DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

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July 28, 2026

VIA CERTIFIED, REGULAR & ELECTRONIC MAIL
Joseph A. Mecca, Esq.
[redacted]

Re: In the Matter of Joseph A. Mecca
Docket No. DRB 26-128
District Docket No. XI-2022-0019E
LETTER OF ADMONITION

Dear Mr. Mecca:

The Disciplinary Review Board has reviewed your conduct in the above matter and concluded that it was improper. Following a review of the record, the Board determined to impose an admonition for your violation of RPC 1.2(d) (assisting a client in conduct that the lawyer knows is illegal, criminal, or fraudulent).

Specifically, on July 6, 2022, Kathleen Quigley filed an ethics grievance against you. In her grievance, Quigley stated that, on February 8, 2022, she retained you to assist with a Medicaid application for her mother, Rosalie Holmes.

Quigley alleged that, subsequently, in an e-mail, you requested that her sister, Deborah Horn, who did not have power of attorney (POA) over their mother, "pretend to be [Quigley] while talking to" Metropolitan Life Insurance Company (MetLife).

Specifically, your June 20, 2022 e-mail to Horn stated "[g]ive [Augustino Formato, III, your paralegal] a call about stopping in to speak to MetLife today or tomorrow. Not sure if they are open today. Federal holiday. If not today, then tomorrow." Horn replied, "[y]es I can stop in. Not sure what I can do….my sister is POA." You then told Horn, "[w]hen you stop and you will be [Quigley] today if [MetLife] insists."

Holmes's January 27, 2014 POA granted Quigley authority to make decisions on Holmes's behalf in many respects. Importantly, it granted Quigley authority to make decisions regarding Holmes's finances and insurance policies.

During the ethics hearing, Quigley testified that, as Holmes's POA, she had signed your retainer agreement. Further, although Horn handled two accounts Holmes maintained with Valley Bank (because Horn also was named on the accounts) Quigley managed "everything else."

Quigley testified that, if she had received the e-mail you sent to Horn asking her to impersonate Quigley during a call with MetLife, she would have objected because Horn did not "have the right to speak on my behalf. She's not the POA."

Indeed, in a July 13, 2022 e-mail she sent in reply to you providing your invoice for legal services, Quigley disputed the hours you had billed for the June 21, 2022 conference call between MetLife, Horn, and Formato. She explained that the call occurred without her knowledge and that you had asked Horn to pretend to be Quigley during the call, which she described as "highly unethical not to mention illegal for Debbie Horn." Quigley added that, if you had replied to the text messages and e-mails she sent you on June 7 and June 9, 2022, "there would have been no need for said conference call. I already had the forms, filled them out" and returned them to MetLife.

Horn also testified during the ethics hearing. She believed that she also signed your retainer agreement. She explained that the call with MetLife was an automated call, and that her participation consisted of saying "yes" to prompts inquiring whether she was Quigley. Horn testified that she agreed to participate in the call "because it was just forms that we were waiting for. So I thought I would help." Only Horn and Formato participated in the telephone call.

When you asked Horn whether she felt that you were asking her to commit a crime by impersonating her sister, she testified that she did not, but that she "felt I was not the POA" and that Quigley's "name was not on those emails. So that – and I felt like it was kind of behind her back." Horn clarified that she felt like she was doing something wrong, "like I shouldn't be doing that, but I was listening to what you said."

During his testimony, Formato explained that he frequently communicated with both Quigley and Horn, but that he never obtained Quigley's permission to communicate with Horn.

Formato asserted that there was urgency to have the telephone call with MetLife because they needed to get information about the value of Holmes's life insurance policy because she had recently been transferred to a new long-term care facility and was considered "Medicaid Pending."[1] He testified that, during the telephone call, Horn did not express concern about engaging in fraudulent conduct.

You explained that your law practice "consists mostly of estate and trust planning. We do guardianships appointed by the Court to represent the alleged incapacitated persons, and also we handle the guardianships of people that are seeking guardianship of an elderly person or a child that's turning 18 and is somehow challenged."

You further explained that, after you were retained to assist with Holmes's Medicaid application, you interacted with Quigley and Horn as "equals," but claimed that Quigley was "very volatile and very upset with a lot of things. Her sister handled things a lot better." Further, you denied knowing who was "really in charge" during the representation and explained that Quigley never told you

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[1] Medicaid Pending is a status wherein an individual has applied for Medicaid but has not yet received a determination. Some long-term care facilities will provide services to an individual with Medicaid Pending status under the assumption that they will be approved by Medicaid and the facility will, in turn, receive retroactive Medicaid payments for the care it provided. See Medicaid Pending, Nursing Home Care and the Application Process, https://www.medicaidplanningassistance.org/medicaid-pending/ (last visited July 28, 2026).

that you needed her permission to speak with Horn. Although you denied having a recollection of seeing the POA, you acknowledged that the record demonstrated that you included it with the documents you sent to agencies in furtherance of Holmes's Medicaid application.

Regarding the telephone call with MetLife, you admitted that Horn was concerned about being asked to impersonate Quigley, so you told her to "tell them you're [Quigley], it's not that big a deal, we're not committing a crime, we're not committing a fraud." You believed that both Quigley and Horn benefitted from the telephone call because they would receive the forms they needed to support Holmes's Medicaid application and they "could move things along."

You reiterated that you did not ask Horn to commit a fraud, describing your request as an "accommodation that Gus would be able to get what he needed to get in order to find out what this [MetLife] policy was worth and what it would take to spend it down." During the ethics hearing, you asserted that you did not view your conduct as unethical because you merely asked "innocently for somebody to accommodate a bureaucratic call that all of us have to deal with, all the confidentiality, everything that every one of us has to go through every day to just talk on the phone with somebody." However, in your subsequent brief to the Board, you accepted the Hearing Panel's determination that you violated RPC 1.2(d).

Following a de novo review of the record, the Board found there was no dispute you asked Horn to impersonate Quigley during a telephone call with MetLife to obtain information you needed to support Holmes's Medicaid application.

RPC 1.2(d) clearly prohibits an attorney from counseling or assisting a client to engage in fraudulent conduct. Not only did you ask Horn to impersonate Quigley during a telephone call with MetLife, when she expressed reservations about doing so, you again encouraged her to impersonate her sister.

Although you asserted that you merely asked Horn to impersonate Quigley to expedite receipt of information from MetLife, your argument misses the mark. The language of the Rule does not contain an exception for administrative matters, and for good reason. The public should feel confident that no matter the reason for an attorney's involvement, that attorney is not willing to assist their clients with committing acts of dishonesty. Here, Horn testified that, even though she knew it was wrong, she agreed to impersonate Quigley because an attorney instructed her to do so.

In imposing only an admonition, the Board accorded compelling mitigating weight to your lack of formal discipline in forty-five years at the bar. Further, your misconduct did not harm your clients, was a single incident, and was not motivated by personal greed. The Board accorded minimal weight to your demonstrated lack of remorse during the ethics hearing because, before the Board, you ultimately accepted responsibility for your misconduct.

Your conduct has adversely reflected not only on you as an attorney but also on all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R. 1:20-15(f)(4).

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, this admonition will be taken into consideration.

The Board also has directed that the cost of the disciplinary proceedings be assessed against you. An invoice of costs will be forwarded to you under separate cover.

Very truly yours,

/s/ Timothy M. Ellis

Timothy M. Ellis
Chief Counsel

TME/knd

c: Chief Justice Stuart Rabner
Associate Justices
Heather Joy Baker, Clerk
Supreme Court of New Jersey

Hon. Mary Catherine Cuff, P.J.A.D. (Ret.), Chair
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