful MVD by September 22, 2025, her prior failure to answer would remain deemed an admission of the allegations of the complaint.

Respondent did not file an MVD.

## **Facts**

We now turn to the allegations of the complaint.

On January 2, 2024, the OAE conducted a random audit of respondent's financial records.<sup>4</sup> Thereafter, the OAE notified her of the following recordkeeping deficiencies: (1) failing to properly designate her attorney trust account (ATA), as R. 1:21-6(a) requires; (2) failing to conduct monthly three-way reconciliations of her ATA, as R. 1:21-6(c)(1)(H) requires; (3) making improper electronic transfers from her ATA, contrary to R. 1:21-6(c)(1)(A); (4) failing to retain ATA records for seven years, as R. 1:21-6(c)(1) requires; (5) failing to maintain an attorney business account (ABA), as R. 1:21-6(a)(2) requires; (6) and failing to retain ABA records for seven years, as R. 1:21-6(c)(1) requires.

On January 9, April 17, May 7, and May 29, 2024, the OAE sent letters to respondent, directing that she correct the identified deficiencies by February 23, April 27, May 17, and June 8, 2024, respectively. Respondent, however, failed to reply to any of the letters and, thus, missed each deadline. Consequently, on August 29, 2024, the OAE docketed the matter as a disciplinary investigation.

On October 8, 2024, the OAE sent respondent a letter, by certified and regular mail, to her home address of record, with an additional copy sent by electronic mail, to her e-mail address of record, informing her that she was

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<sup>4</sup> Although the complaint refers to a February 22, 2018 random compliance audit, it is evident from the record that the identified deficiencies are related to the January 2, 2024 audit.

scheduled for a demand audit on November 1, 2024. Further, the OAE instructed her to provide her ATA and ABA books and records for the period January 1, 2022 through the date of the letter, as well as an explanation of whether she was practicing law while ineligible, setting a deadline of October 23, 2024. The certified mail was returned to the OAE as “undeliverable,” however, the regular mail and e-mail were not returned to the OAE. Respondent failed to comply.

On October 10, 2024, the OAE issued subpoenas to PNC Bank and Bank of America, ultimately obtaining respondent’s financial records for the period January 1, 2022 through the then present.

On October 28, 2024, the OAE sent an e-mail to respondent, to her e-mail address of record, attaching its October 8 letter, reminding her of the demand audit scheduled for November 1, 2024, and directing her to call the OAE and confirm receipt. On the same date, the OAE received a relayed receipt indicating that delivery to respondent’s e-mail was complete, however, respondent failed to acknowledge receipt as directed.

Despite the OAE’s reminders, respondent failed to appear at the November 1, 2024 demand audit. The OAE unsuccessfully attempted to call her on both her office and cellular telephone numbers. The OAE was able to leave a voicemail on respondent’s office line, but her cellular telephone mailbox was full. Respondent failed to return the OAE’s telephone call.

On January 23, 2025, the OAE sent another letter, by certified and regular mail, to respondent's home address of record, with another copy sent by electronic mail, to her e-mail address of record, notifying respondent that she was scheduled for a demand audit on February 28, 2025 and, again, instructing her to produce "books and records for all trust and business accounts for the period of January 1, 2022 through the then present," by February 14, 2025. The letter sent by certified mail was delivered on February 5, 2025 and the return receipt was signed by "David Navarro." The regular mail was not returned to the OAE, and the e-mail was not returned as undeliverable. Respondent again failed to comply with the OAE's demand.

On February 28, 2025, an hour before the scheduled demand audit, respondent sent an e-mail to the OAE, requesting a postponement. The OAE replied, stating that respondent must appear and explain her lack of cooperation to date. In reply, respondent acknowledged her delay in responding, represented to the OAE that she was no longer practicing law and did not intend to do so moving forward, and advised the OAE she was not in a private location. Consequently, the OAE granted her postponement request and rescheduled the demand audit for March 6, 2025. The OAE also directed respondent to immediately provide the previously requested records. Respondent confirmed receipt but, nevertheless, failed to produce the requested documents.

On March 6, 2025, the OAE successfully conducted the demand audit, during which respondent admitted having received the OAE's prior correspondence yet failing to reply. She further admitted that she did not maintain an ABA. Following the demand audit, the OAE sent respondent a letter, via both regular and electronic mail, directing her to provide additional information by March 21, 2025. Specifically, the OAE directed her to

provide a response to the [January 2, 2024, random audit] . . . provide details of [respondent's] last client as a sole practitioner . . . provide details [regarding the remaining balance in her ATA] . . . provide plan for law license going forward . . . [and] provide written explanation regarding whether respondent has been practicing during period of ineligibility.

[C-Ex. 13.]<sup>5</sup>

Neither the regular mail nor the e-mail was returned to the OAE, however, respondent failed to reply by March 21, 2025.

On April 10, 2025, the OAE sent respondent another letter, by certified and regular mail, with another copy sent by electronic mail, informing her that she had failed to submit the outstanding documents by the deadline and directing her to produce them by April 21, 2025. The letter sent by regular mail was not returned and the OAE received confirmation that the e-mail was delivered;

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<sup>5</sup> C-Ex. refers to exhibits attached to the formal ethics complaint.

respondent, however, again failed to reply.<sup>6</sup> As of May 21, 2025, the date of the formal ethics complaint, respondent remained noncompliant with the OAE's requests.

Based on the above facts, the OAE charged respondent with having violated RPC 1.15(d) by failing to comply with the recordkeeping requirements of R. 1:21-6 in numerous respects, and RPC 8.1(b) by failing to cooperate with the OAE's directives to produce financial records in connection with its investigation. Additionally, based on respondent's failure to file an answer to the formal ethics complaint, the OAE amended the complaint, on notice to her, charging her with a second violation of RPC 8.1(b).

## **Analysis and Discipline**

### *Violations of the Rules of Professional Conduct*

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

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<sup>6</sup> The certified mail remained "pending" as of the date of the formal complaint.

Respondent violated RPC 1.15(d) by failing to comply with the recordkeeping requirements of R. 1:21-6 in numerous respects. Specifically, the OAE's random audit revealed that she failed to (1) properly designate her ATA; (2) conduct ATA monthly three-way reconciliations; (3) retain ATA records for seven years; (4) maintain an ABA; and (5) retain ABA records for seven years. Further, respondent made improper electronic transfers from her ATA. The OAE advised respondent of the findings and directed to provide proof of corrective action. However, she failed to cure the deficiencies and, even after the OAE's intervention and numerous extensions of deadlines in an attempt to facilitate her cooperation, respondent's records remained deficient.

Next, respondent violated RPC 8.1(b) by failing to cooperate fully with the OAE's investigation, which originated due to her noncooperation following the January 2, 2024 random audit. Specifically, between October 8, 2024 (when the OAE first notified her of the scheduled demand audit) and May 21, 2025 (the date of the formal ethics complaint), the OAE contacted respondent in writing, via mail and e-mail, and attempted to reach her by telephone. Although she replied to one of the OAE's communication attempts – to request an adjournment – and even participated in the March 6, 2025 demand audit (after it was twice rescheduled including once when she altogether failed to appear), she failed to provide the records that the OAE had directed her to produce.

Further, she missed her initial demand audit and, during the rescheduled audit, admitted her deficiencies, but failed, thereafter, to cooperate further with the OAE's repeated efforts to obtain her compliance. To date, respondent remains non-compliant with the recordkeeping Rules and the OAE's investigation. Respondent violated RPC 8.1(b) a second time by failing to answer the formal ethics complaint underlying this matter.

In sum, we find that respondent violated RPC 1.15(d) and RPC 8.1(b) (two instances). 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 the negligent misappropriation of entrusted funds. The quantum of discipline is enhanced, however, if the attorney fails to cooperate with an arm of the disciplinary system, such as the OAE, which uncovers recordkeeping improprieties in a trust account and requests additional documents. See, e.g., In re Sheller, 257 N.J. 495 (2024) (reprimand for an attorney after a random audit revealed recordkeeping deficiencies that the OAE previously had identified in a random audit, eight years earlier; the attorney failed to cooperate with the OAE's investigation, despite the passage of fourteen

months and multiple prompts from the OAE; in mitigation, the attorney had no prior discipline in a thirty-one-year career and stipulated to his misconduct); In re Wachtel, 257 N.J. 359 (2024) (reprimand for an attorney who failed to provide the OAE with complete financial records and to correct his recordkeeping deficiencies, despite five extensions granted by the OAE; by the date of the parties' stipulation, the attorney still had not provided the OAE with records demonstrating that he had resolved these deficiencies; in mitigation, the attorney had no disciplinary history and his misconduct did not harm any client); In re Schlachter, 254 N.J. 375 (2023) (reprimand for an attorney who committed recordkeeping violations and, for almost a year, failed to comply with the OAE's numerous record requests; ultimately, the attorney provided only a portion of the requested records; although the OAE attempted to help the attorney take corrective action, he remained non-compliant with the recordkeeping Rules; in mitigation, the attorney's misconduct resulted in no harm to his clients and he had no disciplinary history in sixteen years at the bar); In re Tobin, 249 N.J. 96 (2021) (censure for an attorney who, following an OAE random audit that uncovered several recordkeeping deficiencies (including more than \$800,000 in negative client balances), failed to provide the documents requested in the OAE's seven letters and eight telephone calls, spanning more than one year; although we noted that a reprimand was appropriate for the attorney's

recordkeeping violations and failure to cooperate, we imposed a censure in light of the attorney's prior reprimand for recordkeeping violations and the default status of the matter; in mitigation, the attorney had been practicing law for sixty-three years and suffered serious health problems prior to the continuation date of the random audit).

Here, similar to the misconduct committed by the attorneys in Sheller, Wachtel, and Schlachter, respondent failed to comply with the OAE's investigation into her books and records, despite numerous opportunities to do so. Like those attorneys, respondent has no prior discipline. Further, some of the aggravating circumstances present in Tobin, which warranted a censure, are not present in this case. Specifically, unlike the attorney in Tobin, respondent replied to some of the OAE's communications and participated in the demand audit. Also, unlike respondent, Tobin had prior discipline.

Based on the foregoing disciplinary precedent, Sheller, Wachtel, and Schlachter in particular, 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 and mitigating factors.

In aggravation, respondent allowed this matter to proceed as a default. "[A] respondent's default or failure to cooperate with the investigative authorities operates as an aggravating factor, which is sufficient to permit a

penalty that would otherwise be appropriate to be further enhanced.” In re Kivler, 193 N.J. 332, 342 (2008).

In mitigation, respondent has a twenty-five-year legal career without discipline, a factor which we and the Court consistently accord compelling weight. See In the Matter of Harry Furman, DRB 23-175 (February 5, 2024) at 14-15 (in a default matter, admonition for an attorney who mishandled a single client matter, in violation of RPC 1.3 (lacking diligence), RPC 1.4(b) (failing to communicate), and RPC 8.1(b); although we could have enhanced the baseline discipline of an admonition to a reprimand pursuant to Kivler, we determined that the attorney’s otherwise unblemished thirty-eight-year career at the bar placed the aggravating and mitigating factors in equipoise), so ordered, 257 N.J. 229 (2024).

### **Conclusion**

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

Additionally, based on respondent’s representation to the OAE that she is no longer practicing law, we recommend, as conditions to her discipline, that she be required, within thirty days of the Court’s disciplinary Order in this

matter, to take the necessary steps to formally retire or resign from the practice of law in New Jersey. In the event respondent fails to do so, we recommend that she be required to (1) complete an OAE-approved recordkeeping course within sixty days of the Court's disciplinary Order, and (2) submit to the OAE, on a quarterly basis, her monthly three-way reconciliations for a period of two years.

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 Janet C. Navarro  
Docket No. DRB 25-176

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Decided: January 16, 2026

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