

# **New York State Bar Association**

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## **Annual Report on Lawyer Discipline in New York State for the Year 1997**

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**from**

**Committee on Professional Discipline**

RICHARD E. GRAYSON, ESQ.  
175 MAIN STREET, SUITE 307  
WHITE PLAINS, NEW YORK 10601



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New York State Bar Association  
Committee on Professional Discipline

1997-1998

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# Table of Contents

Introduction.....	i	
Statistics on Matters Processed		
Table 1: Statewide 1997 Disciplinary Statistics .....	3	
Table 2: Ten-year Departmental and Statewide Statistical Summary .....	5	
Table 3: Ten-year Grievance Committee Statistical Summary .....	7	
Reports of Individual Committee Activity.....	11	
Disciplinary Decisions Reported by Appellate Division in 1997 .....		25
Organization and Budget		
Professional Disciplinary Staffs and Departmental and District Grievance Committees.....	61	
Attorney Discipline Budget Appropriations and Salaries of Disciplinary Staff.....	69	



## INTRODUCTION

This report is divided into three parts. Each part is intended to explain a different aspect of the disciplinary system.

Although each part of our report is complete and self-contained, by way of introduction, we offer a summary of the report's various parts and a brief overview of the report as a whole so that the reader can better understand how these parts relate to each other.

In general, our report is intended to serve a dual purpose. It is, in one sense, a compilation of data, reflecting the immediate past in relation to the last ten years. It is also an expression of our hope for progress in the future development of professional discipline as a constructive means for regulating the practice of law.

### PART I

The first part contains a statistical compilation of all disciplinary matters processed in New York State during 1997 and includes three tables. The last two of these tables compare disciplinary activity over the preceding ten years.

To those unfamiliar with the nomenclature of professional discipline in New York State, some of the terms used in the tables may be confusing. The most basic unit used for statistical reporting purposes is a "matter"; but, even that seemingly uncomplicated term requires a word of explanation.

The practice has been initially to consider each intended complaint of misconduct or supposed cause for

investigation as an "inquiry." When it appears that the "inquiry" does not allege conduct which, even if true, would constitute professional misconduct, it is rejected for "failure to state a complaint." Otherwise, where a cognizable complaint has been alleged, the file is assigned for investigation.

All inquiries in the form of a written complaint that come to the attention of a disciplinary committee, whether or not subsequently dismissed for "failure to state a complaint," are deemed "matters" for reporting purposes. Simple requests for information about an attorney's conduct or mere telephonic accusations are no longer reported as "matters." Prior to 1990, for a time, such requests were reported as "matters" in at least two of the Departments, and that lack of uniformity had made statistical comparisons exceedingly difficult.

Often several "matters" will involve the same attorney; and all matters involving that attorney which are considered simultaneously will be deemed one "case."

The disciplinary procedures employed vary widely among the four Departments. Understandably, some of the terminology used to describe those differing procedures will also vary. What is remarkable about New York, is that often the same procedures will be described differently by the various Departments of the Appellate Division and even functionally equivalent agencies of discipline will be known by different names.

For example, until May 1994 (when the First Department abolished them), all four Departments used "Letters of Caution." In the First, Second and Fourth Departments, such

letters have not been considered professional discipline. However, in the Third Department, where there are so-called "Letters of Education" as well as Letters of Caution, the former have been deemed the functional equivalent of Letters of Caution and the latter are considered a form of professional discipline.

Even the names used to describe the official agencies of discipline vary from one department to another. In the First Department, we refer to the "Departmental Disciplinary Committee" as the principal agency of professional discipline; in the Third Department, its functional equivalent is known as the "Committee on Professional Standards"; in the Second and Fourth Departments, there are three district "Grievance Committees" which serve as the principal agencies of discipline in each of those two Departments.

The amount of committee consultation and review also varies widely among the Departments; and assessing the workload of the respective disciplinary agencies in terms of the statistics reported is complicated by the wide variation in procedures. For example, before formal proceedings may be instituted in the Second, Third and Fourth Departments, the full district committee must be consulted and the court must approve issuance of the charges. However, in the First Department, only two members of the committee need be consulted and the staff is authorized to issue charges without further consultation of the committee or approval by the court. The procedures on closing files reflect a similar degree of diversity in the amount of committee consultation and review.

The multiplicity of disciplinary committees operating throughout the State results in each committee receiving a substantial number of inquiries and complaints that fall within the jurisdiction of other committees and which must then be referred out. Sometimes this is a consequence of the complainant having chosen the wrong forum; other times it is as a consequence of judicial policy requiring official staff review of all complaints relating to attorney conduct. For example, in the Second and Fourth Departments, all complaints received by county bar association grievance committees (with the sole exception of those received by one association in the Fourth Department) are routinely referred to the professional staff of one of the district grievance committees. Even if the complaint appears to be nothing more than a fee dispute, by court rule in these Departments, a policy has been established to refer all inquiries to the district grievance committee's professional staff. Upon review, the district grievance committee, in turn, will refer a large portion of these matters to county bar association committees for further processing and investigation. Often a matter that was initially referred to the district committee will be referred back to the same county bar association. Such matters would be reported by the district committee as both "new matters received" and "referred to other disciplinary committees."

Statistics from the First Department include matters that are referred by the departmental disciplinary committee to the "complaint mediation panels" operated pursuant to court order by members of the Association of the Bar of the City of New York, the Bronx County Bar Association and the New York County



Lawyers' Association. Other matters, more properly regarded as "fee disputes," are referred to the joint committee on fee disputes for New York and Bronx Counties, consisting of members appointed by the same three local bar associations. Occasionally, matters that have been referred out to the mediation panels or the joint committee are referred back to the departmental disciplinary committee for further investigation.

The statistics from the Second Department represent the total number of actions taken by the various court appointed district committees and include the reports of county bar association grievance committees. The reports of the district committees, as well as those of the local bar association committees (including the respective grievance committees of the Brooklyn, Queens, Richmond, Dutchess, Orange, Putnam, Rockland and Westchester Bar Associations), are separately reproduced. In the Tenth Judicial District, the grievance committees of the Nassau and Suffolk County Bar Associations only investigate so-called "minor complaints" and then report them to the district committee which makes the ultimate disposition. Such matters, although for the most part processed by the local bar association committees, are incorporated in the report of the district committee.

In the Third Department, relatively few matters are processed by local bar associations. It is estimated that less than 10% of the total number of matters are handled by such associations. However, no statistics are available that separately reflect such bar association activity.

Finally, in the Fourth Department, a substantial number of so-

called "minor complaints" are processed by local bar associations. The local processing of such matters is included, without differentiation, in the statistics furnished by the district committees.

## PART II

The second part of this report summarizes all disciplinary decisions published by the four departments of the Appellate Division during 1997. Although these decisions are important in terms of expressing the judiciary's treatment of serious misconduct, it should be remembered that they represent only a small portion of the matters which pass through the disciplinary system each year, and that most cases which involve some form of professional misconduct are not referred to the courts for imposition of discipline.

The lists of cases contained in this part are intended to summarize the disciplinary decisions issued by the four departments of the Appellate Division during the year just ended. There are eight lists, one for each of the official agencies of discipline. Each list is divided into three columns. The first column contains the respondent's name and the citation; the second column contains a brief statement of the action taken by the court; and the last column summarizes the charges, where relevant to the proceedings.

As with all summaries, the need to condense a large body of information results in a loss of substantial detail. Accordingly, the reader who is interested in obtaining information about a particular case or respondent is cautioned not to rely on the summary presentation contained in these lists. Instead, such reader is

urged to refer to the full text of the court's decision.

### **PART III**

The third and last part of this report contains various data on the organization and budget of the State's eight official agencies of discipline. It is comprised of two sections. The first section sets forth the names and titles of the professional disciplinary staff and their respective volunteer committee members in each of the eight official disciplinary agencies of the State. The second section sets forth the disciplinary budget appropriations for fiscal 1997-1998 and the salaries of disciplinary staff.

#### **A Note of Appreciation**

In reviewing these statistics, the reader is urged to consider the number of complaints processed in the course of a year as against the resources and personnel available to do the job. The tables contained in Part I of this report reveal that over 13,000 complaints were processed last year.

Available to do the job were less than 400 individuals. It is to them, in recognition of their unflagging devotion to their duties, that this report is respectfully dedicated.

# **Disciplinary Statistics 1997**

## **Tables**



**Table 1**  
**Appellate Division**  
**January 1, 1997 - December 31, 1997**

	1st Dept.	2d Dept.	3d Dept.	4th Dept.	Total
<b>I. MATTERS PROCESSED:<sup>1</sup></b>					
Pending at start of period	1459	2633	622	314	5028
New matters received <sup>2</sup>	4631	7736	1533	2330	16230
Matters disposed of	4642	7094	1582	2035	15353
Pending at end of period	1448	3275	573	509	5805
<b>II. COMMITTEE DISPOSITIONS:</b>					
Rejected for failing to state complaint	949	1927	815	790	4481
Referred to other agencies <sup>3</sup>	678	1964	145	68	2855
Dismissed or withdrawn	2329	1593	325	908	5155
Letters of caution	N/A	268	100	158	526
Letters of admonition	115	174	58	38	385
Admonition or reprimand	2	0	45	N/A	47
Referred to court	569	586	94	73	1322
Other	0	465	0	0	465
<b>TOTAL DISPOSED OF:</b>	<b>4642</b>	<b>6977</b>	<b>1582</b>	<b>2035</b>	<b>15236</b>
<b>III. CASES PROCESSED IN COURTS:</b>					
Cases pending at start of period <sup>4</sup>	40	128	24	14	206
Cases received	197	184	93	43	517
<b>CASES CLOSED</b>					
Disbarred	27	28	17	7	79
Resigned	5	12	0	6	23
Suspended	46	48	10	3	107
Censured	3	14	3	2	22
Censured privately	0	0	0	0	0
Remanded to Grievance Committee	13	0	0	3	16
Reinstatements granted	15	14	3	2	34
Reinstatements denied	3	25	3	1	32
Non-disciplinary resignations	N/A	N/A	14	N/A	14
Discontinued	7	3	0	3	13
Dismissed	1	0	3	1	5
All other dispositions	61	39	39	10	149
<b>TOTAL CLOSED:</b>	<b>181</b>	<b>183</b>	<b>92</b>	<b>38</b>	<b>494</b>
<b>TOTAL PENDING:</b>	<b>56</b>	<b>129</b>	<b>25</b>	<b>19</b>	<b>229</b>

<sup>1</sup> "Matters" refers to the number of complaints, not attorneys.

<sup>2</sup> This includes complaints received and reactivated.

<sup>3</sup> This includes matters referred to other disciplinary committees and other agencies.

<sup>4</sup> Number of attorneys, not number of complaints.



Table 2

	New Matters <sup>1</sup>	Matters Closed <sup>2</sup>	Disciplinary Action by Committees	Disciplinary Action by Court
<b>1st Department</b>				
1988	4996	5087	86	45
1989	5278	5174	144	39
1990	2247	2408	175	40
1991	2343	2288	155	44
1992	2819	2808	146	71
1993	2782	2766	157	69
1994	2946	3034	114	79
1995	3227	3120	111	74
1996	3399	3263	101	94
1997	3953	3964	117	81
<b>2nd Department</b>				
1988	3119	3049	247	80
1989	3535	3170	291	75
1990	3275	3459	415	74
1991	3770	3672	395	105
1992	3519	3458	309	112
1993	4049	3585	378	85
1994	4438	4404	419	99
1995	4202	4360	444	99
1996	4715	4570	442	102
1997	5772	5130	442	102
<b>3rd Department</b>				
1988	1079	925	95	20
1989	1235	1237	63	13
1990	1374	1322	89	28
1991	1411	1326	121	40
1992	1450	1376	142	47
1993	1467	1557	149	44
1994	1414	1355	151	63
1995	1367	1434	147	62
1996	1413	1406	178	24
1997	1388	1437	203	30
<b>4th Department</b>				
1988	2631	2653	34	14
1989	2307	2368	26	14
1990	1659	2116	68	20
1991	1930	1775	77	12
1992	1939	2040	105	24
1993	2060	2204	136	26
1994	1825	2131	193	31
1995	1815	1802	178	29
1996	1704	1906	159	38
1997	2262	1967	196	18

1 These figures are reduced by the number of complaints referred to other committees for action.

2 These figures are reduced by the number of complaints referred to other committees for action.

**Statewide**

1988	11825	8929	462	159
1989	12355	11949	524	141
1990	8555	9305	747	162
1991	9454	9061	748	201
1992	9727	9682	702	254
1993	10358	10112	820	224
1994	10623	10924	877	272
1995	10611	10716	880	264
1996	11231	11145	950	252
1997	13375	12498	958	231



Table 3

	New Matters <sup>1</sup>	Matters Closed <sup>2</sup>	Disciplinary Action by Committees	Disciplinary Action by Court
<b>Departmental Disciplinary Committee for the First Department</b>				
1988	4996	5087	86	45
1989	5278	5174	144	39
1990	2247	2408	175	40
1991	2343	2288	155	44
1992	2819	2808	146	71
1993	2782	2766	157	69
1994	2946	3034	114	79
1995	3227	3120	111	74
1996	3399	3263	101	94
1997	3953	3964	117	81
<b>Grievance Committee for the Second and Eleventh Judiciary Districts, Second Department</b>				
1988	992	1017	92	33
1989	1142	941	102	12
1990	1122	1201	220	26
1991	1211	1134	210	34
1992	1104	1147	142	41
1993	1238	1308	182	36
1994	1325	1391	202	36
1995	1333	1369	191	52
1996	1436	1483	246	37
1997	1653	1533	211	31
<b>Grievance Committee for the Ninth Judicial District, Second Department</b>				
1988	825	732	63	22
1989	915	900	101	34
1990	733	938	92	28
1991	1042	1030	48	34
1992	915	802	45	27
1993	1017	853	77	21
1994	963	1168	97	23
1995	888	1003	118	17
1996	919	896	79	33
1997	1391	1175	110	37
<b>Grievance Committee for the Tenth Judicial District, Second Department</b>				
1988	1302	1300	92	25
1989	1478	1329	88	29
1990	1420	1320	103	20
1991	1517	1508	137	37
1992	1500	1509	116	44
1993	1794	1424	119	28
1994	2150	1845	120	40
1995	1969	2002	135	30
1996	2360	2191	117	32
1997	2728	2422	121	34

<sup>1</sup> These figures are reduced by the number of complaints referred to other committees for action.

<sup>2</sup> These figures are reduced by the number of complaints referred to other committees for action.

**Committee on Professional Standards, Third Department**

1988	1079	925	95	20
1989	1235	1237	63	13
1990	1374	1322	89	28
1991	1411	1326	121	40
1992	1450	1376	142	47
1993	1467	1557	149	44
1994	1414	1355	151	63
1995	1367	1434	147	62
1996	1413	1406	178	24
1997	1388	1437	203	30

**Grievance Committee for the Fifth Judicial District, Fourth Department**

1988	435	419	7	3
1989	406	404	2	8
1990	423	439	9	6
1991	453	400	12	0
1992	356	418	41	3
1993	423	364	13	4
1994	366	397	28	7
1995	415	366	24	11
1996	412	513	48	6
1997	533	468	28	6

**Grievance Committee for the Seventh Judicial District, Fourth Department**

1988	571	535	12	7
1989	535	566	17	6
1990	516	469	19	5
1991	486	472	15	3
1992	609	585	28	3
1993	647	741	32	7
1994	652	746	70	11
1995	601	630	52	6
1996	536	575	53	11
1997	716	645	64	3

**Grievance Committee for the Eighth Judicial District, Fourth Department**

1988	1625	1699	15	4
1989	1366	1398	7	0
1990	720	1208	40	9
1991	991	903	50	9
1992	972	1037	36	11
1993	990	1099	91	15
1994	807	988	95	13
1995	799	806	102	12
1996	756	820	128	15
1997	913	854	104	9

## Statistical Reports of Disciplinary Committees



## Richmond County Bar Association Grievance Committee

I.	Matters Processed:	
A.	Pending at Start of Period:	47
B.	New Matters Received During Period:	43
C.	Closed Matters Reactivated During Period:	2
D.	Total Matters to be Processed During Period:	92
E.	Total Matters Disposed of During Period:	58
F.	Matters Pending at End of Period:	34
II.	Matters Disposed of by Committee:	
A.	Rejected as Failing to State Complaint:	0
B.	Retained by District Grievance Committee:	25
C.	Referred to Fee Conciliation Committee:	0
D.	Settled by Fee:	0
E.	Judicially Settled:	0
F.	In Litigation:	2
G.	Referred to Commission on Judicial Conduct:	0
H.	Closed by Appellate Division:	2
I.	Dismissed:	28
J.	Letter of Caution:	0
K.	Withdrawn:	1
L.	Admonition (by district committee):	0
M.	Suspension (by district committee):	0
N.	Reprimand (by district committee):	0
O.	Disbarred (by District Committee):	0
P.	Letter of Education:	0
Q.	File to U.S. Attorney:	0
R.	Total Disposed of During Period:	58

## Brooklyn Bar Association Grievance Committee

Total Complaints Received:	120
Dismissed:	34
Withdrawn:	2
Returned to District Grievance Committee:	0
Complaints Pending:	84
Arbitration Complaints Received:	53
Resolved:	7
Returned to District Grievance Committee:	21
Closed /Withdrawn:	3
Hearing Scheduled:	6
Pending:	16

## Queens County Bar Association Grievance Committee

Dismissed:	111
Dismissed with Advisement:	16
Letter of Caution:	5
Letter of Admonition:	2
Referred to District Grievance Committee:	3
Tabled:	6
<b>Fee Disputes Committee</b>	
No Consent from Respondent:	11
No Consent from Complainant:	3
Matter Settled Prior to Arbitration:	4
No Response from Either Complainant or Respondent:	14
Declination of Arbitration by Complainant/Respondent:	16
Matters Closed by Arbitration:	14

## Grievance Committee for the Ninth Judicial District, Second Department

### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	361	
B.	New Matters Received During Period	1894	
C.	Closed Matters Reactivated During Period	64	
D.	Total Matters to be Processed During Period		2319
E.	Total Matters Disposed of During Period		1742
F.	Matters Pending on Dec. 31, 1997		577

### II. Matters Disposed of by Committee

	CASES:	MATTERS:
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A.	Rejected as Failing to State a Complaint		413
B.	Referred to Other Disciplinary Committees		534
C.	Referred to Other Agencies		33
D.	Dismissed or Withdrawn		524
E.	Letter of Caution		56
F.	Letter of Admonition		54
G.	Reprimand After Hearing		0
H.	Referred to Appellate Division	68	128
I.	Total Disposed of During Period		1742

### III. Cases Processed in All Courts:

A.	Cases Pending on Jan. 1, 1997		
	1. Disciplinary Proceedings	43	112
	2. Other	0	0
B.	Cases Received During Period		
	1. Disciplinary Proceedings	68	128
	2. Other	0	0
C.	Total To Be Processed During Period	111	240
D.	Cases Closed		
	1. Disbarred	9	52
	2. Resigned	4	4
	3. Suspended	18	43
	4. Censured	6	11
	5. Privately Censured	0	0
	6. Remanded to Grievance Committee	0	0
	7. Discontinued	1	1
	8. Dismissed	0	0
	9. Reinstatements Granted	3	3
	10. Reinstatements Denied	3	3
	11. All Other Dispositions	26	35
	12. Total Closed	70	152
E.	Total Cases Pending at End of Period		
	1. Disciplinary Proceedings	41	88
	2. Other	0	0

## Dutchess County Bar Association Grievance Committee

### Second Department, Ninth Judicial District

#### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	13
B.	New Matters Received During Period	32
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	45
E.	Total Matters Disposed of During Period	40
F.	Matters Pending on Dec. 31, 1997	5

#### II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	0
B.	Referred to Other Disciplinary Committees	3
C.	Referred to Other Agencies	1
D.	Dismissed	32
E.	Dismissed with Cautionary Language	1
F.	Letter of Caution	3
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	40

## Orange County Bar Association Grievance Committee

### Second Department, Ninth Judicial District

#### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	14
B.	New Matters Received During Period	39
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	53
E.	Total Matters Disposed of During Period	37
F.	Matters Pending on Dec. 31, 1997	16

#### II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	0
B.	Referred to Other Disciplinary Committees	0
C.	Referred to Other Agencies	0
D.	Dismissed	31
E.	Dismissed with Cautionary Language	3
F.	Letter of Caution	3
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	37

## Putnam County Bar Association Grievance Committee

### Second Department, Ninth Judicial District

#### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	3
B.	New Matters Received During Period	6
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	9
E.	Total Matters Disposed of During Period	7
F.	Matters Pending on Dec. 31, 1997	2

#### II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	0
B.	Referred to Other Disciplinary Committees	2
C.	Referred to Other Agencies	0
D.	Dismissed	2
E.	Dismissed with Cautionary Language	2
F.	Letter of Caution	0
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Arbitration	1
J.	Total Disposed of During Period	7

## Rockland County Bar Association Grievance Committee

### Second Department, Ninth Judicial District

#### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	14
B.	New Matters Received During Period	42
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	56
E.	Total Matters Disposed of During Period	25
F.	Matters Pending on Dec. 31, 1997	31

#### II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	0
B.	Referred to Other Disciplinary Committees	1
C.	Referred to Other Agencies	0
D.	Dismissed	22*
E.	Dismissed with Cautionary Language	2
F.	Letter of Caution	0
G.	Letter of Admonition	0
H.	Reprimand	0
I.	Total Disposed of During Period	25

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\* One of these matters was withdrawn by the complainant.



# Westchester County Bar Association Grievance Committee

## Second Department, Ninth Judicial District

### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	169
B.	New Matters Received During Period	105
C.	Closed Matters Reactivated During Period	0
D.	Total Matters to be Processed During Period	274
E.	Total Matters Disposed of During Period	123
F.	Matters Pending on Dec. 31, 1997	151

### II. Matters Disposed of by Committee:

A.	Rejected as Failing to State Complaint	0
B.	Referred to Other Disciplinary Committees	1
C.	Referred to Other Agencies	1
D.	Dismissed	118
E.	Dismissed with Cautionary Language	2
F.	Letter of Caution	0
G.	Letter of Admonition	1
H.	Reprimand	0
I.	Total Disposed of During Period	123

## Grievance Committee for the Tenth Judicial District, Second Department

### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	1626	
B.	New Matters Received During Period	3294	
C.	Closed Matters Reactivated During Period	42	
D.	Total Matters to be Processed During Period		4962
E.	Total Matters Disposed of During Period		3030
F.	Matters Pending on Dec. 31, 1997		1932

### II. Matters Disposed of by Committee

		CASES:	MATTERS:
A.	Rejected as Failing to State a Complaint	761	761
B.	Referred to Other Disciplinary Committees	164	164
C.	Referred to Other Agencies	444	444
D.	Dismissed or Withdrawn	747	747
E.	Letter of Caution	64	64
F.	Letter of Admonition	55	57
G.	Admonition or Reprimand	0	0
H.	Other	453	453
H.	Referred to Appellate Division	34	340
I.	Total Disposed of During Period	2722	3030

### III. Cases Processed in All Courts:

A.	Cases Pending on Jan. 1, 1997	41	319
	1. Disciplinary Proceedings	29	307
	2. Other	12	12
B.	Cases Received During Period	56	343
	1. Disciplinary Proceedings	37	324
	2. Other	19	19
C.	Total To Be Processed During Period	97	662
D.	Cases Closed		
	1. Disbarred	7	84
	2. Resigned	7	267
	3. Suspended	13	96
	4. Interim Suspension	4	21
	5. Censured	3	3
	6. Privately Censured	0	0
	7. Remanded to Grievance Committee	0	0
	8. Discontinued	2	4
	9. Dismissed	0	0
	10. Reinstatements Granted	4	4
	11. Reinstatements Denied	5	5
	12. All Other Dispositions	13	13
	13. Total Closed	58	497
E.	Total Cases Pending at End of Period	39	165
	1. Disciplinary Proceedings	30	156
	2. Other	9	9

Committee on Professional Standards, Third Department  
(Third, Fourth and Sixth Judicial Districts)

I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	622	
B.	New Matters Received During Period	1473	
C.	Closed Matters Reactivated During Period	60	
D.	Total Matters to be Processed During Period		2155
E.	Total Matters Disposed of During Period		1582
F.	Matters Pending on Dec. 31, 1997		573

II. Matters Disposed of by Committee CASES:                    MATTERS:

A.	Rejected as Failing to State a Complaint	756	815
B.	Referred to Other Disciplinary Committees	113	113
C.	Referred to Other Agencies	32	32
D.	Dismissed or Withdrawn	308	325
E.	Letter of Caution (or Education)	97	100
F.	Letter of Admonition	53	58
G.	Admonition (or Reprimand)	22	45
H.	Referred to Appellate Division	72	94
I.	Total Disposed of During Period	1453	1582

III. Cases Processed in All Courts:

A.	Cases Pending on Jan. 1, 1997		
1.	Disciplinary Proceedings	21	42
2.	Other	3	3
B.	Cases Received During Period		
1.	Disciplinary Proceedings	70	87
2.	Other	23	23
C.	Total To Be Processed During Period	117	155
D.	Cases Closed		
1.	Disbarred	17	31
2.	Resigned	0	0
3.	Suspended	10	12
4.	Censured	3	7
5.	Privately Censured	0	0
6.	Remanded to Grievance Committee	0	0
7.	Discontinued	0	0
8.	Dismissed	3	3
9.	Reinstatements Granted	3	3
10.	Reinstatements Denied	3	3
11.	Non-Disciplinary Resignations	14	14
12.	All Other Dispositions	39	45
13.	Total Closed	92	118
E.	Total Cases Pending at End of Period	25	37
1.	Disciplinary Proceedings	22	34
2.	Other	3	3

## Grievance Committee for the Fifth Judicial District, Fourth Department

### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	69	
B.	New Matters Received During Period	546	
C.	Closed Matters Reactivated During Period	17	
D.	Total Matters to be Processed During Period		632
E.	Total Matters Disposed of During Period		498
F.	Matters Pending on Dec. 31, 1997		134

### II. Matters Disposed of by Committee

**CASES:                    MATTERS:**

A.	Rejected as Failing to State a Complaint	237	246
B.	Referred to Other Disciplinary Committees	27	27
C.	Referred to Other Agencies	3	3
D.	Dismissed or Withdrawn	150	167
E.	Letter of Caution	17	26
F.	Letter of Admonition	1	2
G.	Admonition (or Reprimand)	N/A	N/A
H.	Referred to Appellate Division	11	27
I.	Total Disposed of During Period	446	498

### III. Cases Processed in All Courts:

A.	Cases Pending on Jan. 1, 1997		1
	1. Disciplinary Proceedings	1	
	2. Other	0	
B.	Cases Received During Period		11
	1. Disciplinary Proceedings	5	
	2. Other	6	
C.	Total To Be Processed During Period		12
D.	Cases Closed		
	1. Disbarred		3
	2. Resigned		2
	3. Suspended		0
	4. Censured		1
	5. Privately Censured		0
	6. Remanded to Grievance Committee		0
	7. Discontinued		1
	8. Dismissed		1
	9. Reinstatements Granted		1
	10. Reinstatements Denied		0
	11. All Other Dispositions		1
	12. Total Closed		10
E.	Total Cases Pending at End of Period		2
	1. Disciplinary Proceedings	2	
	2. Other	0	

## Grievance Committee for the Seventh Judicial District, Fourth Department

### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	63	
B.	New Matters Received During Period	709	
C.	Closed Matters Reactivated During Period	31	
D.	Total Matters to be Processed During Period		803
E.	Total Matters Disposed of During Period		669
F.	Matters Pending on Dec. 31, 1997		134

### II. Matters Disposed of by Committee

**CASES:                    MATTERS:**

A.	Rejected as Failing to State a Complaint	250	270
B.	Referred to Other Disciplinary Committees	22	22
C.	Referred to Other Agencies	2	2
D.	Dismissed or Withdrawn	260	294
E.	Letter of Caution	51	59
F.	Letter of Admonition	4	5
G.	Admonition or Reprimand	N/A	N/A
H.	Referred to Appellate Division	12	17
I.	Total Disposed of During Period	601	669

### III. Cases Processed in All Courts:

A.	Cases Pending on Jan. 1, 1997		2
	1. Disciplinary Proceedings	2	
	2. Other	0	
B.	Cases Received During Period		12
	1. Disciplinary Proceedings	3	
	2. Other	9	
C.	Total To Be Processed During Period		14
D.	Cases Closed		
	1. Disbarred		1
	2. Resigned		1
	3. Suspended		1
	4. Censured		0
	5. Privately Censured		0
	6. Remanded to Grievance Committee		1
	7. Discontinued		2
	8. Dismissed		0
	9. Reinstatements Granted		0
	10. Reinstatements Denied		0
	11. All Other Dispositions		1
	12. Total Closed		7
E.	Total Cases Pending at End of Period		7
	1. Disciplinary Proceedings	1	
	2. Other	6	

## Grievance Committee for the Eighth Judicial District, Fourth Department

### I. Matters Processed:

A.	Matters Pending on Jan. 1, 1997	182	
B.	New Matters Received During Period	878	
C.	Closed Matters Reactivated During Period	49	
D.	Total Matters to be Processed During Period		1109
E.	Total Matters Disposed of During Period		868
F.	Matters Pending on Dec. 31, 1997		241

### II. Matters Disposed of by Committee

	CASES:	MATTERS:
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A.	Rejected as Failing to State a Complaint	248	274
B.	Referred to Other Disciplinary Committees	14	14
C.	Referred to Other Agencies	0	0
D.	Dismissed or Withdrawn	390	447
E.	Letter of Caution	66	74
F.	Admonition (or Reprimand)	20	30
G.	Reprimand After Hearing	N/A	N/A
H.	Referred to Appellate Division	19	29
I.	Total Disposed of During Period	757	868

### III. Cases Processed in All Courts:

A.	Cases Pending on Jan. 1, 1997		11
	1. Disciplinary Proceedings	9	
	2. Other	2	
B.	Cases Received During Period		20
	1. Disciplinary Proceedings	8	
	2. Other	12	
C.	Total To Be Processed During Period		31
D.	Cases Closed		
	1. Disbarred		3
	2. Resigned		3
	3. Suspended		2
	4. Censured		1
	5. Privately Censured		0
	6. Remanded to Grievance Committee		2
	7. Discontinued		0
	8. Dismissed		0
	9. Reinstatements Granted		1
	10. Reinstatements Denied		1
	11. All Other Dispositions		8
	12. Total Closed		21
E.	Total Cases Pending at End of Period		10
	1. Disciplinary Proceedings	8	
	2. Other	2	

**Disciplinary Decisions Reported by  
Appellate Division in 1997**





## FIRST DEPARTMENT

Attorney	Discipline Imposed	Statute or Rule
Henry Jones Clay 229 AD2d 50	Suspended 2 years	Judiciary Law §90(4)(d) (serious crime conviction).
Steven Philip Rapoport 229 AD2d 1	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(now [8]) (conduct adversely reflecting on fitness to practice); DR 7-102(A)(5) (knowingly making false statement of law or fact); DR 9-102(B)(1)(failure to preserve identity of client funds).
Howard S. Ripps 228 AD2d 129	Suspended 3 years	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(now [8]) (conduct adversely reflecting on fitness to practice); DR 2-110(A)(1)(improper withdrawal from employment); DR 6-101(A)(3) (neglect); DR 9-102(C)(4) (failure to turn over client's file to new attorney).
Bradley F. Steinbach 228 AD2d 88	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 9-102(A)(commingling); DR 9-102(B)(1) (failure to separate business and personal accounts); DR 9-102(C)(3)(failure to maintain records and render appropriate accounts); DR 9-102(C)(4) (failure to deliver client funds promptly).
Alan S. Adolph 229 AD2d 97	Interim Suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with committee's investigation).
Michael W. Goodman 229 AD2d 151	Interim Suspension	22 NYCRR 603.4(e)(1)(iii) (uncontested evidence of professional misconduct).

Louis Cantor 229 AD2d 172	Interim Suspension	Judiciary Law §90(4)(d) (serious crime - felony conviction, conspiracy to commit bribery [18 USC §371], bribery [18 USC §666]).
Theodore O. Prounis 230 AD2d 55	Interim Suspension	22 NYCRR 603.4(e)(1)(ii), (iii) (substantial admissions under oath, uncontested evidence of professional misconduct).
David M. Kreitzer 229 AD2d 188	Suspended 3 years	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 1-104(A)(2) (failure to supervise employee); DR 6-101(A)(3) (neglect); DR 7-101(A)(1), (2)(failure to represent client zealously).
Harvey Rivera 230 AD2d 74	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7) (now [8]) (conduct adversely reflecting on fitness to practice); DR 2-110(A)(3) (failure to return unearned portion of fee); DR 6-101(A)(3)(neglect); DR 9-102(B)(1), (4) (preserving identity of client funds); DR 9-102(C)(3), (4) (failure to render appropriate accounts and promptly pay client funds); DR 9-102(D), (E) (failure to keep required bookkeeping records, failure to use authorized signatories).
Ronald M. Salzer 230 AD2d 101	Disbarred	Judiciary Law §90(4)(b) (felony conviction - theft by deception [New Jersey] [Penal Law §155.40(1), grand larceny 2d degree]).
Stephen L. Holtz 1997 NY App Div Lexis 2947	Interim Suspension	Judiciary Law §90(4)(d) (serious crime - wire fraud [18 USC §1343]).

Gandhi Pandit 230 AD2d 160	Disbarred	Judiciary Law §90(4)(b) (felony conviction - submitting false documents to government agency [18 USC §§1001, 1002][Penal Law §175.35, offering false instrument for filing]).
Lorenzo A. DeLuca 230 AD2d 234	Suspended 30 months, nunc pro tunc to 10/4/93, and reinstated	DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7) (now [8])(conduct adversely reflecting on fitness to practice); DR 9-102(B) (failure to maintain separate accounts); DR 9-102(D), (I) (failure to keep required bookkeeping records).
William C. Israel 230 AD2d 293	Disbarred	DR 1-102(A)(4)(conversion); Judiciary Law §90(2) (practicing while suspended).
Frederick Chung, Jr. 230 AD2d 300	Suspended 1 year	Judiciary Law §90(4)(d) (serious crime - failure to file IRS form 8300 following receipt of \$10,000 cash from client [26 USC §§7203, 6050I]).
Paul Grima 230 AD2d 399	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Qazi A. Moid 230 AD2d 396	Interim Suspension	Judiciary Law §90(4)(d) (serious crime - conspiracy to defraud United States [18 USC §371]).
Larry K. Schwartzstein 230 AD2d 409	Indefinite Suspension	22 NYCRR 603.16(c)(1) (physical incapacity).
Norman P. Horwitz 230 AD2d 425	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Thomas D. Morath 230 AD2d 500	Disbarred	Judiciary Law §90(4)(b) (felony conviction - wire fraud [18 USC §1343][Penal Law §200.10, receiving bribe, 3d degree]).

Antoinette Holmes 230 AD2d 445	Disbarred	22 NYCRR 603.4(g) (failure to appear or apply in writing to committee or court for hearing or reinstatement within 6 months of interim suspension date).
Henry S. Landan 231 AD2d 303	Disbarred	Judiciary Law §90(4)(b) (felony conviction - 18 USC §371 [conspiracy to violate laws of United States]).
Walter R. Bailey 230 AD2d 471	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Philip B. Stone 230 AD2d 481	Suspended 1 year	Judiciary Law §90(4)(d) (serious crime - petit larceny [Penal Law §155.25]).
Zvi Ser 230 AD2d 499	Disbarred	Judiciary Law §90(4)(b) (felony conviction - conspiracy 4th degree [Penal Law §105.10(1)]).
Richard P. D'Addario 230 AD2d 509	Censured	22 NYCRR 603.3 (reciprocal discipline - Rhode Island [DR 7-110(A)(lending money to sitting judge]).
William J. Hickey 231 AD2d 174	Interim Suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with committee's investigation).
Alan A. Herman 231 AD2d 254	Interim Suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with committee's investigation).
David Schick 231 AD2d 262	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to committee or court for hearing or reinstatement within 6 months of interim suspension date).
Donald Tucker 231 AD2d 198	Interim Suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with committee's investigation).
Frantz Poyau 231 AD2d 189	Interim Suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with committee's investigation).

Stephen Podell 231 AD2d 264	Indefinite Suspension	22 NYCRR 603.16(b)(1) (physical and mental incapacity making respondent incapable of adequately defending himself).
Nathan C. Nasser 231 AD2d 247	Suspended 6 months, effective retroactively, and reinstated	Judiciary Law §90(4)(d) (serious crime - making false statements [18 USC §1014] [Connecticut]).
Jeffrey L. Lessoff 231 AD2d 229	Suspended 3 years	Judiciary Law §90(4)(d) (serious crime - attempting to falsify business records [Penal Law §§110, 175.05]); DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation).
Roger S. Muller 231 AD2d 296	Suspended 6 months	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice).
Girija P. Gautam 231 AD2d 335	Disbarred	Judiciary Law §90(4)(b) (felony conviction - conspiracy to defraud United States [18 USC §371]; submitting false documents to INS [18 USC §§1001, 1002] [Penal Law §175.35, offering false instrument for filing]).
Marshall E. Lippman 232 AD2d 69	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(now [8])(conduct adversely reflecting on fitness to practice); DR 6-101(A)(3)(neglect); DR 7-102(A)(5)(knowingly making false statements of fact); DR 9-102(A)(failure to preserve identity of client funds).
Richard Yao 231 AD2d 346	Interim Suspension	22 NYCRR 603.4(e)(1)(ii), (iii) (substantial admissions under oath, uncontested evidence of professional misconduct).

Benedict F. Romano 231 AD2d 299	Interim Suspension	22 NYCRR 603.4(e)(1)(ii), (iii) (substantial admissions under oath, uncontested evidence of professional misconduct).
Dave R. Britton 232 AD2d 17	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7) (now [8]) (conduct adversely reflecting on fitness to practice); DR 9-102(A), (B) (commingling, failure to preserve client funds).
Anthony C. Donofrio 231 AD2d 365	Suspended 1 year	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice).
Howard B. Hornstein 232 AD2d 134	Censured	Judiciary Law §90(4)(d) (serious crime - failure to file tax returns [26 USC §7603, NYS Tax Law §1801(a)]).
Joseph J. Perini, Jr. 232 AD2d 138	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 2-106(D)(failure to promptly provide written calculation of fee); DR 6-101(A)(3)(neglect); DR 9-102(A), (B) (commingling, failure to preserve identity of client funds).

Jose M. Betancourt 232 AD2d 9	Suspended 3 years	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(now [8]) (conduct adversely reflecting on fitness to practice); DR 6-101(A)(3) (neglect); DR 7-101(A)(1) (failure to seek lawful objectives); DR 7-101(A)(3)(prejudice and damage to client); DR 9-102(B)(1)(failure to preserve identity of client funds); DR 9-102(C)(4) (failure to promptly refund fee).
Richard C. Woodward 232 AD2d 22	Suspended 3 years	Judiciary Law §90(4)(d) (serious crime - conspiring to commit securities fraud [18 USC §371]).
Robert E. Evangelista 233 AD2d 1	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 2-110(A)(3)(failure to promptly return unearned fee); DR 6-101(A)(3)(neglect); DR 9-102(C)(4)(failure to promptly return client property).
William J. Remmelink 233 AD2d 25	Disbarred	Judiciary Law §90(4)(b) (felony conviction - grand larceny [Penal Law §§155.42, 155.40(1), 155.35]).
Charles W. Cippola 233 AD2d 58	Censured	22 NYCRR 603.3 (reciprocal discipline - New Jersey); DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 2-106(A)(excessive fees); DR 5-108 (conflict of interest).

Michael W. Goodman 233 AD2d 56	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to the committee or court for hearing or reinstatement within 6 months of interim suspension date).
Regina M. Tate 233 AD2d 53	Interim Suspension	22 NYCRR 603.4(e)(1)(i), (iii) (willful failure to cooperate with investigation, uncontested evidence of professional misconduct).
Robert R. Santana 233 AD2d 511	Suspended 1 year	Judiciary Law §90(4)(d) (serious crime - harassment [Penal Law §240.26(3)]; falsely reporting an accident [Penal Law §240.50(3)]); Judiciary Law §90(4)(c) (failure to report conviction to Appellate Division).
Danny K. Chadi 233 AD2d 73	Interim Suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with investigation).
John F. Felton 233 AD2d 80	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Paul L. Hecht 233 AD2d 83	Interim Suspension	22 NYCRR 603.4(e)(1)(ii), (iii)(substantial admissions under oath, uncontested evidence of professional misconduct).
Christine E. Yaris 233 AD2d 91	Interim Suspension	22 NYCRR 603.4(e)(1)(i), (iii)(willful failure to cooperate with investigation, uncontested evidence of professional misconduct).
Allen J. Hershberg 235 AD2d 1	Suspended 6 months	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7)(now [8])(conduct adversely reflecting on fitness to practice); DR 6-101(A)(3) (neglect).
Mujib T. Mannan 233 AD2d 77	Suspended 6 months	DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 6-101(A)(3) (neglect).



Stephen J. Mighdoll 235 AD2d 20	Disbarred	Judiciary Law §90(4)(b) (felony conviction - misappropriation of funds [18 USC §657 [Penal Law §155.40(1), grand larceny]).
Daniel R. Fruitbine 233 AD2d 61	Disbarred	DR 1-102(A)(3)(conduct involving moral turpitude); DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7)(now [8])(conduct adversely reflecting on fitness to practice law).
Qazi A. Moid 235 AD2d 39	Indefinite Suspension	22 NYCRR 603.16(c)(1) (medical incapacity; suspended until physically able to participate in previously ordered serious crime hearing).
John L. Pitula 233 AD2d 86	Suspended 5 years	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 2-110(A)(3)(failure to promptly return unearned fee).
Alan J. Weiner 233 AD2d 67	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 6-101(A)(3)(neglect); DR 9-102(B)(1)(failure to preserve identity of client funds).
Domenick Crispino 1997 NY App Div Lexis 10826	Interim Suspension (vacated 12/11 nunc pro tunc to 10/16/97)	22 NYCRR 603.4 (e)(1)(i) (willful failure to cooperate with committee's investigation).
William A. Gogel 235 AD2d 33	Interim Suspension	Judiciary Law §90(4)(d) (serious crime - conspiracy to evade payment of taxes by union officials and structuring currency transactions [18 USC §371]).
Steven M. Kramer 235 AD2d 87	Interim Suspension	22 NYCRR 603.4(e)(1)(i) (uncontested evidence of professional misconduct).

Philip Lee 235 AD2d 110	Interim Suspension	Judiciary Law §90(4)(d) (serious crime - conspiracy to conceal nature of monetary transactions of property derived from unlawful activity [18 USC §1956(h)]).
Barry W. Agulnick 235 AD2d 57	Interim Suspension	Judiciary Law §90(4)(d) (serious crime - conspiracy to defraud United States [18 USC §371]).
Sidney Baumgarten 663 NYS2d 568	Disbarred	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(7)(now [8])(conduct adversely reflecting on fitness to practice); DR 9-102(A) (commingling); DR 9-102(B) (failure to keep separate accounts); DR 9-102(C)(4) (failure to promptly return client funds).
Scott McKay Wolas 663 NYS2d 216	Interim Suspension	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with investigation).
Geoffrey Wright 664 NYS2d 34	Interim Suspension (Order stayed 12/3/97)	22 NYCRR 603.4(e)(1)(i) (willful failure to cooperate with investigation).
Joseph D. Danas 664 NYS2d 50	Suspended 6 months	DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7)(now [8]) (conduct adversely reflecting on fitness to practice); DR 6-101(A)(2)(inadequate preparation of legal matters); DR 6-101(A)(3) (neglect).

Michael B. Pollack 664 NYS2d 772	Disbarred	Judiciary Law §90(4)(d) (serious crime - conspiracy [18 USC §371], accessory after the fact [18 USC §3]); DR 1-102(A)(4)(dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(7) (now [8])(conduct adversely reflecting on fitness to practice); DR 5-104(A) (failure to disclose financial difficulties to client in business relationship); DR 7-106(A)(disregarding court order); DR 7-106(C)(6) (conduct degrading to tribunal); DR 7-106(C)(6) (intentionally violating established rule of procedure).
H. Michael Zukowsky 664 NYS2d 433	Indefinite Suspension	22 NYCRR 603.16(c)(1) (physical incapacity).
Linda M. Howard a/k/a Linda M. Howard Ahmed 1997 NY App Div Lexis 12504	Disbarred	22 NYCRR 603.4(g)(failure to appear or apply in writing to committee or court for hearing or reinstatement within 6 months of interim suspension date).
Harry Skydell 665 NYS2d 868	Stricken on Consent	22 NYCRR 603.11 (resignation of attorney under investigation).
Iman A. Abdallah 665 NYS2d 876	Disbarred	22 NYCRR 603.4(g)( failure to appear or apply in writing to committee or court for hearing or reinstatement within 6 months of interim suspension date).
Michael R. Imbriani 1997 NY App Div Lexis 13125	Disbarred	Judiciary Law §90(4)(b) (felony conviction - theft by failure to make required disposition of property received [New Jersey][Penal Law §155.30, grand larceny]).
Charles H. Downing 1997 NY App Div Lexis 13413	Interim Suspension	22 NYCRR 603.4(e)(1)(i), (iii)(willful failure to cooperate with investigation, uncontested evidence of professional misconduct).

Benjamin Sneed  
1997 NY App Div Lexis 13414

Disbarred

Judiciary Law §90(4)(b)  
(felony conviction - grand  
larceny, 4th degree [Penal  
Law §155.36]); Judiciary Law  
§486 (practicing while  
suspended).

## SECOND DEPARTMENT

### (Second and Eleventh Judicial Districts)

Stephen LiMandri (suspended attorney) 229 AD2d 126	Censured and Reinstated	Failure to cooperate.
Sylvia Anita Ryan 229 AD2d 148	Suspended 1 year	Reciprocal discipline.
Audrey Nadler 229 AD2d 175	Suspended 5 years	Forgery and misrepresentation.
John G. LoPresto	Interim suspension	Conversion.
Allan J. Kasen 229 AD2d 222	Suspended 1 year	Reciprocal discipline.
Jeffrey Kaufman 229 AD2d 208	Suspended 2 years	Neglect, failure to cooperate.
Sohan Roopan Singh 230 AD2d 177	Suspended 1 year	Failure to cooperate.
Jeff Bernstein	Interim suspension	Sexual misconduct.
Francis W. Palmieri 230 AD2d 190	Censured	Misrepresentation.
Kent A. Davy 230 AD2d 196	Suspended 2 years	Failure to cooperate.
Barbara Hoppmann 230 AD2d 213	Suspended 1 year	Neglect, failure to cooperate.
Marion S. Marable (suspended attorney) 230 AD2d 220	Disbarred	Conversion, commingling.
Michael Farmer	Interim suspension	Failure to cooperate.
Harvey Fein 230 AD2d 484	Disbarred	Conversion.

Leonard Scott Shoob 230 AD2d 545	Censured	Failure to cooperate.
Anis A. Siddiqi 231 AD2d 150	Disbarred	Conversion.
Michael Toler 231 AD2d 223	Suspended 5 years	Misrepresentation to a court.
Anthony P. Quinn	Resigned	Conversion.
William J. Blasi 231 AD2d 257	Suspended 5 years	Harassing litigation.
Juliana M. Cassiliano	Interim suspension	Serious crime conviction.
Helene Leah Epstein 231 AD2d 355	Suspended 1 year	Reciprocal discipline.
John J. Napolitano 232 AD2d 51	Suspended 1 year	Overbilling.
Dennis J. Pottinger (suspended attorney) 232 AD2d 56	Disbarred	Conversion.
Alexis Alcide 232 AD2d 127	Suspended 5 years	Commingling, escrow violations.
Timothy J. Bedell 232 AD2d 149	Disbarred	Felony conversion.
William E. Rosen	Interim suspension	Conversion.
Jeffrey S. Pomerantz 235 AD2d 36	Suspended 2 years	Serious crime conviction.
Gloria C. Markuson	Interim suspension	Serious crime conviction.
Virginia L. Bishop 663 NYS2d 241	Disbarred	Conversion.
Barry L. Chasky 663 NYS2d 240	Censured	Failure to maintain attorney registration.
David B. Lubash (suspended attorney) 663 NYS2d 251	Disbarred	Felony conviction.
Leonard Scott Shoob	Interim suspension	Serious crime conviction.
John Kennedy O'Hara 236 AD2d 35	Disbarred	Felony conviction.
Michael Farmer 664 NYS2d 474	Disbarred on default	Failure to cooperate.

Michael Toler (suspended attorney) 665 NYS2d 92	Censured	Failure to communicate.
Prabir Dhar (legal consultant) 665 NYS2d 433	Name stricken	Failure to cooperate.
Howard Borenstein	Interim suspension	Failure to cooperate.
Alfred J. Parisi	Interim suspension	Failure to cooperate.
Jeff Bernstein (suspended attorney) WL 786859	Disbarred	Sexual misconduct.
Emilia Agwamma Tems WL 797235	Disbarred	Conversion.

**(Ninth Judicial District)**

Scott Todd Ackerman 231 AD2d 192	Censured	DR 6-101(A)(3)(neglect); DR 1-102(A)(5), (8) (conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice); DR 2-110(A)(2)(improper withdrawal).
Samuel Adelman 230 AD2d 113	Disbarred	Judiciary Law §90(4)(d) (serious crime conviction - conspiracy to commit mail fraud and wire fraud [18 USC §§371]); DR 1-102(A)(1), (3), (4), (5), (8) (violating a disciplinary rule, illegal conduct involving moral turpitude, conduct involving dishonesty, fraud, deceit or misrepresentation, conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice).
Paul A. Bartolotta	Reinstatement denied	

Nicholas T. Canosa 230 AD2d 311	Censured	Judiciary Law §468-a, 22 NYCRR 118.1 (failure to maintain attorney registration); DR 1-102(A)(5), (8) (conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice, failure to cooperate).
William P. Caraluzzi 229 AD2d 119	Disbarred (resigned)	DR 1-102(A)(5), (8)(conduct involving dishonesty, fraud, deceit or misrepresentation, conduct adversely reflecting on fitness to practice, conversion); DR 9-102(A), (B)(2), (D), (E)(commingling, failure to maintain required book-keeping records, improper withdrawals).
John J. Connolly	Motion for leave to appeal denied.	
John J. Connolly 90 NY2d 803	Motion for leave to appeal denied.	
Cheryl A. Cozza	Interim suspension	Judiciary Law §90(4)(d) (serious crime conviction; disciplinary proceeding authorized).
R. Emmet Delany	Disbarred	Judiciary Law §90(4)(d) (serious crime conviction - tampering with a witness [18 USC §1512], knowingly attempting to evade and defeat income tax [26 USC §7201], mail fraud [18 USC §1341]).
Daniel A. Eriksen 231 AD2d 71	Censured	DR 1-102(A)(5), (8)(conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice); DR 2-105-a, 22 NYCRR 1400.2 (failure to provide statement of client's rights and responsibilities); 22 NYCRR 1400.3 (failure to provide written retainer in domestic relations matters); DR 6-102(A)(2), (3)(handling legal matter without adequate preparation, neglect).

Frederick S. Falick	Interim suspension	22 NYCRR 691.4(l)(1)(ii), (iii)(substantial admissions under oath, uncontroverted evidence; disciplinary proceeding authorized).
William B. Falow 231 AD2d 201	Disbarred	Impermissible conflicts of interest; accepting employment where exercise of professional judgment reasonably affected by own interests; false and misleading answers to complaints and providing false and misleading answers to complaints and providing false and misleading testimony; attempting to suborn perjury of potential witness in disciplinary proceeding; conduct involving dishonesty, fraud, deceit and misrepresentation; conduct prejudicial to administration of justice; breach of fiduciary responsibilities; commingling; conduct adversely reflecting on fitness to practice; participating in creation or preservation of false evidence; representing multiple clients with differing interests without full disclosure; failure to account; failure to maintain required bookkeeping records; failure to cooperate.
William B. Falow 90 NY2d 1007	Appeal dismissed, no substantial constitutional question.	
Michael Scott Felman	Interim suspension	Judiciary Law §90(4)(d)(serious crime conviction; disciplinary proceeding authorized).
Edward J. Filipowicz	Reinstatement denied	
Joseph Fonte	Interim suspension	22 NYCRR 691.4(l)(1)(i) (failure to cooperate with investigation; disciplinary proceeding authorized).



Joseph Fonte	Disbarred	DR 1-102(A)(5), (8)(conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice, failure to cooperate with investigations); Judiciary Law §468-a, 22 NYCRR 118.1 (failure to maintain attorney registration).
Daniel R. Fruitbine	Interim suspension	22 NYCRR 691.4(l)(1)(i), (ii), (iii)(substantial admissions under oath, uncontroverted evidence of professional misconduct, failure to cooperate with investigation; disciplinary proceeding authorized).
Daniel R. Fruitbine	Disciplinary proceeding discontinued	Respondent disbarred by Appellate Division, 1st Dept.
Richard A. Gould	Reinstated	
Marc E. Grossman	Motion to appoint attorney to inventory files granted	22 NYCRR 691.10(g).
Robert H. Hirsch 231 AD2d 358	Suspended 3 years	DR 6-101(A)(3)(neglect); DR 1-102(A)(4), (5), (6)(conduct involving dishonesty, fraud, deceit or misrepresentation, conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice, breach of fiduciary responsibilities); DR 7-102(A)(5)(knowingly making false statement of law or fact); DR 9-102(C)(3) (failure to account); DR 7-106(A)(disregarding ruling of tribunal).
Robert H. Hirsch	Motion to extend effective date of suspension granted solely to extent of designated matters	
Tracy Hoff 89 NY2d 1025	Motion to vacate dismissed; no constitutional question	
Robert M. Howard 232 AD2d 6	Disbarred (resigned)	DR 2-106 (excessive fee); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice).

Dwight D. Joyce	Suspended 3 years	DR 1-102(A)(4), (8)(conduct involving dishonesty, fraud, deceit or misrepresentation, conduct adversely reflecting on fitness to practice); DR 9-102(A), (C), (D)(commingling, failure to safeguard funds entrusted, failure to maintain required bookkeeping records, failure to account; gross mismanagement of and failure to supervise and review escrow account).
Arthur Kass 230 AD2d 94	Suspended 3 years	DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice, failure to account, conversion, breach of fiduciary duty); DR 9-102(D), (E) (failure to maintain required bookkeeping records, failure to produce records, improper withdrawals from escrow account).
Arthur Kass	Motion to extend effective date of suspension granted solely to extent of designated matters	
Howard M. Katz	Reinstatement denied	
Timothy James Kelleher 233 AD2d 15	Censured	Judiciary Law §90(4)(c) (conviction of crime - criminal mischief 4th degree, failure to file certificate of conviction); DR 1-102(A)(5), (8)(conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice).
Shmuel B. Klein 231 AD2d 232	Suspended 5 years	DR 1-102(A)(4), (5), (8) (conduct involving dishonesty, fraud, deceit or misrepresentation, conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice, false and misleading statements in answer to complaint of professional misconduct).
Shmuel B. Klein 90 NY2d 929	Motion to appeal dismissed; no substantial constitutional question. Motion for leave to appeal denied.	

Shmuel B. Klein	Motion to renew/reargue and for leave to appeal denied.	
David C. Kobrin 229 AD2d 91	Disbarred	DR 9-102(A), (C), (E) (commingling, conversion, improper withdrawals from escrow account); DR 6-101(A)(3) (neglect); DR 2-110 (failure to return unearned fee); DR 1-102(A)(4), (8) (conduct involving dishonesty, fraud, deceit or misrepresentation, conduct adversely reflecting on fitness to practice).
Leon Kornfeld	Motion for reinstatement held in abeyance, referred to Committee on Character and Fitness	
Barnett E. Kramer	Interim suspension	22 NYCRR 691.4(l)(1)(i), (ii), (iii)(substantial admissions under oath, uncontroverted evidence, failure to cooperate with investigation; disciplinary proceeding authorized).
Barnett E. Kramer 230 AD2d 199	Disbarred	DR 6-101(A)(3)(neglect); DR 2-110(A)(improper withdrawal); DR 1-102(A)(5), (8)(conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice, failure to cooperate with investigations); 22 NYCRR 691.20 (failure to file retainer statement).
Allan J. Kuslansky 230 AD2d 104	Censured	DR 6-101(A)(3)(neglect); 22 NYCRR 691.20(a)(i)(failure to file retainer statement); DR 2-107(A)(improper fee splitting); DR 1-102(A)(8) (conduct adversely reflecting on fitness to practice, breach of fiduciary duty).
Anthony "Toots" LaBella 230 AD2d 428	Suspended 5 years	DR 1-102(A)(4), (8)(conduct involving dishonesty, fraud, deceit or misrepresentation, conduct adversely reflecting on fitness to practice); DR 6-101(A)(3)(neglect); DR 1-104(A)(2)(failure to supervise).

Stephen J. Lehrman	Motion for reinstatement held in abeyance, referred to Committee on Character and Fitness	
John C. Lopes	Interim suspension	22 NYCRR 691.4(1)(1)(i) (failure to cooperate with investigation; disciplinary proceeding authorized).
John C. Lopes	Interim suspension vacated	
Harry Dawson Martin	Interim suspension	22 NYCRR 691.4(1)(1)(i) (failure to cooperate with investigation; disciplinary proceeding authorized).
James F. McCoole 232 AD2d 147	Disbarred (resigned)	Judiciary Law §90(4)(felony conviction - grand larceny, 2d degree [Penal Law §155.40(1)]).
James F. McCoole	Motion to appoint attorney to inventory files granted	22 NYCRR 691.10(g).
Dennis Beirne McCormick 232 AD2d 102	Suspended 1 year	DR 6-101(A)(3)(neglect); DR 1-102(A)(5), (8)(conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice, failure to cooperate); DR 2-110(A)(2), (3)(improper withdrawal, failure to return unearned fee); Judiciary Law §468-a, 22 NYCRR 118.1 (failure to maintain attorney registration).
Robert P. McGrath	Motion for reinstatement held in abeyance, referred to Committee on Character and Fitness	
B. Marc Mogil	Interim suspension	22 NYCRR 691.4(1)(1)(iii) (uncontroverted evidence of professional misconduct; disciplinary proceeding authorized).
Paul P. Pacchiana 231 AD2d 123	Censured	Judiciary Law §90(4)(d) (serious crime conviction - willful failure to file return, supply information, or pay tax [26 USC §7203]); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice).

Michael P. Sanchirico	Reinstated	
John T. Seaman	Reinstated	Judiciary Law §90(5)(conviction reversed).
Daniel Judd Shapiro 235 AD2d 125	Suspended 5 years	DR 7-106(A)(disregarding rulings of tribunals); DR 1-102(A)(5), (8)(conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice, failure to cooperate with investigations); DR 7-102(A)(1), (2) (filed suit or took other action when knew or it was obvious would harass or maliciously injure another, advanced claim unwarranted under existing law).
Joseph Dominic Sloboda 230 AD2d 162	Disbarred	DR 9-102(A), (B)(conversion, commingling); DR 1-102(A)(4), (5), (8)(conduct involving dishonesty, fraud, deceit or misrepresentation, conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice); DR 6-101(A)(3) (neglect); Judiciary Law §468-a, 22 NYCRR 118.1 (failure to maintain attorney registration, failure to advise of change of address).
William R. Updegraff, Jr.	Interim suspension continued	22 NYCRR 691.4(1)(1)(i), (iii) (failure to cooperate with investigation, uncontroverted evidence of professional misconduct; disciplinary proceeding authorized).
Roger M. Wales	Interim suspension	Judiciary Law §90(4)(d) (serious crime conviction - petit larceny [Penal Law §155.25]; disciplinary proceeding authorized).
Roger M. Wales 233 AD2d 27	Disbarred (resigned)	Judiciary Law §90(4)(d) (serious crime conviction - petit larceny [Penal Law §155.25]; untruthful statements during criminal proceeding).

Donal M. Walsh, Jr.	Interim	Paul Morabito 231 AD2d 352	Disbarred
		Mark J. Morganstern	Interim suspension
		Daniel Naeder 229 AD2d 193	Disbarred
		Jonathan V. Pollack 229 AD2d 193	Disbarred (resigned)
		Alexander D. Rahman 229 AD2d 55	Suspended 2 years
Philip Irwin Aaron 223 AD2d 119	Disbarred	Edward Steven Raskin	Reinstated
		Claire D. Ryan 230 AD2d 322	Reinstated and censured
Donald Bunsis	Suspended		
		Jon Christian Sajous	Interim suspension
Sydney J. Chase 85 NY2d 809	Reinstated	Robert J. Sherman	Suspended 2 years
Martin J. Crowley 231 AD2d 244	Disbarred		
		Sigrid P. Stiles	Interim suspension
Richard H. Davies	Interim	Glenn O. Vickers 227 AD2d 76	Reinstatement denied
John David Dean 76 NY2d 773	Reinstated		
		Victor P. Zodda 231 AD2d 137	Resigned
Jeffrey S. Dubin 230 AD2d 474	Censure		
			<b>1996 Supplementary Cases</b>
Valdas C. Duoba 229 AD2d 193	Motion	Michael Rindenow 218 AD2d 318	Disbarred
Paul J. Enrico Lexis 48914	Reinstated	David M. Weiss	Interim suspension
		Enrico Constantino 225 AD2d 101	Disbarred
Perry V. Ferrara 236 AD2d 58	Disbarred		
		Valdas C. Duoba 227 AD2d 69	Suspended 2 years
James Fitzsimons 236 AD2d 58	Reinstated		
		Shirley A. Ehman 220 AD2d 145	Disbarred
Milan K. Gregory 229 AD2d 129	Disbarred		
		Jeffrey Pasternick 219 AD2d 286	Disbarred (resigned)

### THIRD DEPARTMENT

Stephen Apollo 237 AD2d 731	Reciprocal discipline denied, indefinite suspension granted	22 NYCRR 806.19 (reciprocal discipline based on New Jersey suspension by consent denied. Indefinite suspension due to physical infirmity imposed by consent.)
Stephen Apollo	Disbarred	22 NYCRR 806.19 (reciprocal discipline retroactive to 3/28/96 based on New Jersey disbarment by consent).
Robert C. Auriemma	Disbarred	22 NYCRR 806.19 (reciprocal discipline based on New Jersey disbarment by consent).
Mark Bendet	Disbarred	22 NYCRR 806.19 (reciprocal discipline based upon New Jersey disbarment by consent).
Jeffrey T. Canale	Interim suspension	Judiciary Law §90(4)(f) (misdemeanor conviction - conspiracy 5th degree [Penal Law §105.05(1)]).
Wayne M. Chariff	Reinstatement denied	Failure to establish full compliance with order of suspension.
John D. Chestara	Interim suspension	22 NYCRR 806.4(f)(suspension pending consideration of disciplinary charges).
John D. Chestara	Disbarred	22 NYCRR 806.8(b)(resignation accepted during pendency of disciplinary charges).
Ernesto S. Clarke 237 AD2d 730	Disbarred	22 NYCRR 806.19 (reciprocal discipline based on District of Columbia disbarment).
Benjamin F.L. Darden 237 AD2d 871	Interim suspension	22 NYCRR 806.4(f)(suspension pending consideration of disciplinary charges).
Benjamin F.L. Darden	Motion for stay denied	22 NYCRR 806.10(a)(motion by respondent to stay proceeding based on incapacity to defend self denied).

Benjamin F.L. Darden	Disbarred	DR 1-102(A)(4), (5), (8) (conversion of client funds); DR 1-102(A)(4), (5), DR 2-106 (charging excessive fee); DR 1-102(A)(5), DR 9-102(B) (failure to maintain escrow account); DR 6-101(A)(3)(neglect); DR 1-102(A)(5), (8) (failure to respond to communications from and on behalf of clients and to maintain appropriate client communications); DR 1-102(A)(4), (5), (8)(attempting to mislead and deceive client); DR 9-102 (B), (C)(failure to safeguard and promptly return funds and property requested by client); DR 1-102(A)(5), (8), DR 9-102(C), (D)(failure to maintain adequate books and records of client funds); DR 1-102(A)(5), (8)(failure to cooperate with petitioner).
William F. Duker	Disbarred	Judiciary Law §90(4)(a) (Federal felony conviction - 18 USC §§287, 1001 [Penal Law §155.42 - grand larceny]).
Michael A. Feit	Reinstated	
Richard J. Haas 237 AD2d 729	Censured	DR 6-101(A)(3)(neglect); DR 1-102(A)(5)(failure to respond to clients and maintain client communications); DR 1-102(A)(5), DR 2-110(A)(3), DR 9-102(C)(failure to promptly return unearned portions of retainers and unused disbursements); DR 1-102(A)(5), (8), DR 3-101(B) (failure to maintain New York office as required by Judiciary Law §470); DR 1-102(A)(5), (8)(failure to file registration statement and pay registration fee); DR 1-102(A)(5), (8)(failure to cooperate with committee).
Richard J. Haas	Indefinite suspension	Suspended pending compliance with order directing appearance and production of records and documents.



Harry R. Hayes	Two-year suspension stayed	DR 1-102(A)(5), (8), DR 9-102 (conversion of client funds); DR 1-102(A)(4), (5), (8), DR 9-102(B)(failure to deposit client funds in escrow account).
Donald R. Hobbs	Indefinite suspension	22 NYCRR 806.10 (indefinite suspension due to mental illness or irresponsibility).
Alan P. Joseph 237 AD2d 727	Suspended 1 year	DR 6-101(A)(3)(neglect); DR 1-102(A)(5), (8)(failure to maintain client communications); DR 1-102(A)(5), DR 2-110(A)(2), (3)(failure to return unearned portion of fee and promptly forward client's file to new counsel upon discharge).
Thomas J. McGinn	Interim suspension	22 NYCRR 806.4(f)(suspension pending consideration of disciplinary charges).
M. Suzanne McMahon	Motion for discovery denied; public hearing granted.	
M. Suzanne McMahon	Motion to sever and strike charges denied.	
Richard C. Miller	Stayed suspension terminated	Conditions of stayed suspension met; see 210 AD2d 869.
Richard M. Moran	Restitution order	Further order of restitution entered.
Norman J. Mordkofsky	Appeal dismissed	
Norman J. Mordkofsky	Motion for leave to appeal denied	
Norman J. Mordkofsky	Reinstatement denied	
Norman J. Mordkofsky	Motion to reargue denied	
Kevin W. Nagoda	Indefinite suspension	Failure to comply with subpoena duces tecum.
Kevin W. Nagoda	Indefinite suspension vacated	Suspension vacated with conditions.
Richard M. Piscane	Disbarred	22 NYCRR 806.19 (reciprocal discipline based upon New Jersey disbarment).

John B. Poersch	Restitution order	Judiciary Law §90(6-a) (restitution order entered for \$84,160.60).
Dominic J. Potts	Interim suspension	Judiciary Law §90(4)(f)(suspension pending final order - Ohio misdemeanor).
Dominic J. Potts	Disbarred	Judiciary Law §90(4)(g)(Ohio misdemeanor).
Joel M. Proyect 237 AD2d 640	Reinstatement denied	
Donna M. Quinn	Disbarred	Judiciary Law §90(4)(a) (Federal felony - embezzlement [18 USC §153][Penal Law §155.05(1)]).
Michael Raphael	Reinstatement denied	
Michael Raphael	Reinstated	
Garfield P. Raymond 235 AD2d 627	Reinstated	
Samuel W. Roberts	Contempt	Judiciary Law §90(2)(willful failure to comply with order of suspension; \$1,500 fine).
Michael H. Rosenberg	Disbarred	DR 1-102(A)(4), (5), (8), Judiciary Law §468 (violation of order of suspension); DR 1-102(A)(5), (8)(failure to cooperate with committee); DR 1-102(A)(5), (8)(failure to file registration statement and pay fee).
Patrick A. Ryan	Indefinite suspension	DR 1-102(A)(5), (8) (failure to file registration statement and pay fee; failure to cooperate with committee).
Liang-Houh Shieh	Disbarred	22 NYCRR 806.19 (reciprocal discipline based on California disbarment).
Michael J. Sexton	Article 78 proceeding dismissed	Proceeding dismissed for lack of subject-matter jurisdiction; improperly commenced in Appellate Division.
Ronald T. Spann 235 AD2d 718	Disbarred	22 NYCRR 806.19 (reciprocal discipline based on Florida disbarment).

Joseph B. Sturgis	Disbarred	22 NYCRR 806.19 (reciprocal discipline based on Pennsylvania disbarment by consent).
Arthur E. Teig 235 AD2d 626	Censured	DR 1-102(A)(4), (5), (8), DR 9-102 (conversion of client funds); DR 1-102(A)(4), (5), (8), DR 9-102 (issuing checks against insufficient funds in escrow account); DR 1-102(A)(5), (8), DR 9-102(C), (D) (failure to maintain complete records of client funds); DR 9-102(B)(depositing client funds into account that did not comply with 22 NYCRR part 1300).
Joseph P. Van De Loo	Disbarred	DR 1-102(A)(4), (5), (8), DR 9-102 (failure to honor escrow agreement); DR 1-102(A)(4), (5), (8), DR 9-102 (conversion of funds of third parties); DR 1-102(A)(4), (5), (8), DR 9-102 (C), (D), (H), (I)(failure to account for funds and failure to produce records regarding same); DR 1-102(A)(5), DR 9-102(B)(failure to establish a properly designated escrow account); DR 1-102(A)(4), (5), (8)(failure to honor escrow agreement); DR 1-102(A)(4), (5), (8)(conversion of funds of third parties); DR 1-102(A)(4), (5), (8), DR 9-102 (diversion of legal fees); DR 1-102(A)(5), DR 5-103 (improperly advancing funds on behalf of clients); DR 1-102(A)(4), (5), (8)(misleading and deceiving conduct).
Joseph P. Van De Loo	Motion for leave to appeal denied	
Martin P. Winsor	Censured	DR 6-101(A)(3)(neglect); DR 1-102(A)(5), (8)(failure to maintain client communications); DR 1-102(A)(5), (8) (failure to comply with directive of committee).

## FOURTH DEPARTMENT

### (Fifth Judicial District)

Frank A. Cissi 1997 WL 224951	Disbarred (restitution ordered)	22 NYCRR 1022.25 (a)(re-signed pending disciplinary charges).
Patrick T. Wedlock 230 AD2d 422	Disbarred	DR 1-102(A)(5), (8)(conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice); DR 2-110(A)(3) (withdrawal without taking steps reasonably practicable to avoid foreseeable prejudice to client, failure to refund promptly unearned portion of fee); DR 6-101(A)(3)(neglect); DR 7-101(A)(1), (2)(failure to seek clients' lawful objectives, failure to carry out contract of employment); DR 9-102(A), (B)(commingling client funds, failure to identify, preserve and maintain client funds).
Thomas P. Hughes 663 NYS2d 1019	Interim suspension	Judiciary Law §90(4)(Federal conviction - 18 USC §912).
Thomas P. Hughes 1997 WL 631728	Disbarred (restitution ordered)	Judiciary Law §90(4), 22 NYCRR 1022.25(a)(Federal conviction; resigned pending disciplinary proceedings).
Harry S. Pack 235 AD2d 124	Disbarred	Judiciary Law §90(4)(Federal felony conviction - 18 USC §§371, 1344, 215).
H. Thomas Swartz 236 AD2d 63	Disbarred	Judiciary Law §90(4)(Federal felony conviction - 18 USC §§371, 1344, 215).

Gregory B. Flynn  
667 NYS2d 149

Censured

DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 1-104(C)(failure to supervise nonlawyer adequately); DR 6-101(A)(3)(neglect); DR 9-102(B)(1)(failure to maintain client funds in special account); DR 9-102(C)(2), (3), (4)(failure to safeguard client property, failure to maintain complete records and render appropriate accounts to client, failure to promptly pay client funds client is entitled to receive); DR 9-102(D)(1)(failure to maintain required records of bank accounts).

**(Seventh Judicial District)**

Karen M. Madsen  
230 AD2d 275

Suspended 2 years

DR 1-102(A)(4), (5), (8)(conduct involving dishonesty, fraud, deceit or misrepresentation, conduct prejudicial to administration of justice, conduct adversely reflecting on fitness to practice); DR 7-101(A)(3)(prejudicing or damaging client during professional relationship); DR 9-102(B)(1), (C)(4), (D), (H)(failure to maintain client funds in special account, failure to promptly pay client funds client is entitled to receive, failure to maintain required bookkeeping records, failure to produce bookkeeping records relating to client funds).

Harley D. Axelrod  
662 NYS2d 279

Disbarred (restitution ordered)

22 NYCRR 1022.25(a)  
(resignation pending investigation).

Sharyn L. McDonald  
663 NYS2d 1019

Suspended indefinitely

22 NYCRR 1022.23(b)  
(incapacitation).

Sharyn L. McDonald  
1997 WL 631630

Disbarred

Judiciary Law §90(4)(felony conviction - Penal Law §§ 155.30, 155.35).

(Eighth Judicial District)

Thomas J. Casey 230 AD2d 72	Disbarred	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice law); DR 5-101(A) (accepting/continuing employment when exercise of professional judgment will be or reasonably may be affected by own financial interests); DR 5-104(A)(entering into business transaction with client having differing interests unless client consents after full disclosure); DR 9-102(A)(commingling); DR 9-102(B)(failure to maintain client funds in special account).
Francis W. Tesseyman, Jr. 230 AD2d 202	Censured	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(5)(conduct prejudicial to administration of justice); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 6-101(A)(3)(neglect); DR 7-101(A)(2)(failure to carry out contract of employment).
Girard M. Ursitti 661 NYS2d 320	Disbarred	Judiciary Law §90(4)(felony conviction - Penal Law §155.30-1).
Joseph E. Orsini 231 AD2d 112	Disbarred (restitution ordered)	DR 1-102(A)(4)(conduct involving dishonesty, fraud, deceit or misrepresentation); DR 1-102(A)(8)(conduct adversely reflecting on fitness to practice); DR 9-102(A)(commingling); DR 9-102(B)(failure to maintain client funds in special account); DR 9-102(C) (failure to pay or deliver to client or third person funds or property in his possession); DR 9-102(D)(failure to maintain required bookkeeping records).

James Fronk	Interim suspension	Judiciary Law §90(4)(Federal conviction - 18 USC §4).
Peter S. Aiello 1997 WL 631725	Interim suspension (default)	
Anders G. Arnheim 1997 WL 631695	Disbarred	22 NYCRR 1022.25(a)(re-signed pending disciplinary proceedings).
John F. Papsidero 666 NYS2d 59	Disbarred (restitution ordered)	22 NYCRR 1022.25(a)(re-signed pending disciplinary proceedings.)
Vincent Agnello 666 NYS2d 535	Disbarred	22 NYCRR 1022.25(a)(re-signed under investigation).
James Fronk 666 NYS2d 1023	Suspended 2 years	Judiciary Law §90(4)(federal conviction - 18 USC §4).
Donald M. Summer 667 NYS2d 150	Suspended 6 months (restitution ordered)	DR 9-102(A)(commingling); DR 9-102(B)(1)(failure to maintain client funds in special account); DR 9-102(D)(1) (failure to maintain required records of bank accounts).
Wilbur P. Trammell	Interim suspension	Judiciary Law §90(4)(Federal conviction - 18 USC §1001).





**Professional Disciplinary Staffs  
and  
Departmental and District  
Grievance Committees**



## Professional Disciplinary Staffs

### FIRST DEPARTMENT

*Departmental Disciplinary Committee*  
*First Judicial Department*  
41 Madison Avenue, 39th Floor  
New York, NY 10010  
(212) 685-1000

Hal R. Lieberman, Chief Counsel  
Barbara S. Gillers, 1st Deputy Chief Counsel  
Richard M. Maltz, Deputy Chief Counsel  
Sarah Jo Hamilton, Special Trial Counsel  
Deborah A. Scalise, Special Trial Counsel  
Andral N. Bratton, Staff Attorney  
Sherry K. Cohen, Staff Attorney  
Jorge Dopico, Staff Attorney  
Mady Edelstein, Staff Attorney  
Jeremy S. Garber, Staff Attorney  
Kathleen Feerick, Staff Attorney  
Naomi F. Goldstein, Staff Attorney  
Stephen P. McGoldrick, Staff Attorney  
Dan Mouzon, Staff Attorney  
Clarence Smith, Jr., Staff Attorney  
Judith N. Stein, Staff Attorney

Raymond Vallejo, Staff Attorney  
Richard Supple, Staff Attorney  
Martin Silverstein, Office Manager  
Vincent C. Ranieri, Grievance Examiner  
John E. Pugliese, Grievance Examiner  
Martin G. Schwinger, Grievance Examiner  
Kenneth VanLew, Grievance Examiner  
Carol Scheuer, Legal Assistant  
Donna M. Killian, Legal Assistant  
Rebecca Taub, Legal Assistant  
Marcy Sterling, Legal Assistant  
Joan Bila, Administrative Secretary  
Michelle Wang, Network Operator  
Nancy DeLeon, Law Steno/Computer Operator  
Anna Abbate, Law Steno  
Francine N. Ali, Law Steno  
Niena Cooper-Winfield, Law Steno  
Ertha Hobot, Law Steno  
Grace Jacobs, Law Steno  
Denise Lariscy, Law Steno  
Maria L. Vera, Law Steno  
Allikah McIver, Receptionist  
Virgil Cruz, Office Assistant

### SECOND DEPARTMENT

*Grievance Comm. for the 9th Judicial District*  
399 Knollwood Road, Suite 200  
White Plains, NY 10603  
(914) 949-4540

Gary L. Casella, Chief Counsel  
Faith Lorenzo, Deputy Counsel  
Gary D. Egerman, Assistant Counsel  
Maryann Yannarella, Assistant Counsel  
Gloria A. Bunze, Assistant Counsel  
Forrest Strauss, Assistant Counsel

Matthew Renert, Assistant Counsel  
Patrick Smith, Court Analyst  
Antonia Cipollone, Court Analyst  
Virginia Mordiglia, Senior Secretary  
Maryellen Horan, Secretary  
Maria J. Mangione, Secretary  
Denise Santomarena, Secretary  
Patricia Marucci, Secretary  
Ellen M. Tallevi, Secretary  
Susan Rooney, Clerk

*Grievance Comm. for the 2nd & 11th Judicial Districts*  
210 Joralemon Street, 12th Floor  
Brooklyn, NY 11201  
(718) 624-7851

Robert H. Straus, Chief Counsel  
Diana Maxfield Kears, Deputy Counsel  
Mark F. DeWan, Assistant Counsel

Robert J. Saltzman, Assistant Counsel  
Diana J. Szochet, Assistant Counsel  
Melissa D. Epstein, Assistant Counsel  
Susan Korenberg, Assistant Counsel  
Alex Shlivko, Court Analyst  
Louis Romaine, Investigator

*Grievance Comm. for the 10th Judicial District*  
6900 Jericho Turnpike  
Syosset, NY 11791  
(516) 364-7344

Frank A. Finnerty, Jr., Chief Counsel  
Grace D. Moran, Deputy Counsel  
Robert P. Guido, Assistant Counsel  
Muriel L. Gennosa, Assistant Counsel  
Nancy A. Bolger, Assistant Counsel  
Chris G. McDonough, Assistant Counsel

Dianne M. Saccone, Assistant Counsel  
Sharon M.J. Commissiong, Assistant Counsel  
Ruthann E. Geary, Assistant Counsel  
Guy B. Soden, Investigator  
Christopher Kern, Investigator  
Eileen M. Higgins, Secretary  
Barbara Maniscalco, Secretary  
Joan M. Pace, Secretary  
Kerry Lopez, Secretary  
Kathleen A. Gress, Secretary  
Noreen Johnston, Secretary

### THIRD DEPARTMENT

*Committee on Professional Standards*  
A.E. Smith Building, 22nd Floor  
P.O. Box 7013, Capitol Station Annex  
Albany, NY 12225  
(518) 474-8816

Mark S. Ochs, Chief Attorney  
Michael Philip, Jr., Deputy Chief Attorney  
Kenneth H.P. Bryk, Staff Attorney  
John J. McAlary, Staff Attorney  
Judith I. Ratner, Staff Attorney  
Michael K. Creaser, Staff Attorney  
Vincent M. Tepedino, Investigator  
Joseph L. Legnard, Investigator

### FOURTH DEPARTMENT

*Grievance Comm. for the 5th Judicial District*  
472 South Salina Street, Room 310  
Syracuse, NY 13202  
(315) 471-1835

Gerard M. LaRusso, Chief Counsel  
Anthony J. Gigliotti, Principal Counsel  
Robert Bevilacqua, Court Analyst

*Grievance Comm. for the 7th Judicial District*  
42 East Avenue, Suite 404  
Rochester, NY 14604  
(716) 546-8340

Gerard M. LaRusso, Chief Counsel  
Daniel A. Drake, Principal Counsel  
Andrea E. Tomaino, Associate Counsel  
Ann M. Peters, Court Analyst

*Grievance Comm. for the 8th Judicial District*  
1036 Ellicott Square Building  
Buffalo, NY 14203  
(716) 858-1190

Gerard M. LaRusso, Chief Counsel  
Vincent L. Scarsella, Principal Counsel  
Roderick Quebral, Associate Counsel  
Margaret C. Callanan, Associate Counsel  
Joanne Walsh, Court Analyst  
William P. Zenosky, Court Analyst  
Mary E. Davis, Court Analyst

## Departmental and District Grievance Committees

### FIRST DEPARTMENT

Denis McInerney, Chair	Patricia Handal*	Arthur W. Greig
Haliburton Fales, 2d, Special Counsel	Michael Conforti	Telesforo Del Valle, Jr.
Thomas B. Galligan, Special Counsel	Lorraine Coyle	Bruce A. Green
Roy L. Reardon, Special Counsel	Charles White	Rachel Child*
Samuel J. Silverman, Special Counsel	James Milligan*	Charlotte Moses Fischman
Gardner Botsford*	Philip R. Forlenza	John E. Brigandi
P. Kevin Castel	Robert L. Haig	John R. Horan
Martin R. Gold	Ada Meloy	John J. Galban
Joanne Sidener Johnson*	Frederick D. Wilkinson, Jr.*	Barbara M. Huggins*
Jonathan J. Lerner	Donald J. Cohn	Otto Obermaier
Mercedes A. Nesfield*	Arthur Richenthal	Justin N. Feldman
Jay Topkis	Lawrence D. McGovern	Oliver A. Smith
Jerold J. Benavie	Howard S. Stein*	Alfred G. Gerosa*
Leonard Holland	Joseph M. Irom	Steven C. Krane
Susan Welsher*	Patricia Hatry	John M. Delehanty
Walter A. Wischern, Jr., M.D.*	Beverly Folasade Sowande	Lisa E. Davis
Elinore B. Klein	Arthur Reis, Jr.*	Arthur Norman Field
Casimir C. Patrick, II		

### SECOND DEPARTMENT

#### Grievance Committee for the 2nd & 11th Judicial Districts

Barry M. Kamins, Chair	Mark A. Longo
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Robert A. Bohner	George J. Nashak, Jr.
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James W. Crowley*	Karen B. Rothenberg
Victoria Delgado*	Dennis Shields*
Joseph V. DiBlasi	George A. Sieghardt
George A. Farkas	Jeffrey Sander Sunshine
Harvey S. Jacobs	Muriel D. Wanderman

#### Grievance Committee for the 9th Judicial District

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Robert P. Dohn	Camille Failla Murphy*
Richard R. Duvall	Ellen B. O'Han*
Chester H. Gordon	Thomas J. Singleton
Richard Greenblatt	Alan Steiner
H. Glen Hall	Mark D. Stern
Wesley L. Jordan*	Margaret H. Tyre

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\* Non-lawyer member

## Grievance Committee for the 10th Judicial District

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Donna England  
Gustave Fishel, III  
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Rev. Domenick T. Graziado\*  
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Merton L. Reichler\*  
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Douglas R. Rothkopf  
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Vanessa M. Sheehan  
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## THIRD DEPARTMENT

### Committee on Professional Standards

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Carmel J. Greco  
Jennifer A. Jensen

Charles J. Nicaastro  
Kevin L. Peryer  
Mark M. Rider  
Richard D. Wickerham  
David M. Gouldin  
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Dennis K. McDermott  
John V. Moore  
Nelson E. Roth  
Walter L. Terry, III

## FOURTH DEPARTMENT

### Grievance Committee for the 5th Judicial District

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Roscoe A. Eisenhauer, Jr.  
Harlan B. Gingold  
Frank J. Giruzzi  
Bartle J. Gorman  
David H. Hawthorne

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Graceanne S. Quinn  
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Steven Weschler  
John P. Wegerski  
Michael F. Young  
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**Grievance Committee for the 7th Judicial District**

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John P. Doyle, Jr.  
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John J. Kelley  
John R. Kennedy

Stanley D. Konopko\*  
Dianne S. Lovejoy  
John K. McCarthy  
Edwin C. Perego\*  
Gregory J. Power  
Daniel Saperstone\*  
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Judy A. Toyer  
Patricia O. Vazzana  
Beth E. Wilkens

**Grievance Committee for the 8th Judicial District**

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Thomas M. O'Donnell  
Jeffrey G. Passafaro  
John K. Plumb  
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Richard J. Rotella  
Victoria J. Saxon  
Norris L. Webster  
Robert Zabel\*  
Nelson Zakia





**Attorney Discipline Budget Appropriations  
(Fiscal 1997-1998)  
and  
Salaries of Disciplinary Staff  
(February 1998)**



FIRST DEPARTMENT

Title	Grade	2/98 Salary
Chief Attorney	560	\$99,197
Principal Attorney	530	84,521
Principal Attorney	530	84,521
Principal Attorney	530	83,090
Principal Attorney	530	84,521
Associate Attorney	527	71,605
Associate Attorney	527	55,152
Associate Attorney	527	57,063
Associate Attorney	527	63,149
Associate Attorney	527	72,891
Associate Attorney	527	69,377
Associate Attorney	527	60,957
Associate Attorney	527	60,957
Associate Attorney	527	57,123
Associate Attorney	527	65,237
Senior Attorney	525	49,464
Senior Attorney	525	51,293
Senior Attorney	525	65,925
LAN Administrator	521	44,427
Senior Court Analyst	521	51,813
Sr. Appellate Court Asst.	521	32,243
Sr. Appellate Court Asst.	521	53,739
Court Analyst	518	42,769
Court Analyst	518	46,123
Court Analyst	518	35,287
Court Analyst	518	35,227
Court Analyst	518	43,695
Court Analyst	518	45,030
Administrative Secretary	517	45,153
Assistant Court Analyst	516	37,634
Assistant Court Analyst	516	30,214
Assistant Court Analyst	516	30,214
Secretary	514	35,106
Law Stenographer	514	30,330
Secretary	514	28,066
Law Stenographer	514	36,385
Secretary	514	38,418
Law Stenographer	514	26,934
Law Stenographer	514	30,330
Prin. App. Office Asst.	513	25,989
Sr. Office Assistant	508	20,937
<b>1997-98 Appropriations:</b>		
Personal Service		\$2,301,661
Nonpersonal Service		<u>408,949</u>
<b>Total</b>		<b>\$2,4710,610</b>

SECOND DEPARTMENT

Title	Grade	2/98 Salary
<b>(Second and Eleventh Judicial Districts)</b>		
Chief Attorney	532	\$95,645
Principal Attorney	530	84,521
Associate Attorney	527	74,862
Associate Attorney	527	71,605
Associate Attorney	527	55,152
Associate Attorney	527	72,891
Senior Attorney	525	49,464
Senior Court Analyst	521	41,323
Court Analyst	518	33,865
Court Analyst	518	33,865
Court Analyst	518	33,865
Assistant Court Analyst	516	39,233
Secretary	514	26,954
Secretary	514	29,198
Secretary	514	30,330
Junior Court Analyst	512	32,982
<b>1997-98 Appropriations:</b>		
Personal Service		\$913,146
Nonpersonal Service		<u>218,800</u>
<b>Total</b>		<b>\$1,131,946</b>
<b>(Ninth Judicial District)</b>		
Chief Attorney	532	95,977
Principal Attorney	530	64,757
Associate Attorney	527	74,862
Associate Attorney	527	63,036
Associate Attorney	527	72,891
Associate Attorney	527	57,063
Senior Attorney	525	49,464
Court Analyst	518	35,930
Court Analyst	518	45,030
Assistant Court Analyst	516	41,347
Secretary	514	18,561
Secretary	514	18,561
Secretary	514	29,198
Secretary	514	38,418
<b>1997-98 Appropriations:</b>		
Personal Service		\$746,526
Nonpersonal Service		<u>338,100</u>
<b>Total</b>		<b>\$1,084,626</b>

SECOND DEPARTMENT

(Tenth Judicial District)

Title	Grade	2/98 Salary
Chief Attorney	532	\$95,977
Principal Attorney	530	86,717
Associate Attorney	527	56,922
Associate Attorney	527	65,237
Associate Attorney	527	59,094
Associate Attorney	527	60,551
Associate Attorney	527	74,862
Associate Attorney	527	36,080
Associate Attorney	527	69,931
Court Analyst	518	45,030
Court Analyst	518	38,748
Assistant Court Analyst	516	40,901
Law Stenographer	514	36,385
Law Stenographer	514	37,122
Law Stenographer	514	28,066
Secretary	514	31,462
<b>1997-98 Appropriations:</b>		
Personal Service		\$927,601
Nonpersonal Service		<u>323,750</u>
Total		\$1,251,351

THIRD DEPARTMENT

Title	Grade	2/98 Salary
Chief Attorney	60	\$95,645
Principal Attorney	30	79,432
Associate Attorney	27	62,928
Associate Attorney	27	55,152
Senior Attorney	25	68,014
Senior Court Analyst	21	47,551
Senior Court Analyst	21	51,517
Secretary	14	31,651
Secretary	14	28,782
Secretary	14	35,091
Secretary	14	37,122
Prin. App. Office Asst.	13	25,421
Junior Court Analyst	12	27,190
<b>1997-98 Appropriations:</b>		
Personal Service		\$683,409
Nonpersonal Service		<u>98,800</u>
Total		\$782,209

FOURTH DEPARTMENT

Title	Grade	2/98 Salary
Chief Attorney	60	\$95,645
Principal Attorney	30	83,090
Principal Attorney	30	71,345
Principal Attorney	30	83,090
Associate Attorney	27	66,978
Associate Attorney	27	63,346
Senior Attorney	25	57,179
Senior Attorney	25	51,293
Court Analyst	18	46,515
Court Analyst	18	46,330
Court Analyst	18	46,515
Court Analyst	18	45,030
Court Analyst	18	46,330
Assistant Court Analyst	16	34,039
Assistant Court Analyst	16	39,706
Secretary	14	28,066
Secretary	14	28,683
Secretary	14	30,904
Secretary	14	37,122
Secretary	14	33,826
<b>1997-98 Appropriations:</b>		
Personal Service		\$1,059,877
Nonpersonal Service		<u>295,916</u>
Total		\$1,355,793