SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
Docket Nos. DRB 25-214 and DRB 25-276
District Docket Nos. IIIB-2025-0001E
and XIV-2024-0521E

In the Matters of Richard Donnell Robinson
An Attorney at Law

Decided
February 27, 2026

Certifications of the Record

Table of Contents

Introduction

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

These matters were before us on certifications of the record filed by the District IIIB Ethics Committee (the DEC) and the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-4(f), which we consolidated for review.

Together, the formal ethics complaints charged respondent with having violated RPC 1.3 (lacking diligence); RPC 1.4(b) (failing to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information); RPC 1.5(b) (failing to set forth, in writing, the basis or rate of the legal fee); RPC 1.15(d) (failing to comply with the recordkeeping requirements of R. 1:21-6); RPC 1.16(d) (failing to refund the unearned portion of the fee to client upon termination of representation); and RPC 8.1(b) (four instances – failing to cooperate with disciplinary authorities).[1]

For the reasons set forth below, we determine that a one-year suspension, with conditions, is the appropriate quantum of discipline for respondent's misconduct.

[1] Due to respondent's failure to file answers to the formal ethics complaints, and on notice to him, the DEC and OAE amended the complaints to include the additional RPC 8.1(b) charges.

Ethics History

Respondent earned admission to the New Jersey bar in 2004. At all relevant times, he maintained a practice of law in Burlington, New Jersey. He has an escalating disciplinary history in New Jersey.

Robinson I

On March 21, 2023, the Court reprimanded respondent for having violated RPC 1.1(a) (two instances – engaging in gross neglect); RPC 1.3; RPC 1.4(a) (failing to inform a prospective client of how, when, and where the client may communicate with the attorney); RPC 1.4(c) (failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions); and RPC 8.1(b) (three instances). In re Robinson, 253 N.J. 328 (2023) (Robinson I).

In that matter, which also proceeded as a consolidated default, respondent mishandled two client matters. In the Matter of Richard Donnell Robinson, DRB 22-062 (August 23, 2022) at 4-8. He also failed to cooperate with the disciplinary investigation into one of the matters and, ultimately, failed to file an answer to the complaint. Id. at 2-6, 13-14.

Robinson II

On January 23, 2024, in yet another default matter, the Court reprimanded respondent for having violated RPC 8.1(b) (two instances) by failing to cooperate with a disciplinary investigation and failing to file an answer to the formal ethics complaint. In re Robinson, 256 N.J. 328 (2024) (Robinson II).

Robinson III

On October 1, 2024, in connection with a presentment, the Court censured respondent for having violated RPC 1.3 and RPC 1.4(b). In re Robinson, 258 N.J. 489 (2024) (Robinson III).

In that matter, respondent mishandled a client matter for more than two years. In the Matter of Richard Donnell Robinson, DRB 24-011 (July 15, 2024). Specifically, a client retained respondent to represent her in connection with an expungement. The client expressly informed him that she needed the expungement as soon as possible because her criminal record was preventing her from applying for higher paying nursing jobs. Id. at 2-3. Despite his knowledge that his client needed the expungement completed promptly, he failed to file the petition for eight months. Id. at 3. He thereafter ceased all communication with his client and ignored her repeated attempts to reach him.

Id. at 10. Nearly two years after she retained respondent, the client independently discovered that her record had been expunged.

In determining that a censure was the appropriate quantum of discipline, we weighed, in aggravation, the harm respondent had caused his client. Id. at 14-15. In further aggravation, we considered respondent's heightened awareness of his obligation to cooperate with disciplinary authorities. Id. at 15. In addition, we weighed respondent's misrepresentation to his client that he had filed the expungement petition months earlier, despite having not done so, and his failure to appear at the ethics hearing, despite proper notice. Id. at 19.

Robinson IV

Effective December 14, 2025, in still another default matter, the Court suspended respondent for three months for having violated RPC 1.5(b), RPC 1.16(d), and RPC 8.1(b) (two instances). In re Robinson, 262 N.J. 125 (2025) (Robinson IV). In that matter, respondent mishandled one client matter. In the Matter of Richard Donnell Robinson, DRB 25-068 (August 4, 2025). He also failed to cooperate with the disciplinary investigation into the matter and, ultimately, failed to file an answer to the complaint. Id. at 13.

Temporary Suspension

Effective January 15, 2026, the Court temporarily suspended respondent for his failure to comply with a fee arbitration committee determination. In re Robinson, __ N.J. __ (2026).

To date, respondent remains subject to both disciplinary and temporary suspension from the practice of law.

Service of Process

DRB 25-214

Service of process was proper. On July 8, 2025, the DEC sent a copy of the formal ethics complaint, by certified and regular mail, to respondent's office address of record.[2] According to the United States Postal Service (USPS) tracking system, the certified mail was delivered on July 14, 2025; however, the certified mail receipt was not returned to the DEC. The regular mail was not returned to the DEC.

On August 11, 2025, the DEC sent respondent a second letter, by certified

[2] New Jersey attorneys have an affirmative obligation to inform both the New Jersey Lawyers' Fund for Client Protection 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 office address utilized for service in this matter.

and regular mail, to his same office address of record, informing him that, unless he filed an 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). On August 16, 2025, the letter sent via certified mail was delivered to an individual at that address. The regular mail was not returned to the DEC.

On August 14, 2025, the DEC sent a copy of the formal ethics complaint, along with copies of its July 8 and August 11, 2025 letters, all via electronic mail, to respondent's e-mail address of record. The record is unclear whether respondent received the e-mail and attachments.

As of August 22, 2025, respondent had not filed an answer to the complaint and the time within which he was required to do so had expired. Accordingly, the DEC certified this matter to us as a default.

On September 29, 2025, Chief Counsel to the Board sent a letter to respondent, by certified and regular mail, to his office address of record, with an additional copy sent by electronic mail, to his e-mail address of record, informing him that this matter was scheduled before us on November 20, 2025, and that any motion to vacate the default (MVD) must be filed by October 20,

2025. The same date, the Office of Board Counsel (OBC) received a relayed receipt indicating that delivery to respondent's e-mail address was complete. According to the USPS tracking system, the letter was forwarded to an address (believed to be respondent's home address of record) and delivered on October 27, 2025. The regular mail was not returned to the OBC.

Moreover, the OBC published a notice dated October 6, 2025 in the New Jersey Law Journal and on the New Jersey Courts website, stating that we would consider this matter on November 20, 2025. The notice informed respondent that, unless he filed a successful MVD by October 20, 2025, his prior failure to answer the complaint would remain deemed an admission of the allegations of the complaint.

Respondent did not file an MVD.

On November 10, 2025, Chief Counsel to the Board notified respondent, via certified, regular, and electronic mail, that we were adjourning this matter to our January 15, 2026 session due to the recent docketing of DRB 25-276. The same date, the OBC received a relayed receipt indicating that delivery to respondent's e-mail address was complete. The certified mail receipt was returned to the OBC indicating delivery on December 19, 2025, however, the signature was illegible. The regular mail was not returned to the OBC.

DRB 25-276

Service of process was proper. On August 29, 2025, the OAE sent a copy of the formal ethics complaint, by certified and regular mail, to respondent's home and office addresses of record. The certified mail receipt for the letter sent to respondent's home address was returned to the OAE, indicating delivery on September 3, 2025; however, the signature on the receipt was illegible. According to the USPS tracking system, the certified mail sent to respondent's office address was forwarded to his home address and, on September 13, 2025, it was delivered to an individual. The regular mail sent to both respondent's home and office addresses of record was not returned to the OAE.

On October 9, 2025, the OAE sent a second letter, by certified and regular mail, to respondent's home and office addresses of record, with an additional copy sent by electronic mail, to his e-mail address of record, informing him that, unless he filed a verified answer 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). That same date, the OAE received a relayed receipt indicating that delivery to respondent's e-mail address was complete. The certified mail receipt for the letter sent to respondent's home address was returned to the OAE, indicating delivery on October 16, 2025. According to the USPS tracking system, the certified mail sent to respondent's office address was forwarded to his home address and, on October 16, 2025, it was delivered to an individual. The regular mail sent to both respondent's home and office addresses of record was not returned to the OAE.

As of October 28, 2025, respondent had not filed an answer to the complaint and the time within which he was required to do so had expired. Accordingly, the OAE certified this matter to us as a default.

On November 24, 2025, Chief Counsel to the Board sent a letter to respondent, by certified and regular mail, to his office address of record, with an additional copy sent by electronic mail, to his e-mail address of record, informing him that this matter was scheduled before us on January 15, 2026, and that any MVD must be filed by December 15, 2025. The same date, the OBC received a relayed receipt indicating that delivery to respondent's e-mail address was complete. According to the USPS tracking system, the certified mail had not been delivered and, as of December 11, 2025, remained "in transit." The regular mail has not been returned to the OBC.

Moreover, the OBC published a notice dated November 25, 2025 in the New Jersey Law Journal and on the New Jersey Courts website, stating that we would consider both this matter and DRB 25-214 on January 15, 2026. The notice informed respondent that, unless he filed a successful MVD by December 15, 2025, his prior failure to answer the complaint would remain deemed an admission of the allegations of the complaint.

Respondent did not file an MVD.

We now turn to the allegations of the complaints.

Facts

DRB 25-214 (The Ahmed Matter)

On or about May 13, 2022, Magdy Mohamed Ahmed II retained respondent to represent him in connection with a marijuana dispensary application and an expungement. Respondent provided Ahmed with a retainer agreement for the dispensary application, which required a retainer in the amount of $3,500 and provided for an hourly rate of $300,[3] and a separate retainer agreement for the expungement matter, which set forth a flat fee of $1,025. Respondent completed the expungement matter but failed to perform any meaningful work on the dispensary application.

[3] The retainer agreement for the dispensary matter stated, "Client agrees to pay the Law Firm for legal services at the rate of $300 per hour should the hourly rate exceed the legal fees otherwise set forth herein or the agreement is terminated thereby requiring an hourly accounting."

A year later, on or about May 23, 2023, Ahmed retained respondent to represent him in connection with a student loan collection issue. Respondent failed to provide Ahmed with a retainer agreement but collected a $1,500 fee. However, he failed to perform any work on the matter.

On or about June 5, 2023, Ahmed retained respondent to represent him in a criminal matter. Respondent failed to provide Ahmed with a fee agreement for the matter, but collected a $750 retainer and an additional, $1,000 "partial payment" to cover an expanded scope of representation due to the transfer of the matter to the Superior Court. Subsequently, the Superior Court transferred the matter back to the municipal court and notified respondent, via mail. However, respondent failed to inform Ahmed and failed to refund the additional $1,000 retainer amount he had collected for the matter pending in Superior Court.

By the end of 2023, there were increasing delays in respondent's replies to Ahmed's messages.

In May 2024, Ahmed sent respondent a text message stating "[i]t seems as if it's getting harder and harder to get a hold of you Rich." Respondent replied to Ahmed a week later.

In June 2024, Ahmed visited what he believed to be respondent's office but found it locked.[4]

In August 2024, Ahmed sent respondent a text message stating, in part, "I have been trying to call you over the last week." One week later, he sent respondent another text messages asking, "[i]s there a reason you are not returning any of my calls or messages?" When respondent replied that he would call Ahmed back "later," Ahmed replied, stating "I've been calling for about a month now."

In mid-October 2024, Ahmed sent respondent another text message, asking "[i]s everything ok? I have been trying to call you since last week. You said you reserved some time for me but I never heard from you??" The next day he sent another text message, asking "Rich what's going on man?" When respondent replied, Ahmed sent another text stating, "I have called you probably 200 times in the last week." Respondent replied, claiming that he was "away on government business" where he could not have his telephone and he was not "allowed" to let Ahmed know that he was going to be away due to "national security." That month, Ahmed visited respondent's office location again and found the windows boarded up.

---

[4] At some point in time, not set forth in the record, respondent moved his office from Mount Holly to Burlington. However, he failed to inform Ahmed, which caused significant communication difficulties for the client, and led to periods of weeks and months without any communication from respondent.

Between October 29 and November 10, 2024, Ahmed sent respondent numerous text messages, stating “RICH when are you free for me to call today;” “Please CALL ME;” “What’s the deal Rich;” and “You have 2 other cases that I have paid already . . . Are you choosing to ignore those as well??” In reply, respondent sent a text message stating that he “just made it back to the US. I have to debrief and take care of paperwork today and possibly tomorrow morning. I will definitely be home Sunday morning.”

On November 17, 2024, respondent sent Ahmed a final text message which failed to include any substantive updates on the open matters; he then ceased all communications with Ahmed.

The next day, Ahmed sent a letter to respondent terminating the representation and further stating:

> I have lost confidence in your ability to handle my legal matter due to repeated failures to perform your duties adequately . . . Despite numerous attempts to contact you over the past year, you have consistently failed to respond in a timely manner, leaving me without crucial updates on my case . . . Due to your inconsistencies, neglect, and incompetence, my well-being and financial stability were jeopardized . . . Your frequent excuses for unavailability and lack of follow-through on commitments, such as returning calls or providing promised updates, have created unnecessary stress and hindered progress on my case . . . Despite my requests for a refund of unearned fees, you have not returned the funds nor provided a clear timeline for doing so.

[CExA6-7.][5]

Ahmed also directed respondent to immediately cease work on his matters, provide a copy of his case file "within 7-10 days," and refund the unearned portions of the retainers.[6] Respondent failed to reply to Ahmed's letter.

On December 13, 2024, Ahmed filed an ethics grievance against respondent.

On January 21, 2025, a DEC investigator sent a letter to respondent, by certified and regular mail, directing that he provide a reply to the grievance. On January 23, 2025, the certified mail was delivered to "an individual" at respondent's office address. The regular mail was not returned to the DEC. Respondent failed to provide a reply to the grievance.

Based on the foregoing facts, the formal ethics complaint charged respondent with having violated RPC 1.3 by failing to act with reasonable diligence in representing Ahmed, failing to respond to numerous

---

[5] "CEx" refers to the exhibits appended to the formal ethics complaint in DRB 25-214.

[6] Respondent's failure to turn over his client's file could constitute a violation of RPC 1.16(d). However, respondent was not charged with having violated this Rule under this theory in the formal complaint. Although we can consider uncharged misconduct in aggravation, the record lacks clear and convincing evidence that respondent failed to turn over Ahmed's file despite the request that he do so. See In re Steiert, 201 N.J. 119 (2014) (evidence of unethical conduct contained in the record can be considered in aggravation, even though such unethical conduct was not charged in the formal ethics complaint).

communications from Ahmed throughout the course of the representation, and failing to notify Ahmed that he moved his office; RPC 1.4(b) by failing to promptly respond to numerous communications from Ahmed, failing to notify Ahmed when he moved his office, and failing to inform Ahmed that he was not performing any work on either the student loan matter or the marijuana dispensary application; RPC 1.5(b) by failing to communicate, in writing, the basis or rate of the fee for Ahmed's student loan and criminal matters; RPC 1.16(d) by failing to refund the portions of the retainers that had not been earned; and RPC 8.1(b) by failing to cooperate with the DEC investigation.

DRB 25-276 (Recordkeeping Violations)

On August 23, 2023, the OAE sent a letter to respondent, informing him that he had been selected for a random audit and directing that he provide his financial books and records within thirty days, in accordance with R. 1:21-6. Respondent failed to provide his books and records by the deadline.

On November 15 and December 5, 2023, the OAE again sent letters to respondent, requesting the outstanding records. He failed to reply.

On December 21, 2023, the OAE notified respondent that it had scheduled the random audit for January 30, 2024. Respondent, however, failed to appear for that audit.

Subsequently, the OAE rescheduled the audit to March 7, 2024. Respondent arrived late at the audit, stating that a medical issue had delayed him.

On March 19, 2024, following the random audit, the OAE sent a letter to respondent, identifying the following recordkeeping deficiencies: (1) failing to properly designate an attorney trust account (ATA), as R. 1:21-6(a) requires; (2) failing to maintain proper designations on ATA bank statements, checks, and deposit slips, as R. 1:21-6(a) requires; (3) failing to maintain ATA receipts journals, as R. 1:21-6(c)(1)(A) requires; (4) failing to maintain ATA disbursements journals, as R. 1:21-6(c)(1)(A) requires; (5) failing to maintain separate ledger cards for law firm funds held for bank charges, as R. 1:21-6(c)(1)(B) requires; (6) failing to maintain separate ATA ledger cards for each client, as R. 1:21-6(c)(l)(B) requires; (7) failing to conduct three-way reconciliations of his ATA, as R. 1:21-6(c)(1)(H) requires; (8) failing to obtain proper authorization for electronic transfers from his ATA, as R. 1:21-6(c)(1)(A) requires; (9) failing to retain attorney ATA and attorney business account (ABA) records for seven years, as R. 1:21-6(c)(1) requires; (10) failing to maintain an ABA, as R. 1:21-6(a)(2) requires; and (11) failing to deposit all earned legal fees in his ABA, as R. 1:21-6(a)(2) requires.

The OAE directed respondent to provide proof of his corrective actions within forty-five days, which he failed to do.

Between May 7 and August 14, 2024, the OAE contacted respondent no fewer than five times concerning the audit findings, via certified, regular, and electronic mail, none of which were returned to the OAE as undeliverable. To date, respondent has failed to reply to the random audit findings.

On December 19, 2024, the OAE scheduled a demand audit for February 7, 2025 and directed respondent to provide his books and records, as well as an explanation for his failure to address the deficiencies identified in the random audit. Respondent failed to reply to the letter.

On January 30, 2025, the OAE sent a letter to respondent, by FedEx and electronic mail, detailing his failure to reply to the prior letter, and directing him to immediately provide his records. The same date, the OAE received a relayed receipt indicating that delivery to respondent's e-mail address was complete. The FedEx package also was delivered. Nevertheless, respondent failed to provide his records and appear for the February 7, 2025 demand audit. That same date, the OAE contacted respondent by telephone, and he stated that he was not aware of the demand audit and would not be able to participate. During that telephone call, respondent provided his home address for service of any future letters.

On February 10, 2025, the OAE sent a letter to respondent's home address, by certified and regular mail, with another copy sent by electronic mail, directing him to provide an immediate reply to the outstanding requests and rescheduling the demand audit for March 11, 2025. On February 14, 2025, the certified mail was delivered. Neither the regular mail nor the e-mail were returned to the OAE as undeliverable.

On March 11, 2025, respondent failed to appear for the demand audit. The OAE sent an e-mail to respondent and left messages for him on both his office and cellular telephone numbers, with no reply.

Subsequently, the OAE issued subpoenas for respondent's financial records, which revealed the same recordkeeping deficiencies found during the random audit.

Based on the foregoing facts, the formal ethics complaint charged respondent with having violated RPC 1.15(d) by failing to maintain his books and records in accordance with R. 1:21-6, and RPC 8.1(b) by failing to cooperate with the OAE's investigation.

Finally, based on respondent's failure to file an answer to either formal ethics complaint, both the DEC and the OAE amended the complaints to charge him with having committed two additional violations of RPC 8.1(b).

Analysis and Discipline

Violations of the Rules of Professional Conduct

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

Specifically, RPC 1.3 requires a lawyer to "act with reasonable diligence and promptness in representing a client." The record clearly and convincingly demonstrates that, in connection with the Ahmed matter, respondent wholly ignored Ahmed's dispensary application and student loan collection matter and failed to perform the services for which he was retained, in violation of RPC 1.3.

Moreover, respondent failed to inform Ahmed that the Superior Court had transferred his criminal matter back to municipal court, ignored Ahmed's repeated attempts to contact him, and subsequently ceased all communication with him. He further failed to inform Ahmed that he had moved his office. Respondent, thus, violated RPC 1.4(b).

If an attorney has not regularly represented a client, RPC 1.5(b) requires that the attorney communicate to the client, in writing, the basis or rate of the fee before the representation begins, or within a reasonable time after its commencement. Although respondent arguably regularly represented Ahmed and, thus, was not necessarily required to enter into a separate written fee agreement for each subsequent representation, the fee arrangement for the dispensary application was an hourly rate, while the expungement was a flat fee, and the record before us fails to disclose what terms applied to the criminal or student loan matters. Further, respondent failed to participate in the ethics investigation and failed to answer the complaint, thereby offering no further explanation as to the terms of the representation. Consequently, we determine that, on this record, Ahmed was unable to know which arrangement applied to the other two matters and, thus, respondent violated RPC 1.5(b).

Relatedly, respondent's failure to refund unearned fees to Ahmed, despite Ahmed's specific request that he do so, clearly violated RPC 1.16(d), which requires that, upon termination of representation, a lawyer shall refund "any advance payment of fee that has not been earned or incurred."

Next, the record clearly and convincingly demonstrates that respondent violated RPC 1.15(d) by failing to comply with the recordkeeping requirements of R. 1:21-6 in numerous respects. Specifically, he failed to: (1) properly designate an ATA; (2) maintain proper designations on ATA bank statements, checks, and deposit slips; (3) maintain ATA receipts and disbursements journals; (4) maintain separate ledger cards for law firm funds held for bank charges; (5) maintain a separate ATA ledger cards for each client; (6) conduct three-way reconciliations of ATA; (7) obtain proper authorization for electronic transfers from ATA; (8) retain attorney ATA and ABA records for seven years; (9) maintain an ABA; and (10) deposit all earned legal fees in an ABA. Respondent, thus, violated RPC 1.15(d).

In addition, RPC 8.1(b) requires an attorney to "respond to a lawful demand for information from . . . [a] disciplinary authority." Unquestionably, respondent violated this Rule by failing to reply to the ethics grievance or cooperate with the DEC's investigation into the Ahmed matter and, separately, by failing to cooperate with the OAE's lawful demands for financial records in connection with both audits. Notwithstanding the OAE's exhaustive efforts to compel his cooperation, respondent repeatedly failed to produce the requested financial records and failed to appear for either audit. To date, respondent has not produced the requested financial records. Respondent further violated this Rule by failing to answer either ethics complaint, thus, allowing both matters to proceed as defaults.

In sum, we find that respondent violated RPC 1.3; RPC 1.4(b); RPC 1.5(b); RPC 1.15(d); RPC 1.16(d); and RPC 8.1(b) (four instances). The sole issue left for our determination is the appropriate quantum of discipline for respondent's misconduct.

Quantum of Discipline

Generally, in default matters where the attorney has no disciplinary history, a reprimand is imposed for lack of diligence, failure to communicate with clients, and failure to cooperate with disciplinary authorities, even if such conduct is accompanied by similar ethics infractions. See In re Robinson, 253 N.J. 328 (2023) (reprimand for an attorney who failed to appear at scheduled hearings in connection with two client matters; in one client matter, the attorney also failed to file an appeal for which he specifically had been retained; in the second client matter, the attorney failed to file required documents in a bankruptcy matter and failed to explain to the client the alternatives of pleading guilty in connection with her separate municipal court matter; the attorney also failed to file a reply to the first client's grievance and allowed both matters to proceed as a default; no disciplinary history), and In re Olive, 249 N.J. 354 (2022) (reprimand for an attorney who neglected a landlord tenant matter for five months, causing it to be dismissed without prejudice; the attorney's subsequent motion to vacate dismissal was denied; the attorney failed to communicate with the client, and failed to respond to his district ethics committee's inquiry into his misconduct; thereafter, the attorney failed to file an answer the formal ethics complaint).

The quantum of discipline is enhanced, however, when additional aggravating factors are present. See In re Witherspoon, 249 N.J. 537 (2022) (censure for an attorney, in a default matter, who took little or no action to settle his client's brother's estate; the attorney also failed to reply to the client's repeated inquiries regarding the status of her matter, prompting the client to retain new counsel to protect her interests; although the attorney had no prior discipline, the attorney's failure to take any action in furtherance of the representation caused the client significant financial harm), and In re Levasseur, __ N.J. __ (2022), 2022 N.J. LEXIS 457 (three-month suspension for an attorney, in a default matter, who failed to timely prosecute his client's lawsuit concerning an insurance dispute arising out of damage to her home caused by

Super Storm Sandy; the attorney's failure to prosecute the litigation resulted in the dismissal of the client's claim and the likely loss of the client's potential avenues for relief; the attorney intentionally failed to advise his client of the dismissal of her matter and failed to attempt to reinstate the litigation; the attorney also repeatedly ignored the client's numerous requests for information regarding her matter; the attorney had a 2020 reprimand for similar misconduct and, thus, had a heightened awareness of his obligation to cooperate with disciplinary authorities; nevertheless, the attorney neither submitted a written reply to the grievance nor filed an answer to the complaint).

Conduct involving the failure to memorialize the basis or rate of a fee, as RPC 1.5(b) requires, typically results in an admonition, even if accompanied by other, non-serious ethics offenses. See In the Matter of Robert E. Kingsbury, DRB 21-152 (October 22, 2021) (admonition for an attorney who failed to set forth, in writing, the basis of his $1,500 flat legal fee; the attorney also mishandled the client's matter for almost three years before the client retained substitute counsel to complete her matter; in mitigation, the attorney completely refunded the fee to the client, who suffered no ultimate financial harm; no prior discipline).

Standing alone, an admonition is the appropriate sanction for an attorney's failure to promptly refund the unearned portion of a fee. See In the Matter of Karim K. Arzadi, DRB 23-169 (October 26, 2023) (admonition for an attorney whose representation was terminated by the client and, thereafter, failed to file either a substitution of counsel or a motion to be relived as counsel; during the next several months, while the attorney remained counsel of record, the client, who wished to proceed pro se, was unable to pursue settlement negotiations with the opposing party, and the client's lawsuit ultimately was dismissed for failure to prosecute; violations of RPC 1.16(a)(3) (failing to withdraw from the representation despite being discharged by the client) and RPC 1.16(d)).

Recordkeeping irregularities ordinarily are met with an admonition where, as here, they have not caused the negligent misappropriation of client 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 In re Sheller, 257 N.J. 495 (2024) (reprimand for an attorney after a random compliance audit revealed recordkeeping deficiencies that the OAE also 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 and stipulated to his misconduct).

When an attorney fails to cooperate with disciplinary authorities, and previously has been disciplined, but the attorney's disciplinary history is not serious, reprimands or censures have been imposed. See In re Howard, 244 N.J. 411 (2020) (reprimand for an attorney who altogether failed to respond to the DEC's four requests for a written reply to an ethics grievance; additionally, during a two-year period, the attorney grossly neglected his client's appeal of an adverse Social Security Administration determination; the attorney also failed to communicate with his client and failed to promptly refund an unearned portion of his fee until the client was forced to seek redress through fee arbitration; however, the record contained insufficient information for us to determine the extent to which the client may have been harmed by the attorney's conduct; the attorney received a prior 2017 censure for similar misconduct in which he had also failed to cooperate with disciplinary authorities; in mitigation, the attorney ultimately retained ethics counsel and stipulated to some of his misconduct), and In re Nussey, __ N.J. __ (2023), 2023 N.J. LEXIS 149 (censure for an attorney who altogether ignored the DEC's October 2018 request for a reply to the ethics grievance; although the attorney eventually filed an answer to the formal ethics complaint, in August 2019, that answer came ten months after the DEC's initial request that he reply to the grievance; the attorney also failed to produce a copy of his client's file as directed until January 2020; moreover, the attorney repeatedly failed to provide his client with a single invoice in a divorce matter, despite her dogged requests that he do so during an eighteen-month period; in aggravation, this matter represented the attorney's third disciplinary proceeding in less than four years; we also found that the attorney had a heighted awareness of his obligations to adhere to the RPCs considering the timing of his prior 2020 reprimand).

Here, like the censured attorney in Witherspoon, who, in a default matter, ignored his client's requests for information and took little or no action to further the client's matter, respondent failed to communicate with Ahmed or take any meaningful steps to further the dispensary and student loan matters. Also, like the attorney in Levasseur, who received a three-month suspension based, in part, on his heightened awareness of his obligation to cooperate with disciplinary authorities, respondent had a heightened awareness of his obligation to cooperate with disciplinary authorities, given that the Court's 2020 reprimand in Robinson I, 2023 reprimand in Robinson II, and 2024 censure in Robinson III all predated the filing of the grievance in the Ahmed matter.

Respondent's conduct underlying the Ahmed matter represents a continuation of his alarming pattern of a lack of diligence and failure to communicate that he exhibited in his recent past matters. Further, in December 2025, the Court suspended respondent in connection with Robinson IV, which represented respondent's fourth default.

In our view, the totality of respondent's misconduct in these consolidated matters warrants at least a censure. However, to craft the appropriate discipline in this case, we also consider mitigating and aggravating factors.

There is no mitigation to consider. Specifically, respondent has an obligation to cooperate with disciplinary authorities. However, here, for the fifth and sixth time, respondent has chosen to ignore his obligation to cooperate with the underlying investigations. Due to his refusal to abide by the Rules requiring him to cooperate with disciplinary authorities and file answers to the complaints, he has provided us with no information to consider and, thus, there are no mitigating factors for us to find.

In aggravation, respondent still has not complied with the OAE's requests for information. We weigh, in further aggravation, the harm he caused, yet again, to his client. It is well-settled that harm to the client constitutes an aggravating factor. In the Matter of Brian Le Bon Calpin, DRB 13-152 (Oct. 23, 2013), so ordered 217 N.J. 617 (2014). Here, respondent's failure to perform any meaningful legal work on either the dispensary or student loan matter, as exacerbated by his failure to refund the retainer fees, left Ahmed without representation and hindered the progress of those matters.

In further aggravation, like the censured attorney in Witherspoon, 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). However, we considered this factor in setting the baseline at a censure and, thus, do not accord it additional aggravating weight.

Moreover, we accord significant weight to respondent's expanding disciplinary history. As detailed above, for the past three years, respondent has demonstrated a consistent trend of taking on the representation of clients then performing little to no legal work. When disciplinary authorities attempt to address his misconduct, he brazenly ignores them. Significantly, this consolidated matter represents respondent's fifth disciplinary matter and sixth default matter before us, and the third consecutive disciplinary investigation, within the past year, that he has elected to completely ignore.

The discipline imposed in Robinson I pre-dated the DEC's initial contact letter in the Ahmed matter and the OAE's initial contact letter concerning the random audit, yet respondent ignored both the DEC's requests for his written reply to Ahmed's grievance and the OAE's requests for his financial books and records. Even the filing of the formal ethics complaints failed to secure respondent's compliance. As we previously observed in Robinson IV, in recommending a three-month suspension, the timing of respondent's repeated involvement with the disciplinary system clearly established that he had a heightened awareness of his obligations to protect his clients' interests consistent with the Rules of Professional Conduct and to cooperate with the disciplinary authorities.

Despite his prior experiences with the disciplinary process, respondent failed to reform his conduct in any attempt to avoid additional disciplinary actions. It is unmistakable that respondent believes his conduct need not conform with RPC 8.1(b). See In re Brown, 248 N.J. 476 (2021) (we observed that the attorney's obstinate refusal to participate, in any way, in the disciplinary process across five client matters was "the clearest of indications that she has no desire to practice law in New Jersey;" we recommended the attorney's disbarment based, in part, on her utter lack of regard for the disciplinary system with which she was duty-bound to cooperate but rebuffed at every turn). The

Court has signaled an inclination toward progressive discipline and stern treatment of repeat offenders. In such scenarios, enhanced discipline is appropriate. See In re Kantor, 180 N.J. 226 (2004) (disbarment for abandonment of clients and repeated failure to cooperate with the disciplinary system).

Conclusion

On balance, consistent with disciplinary precedent and principles of progressive discipline, we determine that a one-year suspension is the appropriate quantum of discipline necessary to protect the public and preserve confidence in the bar.

Moreover, we recommend, as conditions to his reinstatement, that respondent be required to (1) attend a trust and business accounting class approved by the OAE, and (2) provide proof to the OAE that he has corrected all deficiencies identified during the random audit. Further, following his reinstatement to the practice of law, we recommend that respondent be required to submit to the OAE, on a quarterly basis, monthly three-way reconciliations for a period of two years.

Finally, based on respondent's failure to perform any meaningful legal work in connection with the dispensary or student loan matters for Ahmed, we recommend that the Court require him to disgorge to Ahmed his unearned fees, totaling $6,000, within thirty days of the issuance of the Court's disciplinary Order in this matter.[7]

Members Campelo and Menaker voted to impose an indeterminate suspension, with the same conditions. These Members find that respondent's escalating pattern of failing to cooperate with disciplinary authorities, in conjunction with the serious harm inflicted on his clients, warrants a significant term of suspension and, indeed, places him on the precipice of disbarment.

Members Hoberman and Modu 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

[7] Ahmed paid retainers of $3,500 and $1,500 for the dispensary and student loan matter, respectively, and respondent performed no meaningful work on either matter. In addition, Ahmed paid an additional $1,000 toward the criminal matter despite the matter ultimately being transferred by the Superior Court to the municipal court.

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matters of Richard Donnell Robinson
Docket Nos. DRB 25-214 and DRB 25-276

Decided: February 27, 2026

Disposition: One-Year Suspension

Members	One-Year Suspension	Indeterminate Suspension	Absent
Cuff	X		
Boyer	X		
Campelo		X	
Hoberman			X
Menaker		X	
Modu			X
Petrou	X		
Rodriguez	X		
Spencer	X		
Total:	5	2	2

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