

SUPREME COURT OF NEW JERSEY
D-119 September Term 2005

IN THE MATTER OF

SILLS CUMMIS ZUCKERMAN,
RADIN TISCHMAN EPSTEIN
& GROSS

A NEW JERSEY LAW FIRM

FILED

JUL 20 2007 O R D E R

This matter have been duly presented to the Court pursuant to Rule 1:20-10(b), following a motion for discipline by consent of the law firm of **SILLS CUMMIS ZUCKERMAN RADIN TISCHMAN EPSTEIN & GROSS** of **NEWARK**;

And the Office of Attorney Ethics and respondent having signed a stipulation of discipline by consent in which it was agreed that the law firm violated RPC 5.1(a) (failure to make reasonable efforts to ensure that lawyers of the law firm undertake measures that give reasonable assurance that all lawyers conform to the Rules of Professional Conduct);

And the parties having agreed that the law firm's conduct violated RPC 5.1(a) and that said conduct warrants a reprimand;

And the Disciplinary Review Board having determined that a reprimand is the appropriate discipline for the law firm's ethics violation and having granted the motion for discipline by consent

in District Docket No. XIV-00-408E;

And the Disciplinary Review Board having submitted the record of the proceedings to the Clerk of the Supreme Court for the entry of an order of discipline in accordance with Rule 1:20-16(e);

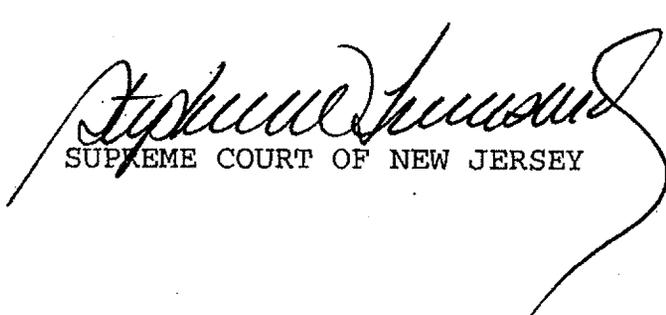
And good cause appearing;

It is ORDERED that the law firm of **SILLS CUMMIS ZUCKERMAN RADIN TISCHMAN EPSTEIN & GROSS** is hereby reprimanded; and it is further

ORDERED that the entire record of this matter be made a permanent part of its file as a law firm of this State; and it is further

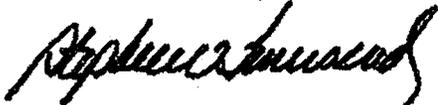
ORDERED that respondent law firm reimburse the Disciplinary Oversight Committee for appropriate administrative costs and actual expenses incurred in the prosecution of this matter, as provided in Rule 1:20-17.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this 19th day of July, 2007.



SUPREME COURT OF NEW JERSEY

The foregoing is a true copy of the original on file in my office.



CLERK OF THE SUPREME COURT
OF NEW JERSEY

**SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
District Docket No. XIV-2000-0408E
Docket No. DRB**

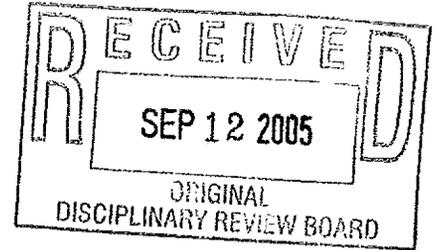
OFFICE OF ATTORNEY ETHICS
P.O. BOX 963
TRENTON, NEW JERSEY 08625
MOVING PARTY

IN THE MATTER OF

**SILLS CUMMIS ZUCKERMAN
RADIN TISCHMAN, ET AL.,**

A NEW JERSEY LAW FIRM

**Disciplinary Action
NOTICE OF MOTION
FOR
DISCIPLINE BY CONSENT**



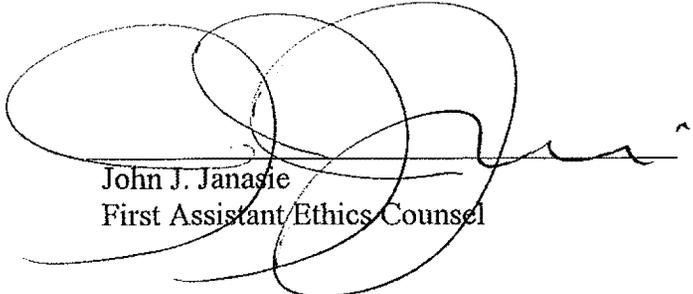
TO: Thomas F. Campion, Esq.
DRINKER BIDDLE & REATH, LLP
500 Campus Drive
Florham Park, NJ 07932-1047

PLEASE TAKE NOTICE that, pursuant to *R.1:20-10(b)*, the undersigned petitions the Disciplinary Review Board for imposition of discipline by consent.

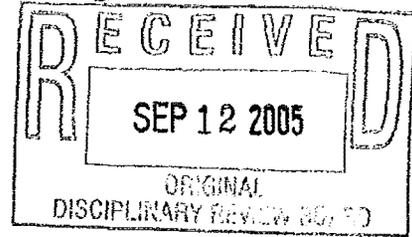
TAKE FURTHER NOTICE that, at the time and place selected by the Board, application will be made to impose on respondent law firm, a reprimand.

TAKE FURTHER NOTICE that, pursuant to *R.1:20-10(b)*, no oral argument will be held, and the Board's determination shall be on the written record.

DATED: September 8, 2005


John J. Janasie
First Assistant Ethics Counsel

John J. Janasie
First Assistant Ethics Counsel
Office of Attorney Ethics
P.O. Box 963
Trenton, New Jersey 08625
609-530-4008



SUPREME COURT OF NEW JERSEY
District XIV Ethics Committee
Docket No. XIV-2000-0408E

OFFICE OF ATTORNEY ETHICS,

Grievant
v.

**SILLS CUMMIS ZUCKERMAN RADIN
TISCHMAN, et al.**

Respondent

**STIPULATION OF
DISCIPLINE BY CONSENT**
R. 1:20-10(b)

THIS STIPULATION is made and entered into between Sills Cummis Zuckerman Radin Tischman Epstein & Gross (hereinafter Respondent), Thomas F. Campion, Esq., respondent's counsel; and John J. Janasie, Esq. (hereinafter First Assistant Ethics Counsel).

A. GENERAL INFORMATION

Sills Cummis Zuckerman Radin Tischman Epstein & Gross (hereinafter Sills Cummis), at all times relevant to this matter, was a law firm maintaining offices for the practice of law in the State of New Jersey at One Riverfront Plaza, Newark, Essex County, New Jersey.

B. ADMITTED CONDUCT

At all times relevant to this matter, Sills Cummis was a law firm with approximately 150 attorneys which was managed by duly elected committees of lawyers,

which committees were ultimately responsible to the Management Committee comprised of 15 attorneys.

Steven Bruce Jackman (hereinafter "Mr. Jackman"), an attorney admitted only in Massachusetts, was hired as an associate attorney by the Sills Cummis firm on August 21, 1991, and was employed by the firm until April 10, 1998. Although never admitted to the New Jersey Bar, Mr. Jackman practiced law in the Corporate and Securities department of Sills Cummis. His work was billed at the then-prevailing associate rate. In the late Fall/early Winter of 1991, Mr. Jackman was assigned to work on a business transaction involving a matter in which approximately twenty other attorneys were assigned.

During the period of his employment with the Sills Cummis law firm, Mr. Jackman never took the New Jersey Bar Exam even though Sills Cummis paid for Mr. Jackman's bar exam fee and bar exam review course expense. Mr. Jackman was admitted to the Massachusetts Bar in 1985. During most of his time at Sills Cummis, Mr. Jackman permitted his Massachusetts license to practice law to be in an "inactive" status.

During the relevant time period, the Sills Cummis law firm failed to have in place appropriate follow-up procedures to ensure that Mr. Jackman took the New Jersey Bar exam and the law firm permitted him to practice law in New Jersey when he was not admitted to the New Jersey Bar.

Respondent law firm's conduct failed to comply with RPC 5.1(a) which states: "Every law firm and organization authorized by the Court Rules to practice law in this jurisdiction shall make reasonable efforts to ensure that the member lawyer or lawyers

otherwise participating in the organization's work undertake measures giving reasonable assurance that all lawyers conform to the Rules of Professional Conduct."

C. MITIGATION

1. Commencing in 2000, the Sills Cummis firm began to put into place formal procedures to require that the firm's non-admitted attorneys resident in its New Jersey offices obtain admission to the New Jersey Bar as soon as possible.
2. Among the formal procedures the Sills Cummis firm has put into place with respect to attorneys resident in its New Jersey offices are:
 - a. The Sills Cummis firm designated one of its senior members and one of its administrative managers with full-time monitoring responsibilities for compliance with all New Jersey State licensure requirements.
 - b. For lateral attorneys who are hired prior to their admission to the New Jersey Bar, their employment letter highlights the requirement of taking the Bar at the earliest opportunity.
 - c. All new attorneys hired prior to admission to the New Jersey Bar receive written notification that immediately directs the attorney to register for the New Jersey Bar Exam in a timely manner.
 - d. The foregoing notification advises each new and lateral non-admitted attorney when the next New Jersey Bar Exam is offered.
 - e. All newly hired non-admitted lateral attorneys are advised that pending their passing the New Jersey Bar Exam and admission to the New Jersey bar they are to be supervised by a New Jersey admitted lawyer and may not hold themselves out as an attorney admitted in New Jersey.
 - f. All supervising lawyers of such attorneys are separately advised that the new attorney is not a member of the New Jersey Bar, that he/she is sitting for the next possible New Jersey Bar Exam and that pending such attorney's admission to the New Jersey Bar, they are to supervise such attorney on all matters relating to New Jersey law and to ensure that such attorney does not hold himself out as a member of the New Jersey Bar.

D. AGREED DISCIPLINARY SANCTION

The parties agree that the Disciplinary Review Board shall impose a reprimand or such other lesser discipline as the Board shall deem warranted.

E. RESPONDENT'S REPRESENTATIONS

By entering into this stipulation, respondent law firm agrees that this disciplinary action will proceed directly to the Disciplinary Review Board (hereinafter Board) by way of a motion for discipline by consent, for review on the written record in accordance with *R.1:20-10(b)(3)*. No further documentation beyond the record submitted will be submitted to the Board.

Respondent law firm understands that, should the Board grant the motion for discipline by consent, it shall submit the written record to the Supreme Court for further action in accordance with *R.1:20-16(e)*. Respondent law firm further understands that, in the event the motion for discipline by consent is denied by the Board, the disciplinary proceeding shall proceed as if no motion had been made. If the motion for discipline by consent is denied, this stipulation shall not be admitted into evidence in any proceeding.

D. SIGNATURE, RECOMMENDATION AND APPROVAL



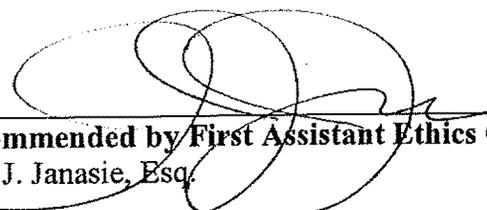
Respondent
Sills Cummis Zuckerman Radin Tischman Epstein &
Gross
By: Robert Crane, Esq.

Aug 25, 2005
Date



Respondent's Counsel
Drinker, Biddle & Reath, LLP
By: Thomas F. Campion, Esq.

Aug. 25, 2005
Date



Recommended by First Assistant Ethics Counsel
John J. Janasie, Esq.

8-29-05

Date



Concurrence by Director, Office of Attorney Ethics
David E. Johnson, Jr., Esq.

8/29/05

Date

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
District Docket No. XIV-2000-0408E
DRB Docket No.

OFFICE OF ATTORNEY ETHICS,

Grievant

v.

SILLS CUMMIS ZUCKERMAN RADIN
TISCHMAN, et al.

Respondent

AFFIDAVIT OF CONSENT
R.1:20-10(b)

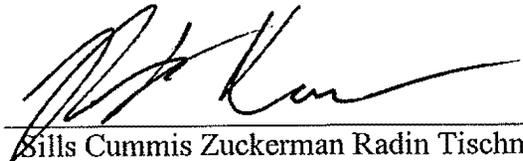
STATE OF NEW JERSEY

COUNTY OF ESSEX

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ss
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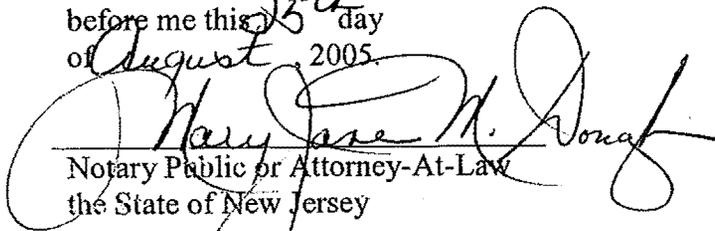
1. I, Robert Crane, Esq., am the authorized representative of the above law firm.
2. This law firm is the named respondent in this matter.
3. We have read the stipulation and agree with facts set forth therein. These facts are true to the best of our knowledge.
4. We agree with the conclusion regarding the violation by this law firm of *RPC 5.1(a)*.
5. We freely consent to the proposed discipline of a reprimand or such lesser discipline as the Board shall deem warranted.

6. We have consulted with counsel prior to executing this agreement.
7. Our consent is freely and voluntarily given and no person in the disciplinary system has subjected us to coercion or duress.
8. The implications of submitting this consent are fully known to us.
9. We understand that disciplinary costs may be assessed against us in accordance with R.1:20-17.
9. We understand that this document will become a public record if this motion is granted.



Sills Cummis Zuckerman Radin Tischman, et al
By: Robert Crane, Esq.

Sworn and subscribed to
before me this 15th day
of August, 2005.



Notary Public or Attorney-At-Law
the State of New Jersey

MARY JANE M. DOUGH
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 2/13/2007