

DISTRICT VB ETHICS COMMITTEE	:	SUPREME COURT OF NEW JERSEY
	:	DISTRICT VB ETHICS COMMITTEE
	:	
Complainant,	:	DOCKET NO: VB-02-049E
	:	
vs.	:	
	:	
ANTHONY R. ATWELL, ESQ.	:	DISCIPLINARY ACTION
	:	
Respondent,	:	COMPLAINT

District V-B Ethics Committee by way of Complaint against Respondent, says:

FACTUAL ALLEGATIONS

1. Anthony R. Atwell, Esq. ("Respondent"), was admitted to the Bar of the State in 1979.
2. Respondent maintains law offices at 1213 Clinton Avenue, Irvington, New Jersey 07111.
3. In or around May or June, 1996, Respondent was retained by Rhynita A. Coram ("Coram") of 1044 East 215 Street, Bronx, New York 10469, to handle the administration of the estate of her brother, who died intestate in March 1996.
4. In or around September of 1996, Respondent assisted Ms. Coram in applying for and becoming administrator of her brother's estate. Mr. Atwell was also retained to locate the bank accounts of Ms. Coram's deceased brother and close out his estate.
5. In the several years since his retention, among other deficiencies, Respondent failed to take appropriate actions to (1)

locate the bank accounts; (2) obtain the monies from the bank accounts to close out the estate.

6. In addition to the neglect of the handling of the estate, Respondent failed to communicate with Coram and keep her informed of the status of the matter. He canceled at least five appointments on less than 24-hours notice. In addition, Respondent admits that he lost the client's file more than two years ago, but only told the client that he had lost the file after the grievance was filed.

7. Respondent's neglect of the administration of Coram's brother's estate has resulted in impact to the Corams, including, but not limited to, not being able to close out the sale of a home that the family owns in Saint Croix. Respondent's neglect, likewise, has caused significant emotional upset to both Coram and her son, Jeffrey Coram.

8. On August 29, 2002, Coram filed an Attorney Ethics Grievance Form.

9. Respondent has admitted the allegations in the Grievance.

FIRST COUNT

10. Complainant repeats and restates the Factual Allegations as if set forth herein at length.

11. Respondent's failure to take any action to facilitate the administration of the estate of Coram's brother constitutes a gross neglect in violation of R.P.C. 1.1(a).

WHEREFORE, Respondent should be disciplined.

SECOND COUNT

12. Complainant repeats and restates the Factual Allegations and the allegations contained in the First Count as if set forth herein at length.

13. Respondent's failure to take any action to facilitate the administration of the estate of Coram's brother constituted lack of diligence in violation of R.P.C. 1.3.

WHEREFORE, Respondent should be disciplined.

THIRD COUNT

14. Complainant repeats and restates the Factual Allegations and the allegations contained in the First and Second Counts as if set forth herein at length.

15. Respondent's failure to keep his client adequately and accurately informed and promptly reply to requests for information constitute a violation of R.P.C. 1.4(a).

WHEREFORE, Respondent should be disciplined.

DISTRICT VB ETHICS COMMITTEE

Dated: June 16, 2003

/s/ Thomas P. Scrivo