

The Lawyers' Fund for Client Protection
of the State of New York

119 Washington Avenue, Albany, New York 12210

Telephone: (518) 434-1935 or (800) 442-3863

E-mail: info@nylawfund.org

Web site: www.nylawfund.org

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**ANNUAL REPORT
OF THE
BOARD OF TRUSTEES
FOR
CALENDAR YEAR 2005**

Submitted to the
Judges of the Court of Appeals
and the
State Comptroller
pursuant to the provisions of

General Order of the Court of Appeals dated November 16, 1981

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Introduction

This is the Board of Trustees' 23rd Annual Report. It focuses on the 2005 calendar year and the operations of the Lawyers' Fund for Client Protection.

The principal goal of the Fund is the reimbursement of law client losses caused by dishonest conduct of attorneys in New York State. In 2005, the Trustees approved 227 awards of reimbursement restoring \$8.1 million to eligible law clients. In the Fund's 23 years of existence, the Trustees have now granted 6,016 awards totaling \$116 million.

The vast majority of lawyers in New York State are honest and caring and deserving of their clients' trust.

The dishonest conduct and resulting client losses reimbursed by the Fund since the Fund's inception in 1982 are attributable to substantially less than one-third of one percent of New York's 221,000 registered lawyers. The client losses in 2005 were caused by 56 now suspended, disbarred or deceased lawyers, 32 of whom appear for the first time in 2005. These very few dishonest lawyers, though, do cause significant harm to law clients and the legal profession.

The legal profession has undertaken the responsibility for client losses caused by a handful of its members. No other profession provides such protection to its consumers. The Trustees are proud to report that the New York Lawyers' Fund continues to provide prompt and meaningful reimbursement to victimized law clients.

The Trustees remain grateful for their opportunity to serve the Court of Appeals, the legal profession and law clients in New York State. In addition to providing monetary reimbursement, the Trustees strive to improve our legal system for the benefit of legal consumers. This report, therefore, again includes the Trustees' recommendations intended to strengthen law client protection in New York State.

Revenue of the Lawyers' Fund

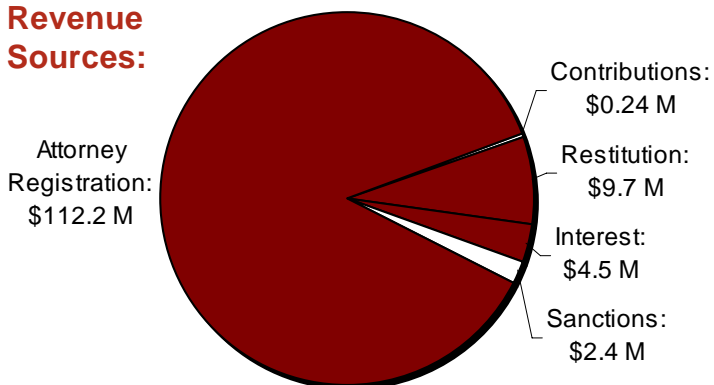
The biennial attorney registration fee required of every practicing attorney is the Fund's principal source of revenue. Section 468-a of the Judiciary Law allots \$60 of each \$350 registration fee to the Lawyers' Fund. Since April 1, 1993, the Legislature has annually supplemented this \$60 portion with additional revenues from the biennial registration fee.

The Lawyers' Fund does not receive any revenue from the Interest on Lawyer Account (IOLA) program. The Fund also does not receive any tax dollars.

The Fund's other sources of revenue include restitution, interest, sanctions and contributions. Since 1982, the Fund has received \$112.2 million from attorney registration fees; \$9.7 million in restitution; \$4.5 million in interest income; \$2.4 million in judicial sanction revenue; and \$241,000 in contributions from lawyers and the public. The Fund's revenues are annually appropriated to the Board of Trustees by the State Legislature as one component of the Judiciary Budget.

The Fund's Finances Since 1982

Revenue Sources:



History and Purpose of Law Client Protection

Bar associations in New York State began law client reimbursement programs in the 1960's. Due to inadequate funding, these associations appealed to the Court of Appeals and the New York court system which embraced the responsibility for operating a statewide client reimbursement program.

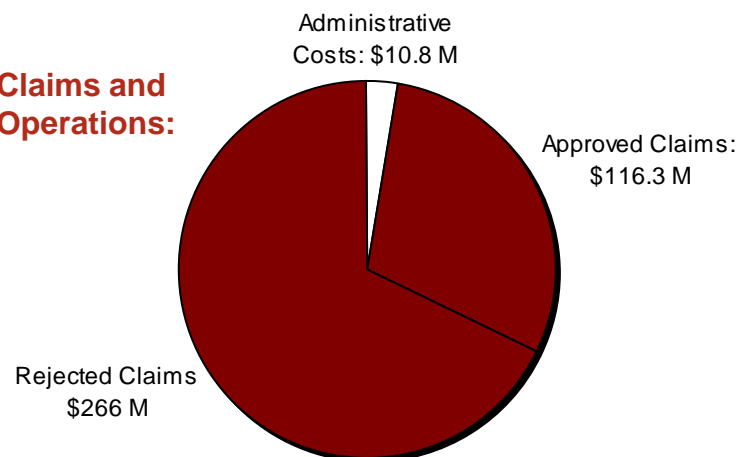
The Lawyers' Fund, originally known as The Clients' Security Fund, was created by Chapter 714 of the Laws of 1981, effective June 1, 1981. The Fund is an independent public trust administered by a Board of Trustees appointed by the Court of Appeals.

The Fund's mission as set forth in section 468-b of the State Judiciary Law and the Trustees' Regulations is to maintain the integrity and protect the good name of the legal profession, protect law clients from dishonest conduct in the practice of law, and promote public confidence in the administration of justice in New York State.

The Trustees' primary focus is the reimbursement of losses caused by the dishonest conduct of attorneys who were admitted to the practice of law in New York State. Losses reimbursed by the Fund include the theft of estate and trust assets, escrow deposits in real property transactions, settlements in personal injury litigation, debt collection receipts, money embezzled in investment transactions within an attorney-client relationship and the practice of law, and unearned fees paid in advance to lawyers who falsely promise their legal services.

The Trustees also publish materials to educate lawyers and clients in an effort to prevent losses; engage in programs to assist lawyers in complying with their fiduciary and escrow obligations; and recommend court rules intended to improve our legal system and protect law clients.

Claims and Operations:



Special Recognition

THE BOARD OF TRUSTEES OF THE LAWYERS' FUND PROUDLY RECOGNIZES THE GENEROUS ACT OF PUBLIC SERVICE DISPLAYED BY THE ATTORNEYS LISTED BELOW WHO HAVE ASSISTED CLAIMANTS IN RECEIVING AWARDS OF REIMBURSEMENT IN 2005:

BRONX COUNTY

Mark S. DeMarco, Esq.

KINGS COUNTY

Robert Dubno, Esq.
Susan A. Leung, Esq.
Alden Lewis, Esq.
Michael S. Reinhardt, Esq.
Edward Rimland, Esq.
Rimland & Associates

MONROE COUNTY

Donald R. Fox, Esq.
James S. Grossman, Esq.
Walter J. Licata, Esq.
J. Michael Wood, Esq.
Chamberlain D'Amanda

SUFFOLK COUNTY

Kim Smith, Esq.

SULLIVAN COUNTY

Eric J. Groper, Esq.

NASSAU COUNTY

Martin Beyer, Esq.
Waldron Waldron & Beyer
James J. Brady, Esq.
Anne M. Foray, Esq.
Farrell Fritz, P.C.
Patricia Goodsell, Esq.
Baron & Goodsell
Alan K. Hirschhorn, Esq.
Jaspan, Schlesinger & Hoffman
Iris Horowitz, Esq.
Richard Kerins, Esq.
Mahon Mahon Kerins & O'Brien
Laurel R. Kretzing, Esq.
Jaspan, Schlesinger & Hoffman
Barry M. Lasky, Esq.
Anthony J. LoPresti, Esq.
John Jaye Markos, Esq.
Marvin I. Meyerson, Esq.
Garil & Meyerson
Nicholas Pellegrini, Esq.
Mark Ricciardi, Esq.
Donna M. Steffans, Esq.
Benjamin Weinstock, Esq.

NEW YORK COUNTY

Ian M. Belinfanti, Esq.
Seth Eisenberger, Esq.
Thomas Galan, Esq.
Galan & Glassberg
Thomas J. Kalamotousakis, Esq.
Karp & Kalamotousakis
David Leffler, Esq.
Saul A. Mishaan, Esq.
Zoila Silva, Esq.
Ira D. Tokayer, Esq.

QUEENS COUNTY

Aron B. Borukhov, Esq.
Anthony S. Bottitta, Esq.
John A. Dandola, Esq.
Richard S. Feinsilver, Esq.
Michael L. Gangadeen, Esq.
Gerard M. Marrone, Esq.
Amal Oummih, Esq.
George J. Razis, Esq.
Razis & Razis, P.C.
Abraham Ross, Esq.
Allan Schiller, Esq.

RICHMOND COUNTY

Kerri L. Bringslid, Esq.
Hall & Hall, LLP
Marianne Cardo, Esq.
Renda & Anselmo
Danielle M. Elias, Esq.

WAYNE COUNTY

Daniel G. Barrett, Esq.
John P. Morrell, Esq.
Richard G. Reilly, Jr., Esq.

WESTCHESTER COUNTY

Bruce Alter, Esq.
Alter & Goldman
Richard T. Blancato, Esq.
Michael J. Curto, Esq.
Curto Schwartz Curto Bond
& Vomvolakis, LLP
Charles A. D'Agostino, Esq.
Laura K. Giacomini, Esq.
Wieder & Wieder
Robert Greenwald, Esq.
Matthew D. Schwarz, Esq.



"The Lawyers' Fund program is a blessing to anyone that encounters similar problems and I will be forever grateful to you, the Fund and our lawyer for guiding me through the process."

Message from a Claimant, 2005.

AND FURTHER:

Since the creation of the Fund, now in its 23rd year, it has grown from the granting of a single award in the sum of \$25,000 to a widow whose life savings had been stolen by her attorney, to a cumulative total of payments to victims exceeding \$116 million. The work of the Fund has for years been done by one Executive Director, Timothy J. O'Sullivan; one Deputy Counsel, Michael J. Knight; one Investigator, Ray Wood; one Administrative Secretary, Sue Gartley and one Secretary, Jahnel Hall-Worthen. Indeed, in the entire history of the Fund, there have been but two Executive Directors, each exceptionally competent.

The stability, efficiency, common sense and pervading good nature of this staff has enabled this organization to become the pre-eminent Lawyers' Fund in the United States. Whether it be volume of cases processed, rapidity of addressing claims, full recompense to virtually every client-victim of lawyer dishonesty, or modesty of overhead, no other state comes close to the performance of the New York Lawyers' Fund for Client Protection. We, the members of the Board of Trustees, take this occasion to express our appreciation for the performance of this quintet of public servants, and look forward to our continuing relationship.

The Board of Trustees

The Fund is administered by a Board of Trustees who are appointed by the Court of Appeals and serve renewable three-year terms. The Trustees receive no compensation for their services. Since December 1, 1981, the Board has been composed of five members of the bar and two business and community leaders.

The Trustees elect from their membership a Chairman, Vice-Chairman and a Treasurer to serve as the Fund's officers. The Fund's Executive Director serves as the Fund's Chief Administrative Officer and the Board's Secretary and Counsel.



Eleanor Breitel Alter of Manhattan has served as Chairman of the Board of Trustees since 1985. She is a partner in the Manhattan law firm of Kasowitz, Benson, Torres & Friedman. Mrs. Alter is a graduate of the University of Michigan and the Columbia University Law School (1964). She was first appointed to the Board of Trustees in 1983. The Chairman's current term expires on November 30, 2007.



Bernard F. Ashe of Delmar, Albany County, is Vice-Chairman of the Board. Mr. Ashe is a former General Counsel to New York State United Teachers. He is a graduate of Howard University and the Howard University School of Law (1961). Mr. Ashe is a charter member of the Board. His current term expires on November 19, 2008.



Nancy Burner of Setauket, Suffolk County, is a solo practitioner and elder law attorney. She is a graduate of the State University at Stony Brook and Hofstra University School of Law (1988). Her present term expires on December 10, 2008.



Charlotte G. Holstein of Syracuse is a civic leader, founder and Executive Director of F.O.C.U.S. Greater Syracuse, a community interest group. She is a graduate of Brockport State University (1946) and the 1998 recipient of an honorary degree, Doctor of Humane Letters, from LeMoyné College in Syracuse. Her present term expires on November 30, 2007.



Charles Joseph Hynes of Brooklyn is the District Attorney of Kings County. He is a graduate of St. John's University and its School of Law (1961). Mr. Hynes was first appointed to the Board of Trustees in 1982. His present term expires on November 30, 2006.



Theresa B. Mazzullo of Rochester, Monroe County, is President and a Principal of EPIC Advisors, Incorporated, a retirement plan administration firm. Mrs. Mazzullo, the Fund's Treasurer, is a graduate of Spring Hill College and Stonier Graduate School of Banking (1994). Her present term expires on December 10, 2008.



Eric A. Seiff of the Bronx is a partner in the Manhattan law firm of Seiff, Kretz & Abercrombie. Mr. Seiff is a graduate of Yale University and the Columbia University Law School (1958). Mr. Seiff is also a charter member of the Board. His present term expires on November 30, 2006.

Former members of the Board of Trustees include the Hon. Judith S. Kaye, Chief Judge of the State of New York (1981-1983); Joseph Kelner, Esq. of Manhattan (1981-1982); Anthony R. Palermo, Esq. of Rochester (1981-1990); John F. X. Mannion of Syracuse (1981-1992); Ray W. Manuszewski of Cheektowaga (1981-2002); Theodore D. Hoffmann of Hicksville (1990 to 2002); and Shirley B. Waters of Rome (1992 to 2001).

The Staff of the Lawyers' Fund

The Board of Trustees appoints the Fund's staff. In 2005, the staff consisted of Timothy J. O'Sullivan, Executive Director and Counsel; Michael J. Knight, Deputy Counsel; Ray Wood, Investigator; Sue Gartley, Administrative Secretary; and Janel Hall-Worthen, Secretary.



Timothy J. O'Sullivan



Michael J. Knight



Ray Wood



Sue Gartley



Janel Hall-Worthen

The Fund's Statutory Authority and the Trustees' Regulations

Section 97-t of the State Finance Law provides for the establishment of the Fund and for the management of its assets as a special revenue fund by the State Comptroller.

Section 468-b of the Judiciary Law governs the administration of the Fund. This statute provides the Trustees with full authority to administer the Fund, subject to the general supervisory authority of the Court of Appeals.

The Trustees' Regulations for administration and claims procedures are published in Title 22 of the Official Compilation of Codes, Rules and Regulations of the State of New York (22 NYCRR Part 7200, *et seq.*).

In 2005, the Trustees amended section 7200.8 (a) of the Regulations governing the eligibility of claims by codifying the requirement that there be a sufficient nexus between the dishonest conduct alleged in a claim and the practice of law in New York State. This amendment was intended to clarify the Fund's jurisdiction over losses occurring outside New York's borders by a lawyer who may have been admitted to practice in New York at one time. To qualify for an award, a claimant must establish that there is a sufficient connection between the loss and the practice of law in New York.

The Appendix includes section 97-t of the State Finance Law, section 468-b of the Judiciary Law and the Trustees' Regulations.

Liaison and Coordination with the Appellate Divisions

The four Appellate Divisions of the Supreme Court have each designated an Associate Justice to serve as a liaison with the Fund. In 2005, the Liaison Justices were Justices Milton L. Williams of the First Department; David S. Ritter of the Second Department; Anthony J. Carpinello of the Third Department; and Henry J. Scudder of the Fourth Department.

The Trustees do not render final determinations in claims until Appellate Division disciplinary proceedings involving the accused attorney are completed. The Fund's staff, therefore, coordinates investigations with the Attorney Grievance Committees in the four judicial departments.

Revenue, Awards and Disbursements

The total revenue received by the Fund since 1982 is \$129 million. As of December 31, 2005, a total of \$116 million in reimbursement awards were approved by the Trustees. The Fund's administration cost in 2005 was \$644,000. In 23 years of operations, 91 cents out of every \$1 in revenue received has been directly applied towards the payment of awards of reimbursement. At the close of 2005, the Fund held \$5.4 million in revenue in the state treasury.

Restitution Revenue and Litigation

Since 1982, a total of \$9.7 million in restitution has been recovered by the Fund. This revenue was obtained from dishonest attorneys, their estates, and third parties civilly liable for losses reimbursed by the Fund.

The New York State Attorney General's Office represents the Lawyers' Fund in restitution and other litigation in collaboration with the Fund's legal staff. Since December 1999, the Fund has financed the payroll expense of an Assistant Attorney General who is assigned exclusively to the Fund's restitution litigation.

Assistant Attorney General Richard L. Rodgers served as the Fund's litigation counsel in 2005. The Trustees are indebted to Assistant Attorney General Rodgers for his excellent representation in the Fund's restitution efforts.

In 2005, the Fund was also assisted by Assistant Attorneys General Stephen M. Nagle, Megan M. Brown, Tim Noffsinger, Nancy Lord and Rob Goldfarb. The Trustees are grateful to these dedicated professionals for their advocacy skills.

Public Information and Consumer Education

The Trustees believe that responsible public information efforts promote public confidence in the integrity of the legal profession and the administration of justice in New York State. The Trustees therefore welcome public information about the Fund.

Educational publications by the Fund for legal consumers and members of the bar have included editions of *A Practical Guide to Attorney Trust Accounts and Record Keeping*, as well as *Know Your Escrow Rights*; *Know Your Escrow Rights: The Lawyers' Edition*; *Attorney Trust Accounts: The Video*; *What's A Power of Attorney? Answers for New Yorkers*; *Avoiding Grief With A Lawyer: A Practical Guide*; and an *Appendix of CLE Materials*.

A web site is maintained on the internet : www.nylawfund.org. This site has information on the Lawyers' Fund; frequently asked questions on the Fund and its procedures; the Trustees' Regulations; reimbursement claim forms; recent Annual Reports; consumer publications and press releases; addresses and telephone numbers of Attorney Grievance Committees; and a roster of the nation's client protection funds.

Processing Applications for Reimbursement

To seek reimbursement by the Fund, a law client must complete and submit to the Fund's office a two-page application form with documentation supporting the alleged loss. The Executive Director will dismiss a claim with a written explanation if an alleged loss does not appear to qualify for reimbursement.

Claimants alleging a misappropriation of money or property in the practice of law must report their losses to the appropriate Attorney Grievance Committee and District Attorney and cooperate with these agencies in their investigations. Lawyers accused of dishonest conduct are provided with notice of a claim and afforded the opportunity to respond.

A claimant with the Fund does not have to be represented by counsel. Claimants may wish to consult with a lawyer concerning problems or other issues raised by their loss. As a public service, lawyers in New York State generously assist claimants with the Fund. Nearly half of all claimants have attorneys assist them in their applications, without legal fee. Lawyers are prohibited by court rules and the Trustees' Regulations from charging or accepting legal fees for assisting claimants, except with the prior approval of the Board of Trustees. (See, 22 NYCRR 603.24, 691.24, 806.16, 1022.35 and 22 NYCRR 7200.14).

Section 468-b of the Judiciary Law provides the Trustees with sole discretion to determine the merits of claims, set the amount of an award of reimbursement, and the terms and conditions for awards. The Trustees await the completion of disciplinary proceedings against the accused attorney before rendering a determination. If necessary, the Board will also await the conclusion of related criminal proceedings.

Payment of approved awards is made by the State Comptroller following receipt of an award voucher certified jointly by the Chairman, Treasurer and the Executive Director.

Judicial Review of Rejected Claims

In 23 years, 12,741 determinations have been rendered in claims to the Fund. Awards of reimbursement have been granted in 6,016 claims. The remaining 6,725 claims were determined to be ineligible for failure to provide satisfactory evidence of eligible losses.

Since 1982, only eight claimants denied reimbursement have pursued Article 78 proceedings against the Fund. Seven of these judicial challenges were dismissed after the courts held that there was a rational basis for the Trustees' denials in the claims. One Article 78 proceeding against the Fund remained pending at the close of 2005.

Thefts in Real Property Transactions

Awards reimbursing real estate escrows comprise the largest single category of awards in both amount of reimbursement provided and in the number of awards approved.

Since 1982, thirty-six percent of all money awarded by the Fund has reimbursed the theft of real estate escrows. The Trustees have reimbursed a total of \$41.9 million in granting 1,736 awards involving real property losses. These 1,736 awards represent twenty-nine percent of all awards from the Fund in 23 years.

A lawyer's theft of a purchaser's down payment in the sale of residential property constitutes the large majority of these real estate losses.

Losses in Investment Transactions

In establishing the Fund, the State Legislature made clear that reimbursement was intended for losses arising within the practice of law and which occur within an attorney-client relationship. Section 468-b of the Judiciary Law defines "dishonest conduct" as the misappropriation or wilful misapplication of **clients'** (emphasis supplied) money, securities, or other property by an attorney. Therefore, losses caused by a lawyer's breach of fiduciary obligations outside an attorney-client relationship and the practice of law are not eligible for reimbursement.

Claims involving investment transactions with lawyers are carefully reviewed by the Fund. The Trustees have adopted the following policy guidelines in order to fully explain the eligibility of claims involving these types of losses:

"The Trustees will consider for payment only those claims arising out of an attorney-client relationship. Investment advice given by the claimant's attorney, although such advice may result in the loss of a claimant's money, is not, in and of itself, a ground for seeking reimbursement from the Fund.

Claims arising out of investments may be considered for payment, however, when the attorney is in the possession of the claimant's money, which the attorney has obtained by virtue of an attorney-client relationship with the claimant, when the attorney advises the claimant to invest the money in a business or other venture, and the attorney then misappropriates the claimant's money.

Ordinarily, interest on investments will not be reimbursed. Unless a claimant establishes otherwise, all payments received on an investment will be considered to be return of principal and will be deducted from the claimant's initial investment with the attorney in order to determine, for Fund purposes, the claimant's reimbursable loss."

The Trustees also apply a "but for" test in evaluating claims alleging investment losses. Under this test, a loss is eligible if the Board finds that the loss would not have occurred "but for" dishonest conduct within an attorney-client relationship.

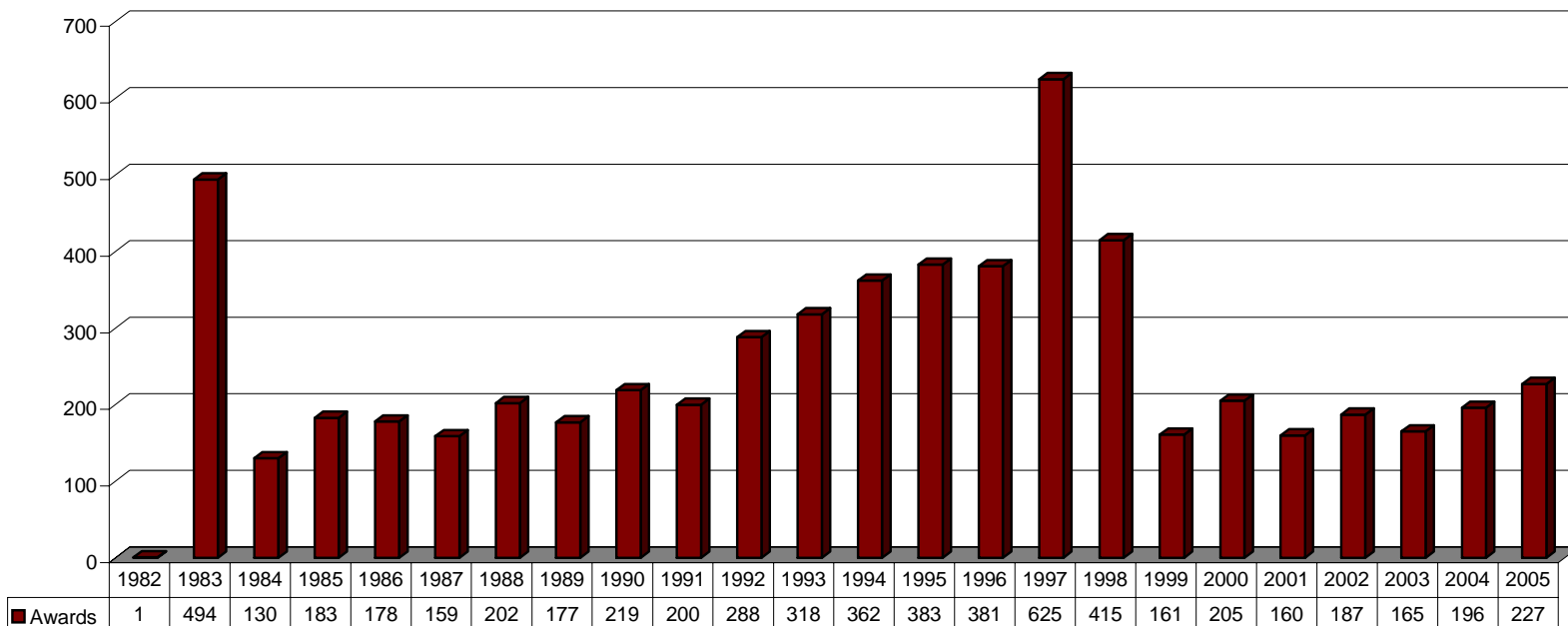
Since 1982, 1,276 claims have been filed with the Fund alleging \$135.6 million in losses from investment transactions with lawyers. The Trustees approved awards in only 332 of these claims providing total reimbursement of \$15.3 million.

Legal Fee Claims

Since 1982, thirty-five percent of all claims filed have sought reimbursement of legal fees. This is the largest category of claims filed with the Fund.

To qualify for a refund of a legal fee, a claimant must provide satisfactory evidence of dishonest conduct. Section 7200.8(e)(1) of the Trustees' Regulations provides that dishonest conduct in legal fee claims includes an attorney's misrepresentation, or false promise, to provide legal services in exchange for an advance fee. The Fund has no authority to settle fee disputes or compensate for alleged negligence, malpractice or dissatisfaction with legal services.

Number of Awards Approved, 1982-2005
Total Awards Approved: 6,016



Theft of Personal Injury Settlements and Payee Notification

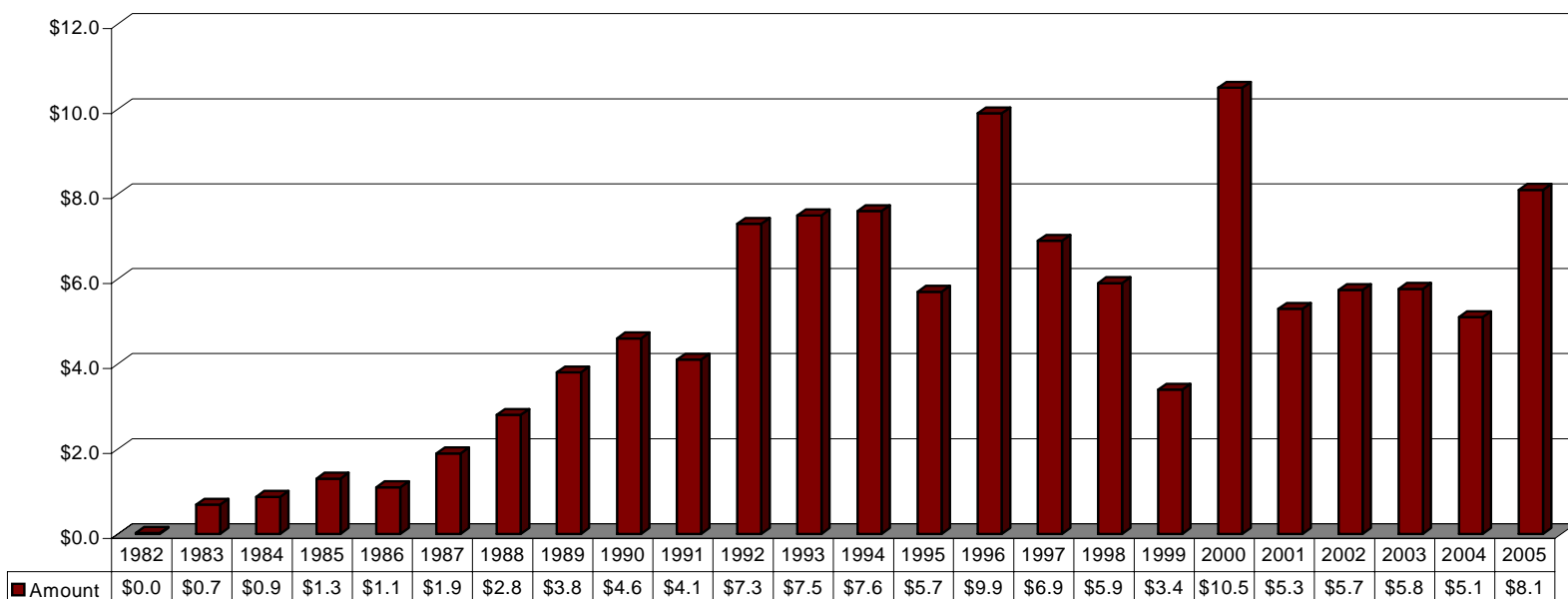
In claims involving the theft of personal injury settlements by forgery, a dishonest lawyer settles a client's action without authority by forging the client's signature on a general release. A settlement draft is then issued payable jointly to the law client and attorney without notice of payment to the law client. The client's endorsement is then forged and the settlement proceeds converted.

In 1998, to detect and prevent these losses, the Trustees recommended the adoption of a payee notification rule. This led to the Insurance Department "Regulation 64" notice which requires liability insurers and their agents to provide law clients with written notice of payment whenever a third-party liability claim is settled for \$5,000 or more. (11 NYCRR 216.9). Regulation 64 has reduced losses and claims to the Fund involving the forgery and theft of personal injury settlements. The timely detection of forgeries due to Regulation 64 also shifts the liability for forgery losses to banks that improperly honor forged endorsements on negotiable instruments.

New York's Regulation 64 has been approved as a Model Rule for attorney disciplinary systems by the American Bar Association. Variations of this payee notice rule have now been adopted in the following other eleven states: California, Connecticut, Delaware, Hawaii, Georgia, Kansas, Maryland, Nebraska, New Jersey, Pennsylvania and Rhode Island. This client protection device is under study in several other states.

**"Thank you for your immediate response to our family situation...we are greatly delighted, surprised at how suddenly your organization has responded. We greatly appreciate your work."
Message from a Claimant, 2005.**

Amount of Awards Approved 1982-2005 (In Millions \$) Total Awards: \$116 Million



The Dishonored Check Reporting Rule

A dishonored check drawn upon a lawyer's escrow account is a clear indication of the possible misuse of law client money.

To protect law clients, the Trustees recommended that a form of the ABA's model overdraft reporting rule be implemented by court rule in New York State. The Appellate Divisions thereafter enacted court rules effective January 1, 1993 which instituted a Dishonored Check Reporting Rule in New York.

The "Bounced Check Rule" (22 NYCRR 1200.46(b)(1), (2); Part 1300) requires that a lawyer in possession of funds belonging to another person incident to the lawyer's practice of law must maintain such funds in a special account separate from the lawyer's business, personal or other accounts. These separate fiduciary accounts must be designated as an "Attorney Special Account", "Attorney Trust Account", or an "Attorney Escrow Account". Lawyers may only use banks which have agreed to report dishonored checks on these accounts. Nearly all banking institutions in New York State participate in this reporting rule.

The role of the Lawyers' Fund is to serve as a clearinghouse under the Bounced Check Rule. A dishonored check notice on a reportable account is mailed to the Fund's office. If not withdrawn due to bank error, the Fund later forwards the notice to the appropriate attorney disciplinary committee for investigation. The majority of bounced check notices result from innocent mistakes in law office banking practices, not dishonest conduct. In these cases, the rule has served an educational role by alerting lawyers to the accounting, banking and recordkeeping requirements of the Lawyer's Code of Professional Responsibility.

The Dishonored Check Reporting Rule is an effective loss prevention and detection device. Since 1993, bounced check reports have identified and led to the discipline of approximately 145 lawyers for misusing client funds.

Escrow Funds of Deceased Lawyers and Missing Clients

Disciplinary Rule 9-102 (e) of the Lawyer's Code of Professional Responsibility provides that only an attorney admitted to practice law in New York State shall be an authorized signatory on an attorney's trust, escrow or special account. The limitation is intended to protect law clients from the misuse of their money. Practical problems arise when a sole practitioner dies without a successor signatory.

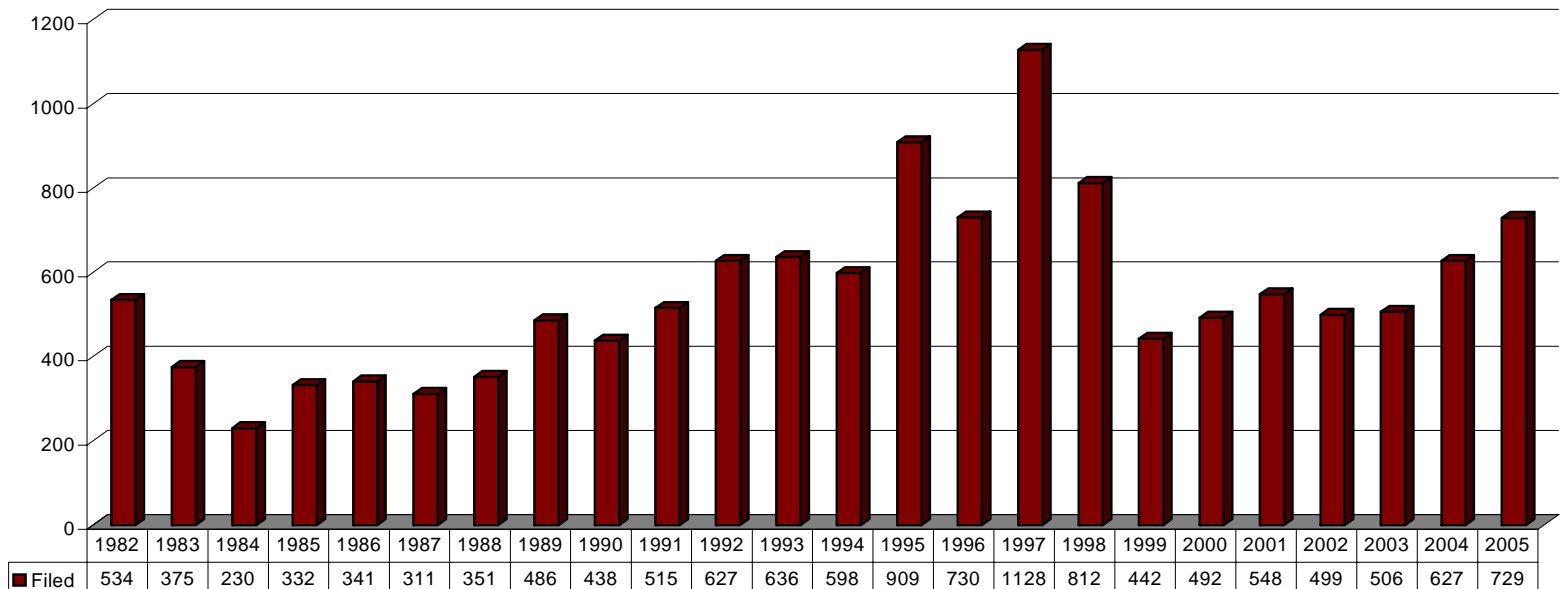
At the Trustees' suggestion, the Appellate Divisions amended court rules in 1994 by adding Disciplinary Rule 9-102 (g) which permits a Justice of the Supreme Court to designate a successor signatory for a deceased attorney's trust, escrow or special account. A Court may now direct that money from a deceased attorney's client funds account be disbursed to persons who are entitled thereto, or deposited with the Lawyers' Fund for safeguarding.

The Trustees also recommended the addition of court rules to address law client escrow funds which were unclaimed or owed to missing clients. Disciplinary Rule 9-102 (f) was thus amended to prevent the escheat of these funds to the State as abandoned property. This court rule provides that if escrow funds are unclaimed or owed to a missing client, an application can be made for a court order directing that the money be deposited with the Lawyers' Fund for safeguarding and disbursement to persons entitled thereto. Deposits of \$1,000 or less will be accepted without court order in order to prevent the depletion of nominal deposits. The Fund's staff attempts to locate these clients to return deposits. As of December 31, 2005, a total of 972 deposits totaling \$1.7 million were received by the Fund. Staff successfully located 89 missing clients and restored \$248,000 to them.

"...thanks to people like you, through your determination and diligence you have restored our faith by the way you extracted justice, when we felt there would be no justice...so again, we express our deepest thanks, for a job well done."

Message from a Claimant, 2005.

Number of Claims Filed 1982-2005 Total Filed: 13,196



Claims Filed and Processed

Claims Filed, 1982 to 2005

Since 1982, 13,196 claims have been filed with the Lawyers' Fund alleging \$437 million in total losses. Annual filings have ranged from a low of 230 in 1984 to a record high of 1,128 in 1997.

Claims Filed by Category of Loss, 1982 to 2005

Claims to the Lawyers' Fund are classified into the following eight categories: (1) trusts and estates; (2) real property escrow funds; (3) debt collection proceeds; (4) settlements in litigation; (5) other escrow transactions; (6) unearned legal fees; (7) investment transactions with lawyers; and (8) a miscellaneous category of "other" for other claims.

By category, the largest number of claims seek reimbursement of legal fees. Since 1982, 4,614 claims have been filed alleging unearned legal fees. This number constitutes 35 percent of all filed claims. The second largest category of filed claims alleges losses in real property transactions. The Fund has received 2,750 claims in this category comprising approximately 21 percent of all filed claims.

Since 1982, the largest alleged dollar losses in filed claims were in claims alleging losses from investment transactions with lawyers. Investment claims alleged losses of \$135.6 million or 31 percent of all alleged losses in filed claims. Losses alleged in real property claims were second with alleged losses of \$101 million constituting 23 percent of all reported losses. The third largest category of alleged losses involve alleged thefts from estates and trusts. These claims have alleged \$80.4 million in losses or 18 percent of all alleged losses.

Claims Filed in 2005

In 2005, 729 claims were filed with the Fund. This was a 16 percent increase over the filed claims in 2004. The 729 claims alleged \$21.8 million in losses, a 19 percent decrease in alleged losses from the previous year. The largest category of claims filed sought reimbursement of other escrow losses. Of the 729 filed claims, 237, or 32 percent, involved other escrow claims. Real property escrow claims alleged the largest losses totaling \$10 million followed by investment losses at \$3.5 million.

Awards of Reimbursement, 1982 to 2005

Since 1982, the Trustees have granted 6,016 awards reimbursing \$116 million to eligible law clients. On average, since 1982, 92 percent of all eligible claimants have received full restitution. Since 1997, 98 percent of eligible claimants were fully reimbursed.

By category, the largest number of awards approved are for real property escrows. There have been 1,736 real property escrow awards constituting 29 percent of all awards. The second largest category of awards reimbursed are unearned legal fees. Since 1982, there have been 1,729 awards in this category comprising 28 percent of all awards.

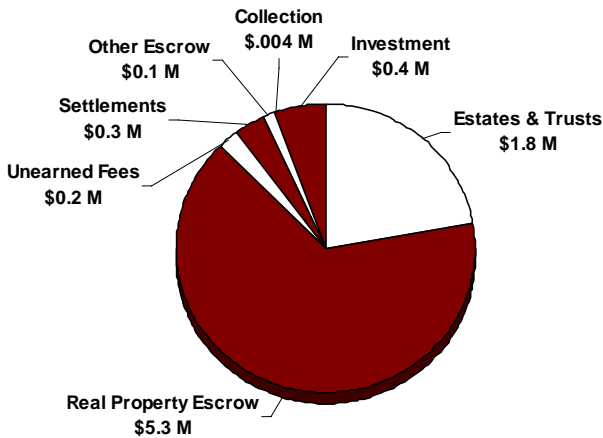
By dollar amount, awards reimbursing real property losses represent the largest payout by the Fund. These awards account for \$41.9 million or 36 percent of all reimbursement awards. The second largest dollar amount of awards involve thefts from estates and trusts. These awards total \$31.8 million or 27 percent of all awards.

Awards of Reimbursement in 2005

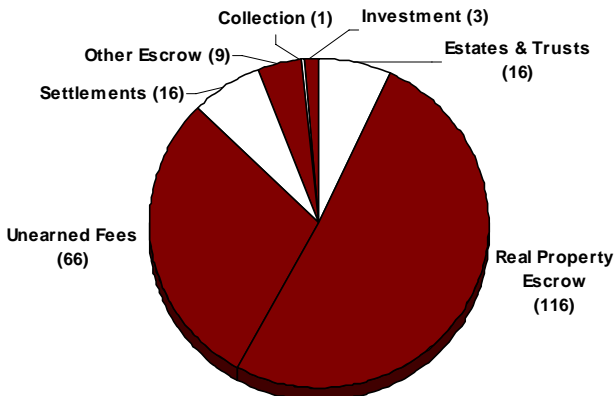
In 2005, the Trustees approved 227 awards. This is an increase of 31 awards, or 16 percent, from the awards granted in 2004. The 2005 awards provided total reimbursement of \$8.1 million as compared to the \$5.1 million paid the year before. All but three claimants received 100 percent reimbursement for their eligible loss.

The awards in 2005 ranged between \$170 and \$300,000. The median client loss, and award, was \$10,000, up from \$6,667 in 2004.

Amount of 2005 Awards By Misconduct : \$8.1 Million



Number of Awards Approved in 2005 by Category of Loss : 227 Awards



Ineligible Claims Since 1982

In 23 years, the Fund has rendered 12,741 determinations in claims. Of these 12,741 claims, 6,725, or 53 percent, were found to be ineligible for reimbursement. Alleged losses in these rejected claims exceed \$266 million.

Claims Pending as of December 31, 2005

There were 515 pending claims at the close of 2005. This is an increase of 175 claims, or 51 percent, from the 340 claims pending on December 31, 2004. These 515 pending claims allege total losses of \$17.5 million. The Fund's exposure on these pending claims, adjusted for the \$300,000 maximum limit on awards, is \$13.9 million. This represents an 8 percent decrease in the Fund's exposure on pending claims at the close of 2004.

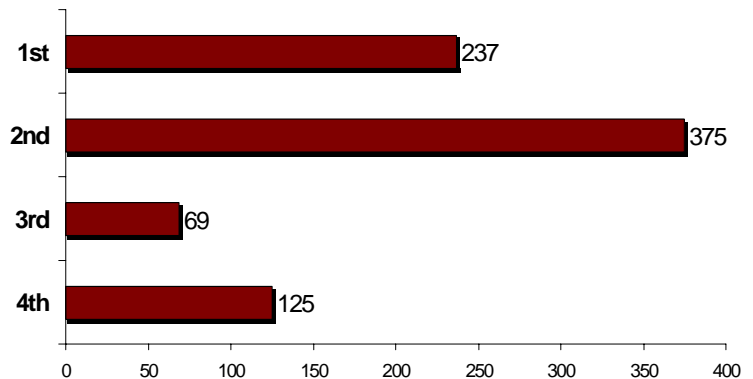
Lawyers Involved in Awards, 1982 to 2005

Only 806 former members of the bar have been responsible for the 6,016 awards granted by the Fund in 23 years. The Trustees' awards in 2005 were attributable to dishonest conduct by 56 now suspended, disbarred or deceased lawyers. Of these 56 former lawyers, 24 were respondents in awards from prior years and the names of 32 dishonest lawyers appear for the first time in 2005 awards. A list of lawyers involved in awards is provided in the Appendix.

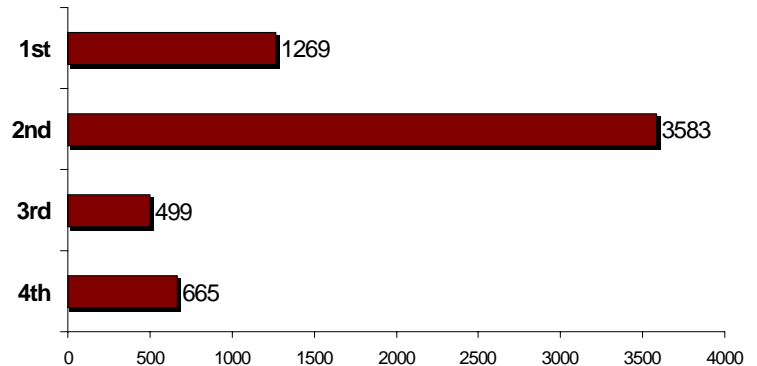
Most thefts involve sole practitioners, the majority of which are male and middle-aged. The apparent causes of misconduct by these lawyers are often traced to alcohol or drug abuse. Other causes are economic pressures, mental illness, marital, professional and medical problems, and gambling activity.

The geographic distribution of these 806 former lawyers, and the Fund's 6,016 awards, among the state's judicial departments is represented in the following bar graphs:

Lawyers Involved in All Awards Since 1982



Number of Awards Since 1982



Recommendations

The Trustees have a statutory responsibility to maintain the integrity of the legal profession and promote public confidence in the administration of justice in New York State. In fulfilling this responsibility, the Trustees annually recommend changes in legal practice and policy in order to provide protection to legal consumers.

Escrow Thefts in Real Property Transactions

In 2005, 51 percent of the awards approved, and 65 percent of the amount of reimbursement provided, involved thefts of real property escrows. Over the past ten years, the Fund has reimbursed \$22.7 million for realty escrow thefts alone. Since 1982, 36 percent of all reimbursement from the Fund (\$41.9 million) involved thefts in the sale and purchase of real property.

The most common realty loss involves the theft of a purchaser's down payment by the seller's attorney in a residential transaction. From 1995 to 2004, 95 percent of the number of awards and 98 percent of the amount of reimbursement for real estate escrow thefts occurred in the First and Second Judicial Departments.

These realty losses are caused by a tiny percentage of the members of the bar. In 2005, only 19 former lawyers were responsible for the thefts of real estate escrows. These few disgraced attorneys though cause substantial harm to law clients and the legal profession.

The Trustees continue to encourage the recent efforts by the New York State Bar Association and other local bar associations in studying this problem. The Trustees also appreciate the attention to this issue by the Nassau and Suffolk County District Attorneys. We continue to urge these parties, other bar leaders, and our judicial leaders to consider and adopt measures to address this continuing problem.

Alcohol and Substance Abuse in the Legal Profession

The Trustees have witnessed the economic and emotional harm suffered by law clients of lawyers with alcohol and substance abuse problems. Over the Fund's 23 years, a large percentage of the Fund's awards have resulted from misconduct attributed to these addictions.

The Trustees support the Lawyer Assistance Trust in its efforts to marshal statewide resources and raise awareness to the prevention and early treatment of alcohol and substance abuse among lawyers, judges and law students. The Trustees encourage grant programs for substance abuse prevention projects and agree with the Trust's focus on the vital role law schools can play in identifying and preventing substance abuse.

Thefts by Suspended, Disbarred and Bogus Lawyers

The unauthorized practice of law is a misdemeanor crime under New York's penal laws but is seldom prosecuted. Attorney disciplinary committees lack the resources to monitor suspended or disbarred lawyers. These shortcomings in law enforcement encourage the illegal practice of law and exploitation of the public.

The Office of Court Administration maintains an Official Register of Attorneys, which assigns to each lawyer a unique identification number. The Trustees recommend a court rule to require every lawyer to endorse his or her Attorney Registration Number on each pleading the lawyer files with a court or a court agency. That simple endorsement will provide a cost-free and reliable opportunity to verify the credentials of persons who represent themselves to be licensed to practice law in New York State.

The Trustees also support legislation to authorize the state attorney general to pursue criminal prosecutions for the unauthorized practice of law. This additional enforcement of the

penal laws will serve to protect the public and deter the illegal practice of law.

Escrow Accounts of Suspended and Disbarred Lawyers

Present court rules in New York make no specific provision for the transfer or protection of law client escrow funds and property in possession of members of the bar who are suspended or disbarred for professional misconduct. The Trustees are concerned that law client assets are not adequately safeguarded when it is clear that they may be in danger if left under the control of a lawyer who has lost his or her license to practice law for serious misconduct.

The Trustees recommend the enactment of clear and precise court rules directing a suspended or disbarred lawyer to transfer client funds and property, prohibiting further use of attorney escrow accounts and restraining escrow account funds in jeopardy. These measures will protect the interests of legal consumers. The Trustees also propose that court rules grant discretion to the Appellate Divisions to restrain attorney escrow accounts of lawyers who are determined to be a public threat.

Multijurisdictional Practice and *Pro Hac Vice* Rules

Bar leaders in New York State are considering multijurisdictional practice of law and whether lawyers should be granted the privilege to practice in states where they are not admitted to the bar. The Trustees are concerned about the impact multijurisdictional practice of law will have on legal consumers, the Lawyers' Fund and our disciplinary system.

The Trustees recommend that any changes in court rules which permit out-of-state attorneys to practice law in New York State should also require that they contribute financially to our State's disciplinary system and the Lawyers' Fund. It is only equitable that out-of-state attorneys authorized to practice law here share in the responsibilities all New York attorneys bear in our justice system.

Attorney Malpractice Insurance Disclosure

The Lawyers' Fund is only authorized to reimburse law client losses caused by dishonest conduct in the practice of law. The Fund can not compensate for damages due to attorney malpractice. If law clients wish to be protected from this type of loss they should have access to information which would allow them to choose a lawyer who maintains malpractice insurance.

Eleven states now require some form of attorney malpractice insurance disclosure. The Trustees propose that New York adopt this client protection measure. One possible method is to require that attorneys disclose on their biennial registration statement whether they maintain professional liability coverage and the limits of their policy. Legal consumers can then access this information and make an informed choice when seeking legal representation.

Bar Examinations & Legal Education

The Trustees continue to recommend that candidates for the New York bar examination be tested for knowledge and competence with respect to a lawyer's fiduciary obligations to safeguard and account for law clients' money and property. The necessary knowledge and skills to properly administer client trust funds as fiduciaries or escrow agents should be taught in law school and enhanced through the bar examination and New York's Continu-

Recommendations

ing Legal Education program. The Trustees firmly believe that our system of legal education should prepare students and lawyers for this vital aspect of lawyering.

Disbarment for Conversion

The Trustees again recommend a consistent, firm statewide disciplinary policy imposing disbarment for a lawyer who injures clients by converting escrow funds. This clear, evenhanded penalty will deliver a strong message to victims, the public and lawyers about the administration of justice in our State. The Trustees are grateful to the Appellate Divisions and their disciplinary staff for including orders of restitution in disbarment proceedings involving clear cases of lawyer theft. This important use of the provisions of the Judiciary Law has proven to be beneficial to victims and the Lawyers' Fund.

Bank Notices to Fiduciaries

The Trustees' experience in claims involving the theft of estate or trust assets has shown that these types of losses can be concealed when someone other than the fiduciary controls the bank account and receives the monthly bank statements.

The laws of New York should require that the named fiduciary for an estate or trust be provided with a copy of the estate's monthly bank statement. This simple step would discourage and detect thefts. Absent legislative action, the Trustees propose a court rule be adopted to prohibit lawyers from depositing fiduciary monies in banking institutions that do not agree to forward copies of bank statements to legal fiduciaries of estates and trusts. This rule could be patterned after the Dishonored Check Reporting Rule.

Confidentiality in Lawyer Discipline Proceedings

Section 90 of the Judiciary Law provides that lawyer discipline proceedings shall be "deemed private and confidential", and that all "papers, records and documents" be sealed unless the court sustains the charges of misconduct lodged against a lawyer.

Confidentiality should not remain in disciplinary proceedings when a court has probable cause that a lawyer has stolen law client funds. The Trustees' experience over twenty-three years has demonstrated that dishonest lawyers can and do exploit the laws of confidentiality to conceal dishonest and criminal activity.

The Trustees also recommend that court rules and policies statewide require that the local District Attorney be notified whenever an attorney disciplinary committee has evidence of a larceny by a lawyer in the practice of law.

Conclusion

The overwhelming majority of New York's lawyers are honest and caring and maintain the highest standards of integrity when entrusted with law client money and property. This fact is borne out by the Trustees' 23 years of experience in operating the Lawyers' Fund. A handful of lawyers representing a tiny percentage of the bar's membership are responsible for the dishonest conduct resulting in awards from the Fund. These few lawyers persist in causing client losses. As a result, a well-financed and responsive Lawyers' Fund continues to be an integral part of our justice system.

The Trustees gratefully acknowledge the kindness and support of our colleagues in public service upon whom we greatly rely. Our special thanks is again extended to the Court of Appeals; the Office of Court Administration; the staffs of New York's Attorney Grievance Committees; the Attorney General and his assistants; District Attorneys statewide and their prosecutors; and the Office of the State Comptroller.

Trustees Regulations (22 NYCRR 7200, et seq.)

7200.1 Purpose of fund. The purpose of the Lawyers' Fund for Client Protection is to promote public confidence in the administration of justice and the integrity of the legal profession by reimbursing losses caused by the dishonest conduct of attorneys admitted and licensed to practice law in the courts of New York State.

7200.2 Organization. (a) The fund shall be administered by a board of trustees appointed by the Court of Appeals of the State of New York.

(b) The board of trustees shall consist of seven members. Of the trustees first appointed, three shall be appointed for terms of three years, two for a term of two years, and two for a term of one year. As each term expires, each new appointment shall be for a term of three years.

(c) The trustees shall serve without compensation, but shall be entitled to receive their actual and necessary expenses incurred in the discharge of their duties.

(d) The trustees shall from time to time elect from their membership a chairman, vice-chairman, treasurer and such additional officers as they deem necessary or appropriate.

(e) The trustees shall retain an executive director to serve as the chief administrative officer of the fund.

7200.3 Meetings. (a) The trustees shall meet at least four times each year at such locations, or in such manner, as the chairman shall designate. Special meetings may be called by the chairman, and shall be called by the chairman upon the request of at least two trustees. Special meetings may be conducted by telephone conference. The chairman shall provide reasonable notice of all meetings.

(b) Four trustees shall constitute a quorum. A majority of the trustees present at any meeting of the board may exercise any power held by the trustees, except as otherwise provided in this Part.

7200.4 Powers of trustees. In the exercise of the authority granted the trustees, the trustees have the power to:

(a) receive, hold, manage and distribute 50 per centum of the monies collected pursuant to the provisions of section 468-a of the Judiciary Law and such other monies as may be credited or otherwise transferred from any other fund or source, pursuant to law, including voluntary contributions together with any interest accrued thereon. All deposits of such revenues not otherwise required for the payment of claims shall be secured and invested as required by the provisions of section 97-t of the State Finance Law;

(b) adopt regulations for the administration of the fund and procedures for the presentation, determination and payment of claims, including the establishment of a maximum limitation for awards to claimants;

(c) investigate claims for reimbursement of losses as the trustees deem appropriate using staff and other available resources;

(d) coordinate and cooperate with the Appellate Divisions of the Supreme Court in the investigation of claims;

(e) examine witnesses and, in accordance with the Provisions of the Civil Practice Law and Rules and the regulations of the trustees, administer oaths or affirmations and issue subpoenas;

(f) hold such hearings as the trustees deem appropriate;

(g) determine, in the trustees' sole discretion, the merits of claims presented for reimbursement, the amount of reimbursement to be awarded, the terms under which reimbursement shall be made and the order of payment;

(h) prosecute claims for restitution to which the fund may be entitled;

(i) engage in studies and programs for client protection and prevention of dishonest conduct in the practice of law;

Trustees Regulations (22 NYCRR 7200, et seq.)

(j) employ and at pleasure remove employees, legal counsel, agents and consultants, and fix their compensation within the amounts made available therefor;

(k) furnish the Court of Appeals with such reports and audits as the court may require; and

(l) perform all other acts necessary or proper for the fulfillment of the purposes of the fund and its effective administration.

7200.5 Duties of officers. (a) The chairman shall preside at all meetings of the trustees, generally supervise the administration of the fund, and exercise such other functions and duties that the trustees may assign or delegate, or that are customary to the office of chairman.

(b) The vice-chairman shall assume the duties of chairman in the absence or disability of the chairman.

(c) The treasurer shall maintain the financial records of the fund and, jointly with the chairman, certify vouchers of the fund that authorize the State Comptroller to make payments to claimants.

(d) The executive director shall assist the trustees, supervise the implementation of regulations and policies of the trustees, coordinate the investigation of claims and prepare reports thereon, supervise staff, serve as secretary at meetings, and fulfill such other duties as may be assigned or delegated by the chairman or the trustees.

7200.6 Conflict of interest. A trustee with a past or present relationship with a claimant or the attorney whose alleged conduct is the subject of the claim shall disclose such a relationship to the trustees and, if the trustees deem appropriate, that the trustee shall not participate in any proceeding relating to such claim.

7200.7 Reports (a) On or before the first day of April each year, the trustees shall prepare an annual report of the activities and operations of the fund during the preceding year. The report shall be transmitted to the Court of Appeals, the Governor, the Legislature and the State Comptroller.

(b) The trustees may also issue periodic reports to the public concerning the activities and procedures of the fund.

7200.8 Eligible claims. (a) The trustees shall consider claims for reimbursement of losses caused by the dishonest conduct of attorneys admitted to practice in New York State, provided that:

(1) the dishonest conduct alleged in the claim constituted the wrongful taking of money, securities or other property belonging to a law client or other person who entrusted it with an attorney admitted to the practice of law in New York State;

(2) the dishonest conduct occurred in the practice of law by an attorney admitted to practice law in New York State;

(3) there is, in the trustees' discretion, a sufficient nexus between the dishonest conduct alleged in the claim and the practice of law in New York State;

(4) the claim is made directly by the client or other person, or their representative;

(5) the loss occurred or was discovered on or after June 1, 1981; and

(6) unless the trustees decide otherwise, the attorney has been suspended or removed from practice, is dead, or the attorney's whereabouts cannot be determined.

(b) The claimant shall have the responsibility to provide satisfactory evidence of an eligible loss.

(c) For the purposes of this section, "dishonest conduct" shall include the misappropriation or wilful misapplication of money, securities or property in the practice of law, and unlawful acts in the nature of theft, larceny, embezzlement, fraud or conversion.

(d) Losses not eligible for reimbursement include damages resulting from an attorney's negligence, malpractice or neglect; losses incurred by government agencies; losses incurred by financial institutions; losses incurred by business organizations having twenty or more employees; and losses arising from financial transactions with attorneys that do not occur within an attorney-client relationship and the practice of law.

(e) (1) In a loss resulting from an attorney's refusal or failure to refund an unearned legal fee as required by the Lawyer's Code of Professional Responsibility, "dishonest conduct" shall include an attorney's misrepresentation, or false promise, to provide legal services to a law client in exchange for the advance payment of a legal fee.

(2) An attorney's failure to perform or complete a legal engagement shall not constitute, in itself, evidence of misrepresentation, false promise or dishonest conduct.

(3) Reimbursement of a legal fee may be allowed only if: (i) the attorney provided no legal services to the client in the engagement; or (ii) the legal services that the attorney actually provided were, in the trustees' judgment, minimal or insignificant; or (iii) the claim is supported by a determination of a court, a fee conciliation bureau, or an accounting acceptable to the trustees that establishes that the client is owed a refund of a legal fee. No award reimbursing a legal fee shall exceed the actual fee that the client paid the attorney.

(4) In the event that a client is provided equivalent legal services by another attorney without cost to the client, the legal fee paid to the predecessor attorney will not be eligible for reimbursement, except in extraordinary circumstances.

7200.9 Filing claims. (a) Claims for reimbursement from the fund shall be written and verified. The fund shall provide an official claim form which shall require the following information: the name and address of the claimant; the name and last-known address of the attorney who is alleged to have committed a dishonest act; the terms of the attorney's professional engagement for the claimant; the amount of the loss incurred; the date of the loss or the period of time when the loss occurred; the place and manner in which the loss occurred; the date and manner in which the claimant discovered the loss; a description of what steps the claimant has taken to recover the loss from the attorney or any other source; and whether there are other sources, such as insurance, fidelity bonds or surety agreements, to reimburse the claimant's loss. The trustees may require a claimant to submit additional information that may be necessary to determine a claim.

(b) The fund shall promptly acknowledge receipt of the claim, which shall be assigned a claim number.

(c) A claim shall be filed with the fund within two years after the following dates, whichever is later:

(1) the date when the alleged dishonest conduct occurred; or

(2) the date when such dishonest conduct was first discovered.

(d) The trustees, in their discretion, may permit the late filing of claims upon a showing that compliance with the time limitations of this section may cause undue hardship or result in an injustice.

(e) In the discretion of the trustees, a claim shall be deemed filed when any writing specifying the claim is received by the fund, a bar association, an attorney grievance committee, or a police or other government agency.

7200.10 Processing claims. (a) Whenever it appears that a claim is not eligible for reimbursement pursuant to these regulations, the claimant shall be advised of the reasons why the claim is not eligible for reimbursement, and that unless additional facts to support eligibility are submitted to the fund within 30 days, the claim shall be dismissed.

(b) All claims that are eligible for reimbursement from the fund shall be investigated in such manner as the trustees deem appropriate. The trustees shall be furnished a written report of each investigation.

Trustees Regulations (22 NYCRR 7200, et seq.)

(c) The appropriate Appellate Division of the Supreme Court shall be requested to assist the trustees, to the extent the court deems appropriate, in the investigation of claims for reimbursement from the fund.

(d) A certified copy of an order disciplining an attorney for the same act of conduct alleged in a claim, or a final judgment imposing civil or criminal liability therefor, shall, for the purpose of these regulations, be evidence that the attorney committed such act.

(e) Upon receipt of the investigation report, the trustees shall determine whether to conduct additional investigation. If the attorney whose alleged conduct gave rise to the claim has not been previously notified of the claim, a copy shall be provided to the attorney. The attorney shall be invited to respond to the claim within 20 days.

(f) The trustees may request that testimony be presented to complete the record. Upon request, the claimant and the attorney, or their respective representatives, shall be given an opportunity to be heard.

(g) The trustees shall determine, in their sole discretion, whether a claim merits reimbursement from the fund and the amount, time, manner of its payment and the conditions upon which payment shall be made. The award of a claim shall require the affirmative vote of at least four trustees.

(h) Unless the trustees direct otherwise, no claim shall be awarded during the pendency of a disciplinary proceeding involving the same act of conduct that is alleged in the claim.

(i) In the exercise of their discretion in determining claims, the trustees shall consider, together with such other factors as they deem appropriate:

(1) the amount of money available and likely to become available to the fund for the payment of claims, and the size and number of claims that have been or are likely to be presented;

(2) the amount of the claimant's loss as compared with the amount of losses sustained by other claimants who may merit reimbursement from the fund;

(3) the degree of hardship suffered by the claimant as a result of the loss;

(4) any conduct of the claimant that contributed to the loss; and

(5) the existence of other sources to reimburse the claimant's loss, such as insurance, fidelity bonds or surety agreements.

(j) Written notice of the trustees' determination shall be provided to the claimant and the attorney whose alleged conduct gave rise to the claim, or their representatives.

7200.11 Reconsideration of claims. A claimant who is denied reimbursement in whole or in part may request that the trustees reconsider the claim by filing an application with the fund no later than 30 days following receipt of the trustees' determination. If a claimant fails to request reconsideration, or the original determination of the trustees is confirmed, the trustees' determination shall be final.

7200.12 Legal right to payment from fund. No person or organization shall have any legal right to payment from the fund as a claimant, third-party beneficiary or otherwise.

7200.13 Payment of awards. (a) Claimants shall be reimbursed for losses in amounts to be determined by the trustees. No award shall exceed \$300,000.

(b) Awards shall not include interest. Attorneys' fees and other incidental and out-of-pocket expenses shall not be reimbursed by the fund. Additional taxes, interest, late charges and similar penalties finally incurred by a claimant as the direct result of an attorney's misappropriation may be eligible for reimbursement in the discretion of the trustees. The investigation report in a claim which involves such an element of loss shall contain an estimate of the amount of such loss and a recommendation whether the loss merits reimbursement from the fund. Unless the trustees determine otherwise, payment thereof may be processed as a supplemental award of reimbursement without further action by the trustees, provided the claimant provides proof of loss within

six months following the trustees' approval of the underlying claim. The executive director shall report quarterly to the trustees on the payment of all supplemental awards during the preceding quarter.

(c) No claim for reimbursement shall be paid until the claimant transfers to the fund, in such form as the trustees shall authorize, the claimant's rights against the attorney whose dishonest conduct caused the claimant's loss and any other person or entity who may be liable for the claimant's loss.

(d) Payment of claims shall be made in such amounts and at such times as the trustees deem appropriate and may be paid in lump-sum or installment amounts.

(e) If a claimant is a minor or an incompetent, the award may be paid to a parent, guardian, committee or the attorney of the claimant, on the behalf of and for the benefit of the claimant.

(f) All payments of awards of reimbursement from the fund shall be made by the State Comptroller on vouchers certified by the chairman and the treasurer.

7200.14 Representation by counsel. (a) A claimant and the attorney whose alleged conduct resulted in the claim shall have the right to be represented by an attorney.

(b) In accordance with the rules of the Appellate Divisions of the Supreme Court, no attorney who assists a claimant process a claim with the fund shall charge or accept compensation for those services, without the prior written approval of the trustees. No fee applications by attorneys, including public officers and court-appointed fiduciaries, shall be approved by the trustees absent a showing of extraordinary circumstances.

7200.15 Confidentiality. (a) Except as otherwise provided, all claims and proceedings and the records relating thereto shall be sealed and confidential.

(b) All information provided by an Appellate Division of the Supreme Court shall remain sealed and confidential to the extent required by section 90 of the Judiciary Law.

(c) The trustees' final determination awarding reimbursement of a claim, and the facts relating to the claimant's loss, shall be a public record.

(d) An attorney whose alleged conduct gave rise to the claim may waive confidentiality.

(e) This section shall not be construed to deny access to information by the Court of Appeals, and Appellate Division of the Supreme Court, or to any court of competent jurisdiction in a judicial review proceeding.

7200.16 Amendment of regulations. New regulations may be adopted, and any regulation may be amended or repealed by the trustees at any regular or special meeting, provided that notice of the proposed adoption, amendment or repeal has been given to all trustees at least seven days before the meeting. New regulations, amendments and repeals shall be published in the State Register. Copies of all regulations shall be made available to the public at all offices of the fund.

7200.17 Construction of regulations. These regulations shall be liberally construed to accomplish the objectives of the fund and the policies of the trustees.

**“The Lawyers’ Fund is a wonderful organization and there aren’t enough words to honor them. My sincerest thanks and God Bless all of you for being so honest and caring in helping me find my ‘faith’ again.”
Message from a Claimant, 2005.**

Publications and Statutes

Lawyers' Fund Publications

A Practical Guide to Attorney Trust Accounts and Recordkeeping. Now in its third edition, this guide for lawyers discusses disciplinary and court rules, statutes and bar association ethics opinions relating to attorney trust accounts and recordkeeping rules.

Know Your Escrow Rights

(1995), a plain-English guide to the law of escrow. This consumer pamphlet was prompted by the fact that nearly 30 percent of all client losses involve lawyers' misuse of escrow funds. **Know Your Escrow Rights** has been widely distributed in downstate counties where escrow losses occur most frequently. As a help to the bar, the Trustees published a companion pamphlet, **Know Your Escrow Rights: The Lawyers' Edition (1995)**, with citations to relevant cases, statutes and administrative regulations.

Complimentary copies are provided, in bulk, to all bar associations and law schools in New York.

Attorney Trust Accounts: The Video (1996). Produced with the New York State Bar Association. A 15-minute video that focuses on court rules and accounting standards that govern the fiduciary obligations of lawyers to maintain escrow and client trust accounts, IOLA bank accounts and law office record systems.

What's A Power of Attorney? Answers for New Yorkers (1996) Produced with the Government Law Center of the Albany Law School of Union University. A 12-page guide, in plain English and question and answer format, that addresses basic principles of law, fiduciary conduct and important changes in New York statutes that took effect on January 1, 1997. The pamphlet has been widely distributed to the senior citizen community, including 100,000 copies sponsored by the New York State Department of Law.

Avoiding Grief With A Lawyer — A Practical Guide (1998). This consumer brochure identifies possible sources of dispute in an attorney-client relationship, warning signs of troubles and problems, and ways to avoid and deal with them. The pamphlet has been distributed to bar associations, consumer protection agencies, legislative offices, and New York State public libraries. A special version of this consumer brochure was prepared for the Attorney General's Office and the New York State Unified Court System.

Appendix of CLE Materials (1999). New York's Mandatory Continuing Legal Education program requires that members of the bar acquaint themselves with the fiduciary and record-keeping obligations of lawyers when they are entrusted with money and property belonging to clients and escrow beneficiaries. To assist bar associations and educational institutions develop CLE seminars in this area of practice, the Lawyers' Fund published this 70-page compendium of applicable statutes, court rules, ethics opinions of bar associations, and practical advice for lawyers and law firms.

NY State Finance Law Sec. 97-t

§§ 97-t. Lawyers' fund for client protection of the state of New York.

1. There is hereby established in the custody of the state comptroller a special fund to be known as the "lawyers' fund for clients protection of the state of New York".

2. The full amount of the allocable portion of the biennial registration fee collected pursuant to the provisions of section four hundred sixty-eight-a of the judiciary law and such other monies as may be credited or otherwise transferred from any other fund or source, pursuant to law, including voluntary contributions, together with any interest accrued thereon, shall be deposited to the credit of the lawyers' fund for client protection of the state of New York. All

deposits of such revenues not otherwise required for the payment of claims as hereinafter prescribed shall be secured by obligations of the United States or of the state having a market value equal at all times to the amount of such deposits and all banks and trust companies are authorized to give security for such deposits. Any such revenues in such fund, may be invested in obligations of the United States or of the state, or in obligations the principal and interest on which are guaranteed by the United States or by the state.

NY Judiciary Law Sec. 468-b

§§ 468-b. Clients' security fund of the state of New York.

1. The court of appeals shall appoint a board of trustees to administer the lawyers' fund for client protection of the state of New York established pursuant to section ninety-seven-t of the state finance law. Such board shall consist of seven members. Of the trustees first appointed, three shall be appointed for a term of three years; two for a term of two years; and two for a term of one year. As each such term expires, each new appointment shall be for a term of three years. The court of appeals may require such reports or audits of the board as it shall from time to time deem to be necessary or desirable.

2. The board shall have the power to receive, hold, manage and distribute the funds collected hereunder for the purpose of maintaining the integrity and protecting the good name of the legal profession by reimbursing, in the discretion of the trustees to the extent they may deem proper and reasonable, losses caused by the dishonest conduct of attorneys admitted to practice in this state. For purposes of this section, the term "dishonest conduct" shall mean misappropriation or wilful misapplication of clients' money, securities, or other property, by an attorney admitted to practice in this state.

3. The board of trustees shall adopt regulations for the administration of the lawyers' fund for client protection of the state of New York and the procedures for presentation, consideration, allowance and payment of claims, including the establishment of a maximum limitation for awards to claimants.

4. The board of trustees shall have the sole discretion to determine the merits of claims presented for reimbursement, the amount of such reimbursement and the terms under which such reimbursement shall be made. Such terms of reimbursement shall require that the claimant execute such instruments, take such action or enter into such agreements as the board of trustees shall require, including assignments, subrogation agreements and promises to cooperate with the board of trustees in making claims against the attorney whose dishonest conduct resulted in the claim.

5. The board of trustees shall serve without compensation but shall be entitled to receive their actual and necessary expenses incurred in the discharge of their duties.

6. The board of trustees may employ and at pleasure remove such personnel as it may deem necessary for the performance of its functions and fix their compensation within the amounts made available therefor.

7. The board of trustees shall be considered employees of the state for the purpose of section seventeen of the public officers law.

8. All payments from the lawyers' fund for client protection of the state of New York shall be made by the state comptroller upon certification and authorization of the board of trustees of said fund.

9. Acceptance of an award of reimbursement from the lawyers' fund for client protection shall, to the extent of such award, (a) subrogate the fund to any right or cause of action that accrued to the claimant as a consequence of the dishonest conduct that resulted in the claimant's award and (b) create a lien in favor of the fund that shall attach to any money asset that is designated to be paid to the claimant from, or on behalf of, the attorney who caused the claimant's loss. If the fund fully reimburses the claimant's loss, as determined by the board of trustees, the lien shall be in the amount of the fund's award. If the claimant's loss exceeds the fund's award, the lien shall not extend to the claimant's right to recover additional restitution from the attorney for the claimant's unreimbursed loss. In the event of a recovery by the fund, a claimant shall be entitled to any money recovered in excess of the fund's award of reimbursement to the claimant.



Statistical Tables

All Losses Reported Since 1982					Losses Reported in 2005 Claims				
Category of Client Loss	Number of Claims	Percent of All Claims	Amount of Loss Alleged	Percent of All Losses	Category of Client Loss	Number of Claims	Percent of All Claims	Amount of Loss Alleged	Percent of All Losses
Estates & Trusts	957	7.3%	\$80,390,494	18.4%	Estates & Trusts	30	4.1%	\$3,495,505	16.0%
Real Property Escrow	2,750	20.8%	\$101,149,572	23.1%	Real Property Escrow	168	23.0%	\$10,004,421	45.8%
Unearned Fees	4,614	35.0%	\$19,091,508	4.4%	Unearned Fees	153	21.0%	\$686,741	3.1%
Settlements	930	7.0%	\$23,387,684	5.4%	Settlements	46	6.3%	\$1,044,386	4.8%
Other Escrow	1,300	9.9%	\$48,642,743	11.1%	Other Escrow	237	32.5%	\$1,963,370	9.0%
Debt Collection	610	4.6%	\$2,133,982	0.5%	Debt Collection	3	0.4%	\$61,504	0.3%
Investment	1,276	9.7%	\$135,601,064	31.0%	Investment	18	2.5%	\$1,711,883	7.8%
Other	759	5.8%	\$26,681,147	6.1%	Other	74	10.2%	\$2,881,892	13.2%
Totals	13,196	100%	\$437,078,194	100%	Totals	729	100%	\$21,849,702	100%

Client Losses in All Awards Since 1982						
Category of Client Loss	Number of Awards	Percent of All Awards (#)	Amount of All Awards	Percent of All Awards (\$)	Client Losses Involved	Percent of All Losses Reimbursed
Estates & Trusts	651	10.8%	\$31,773,260	27.3%	\$52,993,297	60.1%
Real Property Escrow	1,736	28.9%	\$41,887,875	36.0%	\$45,550,775	92.0%
Unearned Fees	1,729	28.7%	\$3,658,011	3.1%	\$3,683,111	99.3%
Settlements	488	8.1%	\$10,010,713	8.6%	\$10,557,410	94.8%
Other Escrow	631	10.5%	\$13,081,325	11.2%	\$19,837,572	65.9%
Debt Collection	449	7.5%	\$665,513	0.6%	\$720,513	92.4%
Investment	332	5.5%	\$15,266,914	13.1%	\$19,912,276	76.7%
Totals	6,016	100%	\$116,343,611	100%	\$153,254,954	

Client Losses in 2005 Awards						
Category of Client Loss	Number of Awards	Percent of All Awards (#)	Amount of All Awards	Percent of All Awards (\$)	Client Losses Involved	Percent of All Losses Reimbursed
Estates & Trusts	16	7.0%	\$1,798,489	22.2%	\$2,278,402	78.9%
Real Property Escrow	116	51.1%	\$5,291,361	65.2%	\$5,291,361	100%
Unearned Fees	66	29.1%	\$183,305	2.3%	\$183,305	100%
Settlements	16	7.0%	\$278,510	3.4%	\$278,510	100%
Other Escrow	9	4.0%	\$111,469	1.4%	\$111,469	100%
Debt Collection	1	0.1%	\$4,329	0.1%	\$4,329	100%
Investment	3	1.3%	\$447,872	5.5%	\$447,872	100%
Totals	227	100%	\$8,115,335	100%	\$8,595,248	

Statistical Tables

		Claims Activity Since 1982																										
		1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	Totals		
Claims Filed	534	375	230	332	341	311	351	486	438	515	627	636	598	909	730	1,128	812	442	492	548	499	506	627	729	13,196			
Losses Alleged (In Millions \$)	\$3.2	\$5.4	\$6.1	\$5.3	\$5.1	\$5.7	\$10.8	\$14.1	\$15.8	\$28.3	\$25.2	\$25.4	\$25.5	\$36.8	\$29.9	\$40.8	\$24.3	\$15.9	\$20.5	\$22.6	\$21.8	\$17.4	\$26.7	\$28.1	\$437.1			
Claims Approved	1	494	130	183	178	159	202	177	219	200	288	318	362	383	381	625	415	161	205	160	187	165	196	227	6,016			
Actual Losses (In Millions \$)	\$0.1	\$1.5	\$1.9	\$2.5	\$1.3	\$2.0	\$3.8	\$6.3	\$4.8	\$5.8	\$13.5	\$12.4	\$10.4	\$8.9	\$13.7	\$9.1	\$6.8	\$3.7	\$14.2	\$5.3	\$5.9	\$5.8	\$5.1	\$8.6	\$153.3			
Awards (In Millions \$)	\$0	\$0.7	\$0.9	\$1.3	\$1.1	\$1.9	\$2.8	\$3.8	\$4.6	\$4.1	\$7.3	\$7.5	\$7.6	\$5.7	\$9.9	\$6.9	\$5.9	\$3.4	\$10.5	\$5.3	\$5.7	\$5.8	\$5.1	\$8.1	\$116.3			
Lawyers Involved	1	13	26	43	26	24	36	26	38	44	38	52	45	60	38	39	29	28	49	28	28	37	26	32	806			
% Losses Reimbursed	50%	46%	46%	52%	85%	95%	74%	60%	96%	71%	54%	60%	73%	64%	72%	76%	87%	92%	74%	100%	98%	99%	100%	94%				
% Client Fully Reimbursed	0	74%	65%	39%	91%	99%	99%	98%	96%	94%	95%	94%	94%	98%	94%	98%	99%	99%	97%	100%	98%	98%	100%	98%				
Claims Disallowed	33	201	105	73	164	120	119	169	186	360	253	384	247	366	439	620	522	383	329	383	281	338	323	327	6,725			
Total Dispositions	34	695	235	256	342	279	321	346	405	560	540	702	610	749	820	1,245	937	544	534	543	468	503	519	554	12,741			
Claims Pending Dec. 31	500	180	175	251	250	282	312	452	485	440	526	460	449	609	579	462	337	235	193	198	229	232	340	515				
Losses Alleged in Pending Claims (In Millions \$)	\$2.9	\$4.6	\$7.4	\$8.5	\$9.5	\$10.2	\$15.3	\$18.0	\$23.9	\$32.0	\$30.1	\$24.2	\$27.3	\$43.5	\$46.9	\$46.6	\$18.0	\$16.1	\$10.2	\$11.1	\$13.7	\$14.6	\$20.7	\$17.5				
Exposure on Pending Claims (In Millions \$)	\$1.7	\$1.6	\$2.3	\$2.7	\$3.5	\$5.2	\$6.3	\$9.8	\$15.1	\$14.9	\$16.0	\$13.9	\$15.2	\$24.4	\$25.1	\$17.4	\$11.3	\$11.6	\$8.3	\$9.2	\$10.2	\$10.3	\$15.1	\$13.9				
Fund Balance (In Millions \$)	\$1.8	\$1.4	\$2.1	\$1.3	\$4.4	\$3.3	\$5.1	\$4.2	\$3.6	\$2.8	\$3.4	\$1.8	\$2.4	\$3.4	\$2.5	\$2.1	\$6.6	\$6.3	\$3.4	\$4.1	\$5.4	\$5.5	\$8.1	\$5.4				

Lawyers Involved In Dishonest Conduct And Amounts Awarded To Their Clients Since 1982

Name	JD	#	Amount	Name	JD	#	Amount
Edward P. Abbott	06	1	\$10,624	Richard Brill	09	1	\$15,680
John E. Aber	05	3	\$2,850	Trevor L. Brooks	01	1	\$21,021
James E. Adel	08	3	\$18,656	Harold Brotman	10	1	\$6,667
Mark I. Adelman	01	2	\$6,525	Bradford J. Brown	01	1	\$36,000
Howard B. Adler	01	6	\$903,948	Harry L. Brown	08	2	\$27,346
Cornelius M. Ahearn, Jr.	01	1	\$65,712	Kenneth E. Bruce	09	1	\$800
Alexander A. Alarid	01	1	\$7,500	Stephen Bruschi	01	1	\$1,500
George E. Albright	07	1	\$2,150	Alan I. Brutton	11	1	\$500
Alexis Alcide	11	1	\$7,200	Kevin C. Bryant	07	9	\$9,475
David B. Alford	03	4	\$8,150	Joseph T. Burchill	06	1	\$25,000
Donald A. Alleva, Jr.	09	4	\$40,861	John R. Burgess	08	6	\$30,868
Nicholas P. Altomerianos	01	1	\$13,425	Timothy K. Burgess	07	2	\$9,118
David W. Alvey	02	10	\$490,852	W. Michael Burke	03	2	\$700
Joseph Amaru	11	2	\$208,529	William M. Burke	03	2	\$101,035
Robert B. Anderson	01	1	\$100,000	Jeffrey S. Burns	10	3	\$12,370
Thomas A. Andrews	01	1	\$300,000	Charles S. Butin	10	2	\$6,750
Alvin Ashley	01	1	\$71,445	Gail D. Butler	01	2	\$55,650
Jason Ashley	11	11	\$107,885	H. Ronald Buttarazzi	07	3	\$68,870
Lewis G.P. Ashton	11	2	\$9,000	Cathryn A. Byrne	10	1	\$226,491
Harley D. Axelrod	07	5	\$107,128	Nicholas Capobianco	07	4	\$6,530
David A. Baker	05	10	\$61,627	Russell J. Carbone	11	2	\$19,000
William F. Baker	05	2	\$28,556	Kenneth B. Carnesi	10	1	\$3,750
Richard L. Baltimore, Jr.	01	5	\$42,096	William F. Carrigan, Jr.	05	4	\$85,642
Norwood K. Banks	07	1	\$573	Joi M. Cary	07	3	\$5,306
John M. Barth	01	1	\$3,000	John M. Cassel	03	1	\$65,000
Rodney E. Batts	10	1	\$37,900	Stuart B. Cassell	11	35	\$486,387
Paul L. Beck	01	7	\$105,700	Frank V. Cassese	02	23	\$335,830
Irving Becker	01	10	\$16,330	Richard H. Cataldi	08	3	\$71,810
Herbert H. Bell	01	1	\$40	Vincent J. Catalfo	01	1	\$45,000
William F. Benca	08	2	\$57,950	Katherine R. Catanzarite	04	19	\$60,843
Eugene V. Benevenia	10	9	\$164,710	Gil A. Chachkes	02	1	\$1,000
Howard A. Benick	01	2	\$1,320	Harvey Chaly	10	4	\$42,944
Michael D. Benjamin	02	1	\$900	John R. Chaney, Jr.	01	3	\$2,276
Bradley C. Bennett	07	2	\$7,554	John P. Charles	11	1	\$2,500
Robert J. Bennison	05	1	\$15,815	Michael M. Chasen	12	6	\$38,708
Richard H. Berg	09	2	\$2,000	John D. Chestara	03	17	\$146,832
Alan A. Bergstein	10	1	\$28,995	John M. Cholakis	03	1	\$52,383
Adam H. Bernstein	07	3	\$40,339	James Ciccone	02	2	\$3,700
Harry J. Bernstein	11	16	\$216,742	Robert A. Cicola	10	11	\$258,396
Jeruchom Bergstein	02	8	\$9,500	Frank A. Cissi	05	2	\$4,996
Peter N. Bertucci	01	1	\$25,000	John D. Clark	08	1	\$750
Burton H. Besen	01	9	\$146,616	Robert J. Clark	02	5	\$121,990
Jeffrey L. Besse	03	32	\$1,430,278	A. Roger Clarke	07	5	\$193,183
Lassale Best, Jr.	02	1	\$1,000	James F. Clarke	10	19	\$1,145,491
Jose M. Betancourt	12	2	\$21,961	Richard B. Claro	10	1	\$76,500
James Bing	01	3	\$4,085	W. Andrew Clawson	07	19	\$305,715
Charles Birnbaum	02	1	\$594	Casey A. Clines	04	1	\$350
Warren J. Black	01	1	\$20,576	Joseph A. Cofino	12	2	\$3,500
Blaich & Dries	09	7	\$236,162	Daniel I. Cohen	01	4	\$81,720
Walter H. Blaich, Jr.	09	7	\$385,835	James Harrison Cohen	01	5	\$57,055
Lawrence Bluth	11	1	\$11,500	Stanley I. Cohen	02	4	\$472,241
Allen J. Bodner	01	1	\$100,000	Kenneth H. Cohn	06	9	\$4,010
Howard J. Bodner	10	20	\$968,658	Kenneth W. Cohn	10	1	\$16,077
Murray Bogatin	01	2	\$9,400	Theresa N. Coletti	11	25	\$53,317
Philip L. Boneta	02	3	\$19,533	Joseph L. Colp	01	3	\$12,300
Anthony J. Bonfiglio	01	3	\$114,000	Frank Coniglio	10	12	\$240,110
Martin Borakove	01	2	\$16,101	Kevin A. Conine	06	2	\$40,861
Lee H. Bostic	11	4	\$31,583	Joseph A. Contino	08	2	\$200,000
Darrell L. Bowen	04	1	\$300	Stephen E. Cooper	04	2	\$268,455
Martin J. E. Bowers	10	1	\$12,750	Edward M. Cooperman	10	3	\$12,700
Jonathan N. Boxer	10	12	\$61,364	Kevin P. Corcoran	09	2	\$16,965
Raymond D. Bradford	09	2	\$20,779	William J. Corcoran	01	1	\$10,000
Karen E. Bragg	10	1	\$250	Gerald M. Cotter	10	28	\$990,471
Hugh F. Brammer	10	1	\$410	James P. Cotter	08	1	\$46,036
E. Lawrence Brass	10	14	\$339,657	Catherine N. Coughlin	08	3	\$7,002
Leo Bresler	10	2	\$100,000	Coxeter & Coxeter	03	1	\$50,000
Michael R. Bressler	01	12	\$39,285	Ronald P. Crean	01	2	\$22,750
John D. Bridge	08	1	\$1,000	Gene Crescenzi	01	2	\$6,880

Lawyers Involved In Dishonest Conduct And Amounts Awarded To Their Clients Since 1982

Name	JD	#	Amount	Name	JD	#	Amount
Domenick Crispino	01	18	\$796,564	Michael L. Entes	02	2	\$10,000
John T. Crone	07	13	\$450,427	Michael F. Erdheim	01	20	\$993,099
Dennis D. Crowley	09	6	\$271,804	Steven M. Erdheim	09	23	\$12,840
Marshall Oakes Crowley, Jr.	10	2	\$44,859	Jonathan Erickson	07	6	\$111,173
Martin J. Crowley	10	15	\$124,534	Jerome J. Erlin	01	4	\$42,595
Thomas P. Cullen, Jr.	11	4	\$93,513	John R. Esposito	12	1	\$5,700
Richard H. Cunningham	10	5	\$12,859	Gene Ira Esser	02	12	\$23,877
David A. Curtin	08	14	\$44,638	F. Birt Evans, Jr.	04	12	\$28,022
John L. Curtis	08	4	\$252,344	James C. Farrington	03	1	\$15,560
Dona Curtis-Thomas	09	1	\$4,750	Arnold H. Fassler	11	12	\$111,658
R. Scott Daly	02	2	\$11,600	James H. Fay	02	1	\$400
Benjamin F.L. Darden	06	2	\$67,088	Charles L. Feely	01	3	\$256,906
W. Timothy Darrah	10	4	\$591,838	Milton Feinman	01	9	\$520,987
Samuel B. Dattilo	07	10	\$661,946	Harvey Felton	09	1	\$40,426
Thomas P. Daubner	11	1	\$500	John F. Felton	01	2	\$7,000
Kenneth P. Daumen, Sr.	08	1	\$3,211	Willie R. Felton	07	29	\$134,491
Mehran W. Davidian	10	1	\$5,000	Perry V. Ferrara	10	58	\$1,645,861
Ingrid N. Davis	02	2	\$5,982	Steven B. Fidelman	11	9	\$78,532
James J. Davitt	02	1	\$100,000	Carl M. Field	10	24	\$173,904
Mark D. Deinhart	08	7	\$709,235	Lawrence F. Finley	06	1	\$35,000
Jaime V. Delio	01	2	\$7,310	Richard C. Fioretti	10	2	\$248,358
Lawrence DeMayo	02	20	\$217,422	Timothy A. Fischer	08	1	\$155
Herbert B. Derman	01	1	\$25,900	Fischer & Quaintance	08	2	\$110,897
John L. Desmond	03	1	\$56,000	Michael G. Flanagan	01	13	\$884,137
Edward W. DeVerna, Jr.	10	2	\$1,500	Thomas M. Flannery	03	1	\$480
Bertram S. Devorsetz	09	2	\$1,100	Florien Carl Flierl	08	8	\$65,695
James G. deWindt	10	2	\$1,000	Dan Foley	09	1	\$203
Anthony P. Diamond	08	3	\$321,805	Joseph M. Fonte	02	2	\$12,500
Jeffrey E. Diamond	11	41	\$526,112	Seymour Forman	01	1	\$500
Steven H. Dickman	10	7	\$59,339	Harry A. Foster	01	3	\$40,092
Edward W. Dietrich	05	1	\$36,598	Robert L. Fraser	07	4	\$16,846
Salvatore DiMisa	10	2	\$55,533	Paul I. Freedman	01	49	\$117,305
Vincent R. DiPasquale	08	6	\$262,277	Andrew J. French	10	1	\$9,619
Robert E. Dizak	01	19	\$170,293	Mark G. Fresco	01	5	\$61,961
Birol John Dogan	01	6	\$43,673	Sydney Friedler	10	27	\$365,711
Jerrold A. Domingo	01	3	\$19,000	Arthur S. Friedman	02	1	\$12,916
Myron Domskey	10	3	\$3,500	Martin Fries	11	17	\$81,713
Paul B. Donohue	09	1	\$750	Alfred L. Fritz, III	08	21	\$86,766
Michael J. Donovan	01	1	\$27,531	Joel A. Fruchter	01	1	\$10,000
Walter M. Donovan	08	23	\$75,050	Daniel R. Fruitbine	01	1	\$8,750
H. Paul Doucette, Jr.	07	9	\$16,200	Jerome H. Funk	09	22	\$12,049
George E. Dougherty, Jr.	03	6	\$140,388	Henry G. Fury	09	9	\$150,341
William J. Dougherty	10	5	\$124,795	Dumas Gabbriellini	01	1	\$4,950
Frank J. Doupona	09	10	\$602,595	Wayne K. Gabel	09	1	\$11,437
Charles H. Downing	01	2	\$6,362	Ross M. Gadye	01	1	\$2,360
James L. Dowsey, III	10	1	\$8,500	Yoram Gafni	01	5	\$7,550
Paul Drager	09	1	\$500	Arthur J. Gallancy	01	1	\$21,500
Adrian P. Driggs, III	01	1	\$45,000	John E. Galligan, Jr.	02	3	\$4,827
Arthur S. Drotzer	09	2	\$5,255	William M. Gallow, Jr.	03	1	\$49,397
Robert G. Dubrow	10	1	\$28,428	Frank P. Gangemi	02	37	\$2,909,369
Michael J. Duffy	05	5	\$236,536	Hiram S. Gans	09	2	\$85,000
Melvin G. Duke	02	1	\$1,500	Rudolf V. Ganz, III	09	2	\$31,705
Peter J. Dunne	10	13	\$68,950	Francis P. Garofalo	02	3	\$64,000
Thomas A. Dussault	03	184	\$329,956	Edward M. Gasperi	04	5	\$8,231
Roger L. Dworsky	04	6	\$4,200	Michael S. Gawel	08	1	\$1,200
Saul L. Eagle	12	4	\$290,404	Jack O. Gaylord	08	1	\$2,332
Paul J. Eckelman	09	3	\$8,895	Aaron Gelbwaks	01	1	\$229,553
Eugene P. Edwinn	01	3	\$107,770	James G. Gembarosky	08	7	\$15,426
Louis A. Egnasko	02	66	\$1,921,450	Glen J. Gentile	01	14	\$58,665
Ehman & Marino	10	61	\$3,061,535	Frank P. Giaramita	02	2	\$7,500
Howard Eisenberg	01	1	\$5,000	Anne O. Gilde	02	1	\$1,045
Robert A. Eisenberg	02	1	\$7,058	Thomas Eric Gill	10	6	\$87,500
Mitchell Eisenstat	01	2	\$3,675	James Gilmartin	01	2	\$3,613
Dennis P. Elkin	11	1	\$250	Joseph A. Giorgi	07	1	\$4,685
Robert S. Elkins	10	3	\$101,450	Jarrett F. Glantz	01	25	\$1,789,786
Christopher S. Ellerman	02	1	\$10,000	Harold L. Goerlich	10	4	\$65,178
W. Joseph Embser	08	1	\$100,000	Roger J. Gofton	09	2	\$182,800
Charles E. Ennis	07	3	\$52,427	Fred Gold	11	3	\$113,250

Lawyers Involved In Dishonest Conduct And Amounts Awarded To Their Clients Since 1982

Name	JD	#	Amount	Name	JD	#	Amount
Henry S. Goldman	09	9	\$224,823	Roy C. Hopkins	07	1	\$25,000
Barry E. Goldrod	01	1	\$51,357	Charles S. Horgan	01	1	\$2,500
Charles H. Goldstein	10	1	\$43,000	Valentine N. Horoshko	01	2	\$15,000
Alan R. Golkin	08	5	\$269,624	Donald G. Houghton	07	3	\$75,000
Oscar Gonzales-Suarez	01	1	\$5,000	Richard A. Howard	09	3	\$2,575
Michael W. Goodman	11	4	\$220,055	Ralph F. Howe	08	1	\$7,313
Robert M. Gordon	01	6	\$29,870	Edward L. Howlette	10	1	\$3,700
William S. Gordon	08	1	\$300,000	Raymond K. Hsu	01	6	\$24,850
John P. Gorman	09	2	\$36,000	Rick T. Hubbard	10	8	\$36,550
Jack Gottlieb	02	8	\$74,576	John A. Huber	10	4	\$30,500
Lora C. Graham	09	2	\$1,655	Thomas P. Hughes	04	2	\$10,914
Barry J. Grandeau	09	377	\$564,211	Elissa L. Insler	12	1	\$21,551
S. Simpson Gray	09	9	\$8,928	William C. Israel	01	5	\$100,983
Christopher J. Green	01	1	\$30,000	Hesper A. Jackson, Jr.	02	6	\$167,995
Milan K. Gregory	10	2	\$10,200	Saul Jakubowitz	01	6	\$24,718
John N. Griggs, Jr.	01	2	\$350	David R. Jampol	10	1	\$1,000
Robert S. Groban, Sr.	01	2	\$8,500	Robert E. Johnson	02	1	\$38,000
Hyath B. Gross	04	1	\$1,250	Robert P. Johnson	08	1	\$4,200
Joshua Gross	04	1	\$400	Wayne A. Johnson	06	4	\$28,566
Murray S. Gross	02	1	\$8,000	D. Sanford Jorgensen	01	4	\$55,283
Stanley Gross	02	1	\$1,500	Leonard Kabat	10	1	\$5,000
David B. Grossman	05	7	\$16,296	Gerald A. Kagan	01	2	\$1,600
Marc E. Grossman	09	16	\$192,501	William H. Kain	10	15	\$145,722
Harold W. Grubart	01	3	\$184,335	Gerald Kaiser	01	34	\$36,365
James R. Gunderman	08	8	\$269,978	James D. Kakoullis	01	1	\$1,000
Sidney J. Guran	02	1	\$12,159	John C. Kanaley	05	3	\$55,000
John A. Gussow	02	30	\$522,568	Julian Kaplan	10	1	\$46,167
John A. Guzzetta	01	1	\$6,395	Stanton Karnbad	09	3	\$38,500
Richard A. Gwynn, Jr.	05	8	\$8,239	Morris M. Karp	01	2	\$5,618
Richard J. Haas	03	3	\$16,800	Kastein & Kastein	10	5	\$381,764
David S. Haberman	10	1	\$27,798	Thomas Katsaros	02	3	\$84,500
Paul E. Haberman	01	1	\$300,000	Harold W. Katz	04	3	\$57,000
Robert E. Haley	01	7	\$100,800	Howard C. Katz	09	61	\$304,445
Clifton E. Hall	11	3	\$16,465	Peter L. Katz	09	10	\$16,190
Harold A. Hall	02	1	\$13,300	Reuben A. Katz	01	1	\$93,072
Fred J. Halsey, Jr.	01	3	\$69,803	Stephen C. Kavanaugh	10	3	\$6,041
Herbert I. Handman	01	1	\$16,500	William S. Kaye	01	1	\$5,000
H. Roger Hantman	10	1	\$3,000	Paul E. Keith	02	3	\$23,843
John L. Hargrave, Sr.	08	3	\$44,051	Eric R. Kellerman	09	25	\$807,779
Alan David Harris	10	5	\$342,033	Donald E. Kelly	01	2	\$85,656
Alan Jay Harris	01	1	\$14,081	Lawrence V. Kelly	01	1	\$65,975
H. Hawthorne Harris	09	1	\$5,093	Robert E. Kelly	07	20	\$12,070
Herbert Harris, Jr.	01	2	\$48,833	Deborah R. Kenneally	03	2	\$3,250
Leon Sol Harris	01	3	\$30,060	Bernard Kenny	01	8	\$138,269
Peter Andrew Harris	07	8	\$224,475	John P. Kilminster	10	6	\$17,950
Morton H. Hartmann	01	3	\$54,576	John J. Kim	01	1	\$19,500
Robert T. Hartmann	09	3	\$42,149	Wayne W. Kim	01	5	\$31,705
John J. Hayden	09	5	\$25,800	Harold L. King	01	1	\$600
Edward K. Hedberg	09	2	\$12,202	Matthew A. King	04	3	\$3,000
Richard T. Heelan	10	3	\$6,075	William A. Kirschner	01	1	\$300,000
Alan A. Herman	01	2	\$91,500	Paul H. Kirwin	10	1	\$58,000
Miguel A. Hernandez	02	13	\$176,743	Rudolph M. Klenosky	02	1	\$45,000
Eric E. Heron, Jr.	11	3	\$28,485	A. O'Neill Kline	08	3	\$72,100
Bruce H. Hest	01	2	\$59,875	William J. Kluender	11	18	\$232,257
Alfred L. Hetzelt, Jr.	08	1	\$100,000	Kenneth Knigin	09	1	\$117,069
John Higginbotham	01	2	\$5,000	David C. Kobrin	09	2	\$23,148
Leo N. Hirsch	01	2	\$27,083	Roger W. Kohn	09	1	\$255
Michael Hirsch	10	2	\$53,127	Richard Kops	10	14	\$637,470
Ralph Hochstein	01	1	\$1,000	Timothy Kozyra	08	2	\$8,231
Robert I. Hodes	01	2	\$20,605	Howard Krantz	01	1	\$23,500
Walter Hofer	01	8	\$85,880	Harvey H. Krat	01	3	\$68,525
Frank Hoffey	01	1	\$4,500	Robert B. Kress	11	1	\$38,500
Douglas R. Hoffmann	10	7	\$62,125	M. Thomas Kuriakose	09	1	\$500
William J. Holden	09	12	\$436,677	Irving Kurtz	01	5	\$154,842
A. Robert Holman, III	10	458	\$203,958	Larry J. Kushner	01	2	\$21,678
Antoinette Holmes	12	19	\$664,171	A. James LaBue	07	6	\$298,928
Harold Holtman	10	26	\$343,906	Michael S. LaBush	09	2	\$3,250
Robert Kent Holtsberry	05	1	\$2,178	Jefferson T. Lalik	07	8	\$3,805

Lawyers Involved In Dishonest Conduct And Amounts Awarded To Their Clients Since 1982

Name	JD	#	Amount	Name	JD	#	Amount
LaLoggia & Gorankoff	07	20	\$738,744	Michael S. McGrady	03	10	\$339,944
Bernard H. LaLone, Jr.	03	1	\$22,210	Dennis J. McLaughlin	01	5	\$46,804
Robert A. Lamar	10	20	\$597,507	Richard M. McMahon	09	2	\$8,973
Donald F. Lamutis	07	3	\$8,325	John J. McManus, Jr.	02	2	\$200,000
Erick F. Larsen	10	1	\$23,517	Joseph T. McMaster	02	4	\$168,093
George E. Lasch	10	1	\$1,500	Dominic M. Mello	02	2	\$8,167
William J. Lazaroni	01	5	\$45,967	Richard M. Messina	01	3	\$169,049
Eric N. Lazarus	10	28	\$583,407	William A. Metz	09	3	\$115,497
John Q. LeCain	04	1	\$25,000	Stanley M. Meyer	10	1	\$1,830
Thomas P. Leckinger	07	7	\$87,180	James J. Michalek	08	21	\$181,361
Chak Yin Lee	01	11	\$820,840	Charles O. Milham	03	4	\$17,541
Gerald J. Leibowitz	10	8	\$229,992	Alan M. Miller	10	1	\$2,319
Lawrence B. Lennon	04	4	\$87,665	Bruce J. Miller	10	2	\$41,858
Marc R. Leventhal	01	1	\$35,000	John R. Miller	09	1	\$2,234
Richard L. Levine	05	1	\$10,000	Shelley D. Miller	02	1	\$196,457
Scott C. Levy	01	24	\$155,482	Nicholas A. Mina	01	1	\$19,500
Murray F. Lewis	06	1	\$3,589	Carl N. Mione	02	3	\$830,750
Jay Robert Lichtman	02	2	\$3,200	Stephen A. Mishkin	09	55	\$1,318,823
Lawrence Lieberman	02	4	\$35,536	John E. Modjeska	03	7	\$34,356
Kenneth Linn	01	1	\$25,850	Richard T. Monahan	10	2	\$4,500
Michael S. Linn	09	14	\$418,858	Colin A. Moore	01	4	\$6,500
Clifford N. Lipscomb	11	8	\$11,480	Davison F. Moore	09	6	\$491,971
William F. Lisnerski	08	1	\$600	Paul A. Moore	09	2	\$2,146
David W. Little	04	8	\$343,892	Teddy I. Moore	11	1	\$5,500
Vincent J. LoCurto	10	1	\$9,797	Richard M. Moran	03	22	\$412,600
Werner Lomker	07	2	\$38,564	Thomas D. Morath	12	2	\$14,755
John C. Lopes	10	2	\$2,550	Lawrence D. Moringiello	02	5	\$171,249
John G. LoPresto	11	1	\$299,894	Alan D. Morris	10	15	\$221,560
Samuel Lorenzo	01	92	\$43,125	Charles E. Morrison	01	1	\$4,000
Ronald B. Losner	02	16	\$41,694	Saul D. Moshenberg	07	5	\$20,749
Harold E. Lovette	01	1	\$27,500	Lawrence J. Mullan	10	1	\$395
David B. Lubash	11	39	\$471,203	David Van Muraskin	01	2	\$286,333
Jonathan W. Lubell	01	2	\$9,450	James R. Murdock, Jr.	04	19	\$638,152
Thomas J. Lukas	11	1	\$28,000	Eugene J. Murphy	08	21	\$583,870
Joseph F. Lynch	06	1	\$3,736	Morrow D. Mushkin	02	2	\$10,200
Thomas N. Lyons	10	2	\$2,640	Joseph F. Muto	05	1	\$1,100
Robert A. Mackasek	01	20	\$370,043	Willard H. Myers, III	07	2	\$1,700
Robert D. MacLachlan, Jr.	10	8	\$11,250	Toritsefe O. Nanna	01	12	\$34,800
Fortune S. Macri	09	1	\$25,000	Bart L. Nason	01	1	\$39,073
Lee M. Mager	12	2	\$61,415	Eugene V. Natale	10	9	\$245,845
Anthony M. Magnotti	02	15	\$104,252	Nath & Weiss	10	1	\$100,000
John R. Maguire	10	1	\$1,000	Richard F. Nelson	10	10	\$70,361
Jenny M. Maiolo	11	27	\$555,808	Pat Frank Nesci	10	11	\$359,974
Michael M. Maloney	01	1	\$42,040	Kenneth A. Newman	10	6	\$29,054
Bruce C. Mandia	09	1	\$5,000	Marvin A. Newman	09	1	\$26,924
Frank M. Manfredi	10	5	\$27,076	Robert C. Newman	08	1	\$9,500
Lloyd J. Manning	11	1	\$500	John G. Nicholas	11	2	\$57,500
Robert Y. Manske	07	1	\$12,066	Peter B. Nickles	09	2	\$122,623
Marion S. Marable	11	2	\$7,400	Thomas C. Nicotera	03	1	\$275
Richard P. Maracina	01	8	\$20,205	Michael B. Nitsberg	10	3	\$34,450
Marvin Margolis	01	1	\$40,000	William J. Noland	01	1	\$3,600
Samuel Marino	08	2	\$2,800	James M. O'Brien	02	3	\$124,892
Irving Markowitz	01	7	\$261,328	Thomas P. O'Callaghan	09	1	\$3,200
George T. Martin	06	1	\$500	Charles O'Donnell, Jr.	09	1	\$2,000
Nancy A. Maruk	07	3	\$3,370	James M. O'Neill	10	6	\$18,000
C. Vernon Mason	01	5	\$32,600	Lynn D. O'Neill	02	3	\$20,770
William J. Mastine, Jr.	05	2	\$17,220	Mark S. Ogden	07	1	\$8,869
Charles M. Mattingly, Jr.	10	3	\$132,500	Michele Okin	09	28	\$107,776
Martin J. Mayblum	11	3	\$13,750	Frank Oliva	11	5	\$36,652
Philip A. McBride	08	1	\$5,958	Joseph E. Orsini	08	3	\$31,887
Teague W. McCarthy	10	12	\$413,169	Osserman & Horwitz	01	6	\$774,503
Shannon D. McClam	11	3	\$14,000	Sheldon Ostro	01	9	\$359,000
Denis J. McClure	09	2	\$5,155	Roderick E. Owens	01	2	\$21,533
James F. McCooole	09	15	\$865,522	Victor N. Pacor	09	9	\$164,357
Sharyn L. McDonald	07	3	\$73,992	Blase P. Palumbo	08	1	\$4,000
James J. McEnroe	01	6	\$3,000	Rafael M. Pantoja, Jr.	01	19	\$173,585
Lloyd A. McFarlane	11	1	\$5,000	John F. Papsidero	08	1	\$17,339
Thomas J. McGinn	03	1	\$180,000	Mary Murphy Pardoe	10	15	\$85,436

Lawyers Involved In Dishonest Conduct And Amounts Awarded To Their Clients Since 1982

Name	JD	#	Amount
Richard J. Pariser	08	3	\$7,053
Alfred J. Parisi	11	15	\$438,591
E. Paige Parsons	04	1	\$200
Nicholas J. Pastushan	05	1	\$138,500
George Patsis	10	2	\$115,798
Edward S. Patterson	09	2	\$15,286
George F. Pavarini	09	15	\$543,165
Robert J. Pellicane	10	7	\$174,769
Kenneth S. Pelsinger	01	2	\$14,349
Michael M. Perlman	10	8	\$294,913
David Ian Pesner	09	11	\$136,291
Jacob & David Ian Pesner	09	1	\$25,000
Dennis J. Peterson	02	1	\$2,391
Richard T. Petty	01	3	\$90,664
Stephen A. Phillips	04	1	\$60,000
John Piastra	11	2	\$200,000
Louis N. Picciano	06	2	\$5,296
Richard Pikna	01	9	\$101,278
George A. Pins	01	4	\$15,779
John L. Pitula	01	1	\$90,000
John B. Poersch	04	2	\$114,161
J. Stanton Pohl	10	4	\$89,779
Jonathan Pollack	10	2	\$13,762
Sam Polur	12	1	\$500
Edward J. Porcelli	12	4	\$21,580
Ira Postel	01	3	\$38,515
Postel and Rosenberg	01	11	\$619,722
John V. Potter, Jr.	10	1	\$98,000
Gerald A. Powell	10	1	\$5,000
Charles M. Powell, Jr.	01	9	\$68,700
Bryan E. Powers	10	2	\$3,500
Mary Powers	01	1	\$89,857
William J. Powers, III	05	7	\$14,662
Paul D. Powsner	01	3	\$210,000
Stanley Pressment	01	1	\$6,960
Cynthia Lynn Price	02	1	\$81,623
Wayne J. Price	02	17	\$359,726
Michael Prieto	01	1	\$15,215
Mark S. Probert	10	6	\$2,900
Anthony P. Quinn	11	2	\$147,521
Donna M. Quinn	03	1	\$10,000
John J. Raia	11	100	\$3,268,398
William C. Raines	01	3	\$17,512
Silverio A. Ramirez	01	1	\$14,612
Steven P. Rapoport	02	2	\$23,836
Stephen P. Rathjen	10	3	\$33,430
Leo Raychuk	02	1	\$2,000
Edward W. Reckdenwald	10	5	\$98,193
John D. Reddan	01	1	\$2,500
Alban J. Reichert	07	1	\$3,425
Steven Paul Reifman	01	1	\$10,000
Paul G. Reilly, Jr.	01	2	\$39,500
R. Stephen Reilly	03	2	\$900
Gary M. Reing	12	2	\$23,446
Herschel L. Reingold	08	1	\$4,344
Agostinho Dias Reis	01	1	\$3,712
Erich H. Reisch	02	1	\$27,692
Willem J. Rimmelink	01	3	\$127,875
Kristina M. Rende	12	1	\$58,966
James R. Rerisi	10	4	\$57,146
James A. Resti	05	6	\$84,324
Luis E. Reyes	02	1	\$1,000
Malcolm Richard	11	3	\$18,500
Angelo A. Rinaldi	05	4	\$6,925
John Rivera	12	1	\$1,707
Jose A. Rivera	02	7	\$89,166
Robert Rivers	10	7	\$197,000
Stephen R. Roach	09	3	\$23,400

Name	JD	#	Amount
Samuel W. Roberts	03	1	\$149,584
Susan E. Rodems	03	2	\$10,650
Edward John Roder	07	15	\$168,505
Patrick L. Rodgers	10	1	\$500
George Rodriguez	12	4	\$1,865
Jaime C. Rodriguez	11	5	\$51,300
Richard Rodwin	01	3	\$552,750
Louis M. Rohrberg	01	1	\$5,325
Sy L. Rolnick	02	1	\$25,500
Steven J. Romer	01	14	\$1,076,657
Bibiano Rosa	01	3	\$95,265
Alton N.G. Rose	11	1	\$5,333
Michael G. Rose	10	40	\$1,279,588
Peter Rose	11	11	\$143,309
Rose & Karnbad	11	1	\$17,000
Jay W. Rosen	10	56	\$3,359,639
Norman K. Rosen	01	1	\$196,424
Ruth F. Rosenberg	05	3	\$7,100
Steven Rosenbluth	02	26	\$394,102
Richard J. Rosenthal	01	1	\$4,374
Selig A. Rosenzweig	10	3	\$64,569
Phillip M. Rossbach	10	1	\$659
Abraham Rostoker	02	1	\$17,500
Stephen Rothfeld	10	1	\$5,000
Mitchell A. Rothken	01	46	\$2,562,907
Arthur J. Rouse	09	1	\$11,435
Leonard H. Rubin	01	1	\$83,000
Michael B. Rudin	07	1	\$300,000
James M. Russell	03	4	\$765,407
Glenn L. Rutledge	11	1	\$5,000
David Sabghir	02	1	\$14,000
Carol A. Safier	01	5	\$117,950
Steven L. Salpeter	11	7	\$12,019
Ronald M. Salzer	01	4	\$53,750
Roger G. Sam	12	1	\$2,500
Kenroy E. Samuel	12	3	\$81,993
George Sandberg	10	10	\$227,146
Ira Jay Sands	01	6	\$7,917
Richard J. Sanna	10	10	\$248,285
Richard D. Savitsky	01	2	\$47,558
Richard A. Sbeglia	01	3	\$456,567
Michael D. Scavella	04	1	\$2,000
Stanley D. Scharf	10	16	\$89,719
Nelson K. Scherer	10	1	\$2,348
John C. Schettino	10	1	\$4,000
David Schick	01	7	\$549,116
Robert L. Schlesinger	03	3	\$3,068
Michael J. Schluskel	10	3	\$214,665
Peter G. Schmidt	01	3	\$400,000
Richard C. Schulz	10	1	\$24,035
Robert Schutrum, Jr.	08	1	\$1,500
Jeffrey M. Schwartz	10	35	\$573,250
Melvyn Schwartz	01	2	\$459,972
Steven M. Schwartz	09	2	\$3,500
Schwartz & Gutstein	01	6	\$250,501
Joel E. Schweitzer	08	6	\$46,294
Joseph F. Scirto, Jr.	08	10	\$106,962
Harry W. Scott, Jr.	02	1	\$200
Paul A. Seader	01	2	\$435,000
Bernard M. Seeman	10	1	\$50,000
Jeffrey P. Segal	10	4	\$505,524
Arthur J. Selkin	09	11	\$107,300
Bernard L. Seltzer	10	11	\$94,609
Ralph Serpico	11	3	\$176,191
Barry R. Shapiro	01	16	\$3,065
Michael Shapiro	01	1	\$58,231
Phillip E. Shapiro	01	1	\$700
Eden Shaw	01	1	\$12,500

Lawyers Involved In Dishonest Conduct And Amounts Awarded To Their Clients Since 1982

Name	JD	#	Amount
Brian A. Sheridan	01	1	\$785
John M. Sheridan	07	6	\$371,500
Richard M. Sherman	10	25	\$97,623
Robert J. Sherman	10	7	\$15,159
Jon D. Sherry	02	3	\$46,000
Alan J. Shimel	10	2	\$26,666
Robert G. Short	09	1	\$800
Anis A. Siddiqi	02	4	\$75,614
Matthew A. Siegel	09	2	\$14,147
Stephen D. Siegfried	10	20	\$1,015,719
Oswald B. Silvera	02	7	\$16,125
Mark A. Silverman	10	2	\$2,169
William Sims	08	2	\$8,037
Valerie T. Simuro	02	7	\$1,133,763
Barry H. Singer	09	9	\$235,034
Mitchell L. Singer	01	7	\$129,000
Baljit Singh	01	1	\$150
Indar Singh	11	16	\$156,237
Ronald A. Sipos	08	2	\$106,730
Myron W. Siskin	10	1	\$13,436
Allan Sloan	01	6	\$108,601
Joseph D. Sloboda	10	2	\$5,458
Ronald J. Slocum	06	1	\$650
Peter W. Sluys	09	6	\$113,856
Kendrick C. Smith	01	1	\$3,675
Ormond N. Smith	02	6	\$77,480
Benjamin Sneed	01	4	\$24,833
John J. Sobolewski	10	1	\$90,500
Jack B. Solerwitz	10	99	\$3,008,734
Joseph F. Soviero, Jr.	10	1	\$5,000
Michael T. Spallino	01	2	\$8,800
Jacob Spatz	03	3	\$3,245
Jerome L. Spiegelman	01	48	\$889,719
Jerome Spies	10	2	\$126,754
Lionel Spring	01	1	\$83,311
Howard R. Staller	01	1	\$8,000
Ferne Mayer Steckler	10	3	\$10,500
Alexander B. Stein	01	2	\$31,450
Elliot J. Stein	01	74	\$762,109
Joel B. Steinberg	01	1	\$1,400
Duane M. Stenstrom, Jr.	08	6	\$6,674
Jeffrey S. Stern	02	10	\$244,077
Stanley R. Stern	01	5	\$325,676
Joseph Sternschein	11	4	\$75,715
Frederick D. Stevens	08	1	\$4,185
John C. Stuck, Jr.	07	10	\$327,429
Wallace Sturm	02	1	\$1,500
John J. Sullivan	01	1	\$29,990
Joseph E. Supples	08	3	\$9,150
Leonard A. Sussman	01	3	\$44,438
Monroe Sussman	10	1	\$46,667
Carrie Sutherland	10	2	\$7,670
Morton S. Swirsky	01	6	\$62,610
Israel I. Sylvan	01	3	\$22,253
Samuel Tannenbaum	09	1	\$300,000
Regina M. Tate	10	3	\$6,890
Sergio M. Taub	11	49	\$326,401
Louis Taubenblatt	02	9	\$718,854
Sharon Lynch Taureck	02	5	\$40,966
Peter P. Tavolacci	09	1	\$2,400
Timothy Taylor	01	1	\$19,000
Theodore E. Teah	12	1	\$13,373
Norman Eric Teitler	11	2	\$14,414
Ron Telford	06	1	\$1,100
Milton A. Teplin	01	3	\$26,000
Charles R. Testa	07	2	\$2,850
Michael B. Thomas	09	1	\$600
Alan S. Tifford	10	14	\$291,016

Name	JD	#	Amount
Robert S. Tobin	01	2	\$16,320
Thomas P. Tobin	10	4	\$184,450
Joseph A. Tracy	09	4	\$131,676
Joseph J. Tringali, Jr.	09	5	\$43,487
Kathleen K. Trum	10	2	\$36,898
Joseph R. Turner	01	4	\$41,572
Robert E. Twiste	02	13	\$213,179
James W. Ulaszewski	08	2	\$1,048
Meric A. Underweiser	10	12	\$113,403
Girard M. Ursitti	08	5	\$76,957
Norman Ushkow	02	1	\$1,575
Dawn M. Varsalona	02	4	\$3,720
William C. Vaughan	08	1	\$100,000
Tom M. Vetrano	02	4	\$30,056
Lillian R. Villanova	09	3	\$109,636
Louis V. Viscomi	01	3	\$31,500
Frank Vitulli	02	1	\$12,000
Arnold P. Wagner	10	4	\$72,900
H. Robert Wall	06	46	\$912,929
Wallman & Wechsler	01	41	\$1,858,579
Mortimer Warfman	01	34	\$16,236
Paul J. Warkow	10	1	\$1,000
Patrick T. Wedlock	05	8	\$4,910
Richard B. Weil	01	1	\$48,737
Jonathan A. Weinstein	11	2	\$4,250
Martin J. Weinstein	02	1	\$25,000
Myles N. Weintraub	10	7	\$123,623
Michael S. Weiss	09	3	\$2,325
Peter R. Weiss	02	1	\$15,000
C. Theodore Wellington	11	6	\$193,815
Allen P. Werbalowsky	03	1	\$4,250
Leslie M. Westreich	01	1	\$100,000
Benjamin P. Whitaker	07	15	\$603,251
D. William White	02	15	\$171,308
Jonathan E. White	03	5	\$12,714
Marina K. Whitfield	06	1	\$34,776
Beaufort N. Willbern	08	2	\$69,470
Aaron G. Windheim	09	1	\$11,547
Steven Winston	01	1	\$9,500
Samuel Ulrich Wiseman	01	2	\$38,280
Gerard A. Wisla	11	10	\$142,350
Steven D. Wisniewski	08	16	\$7,805
Walter S. Wojcik	03	1	\$250
Michael T. Wolin	01	1	\$25,035
Marvin Wolinetz	02	1	\$350
George Wolynetz	01	3	\$244,703
William S. Wood	07	4	\$49,065
John M. Wourgola	10	11	\$97,534
Adam Morgan Wright	01	1	\$500
Kathryn B. Wunderlich	03	1	\$600
Henry E. Wyman	08	33	\$496,811
Louis B. Youmans	01	1	\$5,000
Floyd A. Young	08	1	\$10,000
Nancy J. Young	01	9	\$124,809
Richard Zelma	01	1	\$115,000
Frederick J. Ziems	10	2	\$105,368
Jacob S. Zimmerman	10	27	\$355,991
Victor P. Zodda	10	2	\$282,225
Peter S. Zogby	05	1	\$1,535
H. Michael Zukowski	01	1	\$8,000
Bertram Zweibon	01	14	\$564,282





Attorney Grievance & Disciplinary Committees

Manhattan & Bronx - (212) 401-0800
Brooklyn, Staten Island, Queens - (718) 923-6300
Nassau & Suffolk - (631) 231-3775
Westchester area - (914) 949-4540
Albany area - (518) 474-8816
Syracuse area - (315) 471-1835
Rochester area - (585) 530-3180
Buffalo area - (716) 845-3630

NYS Office of Court Administration

Lawyer Licensing Information
(212) 428-2800

NYS Lawyer Assistance Trust

(518) 285-4545

NYS Department of Law (Attorney General) Consumer Frauds & Protection Bureau

1-800-771-7755

Lawyer Referral Services

Contact your local county or city bar association, or call the New York State Bar Association in Albany at 1-800-342-3661.

Fee Disputes

Contact your local county or city bar association for information about mediation and fee arbitration programs.

“While the experience with (my former lawyer) turned out to be a horrendous experience, I do appreciate the efforts of your organization and individuals such as yourself who understand and act to support the oath that lawyers take to protect the interests of the public and clients.”

Message from a Claimant, 2005.