

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

BOARD OF TRUSTEES

Eleanor Breitel Alter, Chairman
Bernard F. Ashe
Nancy Burner
Charlotte G. Holstein
Charles J. Hynes
Theresa B. Mazzullo
Eric A. Seiff

ANNUAL REPORT
OF THE
BOARD OF TRUSTEES
FOR
CALENDAR YEAR 2007



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



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

Table of Contents

Introduction.....	3	Awards of Reimbursement in 2007.....	15
History and Purpose of Law Client Protection.....	3	Awards of Reimbursement, 1982 to 2007.....	15
Celebrating 25 Years: 1982-2007.....	4	Ineligible Claims Since 1982	15
Special Recognition	7	Claims Pending as of December 31, 2007	15
Revenue of the Lawyers' Fund.....	7	Lawyers Involved in Awards. 1982 to 2007.....	16
The Board of Trustees	8	Recommendations	17
Former Members of the Board of Trustees & Administration.....	9	Challenges for the Future.....	19
The Staff of the Lawyers' Fund.....	9	Conclusion	19
The Fund's Statutory Authority and the Trustees' Regulations.....	10	Trustees Regulations (22 NYCRR 7200, et seq.).....	20
Liasons with the Appellate Divisions.....	10	NY State Finance Law Sec. 97-t.....	22
Revenue, Awards and Disbursements.....	10	NY Judiciary Law Sec. 468-b.....	23
Restitution Revenue and Litigation.....	10	Judicial Precedents.....	23
Public Information and Consumer Education.....	10	Publications.....	24
Processing Applications for Reimbursement.....	11	Statistical Tables.....	25
Judicial Review of Rejected Claims.....	11	Lawyers Involved In Dishonest Conduct And Amounts Awarded To Their Clients Since 1982.....	27
Thefts in Real Property Transactions.....	12	Helpful Telephone Numbers.....	34
Losses in Investment Transactions.....	12	Application for Reimbursement.....	35
Legal Fee Claims.....	12		
Theft of Personal Injury Settlements and Payee Notification.....	13		
The Dishonored Check Reporting Rule.....	13		
Escrow Funds of Deceased Lawyers and Missing Clients.....	13		
Claims Filed and Processed.....	14		
Claims Filed, 1982 to 2007.....	14		
Claims Filed by Category of Loss 1982 to 2007.....	14		
Claims Filed in 2007.....	14		



Introduction

The Board of Trustees is pleased to present this annual accounting of the activities of the Lawyers' Fund for Client Protection. This Annual Report focuses on the 2007 calendar year, the 25th year of the operations of the Lawyers' Fund. Special attention is given to this important milestone of service to the public and the legal profession, the Fund's accomplishments, and future challenges.

The Lawyers' Fund is an independent public trust, financed by New York's legal profession, which reimburses law clients for financial losses caused by dishonest conduct in the practice of law. No other profession provides such protection to its clients.

In 2007, the Trustees approved 185 awards reimbursing a total of \$7.0 million to eligible law clients for losses caused by dishonest conduct of attorneys in New York State. Since 1982, the Trustees have now granted 6,348 awards totaling \$130.5 million.

A handful of former lawyers are responsible for the dishonest conduct resulting in the Fund's awards in 2007. This has been the case in every year of the Fund's 25-year existence. In 2007, 64 now suspended, disbarred or deceased lawyers were responsible for the misconduct and resulting client losses reimbursed by the Fund. Of these 64 former lawyers, 44 appear for the first time in the Fund's awards. Since 1982, substantially less than one-third of one percent of New York's 237,000 registered lawyers have caused all awards by the Trustees.

The Trustees' 25-year experience clearly demonstrates that the overwhelming majority of New York's lawyers are honest and caring and deserving of their clients' trust. The Trustees are proud of New York's legal profession, and grateful for the financial and other support the bar provides to the Lawyers' Fund and its client protection program. The Trustees also wish to commend lawyers in New York State who generously donate their time and talents in assisting claimants before the Fund as a public service, without legal fee.

Special recognition must also be given all those in State government and our judiciary, particularly the Court of Appeals and Chief Judge Judith S. Kaye, for their wisdom and leadership in establishing the Lawyers' Fund and ensuring its strength and independence since 1982. Due to these collaborative efforts, New York State provides a meaningful and responsive client reimbursement program that is a model for our Nation.

“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.

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.

CELEBRATING 25 YEARS: 1982-2007



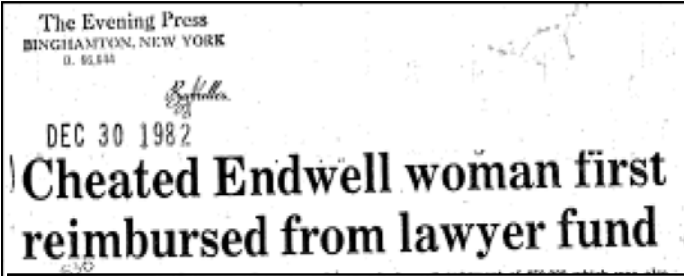
The Lawyers' Fund 25th Anniversary Video (2007). This short video, with an introduction by Chief Judge Judith S. Kaye, provides the history and purpose of the Lawyers' Fund. The video includes interviews with Fund Trustees and law client victims. A complimentary copy of this video is included on a DVD with this Annual Report. The video is also available on our website: www.nylawfund.org/pubs/25.wmv.



For twenty-five years the Trustees of the Lawyers' Fund have submitted an Annual Report accounting for its operations to the New York Court of Appeals, the New York State Legislature and the Governor of the State of New York. Recipients include state bar associations, law school libraries, legal aid societies, the attorney grievance committees and other state Client Protection Funds. These annual reports can also be found on our website at www.nylawfund.org.

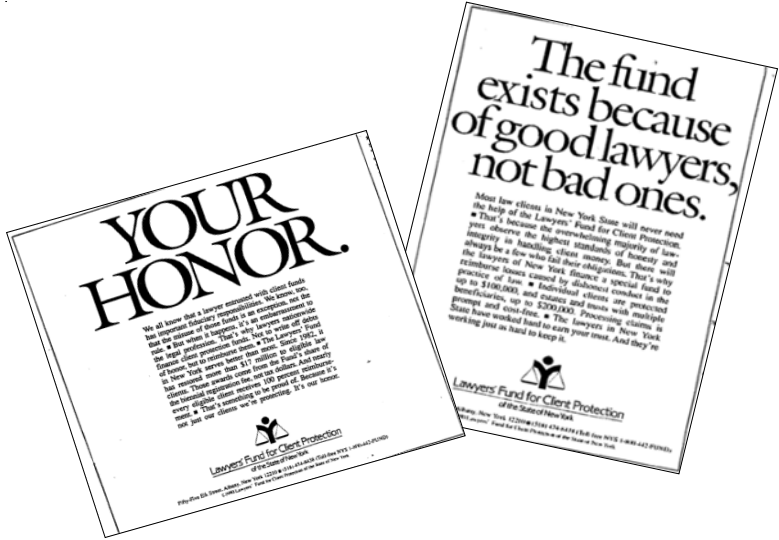
MOMENTS IN FUND HISTORY

Barry J. Grandeau's thefts were responsible for 377 reimbursement awards totaling \$564,211. These were among the first awards approved by the Trustees in 1982. The Fund's "silver lining" from this experience was the Court of Appeals' decision in *Mtr. of Dahowski*, 72 NY 182 which recognized the Fund's legal standing to pursue restitution claims against third parties.



The very first reimbursement award from the Lawyers' Fund (then the Client Security Fund) was made to Mrs. Helen Wayne, an 86 year-old widow from Endwell, Broome County. The Trustees reimbursed Mrs. Wayne \$25,000. To the left of Mrs. Wayne is charter Trustee John F.X. Mannion. On her right is Binghamton attorney Richard S. Ringwood who assisted Mrs. Wayne *pro bono* in securing a reimbursement award from the Fund.

Beginning in the 1990's, the Trustees of the Lawyers' Fund approved a series of public information campaigns in order to "get the word" out about the Lawyers' Fund. This ongoing effort has been tremendously effective in publicizing the existence of the Fund to the public and the bar while promoting the integrity of the legal profession.



In 1988, the Trustees propose a payee notification rule. This leads to the adoption of Insurance Department Regulation 64 (11 NYCRR 216.9) which requires liability insurers and agents to provide law clients with written notice of payment for any third-party claim settled for \$5,000 or more. In 1992, at the recommendation of the Trustees, New York's Dishonored Check Notice Reporting Rule (22 NYCRR 1300.1) is adopted by the Administrative Board of the Courts. This client protection and loss prevention device becomes effective on January 1, 1993.

LONG ISLAND

DA: Lawyer Looted Firm of \$2.7M

By Pete Davilio
STAFF WRITER
An Island Park attorney was arrested yesterday on charges of looting a \$2.7 million from his law firm's escrow account.



Perry Ferrara

Perry Ferrara, 57, of 148 Colburns Place North, a real-estate attorney and building contractor, was charged with numerous counts of grand larceny, forgery and obtaining by deception, and faces up to 15 years in prison if convicted. Ferrara pleaded not guilty at his arraignment before First District Court Judge Thomas Deane in Suffolk County on Feb. 10. He was released on \$50,000 bond. He could not be reached for comment.

Ferrara's lawyer, Peter Marino, said his client had fully cooperated with the DA's office and had turned over all the records and documents requested. "Right now we are still investigating the records," Marino said. "More than \$2 million flowed through the account, and there are a lot of records we are going over. After we complete our investigation, we will answer the charges in court."

Assistant District Attorney William Wallace said Ferrara used about \$1 million of the money to renovate and restore a building he and one partner own near the Island Hall of Fame in Cooperstown for a sports memorabilia store, and for a sports museum. The remainder of the funds was used to pay off Ferrara's personal debts and loans, Wallace said.

Ferrara, whose firm specialized in real-estate transactions, mainly represented financial institutions and averaged more than 50 closings a month, Marino said. He said Ferrara, as closing attorney for the mortgage lenders, would receive funds from the firms that were put in an escrow account and then would disperse payments at closing by writing out the required checks.

Wallace said the law firm, at 352 Rockaway Ave. in Valley Stream, closed in October after the funds were discovered. He said there is no evidence showing that the firm's other employees were involved in the thefts.

The largest losses were incurred by three lending institutions — Consumer Home Mortgage Inc. of Hicksville, which lost more than \$1 million, Norwest Mortgage Inc. of Danvers, which lost \$277,000 and Crescent Mortgage Corp. of Astoria, which lost \$222,000 in a single loss closing, according to Marino.

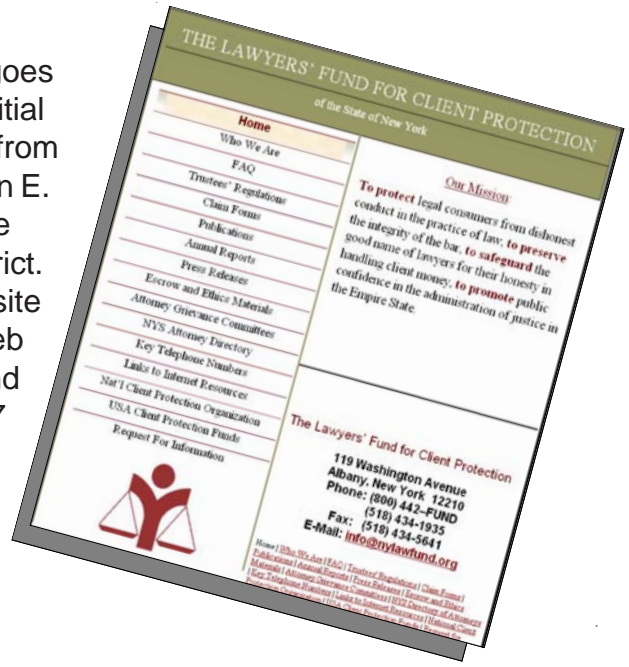
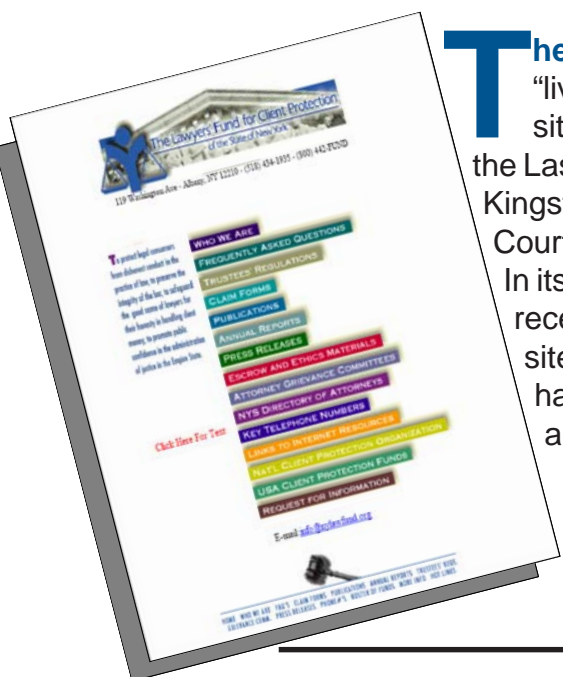
Marino said his office began to investigate Ferrara's activities after receiving complaints that a number of checks he had written at real-estate closings had bounced because of insufficient funds. In an unrelated case, Ferrara was questioned by police and law investigators in July 1992, but never charged after two brother-in-laws were killed in an explosive fire they apparently set in a \$300,000 house Ferrara was building for himself on the Shell Creek Canal in the Far Rockaway section of Inland Park.

Marino said yesterday that a grand jury indicted on the same day decided not to indict Ferrara.



In 1997, the Lawyers' Fund reimbursed \$1.6 million to former clients of Perry V. Ferrara. The misappropriated funds were traced to a wax museum in Cooperstown, NY. With the assistance of the State Attorney General's office, the Fund successfully seized a number of baseball wax figures towards restitution.

The Lawyers' Fund website goes "live" in February 1997. The initial site was funded by a bequest from the Last Will and Testament of John E. Kingston, a Justice of the Supreme Court from the Tenth Judicial District. In its first week of operation, the site received over 600 'hits'. The web site has since been updated and had over 100,000 'hits' in 2007 alone!



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

Highlights from the Trustees' Sixteenth Annual Report

Business in 1998 was brisk. The year opened with 562 pending claims seeking reimbursement. They alleged losses of \$47 million resulting from dishonest conduct in the practice of law. The fund's liability on those claims amounted to \$17 million.

There were 812 new claims filed in 1998. They alleged losses totaling \$24 million. During the course of 1998, the Trustees approved awards to 415 victims of lawyer dishonesty. Another 522 claims were rejected as ineligible for reimbursement. Awards to eligible victims totaled \$6 million.

All claims processed to final disposition in 1998 involved alleged losses of \$42 million. At the close of 1998, there were 337 claims pending. The fund's liability on those claims is \$11 million. The Trustees have budgeted \$8 million in registration fee revenues for the payment of reimbursement claims in 1999.

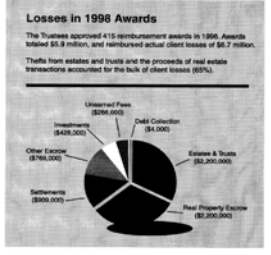
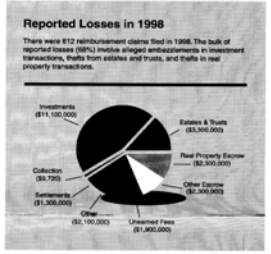
Since the fund's creation in 1981, the legal profession in New York State has contributed \$73 million to reimburse law clients and escrow beneficiaries for losses resulting from a lawyer's breach of trust.

This is a unique protection that the legal profession provides the public. It's also a genuine protection: last year 99 percent of all eligible victims received 100 percent reimbursement of their losses.

There are currently 177,000 licensed lawyers in the Empire State. Reimbursement awards over a 16-year period involve dishonest conduct by only 578 lawyers. That's less than one percent of the bar's total membership.

The Lawyers' Fund is a trust independently administered by a Board of Trustees appointed by the Judges of the Court of Appeals. The Court's support of a new budgeting structure for the fund, and its approval by the Legislature in 1998, has paved the way for even greater economic protection for New Yorkers.

On March 10, 1999, the Trustees doubled the fund's maximum limit on awards from \$100,000 to \$200,000, applicable to awards approved after January 1, 1999.



The Fund's Trustees increase the outreach efforts of the Lawyers' Fund beginning in 2000 by publishing and widely distributing a "Highlights" version of the Annual Report. Each year, over 56,000 copies of the Fund's abbreviated report are distributed to the public, bar associations, legislators, county offices for the aging, media and the judiciary and as an insert to the *New York Law Journal*.

"On behalf of my mother and myself, we would like to express our gratitude and sincerest appreciation in the recovery of our funds. Many thanks again for the incredible work done by your office."
Message from a Claimant, 2006.

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 2007:

ERIE COUNTY

John P. Robshaw, Jr., Esq.
Michael B. Dixon, Esq.

KINGS COUNTY

Dominic J. Famulari, Esq.
Edward S. Miller, Esq.
Raymond G. Pecoraro, Esq.
Richard A. Klass, Esq.

NIAGARA COUNTY

Henrik H. Hansen, Esq.
Robert S. Roberson, Esq.

ONEIDA COUNTY

Michael H. Stephens, Esq.

RICHMOND COUNTY

Andrew D. Klapper, Esq.
Eric Nelson, Esq.
Richard A. Rosenzweig, Esq.

NASSAU COUNTY

Alan Weiss, Esq.
Donald S. Neumann, Jr., Esq.
Dorian Glover, Esq.
Emmanuel Lubin, Esq.
Neal H. Sultzer, Esq.
Peter J. Calvanese, Esq.
Ronald M. Arrick, Esq.

QUEENS COUNTY

Craig Phemister, Esq.
Estelle Flores, Esq.
Jay Markowitz, Esq.
Mark L. Cortegiano, Esq.

OUT OF STATE ATTORNEYS:

Jennifer A. Devonish, Esq. (Barbados)
Donna Lattarulo, Esq. (Connecticut)
Arthur L. Porter, Jr., Esq. (New Jersey)
David M. Roth, Esq. (Wisconsin)

NEW YORK COUNTY

Brian Guillorn, Esq.
Edmund R. Rosenkrantz, Esq.
Jessica Mara Sokol, Esq.
Joseph J. Mainiero, Esq.
Paul J. McGeough, Esq.
Peter F. DeGaetano, Esq.
Ralph DeSena, Jr., Esq.
Sheldon Farber, Esq.
Brian K. Robinson, Esq.

STEBEN COUNTY

Susan Betzyhomir, Esq.

SUFFOLK COUNTY

Michael F. Cohen, Esq.

WARREN COUNTY

Michael D. Dezik, Esq.

WAYNE COUNTY

Richard L. DeValk, Esq.

WESTCHESTER COUNTY

Julius W. Cohn, Esq.

Revenue of the Lawyers' Fund

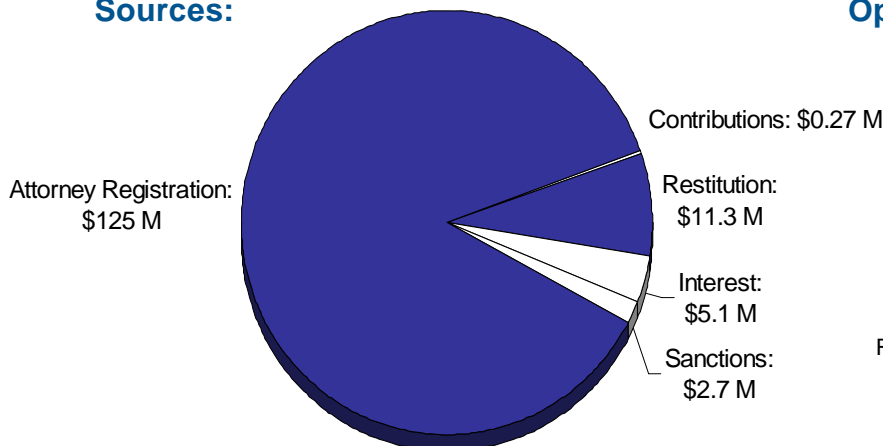
The Fund's principal source of revenue is the biennial attorney registration fee required of every practicing attorney in New York State. Section 468-a of the Judiciary Law allots \$60 of each \$350 registration fee to the Lawyers' Fund. Since April 1, 1993, additional revenue from the biennial registration fee has been made available to the Lawyers' Fund.

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

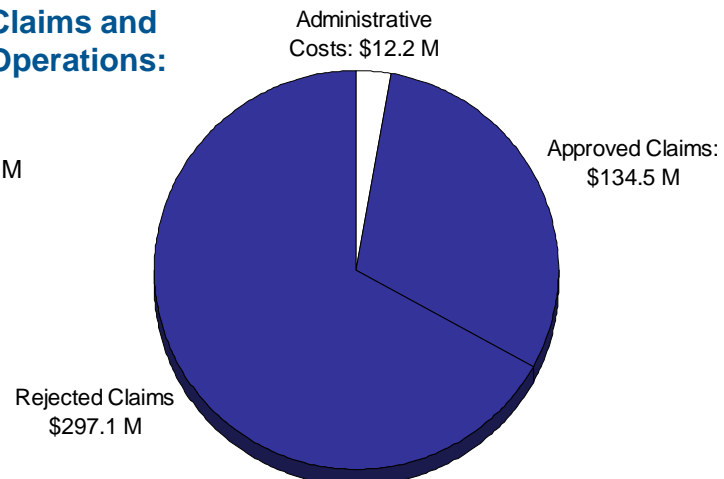
Other sources of revenue for the Fund include restitution, interest, sanctions and contributions. Since 1982, the Fund has received \$125 million from attorney registration fees; \$11.3 million in restitution; \$5.1 million in interest income; \$2.7 million in judicial sanction revenue; and \$274,000 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:



Claims and Operations:



The Board of Trustees

The Court of Appeals appoints a Board of Trustees to administer the Lawyers' Fund. The Trustees serve renewable three-year terms as a public service. They are not compensated 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 Fund's officers, elected by the Trustees, consist of a Chairman, Vice-Chairman and a Treasurer. The Fund's Executive Director serves as the Fund's Chief Administrative Officer and the Board's Secretary and Counsel. Below are the Trustees currently serving. The following page includes former Trustees of the Fund.



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, 2010.



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 Suffolk County, the founding partner of Burner, Cherches & Smith, an estate planning, trusts and estates, and elder law firm in Setauket and Westhampton Beach. 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 LeMoyne College in Syracuse. Her present term expires on November 30, 2010.



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, 2009.



Theresa B. Mazzullo of Rochester, Monroe County, is the CEO of Excell Partners, Incorporated, a state supported seed capital fund. 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.

**"... for giving power to the powerless and giving a voice to those seldom heard. I thank you all from the bottom of my heart for your gallant efforts on my behalf."
Message from a Claimant, 2007.**



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, 2009.

"The conduct of attorneys is not measured by how close to the edge of thin ice they skate. The conduct is not how much clarity can be squeezed out of the strict letter of the law, but how much honor can be poured into the generous spirit of lawyer-client relationships ."

Matter of Cooperman, 83 N.Y.2d 465 (1994) (Bellacosa, J)

Former Members of the Board of Trustees and Administration

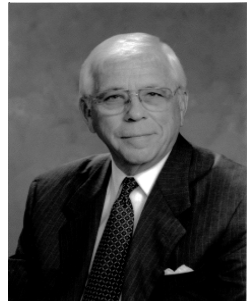
In the Fund's 25-year history, there have been only 14 Trustees appointed by the New York State Court of Appeals. On its anniversary, the Lawyers' Fund pays tribute to the following former members of the Board of Trustees: Hon. Judith S. Kaye (1981-1983), Anthony R. Palermo, Esq. of Rochester (1981-1990); John F. X. Mannion of Syracuse (1981-1992); Ray W. Manuszewski of Cheektowaga (1981-2002); Theodore D. Hoffmann of Hicksville (1990 to 2002); Shirley B. Waters of Rome (1992 to 2001) and Joseph Kelner, Esq. of Manhattan (1981-1982).



Hon. Judith S. Kaye of Manhattan served as a charter member of the Board of Trustees from 1981 to 1983. Judge Kaye is the Chief Judge of the New York State Court of Appeals. Judge Kaye is a graduate of Barnard College and the New York University School of Law (cum laude) 1962.



Anthony R. Palermo of Monroe County, served as the Charter Chairman of the Board from 1981-1985, and as Trustee from 1981-1990. Mr. Palermo is a partner in the Rochester law firm of Woods Oviatt Gilman LLP. He is a graduate of the University of Michigan and Georgetown University School of Law (1961).



Ray W. Manuszewski of Erie County, served as a charter member and Treasurer of the Fund from 1981 to 2002. A graduate of Canisius College (1951), Mr. Manuszewski is a former regional President of Manufacturers Hanover Trust Company in Buffalo.



John F. X. Mannion of Onondaga County served as a charter member of the Board from 1982 - 1992. He is Chairman of the Board of Unity Mutual Life Insurance Company in Syracuse and is a graduate of the University of Notre Dame (1954).



Theodore D. Hoffmann of Nassau County, served as Vice-Chair for the Fund from 1990 to 2002. Mr. Hoffmann was counsel to the Garden City law firm of Albanese, Albanese & Fiore and was a graduate of St. Johns University and its law school (1948). Mr. Hoffmann passed away in 2006.



Shirley B. Waters of Oneida County, is Vice President of the Rome Sentinel Company, the publisher of the Daily Sentinel newspaper. She is a graduate of Syracuse University (1943). Mrs. Waters served on the Board of Trustees from 1992 to 2001.



Joseph Kelner of Manhattan was a charter member of the Board and served from 1981 to 1982. He was a partner in the Manhattan law firm of Kelner and Kelner and graduated from New York University Law School (1937).



Frederick Miller served as the Fund's charter Executive Director and Counsel from 1982 through his retirement in July 2000. He is a graduate of Siena College and Albany Law School (1964).

The Staff of the Lawyers' Fund

The Fund's staff is appointed by the Board of Trustees. In 2007, the staff consisted of Timothy J. O'Sullivan, Executive Director and Counsel; Michael J. Knight, Deputy Counsel; Ray Wood, Investigator; Jahnell Hall-Worthen, Administrative Secretary; and Harriett Tremblay, Secretary.



Timothy J. O'Sullivan



Michael J. Knight



Ray Wood



Jahnell Hall-Worthen



Harriett Tremblay

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

“What a joyous surprise and great relief your decision gave to us, to compensate our losses through your Fund... We are retired, and live on a fixed income, and the loss of this amount would have meant a significant dent in our ability to cover our daily life expenses. So, our sincere thanks...to your organization to protect people like us from losses of this kind.”

Message from a Claimant, 2007

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 2007, 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 investigations of claims are therefore coordinated with those of the Attorney Grievance Committees in the four judicial departments.

Revenue, Awards and Disbursements

The total revenue received by the Fund since 1982 is \$144.3 million. As of December 31, 2007, a total of \$130.5 million in reimbursement awards were approved by the Trustees. The Fund's administration cost in 2007 was \$693,000. In 25 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 2007, the Fund held \$3.5 million in revenue in the state treasury.

Restitution Revenue and Litigation

A total of \$11.3 million in restitution has been recovered by the Fund since 1982. This restitution 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 assigned exclusively to the Fund's restitution litigation.

In 2007, the Trustees were fortunate to have Assistant Attorney General Richard L. Rodgers serve as the Fund's restitution counsel. The Trustees are grateful to Assistant Attorney General Rodgers for his dedicated service and excellent representation of the Lawyers' Fund.

Also assisting the Fund in 2007 with restitution litigation were Assistant Attorneys General Nancy Lord, Norman Figel and Stephen M. Nagle. In Article 78 proceedings, the Fund was defended by Assistant Attorneys General Constantine A. Speres, Christina L. Roberts-Ryba, Charles F. Sanders, Richard Lombardo and Assistant Solicitor General David Lawrence, III. The Trustees are grateful to these dedicated professionals for their advocacy skills.

Public Information and Consumer Education

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 encourage public information about the Fund.

In 2007, the Trustees retained the services of Saul Goldberg Studios to produce a documentary video celebrating the Fund's 25th anniversary. This short video, with an introduction by Chief Judge Judith S. Kaye, provides the history and purpose of the Lawyers' Fund and includes interviews with Fund Trustees and law client victims. In conjunction with this public information effort, the Trustees also produced an informational video on the Fund designed for the public, law students and the legal profession along with public service advertisements about the Lawyers' 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*.

The Lawyers' Fund's website is a source of information on the Fund which includes the Fund's 25th anniversary video, frequently asked questions, 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 Funds. The site can be located at www.nylawfund.org.

Processing Applications for Reimbursement

To be considered for reimbursement, a law client must file with the Fund a completed 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. Notice of a claim, and the opportunity to respond, is provided to lawyers accused of dishonest conduct.

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, and related criminal proceedings if necessary, against the accused attorney before rendering a determination.

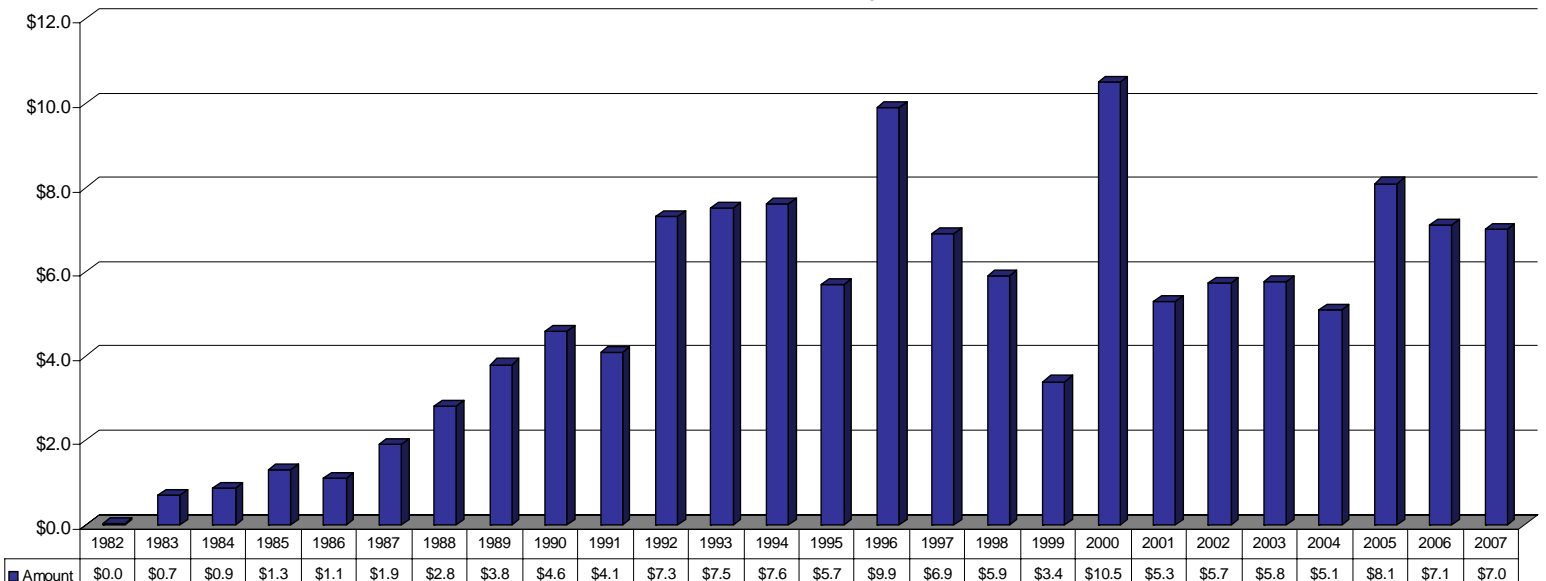
“We are most APPRECIATIVE for you; the wonderful Lawyers’ Fund team as well as the Board of Trustees...that assisted us with our claim.”
Message from a Claimant 2007

“Given how unfortunate our situation was, we still can’t believe that our money will be returned to us. It is the greatest feeling! We will be forever grateful that your organization is able to provide a way for justice to be served.”
Message from a Claimant, 2007

Judicial Review of Rejected Claims

In 25 years, 13,664 determinations have been rendered in claims to the Fund. The Trustees have approved 6,348 awards of reimbursement. The remaining 7,316 claims were determined to be ineligible for failure to provide satisfactory evidence of eligible losses. Only eleven claimants since 1982 who were denied reimbursement have pursued Article 78 proceedings against the Fund. Eight of these judicial challenges were dismissed after the courts held that there was a rational basis for the Trustees' denials in the claims. Two Article 78 proceedings involving three claimants remained pending at the close of 2007.

**Amount of Awards Approved
 1982-2007 (In Millions \$)
 Total Awards: \$130.5 Million**



Thefts in Real Property Transactions

In 2007, and since the Fund's inception in 1982, real estate escrow losses account for the largest single category of awards from the Fund in both the amount of reimbursement provided and in the number of awards approved.

In 2007, real estate awards accounted for 73 of the 185 awards (40%). This is a slight decrease from 2006 when realty awards comprised 62 of the 147 total awards (42%). Realty awards in 2007 accounted for \$3.2 million of the total payout of \$7.0 million, or 46 percent of all money reimbursed in 2007. In 2006, realty awards comprised \$2.9 million of the total \$7.1 million reimbursed, or 41 percent of all amount awarded.

Since 1982, thirty-seven percent of all money awarded by the Fund has reimbursed the theft of real estate escrows. The Trustees have paid out a total of \$48.1 million in granting 1,871 awards involving real property losses. These 1,871 awards represent thirty percent of all awards from the Fund in 25 years.

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

“We feel extremely lucky that the Lawyers’ Fund exists at all, to help people who have been victimized by professionals they trusted.”
Message from a Claimant 2000

Losses in Investment Transactions

In establishing the Fund, the State Legislature made clear that reimbursement was intended for losses arising within an attorney-client relationship and the practice of law. 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.

The Trustees carefully review claims involving investment transactions with lawyers. The following policy guidelines have been adopted 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 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.

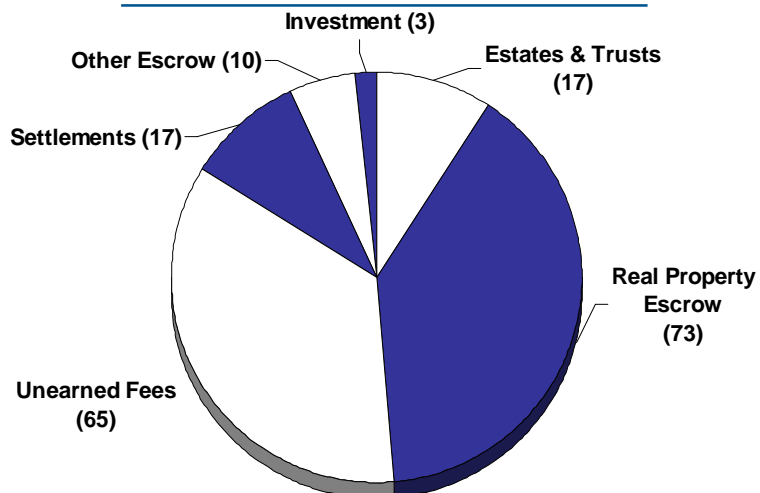
Since 1982, 1,310 claims have been filed with the Fund alleging \$143 million in losses from investment transactions with lawyers. The Trustees approved awards in only 345 of these claims providing total reimbursement of \$17.2 million.

Legal Fee Claims

The largest single category of claims filed with the Fund seek reimbursement of legal fees. Since 1982, legal fee claims have accounted for thirty-four percent of all filed claims.

The Fund has no authority to settle fee disputes, or to compensate for alleged negligence, malpractice, or dissatisfaction with legal services. 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.

**Number of Awards Approved in 2007
by Category of Loss : 185 Awards**



Theft of Personal Injury Settlements and Payee Notification

In a theft of a personal injury settlement by forgery, a dishonest lawyer may settle 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 detects and prevents losses involving the forgery and theft of personal injury settlements. This client protection measure 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 twelve states: California, Connecticut, Delaware, Hawaii, Georgia, Kansas, Maryland, Massachusetts, Nebraska, New Jersey, Pennsylvania and Rhode Island. This client protection device is under study in several other states.

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 then 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 Lawyers' Fund serves 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. 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 151 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.

In 1994, at the Trustees' suggestion, the Appellate Divisions amended court rules 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

**"I want to express my deep gratitude for all of your dedication and diligence...I appreciate your thorough explanations of the process and your keeping me up-to-date throughout."
Message from a Claimant, 2007**

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. The Fund's policy is to accept deposits of \$1,000 or less 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, 2007, a total of 1,290 deposits totaling \$2.4 million were received by the Fund. Staff successfully located 134 missing clients and returned to them \$301,596.

Claims Filed and Processed

Claims Filed, 1982 to 2007

Since 1982, 14,170 claims have been filed with the Lawyers' Fund alleging \$487 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 2007

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, 4,874 claims have been filed alleging unearned legal fees. Legal fee claims account for 34 percent of all filed claims. The second largest category of filed claims alleges losses in real property transactions. The Fund has received 3,030 claims in this category comprising approximately 21 percent of all filed claims.

“ Please accept my endless gratitude to you and the Trustees of the Lawyers’ Fund...your award to me has not only restored my faith in human nature, but <also> in the legal profession.”
Message from a Claimant, 2000

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 \$142.9 million or 29 percent of all alleged losses in filed claims. Real property claims were second with alleged losses of \$120 million constituting 24 percent of all reported losses. The third largest category of alleged losses involve alleged thefts from estates and trusts. These claims have alleged \$88.4 million in losses or 18 percent of all alleged losses.

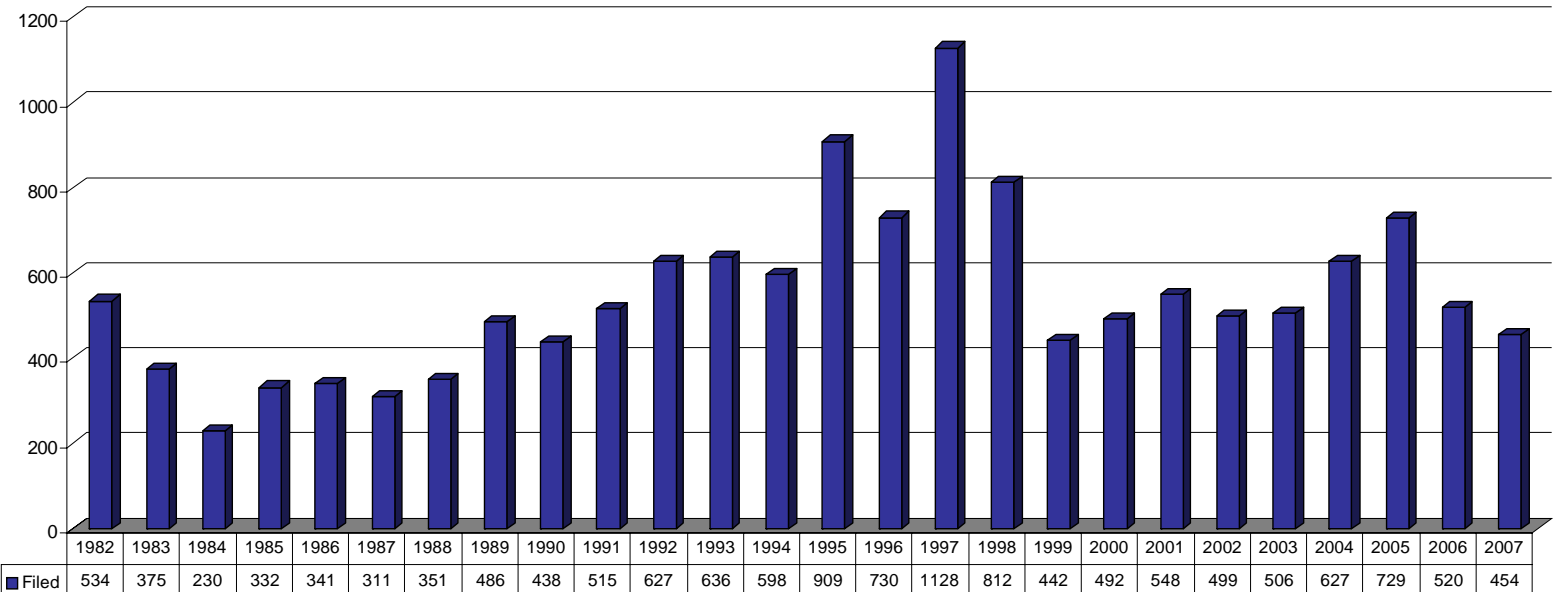
Claims Filed in 2007

In 2007, for the second year in a row, there was a decrease in the number of filed claims. There were 454 claims filed in 2007. This represents a 13 percent decrease from filed claims in 2006 when 520 claims were filed and a 37 percent decrease from 2005 when filed claims totaled 729. The 454 filed claims alleged \$31.8 million in losses, a 71 percent increase in alleged losses from the previous year. In 2007, the largest category of claims filed sought reimbursement of legal fees. Of the 454 filed claims, 153, or 33 percent, alleged unearned legal fees. The second largest category of claims filed were real property claims. There were 141 real property claims filed comprising 31 percent of all filings in 2007.

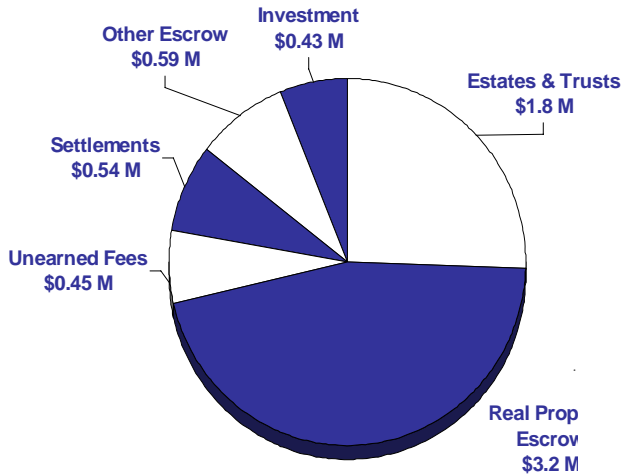
For alleged losses in 2007, real property claims alleged \$10.8 million in losses, or 34 percent of all alleged losses. Filed claims in 2007 involving investment transactions alleged \$7 million in losses, or 22 percent of alleged losses.

Number of Claims Filed 1982-2007

Total Filed: 14,170



Amount of 2007 Awards By Misconduct : \$7.0 Million



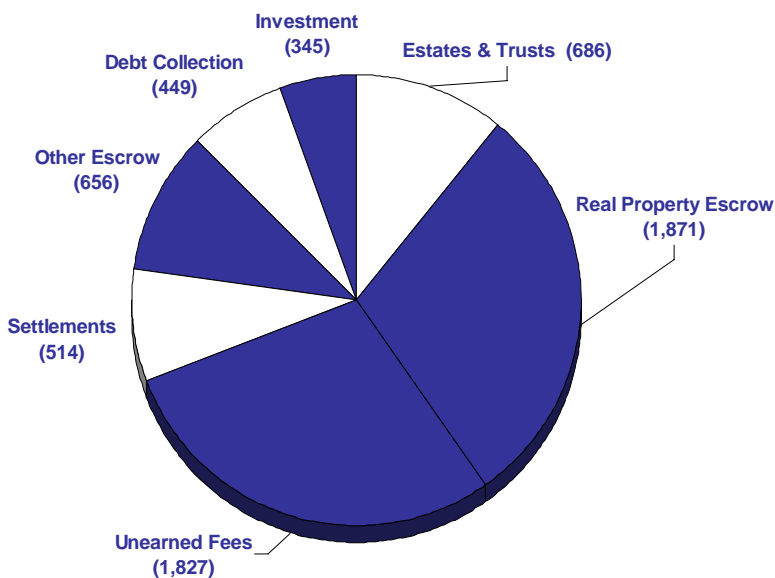
Awards of Reimbursement, 1982 to 2007

Since 1982, the Trustees have granted 6,348 awards reimbursing \$130.5 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 since 1982, the largest number of awards approved are for real property escrows. Real property escrow awards total 1,871, or 29 percent of all awards. The second largest category of awards reimbursed are unearned legal fees. Since 1982, there have been 1,827 legal fee awards comprising 28 percent of all awards.

Since 1982, by dollar amount, awards reimbursing real property losses represent the largest payout by the Fund. Real property awards total \$48.1 million, or 36 percent of all reimbursement awards. The second largest dollar amount of awards involve thefts from estates and trusts. These awards total \$34.9 million or 27 percent of all awards.

Number of Awards Approved Since 1982 by Category of Loss : 6,348 Awards

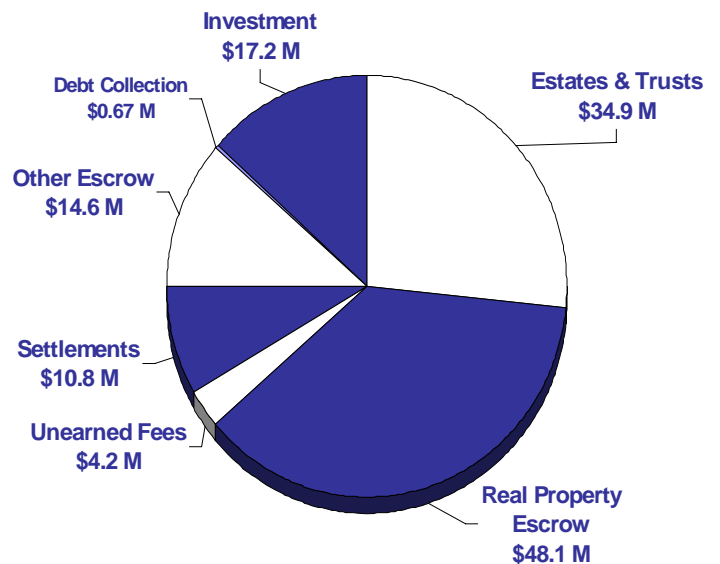


Awards of Reimbursement in 2007

In 2007, the Trustees approved 185 awards. This is a 25 percent increase from 2006 when there were 147 awards granted. The awards in 2007 provided total reimbursement of \$7.0 million. This total payout is a 1 percent decrease from the \$7.1 million reimbursed in 2006. There were six claimants in 2007 who did not receive 100 percent reimbursement for their eligible loss.

The awards in 2007 ranged between \$250 and \$300,000. The median client loss, and award, was \$8,250, down from \$13,000 in 2006.

Amount of Awards Since 1982 By Misconduct : \$130.5 Million



Ineligible Claims Since 1982

In 25 years, the Fund has rendered 13,664 determinations in claims. Of these 13,664 claims, 7,316, or 53 percent, were found to be ineligible for reimbursement.

Claims Pending as of December 31, 2007

There were 566 pending claims at the close of 2007. This is 38 fewer claims, or a six percent decrease, than the 604 which were pending at the end of the prior year. Of the 566 pending claims, 373, nearly 66 percent, involve one law firm whose attorneys are the subject of ongoing criminal proceedings.

These 566 pending claims allege total losses of \$15.6 million. The Fund's exposure on these pending claims, adjusted for the \$300,000 maximum limit on awards, is \$14.1 million. This represents a 4 percent decrease in the Fund's exposure on pending claims from the end of 2006.

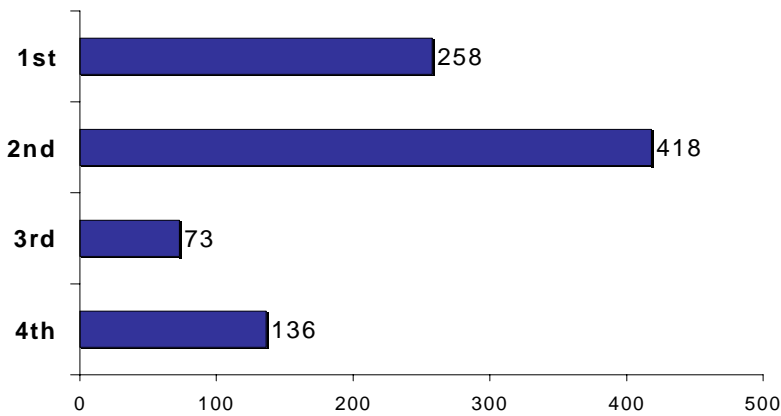
Lawyers Involved in Awards 1982 to 2007

Less than one-third of one percent of the bar's membership is responsible for the misconduct resulting in the Fund's awards. In 25 years, only 885 former lawyers have caused the 6,348 awards granted by the Fund. In 2007, the Trustees' 185 awards were attributable to dishonest conduct by 64 now suspended, disbarred or deceased lawyers. Of these 64 former lawyers, 20 were respondents in awards from prior years. The names of 44 dishonest lawyers appear for the first time in 2007 awards. A list of lawyers involved in awards is provided in the Appendix.

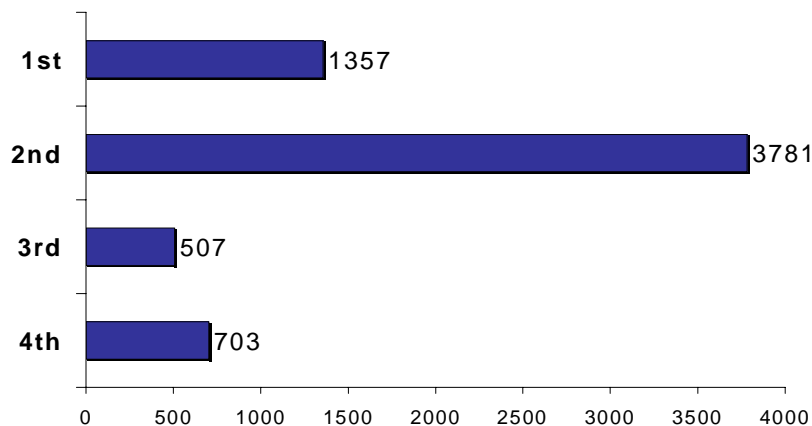
Most losses involve sole practitioners, the majority of which are male and middle-aged. The apparent causes of misconduct by these lawyers are often traced to alcohol or drug abuse and gambling. Other causes are economic pressures, mental illness, marital, professional and medical problems.

The geographic distribution of these 885 former lawyers, and the Fund's 6,348 awards, among the state's judicial departments is represented in the following bar graphs:

Lawyers Involved in All Awards Since 1982



Distribution of Awards Since 1982



First Judicial Department Includes:

New York and Bronx County



Second Judicial Department Includes:

Kings, Richmond, Queens, Nassau, Suffolk, Dutchess, Orange, Putnam, Rockland and Westchester Counties:



Third Judicial Department Includes:

Albany, Broome, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Madison, Montgomery, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Sullivan, Tioga, Tompkins, Ulster, Warren and Washington Counties:



Fourth Judicial Department Includes:

Herkimer, Lewis, Oneida, Onondaga, Oswego, Cayuga, Livingston, Monroe, Ontario, Seneca, Steuben, Wayne, Yates, Allegany, Cattaraugus, Chatauga, Erie, Genesee, Niagara, Orleans and Wyoming Counties:



Recommendations

Each year, the Trustees recommend changes in legal practice and policy in fulfillment of their statutory responsibility to maintain the integrity of the legal profession and promote public confidence in the administration of justice.

Escrow Thefts in Real Property Transactions

We continue to urge our bar and judicial leaders to consider and adopt measures to address the continuing problem of escrow thefts in real property transactions.

In 2007, 40 percent (73) of the Fund's 185 awards involved lawyers' thefts of real property escrows. Over the past ten years, the Fund has reimbursed nearly \$29 million for this category of loss. Since 1982, the Trustees have paid out \$48 million reimbursing real estate escrow thefts. This total constitutes almost 37 percent of the amount of all reimbursement from the Fund in 25 years. The most common realty loss involves the theft of a purchaser's down payment by the seller's attorney in a residential transaction.

It is clear that these realty losses are caused by a tiny percentage of New York's legal profession. In 2007, only 28 former lawyers were responsible for the thefts of real estate escrows reimbursed by the Fund. There are 239,000 registered lawyers in New York State. These few disgraced lawyers 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.

Alcohol and Substance Abuse in the Legal Profession

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.

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 25 years, a large percentage of the Fund's awards have resulted from misconduct attributed to these addictions.

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.

Thefts by Suspended, Disbarred and Bogus Lawyers

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.

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. That simple endorsement will provide a cost-free and reliable opportunity for court clerks or court officials 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

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.

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.

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.

Recommendations

Multijurisdictional Practice and Pro Hac Vice Rules

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.

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. 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 Trustees propose that New York adopt this client protection measure.

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.

Twenty states now require some form of attorney malpractice insurance disclosure. 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 the New York bar examination test for knowledge and competence with respect to a lawyer's fiduciary obligations to safeguard and account for law clients' money and property and that these necessary skills be reinforced in Continuing Legal Education programs.

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

Bank Notices to Fiduciaries

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.

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. 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

Confidentiality should not remain in disciplinary proceedings when a court has probable cause that a lawyer has stolen law client funds.

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.

The Trustees' experience over twenty-five 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.

Reinstatement to the Practice of Law

The Trustees recommend that the court rules in the Fourth Judicial Department be amended to include provisions of notice to the Lawyers' Fund of reinstatement petitions.

Court rules in the First and Second Judicial Departments require that a petitioner seeking reinstatement to the practice of law provide the Lawyers' Fund with a copy of their reinstatement petition. In the Third Judicial Department, recent amendments to court rules now require that a petitioner seeking reinstatement provide the Lawyers' Fund with written notice of their petition. These measures afford the Fund the opportunity to oppose readmission of any former attorney who is indebted to the Fund for awards to their former law clients. The Trustees encourage similar provisions be adopted in the Fourth Judicial Department.

Challenges for the Future

The Trustees are proud of the many accomplishments by the Lawyers' Fund since its inception in 1982. The New York Fund is a leader in the field of client protection in the level of reimbursement provided to law clients. As an independent public trust with a steady and reliable source of revenue, the Fund is able to provide prompt and meaningful reimbursement while being responsive to the needs of law clients in the Empire State.

The Trustees also note with distinction the Fund's role in the introduction of many client protection and other measures which have improved our justice system. These measures which resulted from recommendations by the Fund's Trustees include uniform banking and recordkeeping rules for attorneys in the preservation of client funds; self-certification of compliance with these court rules; stricter enforcement of attorney registration requirements; an insurance payee notification rule; restitution orders as a disciplinary sanction; a dishonored check notice rule; mandatory arbitration of fee disputes; statutory lien and subrogation rights strengthening the Fund's creditor rights; and court rules governing the disposition of clients' funds owed to missing clients and providing for successor signatories to attorney trust accounts.

While this record of achievements is to be celebrated, there is more to be accomplished. For that reason, the Trustees continue to recommend changes in practice and policy in order to further improve our administration of justice and field of client protection.

For the future, there are challenges facing the Trustees and the New York Fund which can be identified. The Trustees remain concerned about the lawyer dishonesty and client losses that persist. Particularly troubling is the recent conviction of three New York State lawyers on federal charges of defrauding millions of dollars from thousands of their law firm's clients who sought legal representation for debt reduction. The Trustees anticipate that these victimized law clients will seek reimbursement from the Fund in the near future. These catastrophic losses will challenge the New York Fund's ability to be able to continue to serve as a model for effective law client protection in our Nation.

"I am so very grateful for your fund, those who oversee it, and the lawyers who contribute. I cannot thank you enough for your service to others, and particularly, to me. You have caused me to feel such satisfaction and gratitude that words seem inadequate. Thank you!"
Message from a Claimant, 2002

Lawyers who are suspended or disbarred yet continue to practice illegally and cause client losses is a reoccurring problem. There is a need for more effective monitoring of these disciplined attorneys in order to protect legal consumers. More severe criminal sanctions and prosecution should also serve as an effective deterrent to this criminal conduct.

"My sincerest thanks...to the Trustees and to the staff at the Lawyers' Fund...for my award of reimbursement. I am finally feeling some peace...which I know is largely due to the reimbursement I received from your fund."
Message from a Claimant, 2000

After 25 years, real estate escrow losses now account for the largest category of loss in terms of the amount of reimbursement provided by the New York Lawyers' Fund. The thefts of down payments in residential real estate transactions continues to constitute the majority of these real estate losses. The Trustees renew their call to the legal profession and the leaders of the bar and government to give due attention to measures to address these losses and protect law clients in our State.

Conclusion

The Trustees' experience over 25 years clearly demonstrates that 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. In 2007, as in every year since 1982, a small handful of lawyers constituting a tiny percentage of New York's legal profession are responsible for the dishonest conduct resulting in the Fund's awards. These few lawyers persist in causing client losses. It is therefore essential that a well-financed and responsive Lawyers' Fund continue to be an integral part of our justice system.

The Trustees recognize that the success of the Lawyers' Fund is due in great measure to the support and assistance 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;

(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;

Trustees Regulations (22 NYCRR 7200, et seq.)

(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.

(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 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;

Trustees Regulations (22 NYCRR 7200, et seq.)

(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 the claimant and the attorney whose alleged conduct gave rise to the claim, or their rep-resentatives.

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 bene-ficiary 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.

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.

Judicial Precedents

Litigation involving the Lawyers' Fund has spawned important judicial precedents in the areas of consumer protection, the enforcement of the Trustees' creditor rights, and the Uniform Commercial Code.

Clients' Security Fund v. Grandeau, et al., 72 N.Y.2d 62 (1988) sustained the fund's right, as subrogee of reimbursed law clients, to pursue the law partner of a dishon-

est lawyer for negligence in supervising the management of the law partnership. Following *Grandeau*, the Legislature amended the Judiciary Law to enlarge the fund's subrogation rights. (Chapter 624, Laws of 1988; Judiciary Law §468-b (9). The statute also creates a statutory lien that attaches to a dishonest lawyer's restitution obligations.

Clients' Security Fund v. Goldome, 148 Misc. 2d 157 (Sup. Ct., Monroe Co. 1990), The defendant bank was denied standing to challenge the Trustees' exercise of discretion in reimbursing a theft which occurred after a lawyer's disbarment.

Lawyers' Fund for Client Protection v. Manufacturers Hanover, 153 Misc. 2d 360 (Sup. Ct., Albany Co. 1991), held that an attorney in a debt collection engagement has no apparent authority to endorse the client's signature on the check that pays the debt. The defendant bank was held strictly liable to the Lawyers' Fund as the client's subrogee.

Matter of Estate of Sheridan, 149 Misc. 2d 519 (Surr. Ct., Yates Co. 1991) recognized the fund's capacity to assert the "sovereign's prerogative right" to priority as a creditor.

Fergang v. Flanagan, 174 Misc.2d 790 (Sup. Ct., Nassau Co., 1997), aff'd 259 A.D. 2d 598 (2d Dep't 1999) clarified the liabilities of payee and depository banks in forged endorsement litigation.

Lawyers' Fund v. Bank Leumi Trust Company, et al., 94 N.Y.2d 398; 727 N.E.2d 563 (2000). The Court of Appeals determined that the Lawyers' Fund, under an assignment from the client-payee, can recover the face amount of a check which was paid over the client's forged endorsement, plus interest from the date of the forgery. The Court of Appeals reversed the Appellate Division's holdings that limited the fund's recovery to the amount of its award of reimbursement, with interest from the date of the award.

Lawyers' Fund for Client Protection v Dime Savings Bank, No. 24711/99 (Sup. Ct., Nassau Co. 2001), aff'd, 294 A.D.2d 337 (2d Dep't 2002). Held that the Fund could proceed with causes of action in negligence and breach of contract against a dishonest lawyer's depository bank for its failure to provide the Fund with notices of dishonored checks drawn upon the lawyer's escrow account.

Matter of Dussault, 215 A.D.2d 843 (3d Dep't 1995) The Court provided judgments of restitution to 100 escrow beneficiaries who were creditors of the dishonest lawyer's clients. Those judgments were converted into awards of reimbursement totaling \$168,690.

"...I can't tell you how much you...have done for the Estate of my father. I don't know how many more people are in the same boat that I was but God bless you!"
Message from a Claimant, 2006

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.

“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.

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.

“Once again, please accept my sincerest thanks to you and your organization for the very important work that you do. I can’t think of anything more exemplary than recognizing a committed wrong and acting to right it.”
Message from a Claimant 2000.



The Lawyers’ Fund 25th Anniversary Video

(2007). This short video, with an introduction by Chief Judge Judith S.



Kaye, provides the history and purpose of the Lawyers’ Fund. The video includes interviews with Fund Trustees and law client victims. A complimentary copy of this video is included on a DVD with this Annual Report. The video is also available on our website: www.nylawfund.org/pubs/25.wmv.

“As a Police Officer for 27 years, I came into contact with many lawyers...I always respected the profession. The criminal acts of a select few do not tarnish the reputation of all lawyers. The work of (the Lawyers’ Fund) and the Board of Trustees upholds the integrity of the Legal Profession, and one that I owe a debt of gratitude.”
Message from a Claimant, 2007

Statistical Tables

All Losses Reported Since 1982					Losses Reported in 2007 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	1,029	7.3%	\$88,353,420	18.1%	Estates & Trusts	36	7.9%	\$4,604,282	14.4%
Real Property Escrow	3,030	21.4%	\$120,182,836	24.7%	Real Property Escrow	141	31.1%	\$10,836,260	34.0%
Unearned Fees	4,874	34.4%	\$23,126,643	4.7%	Unearned Fees	153	33.7%	\$3,000,253	9.4%
Settlements	1,024	7.2%	\$26,896,521	5.5%	Settlements	45	9.9%	\$2,092,172	6.6%
Other Escrow	1,429	10.1%	\$51,843,959	10.6%	Other Escrow	25	5.5%	\$2,137,921	6.7%
Debt Collection	629	4.4%	\$2,292,146	0.5%	Debt Collection	16	3.5%	\$123,281	0.4%
Investment	1,310	9.2%	\$142,943,269	29.3%	Investment	23	5.1%	\$7,027,205	22.0%
Other	845	6.0%	\$31,874,372	6.5%	Other	15	3.3%	\$2,059,054	6.5%
Totals	14,170	100%	\$487,513,166	100%	Totals	454	100%	\$31,880,428	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	686	10.8%	\$34,880,051	26.7%	\$56,154,838	62.1%
Real Property Escrow	1,871	29.5%	\$48,077,140	36.8%	\$51,812,646	92.8%
Unearned Fees	1,827	28.8%	\$4,234,646	3.2%	\$4,260,746	99.4%
Settlements	514	8.1%	\$10,815,103	8.3%	\$11,361,800	95.2%
Other Escrow	656	10.3%	\$14,614,137	11.2%	\$21,380,384	68.4%
Debt Collection	449	7.1%	\$665,513	0.5%	\$720,513	92.4%
Investment	345	5.4%	\$17,231,865	13.2%	\$22,045,827	78.2%
Totals	6,348	100%	\$130,518,455	100%	\$167,736,754	

Client Losses in 2007 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	17	9.2%	\$1,790,419	25.5%	\$1,845,169	97%
Real Property Escrow	73	39.5%	\$3,231,046	45.9%	\$3,303,622	98%
Unearned Fees	65	35.1%	\$449,133	6.4%	\$449,133	100%
Settlements	17	9.2%	\$544,473	7.7%	\$544,473	100%
Other Escrow	10	5.4%	\$588,640	8.4%	\$598,640	98%
Debt Collection	0	0.0%	\$0	0.0%	\$0	0%
Investment	3	1.6%	\$429,183	6.1%	\$434,183	99%
Totals	185	100%	\$7,032,864	100%	\$7,175,220	

“I would like to add my thanks to the Trustees of the Lawyers’ Fund for Client Protection for (approving an award) to the estate of our mother.....It has been extremely difficult to lose our mother and then (have to) deal with the reality that a significant portion of her estate was misappropriated. As you well know, while the majority of the New York State legal profession (is) honorable, the suffering inflicted on families by one immoral practitioner is immense. If not for the Lawyers’ Fund for Client Protection, it is likely that we would never receive repayment of the misappropriated funds.”

Message from a Claimant, 2007



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	2006	2007	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	520	454	14,170	
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	\$18.6	\$31.8	\$487.5	
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	147	185	6,348	
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	\$7.3	\$7.1	\$167.7	
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	\$7.1	\$7.0	\$130.5	
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	35	44	885	
% 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%	98%	98%		
% 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%	98%	97%		
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	284	307	7,316	
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	431	492	13,664	
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	604	566		
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	\$17.8	\$15.7		
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	\$14.8	\$14.1		
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	\$7.0	\$3.5		

“I don’t know of any other organization that is willing to stand up and take responsibility for the wrong doings and illegal actions of another member of that profession. I find this admirable and would like to extend my thanks to all 229,000 members of New York State’s legal profession who make this Fund possible. It is comforting to see there are lawyers who take extra time and effort to uphold the ethical standards of their profession...”
 Message from a Claimant 2006.

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	Anthony J. Bonfiglio	01	3	\$ 114,000
John E. Aber	05	3	\$ 2,850	Martin Borakove	01	2	\$ 16,101
Richard H. Abelson	09	2	\$ 314,066	Lee H. Bostic	11	4	\$ 31,583
James E. Adel	08	3	\$ 18,656	Darrell L. Bowen	04	1	\$ 300
Mark I. Adelman	01	2	\$ 6,525	Martin J. E. Bowers	10	1	\$ 12,750
Howard B. Adler	01	10	\$1,583,948	Jonathan N. Boxer	10	12	\$ 61,364
Cornelius M. Ahearn, Jr.	01	1	\$ 65,713	Raymond D. Bradford	09	2	\$ 20,779
Alexander A. Alarid	01	1	\$ 7,500	Karen E. Bragg	10	1	\$ 250
George E. Albright	07	1	\$ 2,150	Hugh F. Brammer	10	1	\$ 410
Alexis Alcide	11	1	\$ 7,200	E. Lawrence Brass	10	14	\$ 339,657
David B. Alford	03	4	\$ 8,150	Leo Bresler	10	2	\$ 100,000
Donald A. Alleva, Jr.	09	5	\$ 87,918	Michael R. Bressler	01	13	\$ 47,885
Nicholas P. Altomerianos	01	1	\$ 13,425	John D. Bridge	08	1	\$ 1,000
David W. Alvey	02	10	\$ 490,852	Richard Brill	09	1	\$ 15,680
Joseph Amaru	11	2	\$ 208,529	Bernard Bronner	10	1	\$ 41,640
Robert B. Anderson	01	1	\$ 100,000	Trevor L. Brooks	01	1	\$ 21,021
Thomas A. Andrews	01	1	\$ 300,000	Harold Brotman	10	1	\$ 6,667
Alvin Ashley	01	1	\$ 71,445	Bertram Brown	01	1	\$ 23,610
Jason Ashley	11	11	\$ 107,885	Bradford J. Brown	01	1	\$ 36,000
Lewis G.P. Ashton	11	2	\$ 9,000	Godfrey G. Brown	02	1	\$ 5,000
Elizabeth Auguste	02	2	\$ 4,000	Harry L. Brown	08	2	\$ 27,346
Harley D. Axelrod	07	5	\$ 107,128	Mark Broydes	12	3	\$ 2,050
David A. Baker	05	10	\$ 61,627	Kenneth E. Bruce	09	1	\$ 800
William F. Baker	05	2	\$ 28,556	Stephen Bruschi	01	1	\$ 1,500
George S. Balis	09	1	\$ 2,500	Alan I. Brutten	11	1	\$ 500
Richard L. Baltimore, Jr.	01	5	\$ 42,096	Kevin C. Bryant	07	9	\$ 9,475
Norwood K. Banks	07	1	\$ 573	Joseph T. Burchill	06	1	\$ 25,000
John M. Barth	01	1	\$ 3,000	John R. Burgess	08	6	\$ 30,868
Rodney E. Batts	10	1	\$ 37,900	Timothy K. Burgess	07	2	\$ 9,118
Paul L. Beck	01	7	\$ 105,700	W. Michael Burke	03	2	\$ 700
Irving Becker	01	10	\$ 16,330	William M. Burke	03	2	\$ 101,035
Herbert H. Bell	01	1	\$ 40	Jeffrey S. Burns	10	3	\$ 12,370
William F. Benca	08	2	\$ 57,950	Charles S. Butin	10	2	\$ 6,750
Eugene V. Benevenia	10	12	\$ 230,645	Gail D. Butler	01	2	\$ 55,650
Howard A. Benick	01	2	\$ 1,320	H. Ronald Buttarazzi	07	3	\$ 68,870
Michael D. Benjamin	02	1	\$ 900	Cathryn A. Byrne	10	1	\$ 226,491
Bradley C. Bennett	07	2	\$ 7,554	Nicholas Capobianco	07	4	\$ 6,530
Robert J. Bennison	05	1	\$ 15,815	Russell J. Carbone	11	2	\$ 19,000
Gary L. Berenholtz	01	4	\$ 391,377	Kenneth B. Carnesi	10	11	\$ 432,798
Richard H. Berg	09	2	\$ 2,000	William F. Carrigan, Jr.	05	4	\$ 85,642
Alan A. Bergstein	10	1	\$ 28,995	Chase Arthur Caro	01	8	\$ 723,712
Adam H. Bernstein	07	3	\$ 40,339	Joi M. Cary	07	5	\$ 7,106
Harry J. Bernstein	11	16	\$ 216,742	John M. Cassel	03	1	\$ 65,000
Jeruchom Bergstein	02	11	\$ 14,000	Stuart B. Cassell	11	35	\$ 486,387
Peter N. Bertucci	01	1	\$ 25,000	Frank V. Cassese	02	23	\$ 335,830
Burton H. Besen	01	9	\$ 146,616	Richard H. Cataldi	08	3	\$ 71,810
Jeffrey L. Besse	03	32	\$ 1,430,278	Vincent J. Catalfo	01	1	\$ 45,000
Lassalle Best, Jr.	02	1	\$ 1,000	Katherine R. Catanzarite	04	19	\$ 60,843
Jose M. Betancourt	12	2	\$ 21,961	Gil A. Chachkes	02	2	\$ 1,500
James Bing	01	3	\$ 4,085	Harvey Chaly	10	4	\$ 42,944
Charles Birnbaum	02	1	\$ 594	John R. Chaney, Jr.	01	3	\$ 2,276
Warren J. Black	01	1	\$ 20,576	John P. Charles	11	1	\$ 2,500
Blaich & Dries	09	7	\$ 236,162	Michael M. Chasen	12	6	\$ 38,708
Walter H. Blaich, Jr.	09	7	\$ 385,835	Gwenerva D. Cherry	01	6	\$ 362,600
Steven A. Bloomberg	02	1	\$ 700	John D. Chestara	03	17	\$ 146,832
Lawrence Bluth	11	1	\$ 11,500	John M. Cholakis	03	1	\$ 52,383
Allen J. Bodner	01	1	\$ 100,000	James Ciccone	02	2	\$ 3,700
Howard J. Bodner	10	20	\$ 968,658	Robert A. Cicola	10	11	\$ 258,396
Murray Bogatin	01	2	\$ 9,400	Frank A. Cissi	05	2	\$ 4,996
Philip L. Boneta	02	3	\$ 19,533	John D. Clark	08	1	\$ 750
				Robert J. Clark	01	5	\$ 121,990

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

Name	JD	#	Amount	Name	JD	#	Amount
A. Roger Clarke	07	5	\$ 193,183	Jeffrey E. Diamond	11	42	\$ 534,612
James F. Clarke	10	19	\$1,145,491	Steven H. Dickman	10	7	\$ 59,339
Richard B. Claro	10	1	\$ 76,500	Edward W. Dietrich	05	1	\$ 36,598
W. Andrew Clawson	07	19	\$ 305,715	Salvatore DiMisa	10	2	\$ 55,533
Casey A. Clines	04	1	\$ 350	David S. Dindial	11	1	\$ 17,500
Joseph A. Cofino	12	2	\$ 3,500	Vincent R. DiPasquale	08	6	\$ 262,277
Daniel I. Cohen	01	4	\$ 81,720	Robert E. Dizak	01	19	\$ 170,293
James Harrison Cohen	01	5	\$ 57,055	Birol John Dogan	01	6	\$ 43,673
Stanley I. Cohen	02	4	\$ 472,241	Jerrold A. Domingo	01	3	\$ 19,000
Kenneth H. Cohn	06	9	\$ 4,010	Myron Domsky	10	3	\$ 3,500
Kenneth W. Cohn	10	1	\$ 16,077	Paul B. Donohue	09	1	\$ 750
Theresa N. Coletti	11	25	\$ 53,317	Michael J. Donovan	01	1	\$ 27,531
Joseph L. Colp	01	3	\$ 12,300	Walter M. Donovan	08	23	\$ 75,050
Frank Coniglio	10	12	\$ 240,110	H. Paul Doucette, Jr.	07	9	\$ 16,200
Kevin A. Conine	06	2	\$ 40,861	George E. Dougherty, Jr.	03	6	\$ 140,388
Joseph A. Contino	08	2	\$ 200,000	William J. Dougherty	10	5	\$ 124,795
Denise D. Cooper	09	1	\$ 40,000	Frank J. Doupona	09	10	\$ 602,595
Stephen E. Cooper	04	2	\$ 268,455	Charles H. Downing	01	2	\$ 6,362
Edward M. Cooperman	10	3	\$ 12,700	James L. Dowsey, III	10	1	\$ 8,500
R. Lynette Copeland	08	1	\$ 5,000	Paul Drager	09	1	\$ 500
Kevin P. Corcoran	09	2	\$ 16,965	Adrian P. Driggs, III	01	1	\$ 45,000
William J. Corcoran	01	1	\$ 10,000	Arthur S. Drotzer	09	2	\$ 5,255
Gerald M. Cotter	10	28	\$ 990,471	Robert G. Dubrow	10	1	\$ 28,428
James P. Cotter	08	1	\$ 46,036	Michael J. Duffy	05	5	\$ 236,536
Catherine N. Coughlin	08	3	\$ 7,002	Melvin G. Duke	02	1	\$ 1,500
Coxeter & Coxeter	03	1	\$ 50,000	Andrew S. Dunn	07	1	\$ 5,502
Ronald P. Crean	01	2	\$ 22,750	Peter J. Dunne	10	13	\$ 68,950
Gene Crescenzi	01	2	\$ 6,880	Thomas A. Dussault	03	184	\$ 329,956
Domenick Crispino	01	19	\$ 819,629	Roger L. Dworsky	04	6	\$ 4,200
John T. Crone	07	14	\$ 450,427	Saul L. Eagle	12	4	\$ 290,404
Dennis D. Crowley	09	6	\$ 271,804	Paul J. Eckelman	09	3	\$ 8,895
Marshall Oakes Crowley, Jr.	10	2	\$ 44,859	Eugene P. Edwinn	01	3	\$ 107,770
Martin J. Crowley	10	15	\$ 124,534	Louis A. Egnasko	02	66	\$1,921,450
Thomas P. Cullen, Jr.	11	4	\$ 93,513	Ehman & Marino	10	61	\$3,061,535
Richard H. Cunningham	10	5	\$ 12,859	Howard Eisenberg	01	1	\$ 5,000
David A. Curtin	08	14	\$ 44,638	Robert A. Eisenberg	02	1	\$ 7,058
John L. Curtis	08	4	\$ 252,344	Mitchell Eisenstat	01	2	\$ 3,675
Dona Curtis-Thomas	09	1	\$ 4,750	Calvin Eleby, Jr.	03	2	\$ 35,907
R. Scott Daly	02	2	\$ 11,600	Dennis P. Elkin	11	1	\$ 250
Benjamin F.L. Darden	06	2	\$ 67,088	Robert S. Elkins	10	3	\$ 101,450
W. Timothy Darrah	10	4	\$ 591,838	Christopher S. Ellerman	02	1	\$ 10,000
Samuel B. Dattilo	07	10	\$ 661,946	W. Joseph Embser	08	1	\$ 100,000
Thomas P. Daubner	11	1	\$ 500	Charles E. Ennis	07	3	\$ 52,427
Kenneth P. Daumen, Sr.	08	1	\$ 3,211	Michael L. Entes	02	2	\$ 10,000
Mehran W. Davidian	10	1	\$ 5,000	Michael F. Erdheim	01	20	\$ 993,099
Frazier Davidson	09	1	\$ 208,394	Steven M. Erdheim	09	23	\$ 12,840
Ingrid N. Davis	02	2	\$ 5,982	Jonathan Erickson	07	6	\$ 111,173
James J. Davitt	02	1	\$ 100,000	Jerome J. Erlin	01	4	\$ 42,595
Mark D. Deinhart	08	7	\$ 709,235	John R. Esposito	12	1	\$ 5,700
Sitro P. de la Cruz	01	2	\$ 10,001	Gene Ira Esser	02	12	\$ 23,877
Frank DeGrasse	12	2	\$ 90,000	F. Birt Evans, Jr.	04	12	\$ 28,022
Jaime V. Delio	10	2	\$ 7,310	James S. Falletta	11	22	\$ 979,692
Lawrence DeMayo	02	20	\$ 217,422	James C. Farrington	03	1	\$ 15,560
Herbert B. Derman	01	1	\$ 25,900	Arnold H. Fassler	11	12	\$ 111,658
Joseph A. Derrico	10	1	\$ 131,877	James H. Fay	02	1	\$ 400
John L. Desmond	03	1	\$ 56,000	Charles L. Feely	01	3	\$ 256,906
Edward W. DeVerna, Jr.	10	2	\$ 1,500	Milton Feinman	01	9	\$ 520,987
Bertram S. Devorsetz	09	2	\$ 1,100	Harvey Felton	09	1	\$ 40,426
James G. deWindt	10	2	\$ 1,000	John F. Felton	01	2	\$ 7,000
Anthony P. Diamond	08	3	\$ 321,805	Willie R. Felton	07	29	\$ 134,491

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

Name	JD	#	Amount	Name	JD	#	Amount
Perry V. Ferrara	10	58	\$1,645,861	Alan R. Golkin	08	5	\$ 269,624
Steven B. Fidelman	11	9	\$ 78,532	Oscar Gonzales-Suarez	01	1	\$ 5,000
Carl M. Field	10	24	\$ 173,904	Michael W. Goodman	11	4	\$ 220,055
Barry K. Fine	10	1	\$ 16,788	Robert M. Gordon	01	6	\$ 29,870
Lawrence F. Finley	06	1	\$ 35,000	William S. Gordon	08	1	\$ 300,000
Richard C. Fioretti	10	2	\$ 248,358	John P. Gorman	09	2	\$ 36,000
Timothy A. Fischer	08	1	\$ 155	Jack Gottlieb	02	8	\$ 74,576
Fischer & Quaintance	08	2	\$ 110,897	Lora C. Graham	09	2	\$ 1,655
Michael G. Flanagan	01	13	\$ 884,137	Gary W. Gramer	10	1	\$ 1,700
Thomas M. Flannery	03	1	\$ 480	Barry J. Grandeau	09	377	\$ 564,211
Florian Carl Flierl	08	8	\$ 65,695	S. Simpson Gray	09	9	\$ 8,928
Dan Foley	09	1	\$ 203	Christopher J. Green	01	1	\$ 30,000
Charles A. Fontana	11	2	\$ 12,000	Milan K. Gregory	10	2	\$ 10,200
Joseph M. Fonte	02	2	\$ 12,500	John N. Griggs, Jr.	01	2	\$ 350
Seymour Forman	01	1	\$ 500	Robert S. Groban, Sr.	01	2	\$ 8,500
Harry A. Foster	01	3	\$ 40,092	Hyath B. Gross	04	1	\$ 1,250
Robert L. Fraser	07	4	\$ 16,846	Joshua Gross	04	1	\$ 400
Paul I. Freedman	01	49	\$ 117,305	Murray S. Gross	02	1	\$ 8,000
Andrew J. French	10	1	\$ 9,619	Stanley Gross	02	1	\$ 1,500
Mark G. Fresco	01	5	\$ 61,961	David B. Grossman	05	7	\$ 16,296
Sydney Friedler	10	27	\$ 365,711	Marc E. Grossman	09	16	\$ 192,501
Arthur S. Friedman	02	1	\$ 12,916	Harold W. Grubart	01	3	\$ 184,335
Martin Fries	11	17	\$ 81,713	James R. Gunderman	08	8	\$ 269,978
Alfred L. Fritz, III	08	21	\$ 86,766	Sidney J. Guran	02	1	\$ 12,159
Joel A. Fruchter	01	5	\$ 120,632	John A. Gussow	02	30	\$ 522,568
Daniel R. Fruitbine	01	1	\$ 8,750	John A. Guzzetta	01	1	\$ 6,395
Jerome H. Funk	09	22	\$ 12,049	Richard A. Gwynn, Jr.	05	8	\$ 8,239
Henry G. Fury	09	9	\$ 150,341	Richard J. Haas	03	3	\$ 16,800
Dumas Gabbriellini	01	1	\$ 4,950	David S. Haberman	10	1	\$ 27,798
Wayne K. Gabel	09	1	\$ 11,437	Paul E. Haberman	01	1	\$ 300,000
Ross M. Gadye	01	1	\$ 2,360	Robert E. Haley	01	7	\$ 100,800
Yoram Gafni	01	5	\$ 7,550	Clifton E. Hall	11	3	\$ 16,465
Arthur J. Gallancy	01	1	\$ 21,500	Harold A. Hall	02	1	\$ 13,300
John E. Galligan, Jr.	02	3	\$ 4,827	Fred J. Halsey, Jr.	01	3	\$ 69,803
William M. Gallow, Jr.	03	1	\$ 49,397	M. Helene Hamlin	05	1	\$ 300,000
Frank P. Gangemi	02	40	\$3,475,491	Herbert I. Handman	01	1	\$ 16,500
Hiram S. Gans	09	2	\$ 85,000	H. Roger Hantman	10	1	\$ 3,000
Rudolf V. Ganz, III	09	2	\$ 31,705	John L. Hargrave, Sr.	08	3	\$ 44,051
Maurice R. Garber	01	5	\$ 67,830	Alan David Harris	10	5	\$ 342,033
Francis P. Garofalo	02	3	\$ 64,000	Alan Jay Harris	01	1	\$ 14,081
Edward M. Gasperi	04	5	\$ 8,231	H. Hawthorne Harris	09	1	\$ 5,093
Michael S. Gawel	08	1	\$ 1,200	Herbert Harris, Jr.	01	2	\$ 48,833
Jack O. Gaylord	08	1	\$ 12,332	Leon Sol Harris	01	3	\$ 30,060
Aaron Gelbwaks	01	1	\$ 229,553	Peter Andrew Harris	07	8	\$ 224,475
James G. Gembarosky	08	7	\$ 15,426	Morton H. Hartmann	01	3	\$ 54,576
Glen J. Gentile	01	18	\$ 79,810	Robert T. Hartmann	09	3	\$ 42,149
Frank P. Giaramita	02	2	\$ 7,500	John J. Hayden	09	5	\$ 25,800
Anne O. Gilde	02	1	\$ 1,045	Edward K. Hedberg	09	2	\$ 12,202
Thomas Eric Gill	10	6	\$ 87,500	Richard T. Heelan	10	4	\$ 26,075
James Gilmartin	01	2	\$ 3,613	Rene F. Hensel	07	2	\$ 23,504
Joseph A. Giorgi	07	1	\$ 4,685	Andrea B. Herbst	09	1	\$ 1,450
Jarrett F. Glantz	01	25	\$1,789,786	Alan A. Herman	01	2	\$ 91,500
Harold L. Goerlich	10	4	\$ 65,178	Miguel A. Hernandez	02	15	\$ 290,639
Roger J. Gofton	09	2	\$ 182,800	Eric E. Heron, Jr.	11	3	\$ 28,485
Fred Gold	11	3	\$ 113,250	Bruce H. Hest	01	2	\$ 59,875
Henry S. Goldman	09	9	\$ 224,823	Alfred L. Hetzelt, Jr.	08	1	\$ 100,000
Michael L. Goldman	01	1	\$ 43,000	John Higginbotham	01	2	\$ 5,000
Steven F. Goldman	01	1	\$ 4,300	Leo N. Hirsch	01	2	\$ 27,083
Barry E. Goldrod	01	1	\$ 51,357	Michael Hirsch	10	2	\$ 53,127
Charles H. Goldstein	10	1	\$ 43,000	Ralph Hochstein	01	1	\$ 1,000

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

Name	JD	#	Amount	Name	JD	#	Amount
Robert I. Hodes	01	2	\$ 20,605	John P. Kilminster	10	6	\$ 17,950
Walter Hofer	01	8	\$ 85,880	John J. Kim	01	1	\$ 19,500
Frank Hoeffy	01	1	\$ 4,500	Wayne W. Kim	01	5	\$ 31,705
Douglas R. Hoffmann	10	8	\$ 78,378	Garry King	08	2	\$ 1,025
William J. Holden	09	12	\$ 436,677	Harold L. King	01	1	\$ 600
Campbell M. Holder	01	20	\$1,846,165	Matthew A. King	04	3	\$ 3,000
A. Robert Holman, III	10	458	\$ 203,958	William A. Kirschner	01	1	\$ 300,000
Antoinette Holmes	12	19	\$ 664,171	Paul H. Kirwin	10	1	\$ 58,000
Harold Holtman	10	27	\$ 346,506	Rudolph M. Klenosky	02	1	\$ 45,000
Robert Kent Holtsberry	05	1	\$ 2,178	A. O'Neill Kline	08	3	\$ 72,100
Marc J. Hopkins	08	1	\$ 300,000	William J. Kluender	11	18	\$ 232,257
Roy C. Hopkins	07	1	\$ 25,000	Kenneth Knigin	09	1	\$ 117,069
Charles S. Horgan	01	1	\$ 2,500	David C. Kobrin	09	2	\$ 23,148
Valentine N. Horoshko	01	2	\$ 15,000	Leslie S. Kohn	01	1	\$ 5,000
Donald G. Houghton	07	3	\$ 75,000	Roger W. Kohn	09	1	\$ 255
Richard A. Howard	09	3	\$ 2,575	Richard Kops	10	14	\$ 637,470
Ralph F. Howe	08	1	\$ 7,313	Timothy Kozyra	08	2	\$ 8,231
Edward L. Howlette	10	1	\$ 3,700	W. Randolph Kraft	02	31	\$ 173,605
Raymond K. Hsu	01	6	\$ 24,850	Howard Krantz	01	1	\$ 23,500
Rick T. Hubbard	10	9	\$ 56,105	Harvey H. Krat	01	3	\$ 68,525
John A. Huber	10	4	\$ 30,500	Robert B. Kress	11	2	\$ 63,700
Thomas P. Hughes	04	2	\$ 10,914	Robert M. Kuhnreich	01	3	\$ 9,935
Elissa L. Insler	12	1	\$ 21,551	M. Thomas Kuriakose	09	1	\$ 500
William C. Israel	01	5	\$ 100,983	Irving Kurtz	01	5	\$ 154,842
Hesper A. Jackson, Jr.	02	6	\$ 167,995	Larry J. Kushner	01	2	\$ 21,678
Mark L. Jacobs	10	3	\$ 5,180	A. James LaBue	07	6	\$ 298,928
Saul Jakubowitz	01	6	\$ 24,718	Michael S. LaBush	09	2	\$ 3,250
David R. Jampol	10	1	\$ 1,000	Christos Ladas	08	1	\$ 15,781
Robert E. Johnson	02	1	\$ 38,000	Jefferson T. Lalik	07	8	\$ 3,805
Robert P. Johnson	08	1	\$ 4,200	LaLoggia & Gorankoff	07	20	\$ 738,744
Wayne A. Johnson	06	4	\$ 28,566	Bernard H. LaLone, Jr.	03	1	\$ 22,210
D. Sanford Jorgensen	01	4	\$ 55,283	Robert A. Lamar	10	20	\$ 597,507
Leonard Kabat	10	1	\$ 5,000	Donald F. Lamutis	07	3	\$ 8,325
Gerald A. Kagan	01	2	\$ 1,600	Erick F. Larsen	10	1	\$ 23,517
Arthur M. Kahn	03	1	\$ 13,955	George E. Lasch	10	1	\$ 1,500
William H. Kain	10	15	\$ 145,722	William J. Lazaroni	01	6	\$ 52,967
Gerald Kaiser	01	34	\$ 36,365	Eric N. Lazarus	10	28	\$ 583,407
James D. Kakoullis	01	1	\$ 1,000	John Q. LeCain	04	1	\$ 25,000
John C. Kanaley	05	3	\$ 55,000	Thomas P. Leckinger	07	7	\$ 87,180
Julian Kaplan	10	1	\$ 46,167	Chak Yin Lee	01	12	\$ 839,340
Stanton Karnbad	09	3	\$ 38,500	Gerald J. Leibowitz	10	8	\$ 229,992
Morris M. Karp	01	2	\$ 5,618	Lawrence B. Lennon	04	4	\$ 87,665
Kastein & Kastein	10	5	\$ 381,764	Marc R. Leventhal	01	1	\$ 35,000
Thomas Katsaros	02	3	\$ 84,500	Joseph C. Levine	11	1	\$ 250,000
John Katsigianis	10	1	\$ 27,266	Richard L. Levine	05	1	\$ 10,000
Harold W. Katz	04	3	\$ 57,000	Joseph A. Levy	11	1	\$ 16,667
Howard C. Katz	09	63	\$ 304,445	Scott C. Levy	01	25	\$ 161,732
Peter L. Katz	09	10	\$ 16,190	Murray F. Lewis	06	1	\$ 3,589
Reuben A. Katz	01	1	\$ 93,072	Jay Robert Lichtman	02	2	\$ 3,200
Stephen C. Kavanaugh	10	3	\$ 6,041	Daniel S. Lieberman	01	1	\$ 4,290
William S. Kaye	01	1	\$ 5,000	Lawrence Lieberman	02	4	\$ 35,536
Matthew C. Keenan	11	6	\$ 28,173	Kenneth Linn	01	1	\$ 25,850
Paul E. Keith	02	3	\$ 23,843	Michael S. Linn	09	14	\$ 418,858
Eric R. Kellerman	09	27	\$ 840,479	Clifford N. Lipscomb	11	8	\$ 11,480
Donald E. Kelly	01	2	\$ 85,656	William F. Lisnerski	08	1	\$ 600
Lawrence V. Kelly	01	1	\$ 65,975	David W. Little	04	8	\$ 343,892
Robert E. Kelly	07	20	\$ 12,070	Vincent J. LoCurto	10	1	\$ 9,797
Deborah R. Kenneally	03	2	\$ 3,250	Werner Lomker	07	2	\$ 38,564
Bernard Kenny	01	8	\$ 138,269	John C. Lopes	10	2	\$ 2,550

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

Name	JD	#	Amount	Name	JD	#	Amount
John G. LoPresto	11	1	\$ 299,894	Shelley D. Miller	02	1	\$ 196,457
Samuel Lorenzo	01	92	\$ 43,125	Nicholas A. Mina	01	1	\$ 19,500
Ronald B. Losner	02	16	\$ 41,694	Carl N. Mione	02	3	\$ 830,750
Harold E. Lovette	01	1	\$ 27,500	Stephen A. Mishkin	09	55	\$1,318,823
David B. Lubash	11	39	\$ 471,203	Lisa L. Mitchell	08	1	\$ 4,850
Jonathan W. Lubell	01	2	\$ 9,450	John E. Modjeska	03	7	\$ 34,356
Gary Lucas	06	2	\$ 17,603	Richard T. Monahan	10	2	\$ 4,500
Thomas J. Lukas	11	1	\$ 28,000	Colin A. Moore	01	4	\$ 6,500
Joseph F. Lynch	06	1	\$ 3,736	Davison F. Moore	09	6	\$ 491,971
Thomas N. Lyons	10	2	\$ 2,640	Paul A. Moore	09	2	\$ 2,146
Robert A. Mackasek	01	20	\$ 370,043	Teddy I. Moore	11	1	\$ 5,500
Robert D. MacLachlan, Jr.	10	8	\$ 11,250	Richard M. Moran	03	22	\$ 412,600
Fortune S. Macri	09	1	\$ 25,000	Thomas D. Morath	12	2	\$ 14,755
Lee M. Mager	12	2	\$ 61,415	Lawrence D. Moringiello	02	5	\$ 171,249
Anthony M. Magnotti	02	16	\$ 105,252	Alan D. Morris	10	15	\$ 221,560
John R. Maguire	10	1	\$ 1,000	Charles E. Morrison	01	1	\$ 4,000
Jenny M. Maiolo	11	27	\$ 555,808	Marvin R. Morrison	10	1	\$ 15,000
Michael M. Maloney	01	1	\$ 42,040	Saul D. Moshenberg	07	5	\$ 20,749
Bruce C. Mandia	09	1	\$ 5,000	Lawrence J. Mullan	10	1	\$ 395
Frank M. Manfredi	10	5	\$ 27,076	David Van Muraskin	01	2	\$ 286,333
Lloyd J. Manning	11	1	\$ 500	James R. Murdock, Jr.	04	19	\$ 638,152
Robert Y. Manske	07	1	\$ 12,066	Eugene J. Murphy	08	21	\$ 583,870
Marion S. Marable	11	2	\$ 7,400	Morrow D. Mushkin	02	2	\$ 10,200
Richard P. Maracina	01	8	\$ 20,205	Joseph F. Muto	05	1	\$ 1,100
Marvin Margolis	01	1	\$ 40,000	Willard H. Myers, III	07	2	\$ 1,700
James M. Mannix	09	1	\$ 4,000	Toritsefe O. Nanna	01	13	\$ 38,600
Samuel Marino	08	2	\$ 2,800	Bart L. Nason	01	1	\$ 39,073
Irving Markowitz	01	7	\$ 261,328	Eugene V. Natale	10	9	\$ 245,845
Hubert L. Marshall	02	1	\$ 2,500	Nath & Weiss	10	1	\$ 100,000
George T. Martin	06	1	\$ 500	Steven J. Nechamkus	02	1	\$ 15,000
Jose R. Martinez	12	1	\$ 14,800	Richard F. Nelson	10	10	\$ 70,361
Nancy A. Maruk	07	3	\$ 3,370	Pat Frank Nesci	10	11	\$ 359,974
C. Vernon Mason	01	5	\$ 32,600	Matthew J. Neuren	09	3	\$ 448,712
William J. Mastine, Jr.	05	2	\$ 17,220	Kenneth A. Newman	10	6	\$ 29,054
Charles M. Mattingly, Jr.	10	3	\$ 132,500	Marvin A. Newman	09	1	\$ 26,924
Martin J. Mayblum	11	3	\$ 13,750	Robert C. Newman	08	1	\$ 9,500
Philip A. McBride	08	1	\$ 5,958	John G. Nicholas	11	2	\$ 57,500
Teague W. McCarthy	10	12	\$ 413,169	Peter B. Nickles	09	2	\$ 122,623
Shannon D. McClam	11	3	\$ 14,000	Thomas C. Nicotera	03	1	\$ 275
Denis J. McClure	09	2	\$ 5,155	Michael B. Nitsberg	10	3	\$ 34,450
James F. McCool	09	15	\$ 865,522	William J. Noland	01	1	\$ 3,600
Sharyn L. McDonald	07	3	\$ 73,992	James M. O'Brien	02	3	\$ 124,892
Mackson P. McDowall	08	1	\$ 1,890	Thomas P. O'Callaghan	09	1	\$ 3,200
James J. McEnroe	01	6	\$ 3,000	Charles O'Donnell, Jr.	09	1	\$ 2,000
Lloyd A. McFarlane	11	1	\$ 5,000	James M. O'Neill	10	6	\$ 18,000
Thomas J. McGinn	03	1	\$ 180,000	Lynn D. O'Neill	02	3	\$ 20,770
Michael S. McGrady	03	10	\$ 339,944	Mark S. Ogden	07	1	\$ 8,869
Dennis J. McLaughlin	01	5	\$ 46,804	Michele Okin	09	28	\$ 107,776
Richard M. McMahan	09	2	\$ 8,973	Frank Oliva	11	5	\$ 36,652
John J. McManus, Jr.	02	2	\$ 200,000	John P. Oliver	10	6	\$ 299,500
Joseph T. McMaster	02	4	\$ 168,093	Joseph E. Orsini	08	3	\$ 31,887
Dominic M. Mello	02	2	\$ 8,167	Osserman & Horwitz	01	6	\$ 774,503
Richard M. Messina	01	3	\$ 169,049	Sheldon Ostro	01	9	\$ 359,000
William A. Metz	09	3	\$ 115,497	Roderick E. Owens	01	2	\$ 21,533
Stanley M. Meyer	10	1	\$ 1,830	Victor N. Pacor	09	9	\$ 164,357
James J. Michalek	08	21	\$ 181,361	Blase P. Palumbo	08	1	\$ 4,000
Charles O. Milham	03	4	\$ 17,541	Rafael M. Pantoja, Jr.	01	20	\$ 212,335
Alan M. Miller	10	1	\$ 2,319	John F. Papsidero	08	1	\$ 17,339
Bruce J. Miller	10	2	\$ 41,858	Mary Murphy Pardoe	10	15	\$ 85,436
John R. Miller	09	1	\$ 2,234	Richard J. Pariser	08	3	\$ 7,053

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

Name	JD	#	Amount	Name	JD	#	Amount
Alfred J. Parisi	11	16	\$ 555,591	Erich H. Reisch	02	1	\$ 27,692
E. Paige Parsons	04	1	\$ 200	Willem J. Remmelink	01	3	\$ 127,875
Nicholas J. Pastushan	05	1	\$ 138,500	Kristina M. Rende	12	1	\$ 58,966
George Patsis	10	2	\$ 115,798	James R. Rerisi	10	4	\$ 57,146
Edward S. Patterson	09	2	\$ 15,286	James A. Resti	05	6	\$ 84,324
George F. Pavarini	09	15	\$ 543,165	Luis E. Reyes	02	1	\$ 1,000
Stephen E. Pearlman	11	2	\$ 6,250	Malcolm Richard	11	3	\$ 18,500
Robert J. Pellicane	10	7	\$ 174,769	Angelo A. Rinaldi	05	6	\$ 8,375
Kenneth S. Pelsinger	01	2	\$ 14,349	John Rivera	12	1	\$ 1,707
Louis A. Pepper	10	1	\$ 55,000	Jose A. Rivera	02	7	\$ 89,166
Carlos Perez-Olivo	12	3	\$ 18,000	Shelley A. Rivera	09	1	\$ 300,000
Michael M. Perlman	10	8	\$ 294,913	Robert Rivers	10	7	\$ 197,000
David Ian Pesner	09	11	\$ 136,291	Stephen R. Roach	09	3	\$ 23,400
Jacob & David Ian Pesner	09	1	\$ 25,000	Samuel W. Roberts	03	1	\$ 149,584
Dennis J. Peterson	02	1	\$ 2,391	Susan E. Rodems	03	2	\$ 10,650
Richard T. Petty	01	3	\$ 90,664	Edward John Roder	07	15	\$ 168,505
Stephen A. Phillips	04	1	\$ 60,000	Patrick L. Rodgers	10	1	\$ 500
John Piastra	11	2	\$ 200,000	George Rodriguez	12	4	\$ 1,865
Louis N. Picciano	06	2	\$ 5,296	Jaime C. Rodriguez	11	6	\$ 96,800
Richard Pikna	01	9	\$ 101,278	Richard Rodwin	01	3	\$ 552,750
George A. Pins	01	4	\$ 15,779	Louis M. Rohrberg	01	1	\$ 5,325
John L. Pitula	01	1	\$ 90,000	Sy L. Rolnick	02	1	\$ 25,500
John B. Poersch	04	2	\$ 114,161	Steven J. Romer	01	14	\$1,076,657
J. Stanton Pohl	10	4	\$ 89,779	Bibiano Rosa	01	3	\$ 95,265
Jonathan Pollack	10	2	\$ 13,762	Alton N.G. Rose	11	1	\$ 5,333
Sam Polur	12	1	\$ 500	Michael G. Rose	10	40	\$1,279,588
Edward J. Porcelli	12	4	\$ 21,580	Peter Rose	11	11	\$ 143,309
Ira Postel	01	3	\$ 38,515	Rose & Karnbad	11	1	\$ 17,000
Postel and Rosenberg	01	11	\$ 619,722	Jay W. Rosen	10	71	\$4,411,690
John V. Potter, Jr.	10	1	\$ 98,000	Norman K. Rosen	01	1	\$ 196,424
Gerald A. Powell	10	1	\$ 5,000	Ruth F. Rosenberg	05	3	\$ 7,100
Charles M. Powell, Jr.	01	9	\$ 68,700	Steven Rosenbluth	02	26	\$ 394,102
Bryan E. Powers	10	2	\$ 3,500	Richard J. Rosenthal	01	1	\$ 4,374
Mary Powers	01	1	\$ 89,857	Selig A. Rosenzweig	10	3	\$ 64,569
William J. Powers, III	05	7	\$ 14,662	Phillip M. Rossbach	10	1	\$ 659
Paul D. Powsner	01	3	\$ 210,000	Abraham Rostoker	02	1	\$ 17,500
Stanley Pressment	01	1	\$ 6,960	Donald R. Roth, Jr.	09	1	\$ 6,000
Cynthia Lynn Price	02	1	\$ 81,623	Steven G. Rothenberg	03	1	\$ 4,443
Wayne J. Price	02	17	\$ 359,726	Stephen Rothfeld	10	1	\$ 5,000
Michael Prieto	01	1	\$ 15,215	Mitchell A. Rothken	01	46	\$2,562,907
Martin C. Prinner	09	2	\$ 65,293	Arthur J. Rouse	09	1	\$ 11,435
Mark S. Probert	10	6	\$ 2,900	Leonard H. Rubin	01	1	\$ 83,000
Anthony P. Quinn	11	2	\$ 147,521	Michael B. Rudin	07	1	\$ 300,000
Donna M. Quinn	03	1	\$ 10,000	James M. Russell	03	4	\$ 765,407
John J. Raia	11	100	\$3,268,398	Glenn L. Rutledge	11	1	\$ 5,000
William C. Raines	01	3	\$ 17,512	Charles H. Ryans, Jr.	01	3	\$ 86,000
Silverio A. Ramirez	01	1	\$ 14,612	David Sabghir	02	1	\$ 14,000
Steven P. Rapoport	02	2	\$ 23,836	Carol A. Safier	01	5	\$ 117,950
Stephen P. Rathjen	10	3	\$ 33,430	Steven L. Salpeter	11	7	\$ 12,019
Leo Raychuk	02	1	\$ 2,000	Ronald M. Salzer	01	4	\$ 53,750
Edward W. Reckdenwald	10	5	\$ 98,193	Roger G. Sam	12	1	\$ 2,500
John D. Reddan	01	1	\$ 2,500	Kenroy E. Samuel	12	3	\$ 81,993
Alban J. Reichert	07	1	\$ 3,425	George Sandberg	10	10	\$ 227,146
Steven Paul Reifman	01	1	\$ 10,000	Ira Jay Sands	01	6	\$ 7,917
Paul G. Reilly, Jr.	01	2	\$ 39,500	Richard J. Sanna	10	10	\$ 248,285
R. Stephen Reilly	03	2	\$ 900	Richard D. Savitsky	01	2	\$ 47,558
Gary M. Reing	12	2	\$ 23,446	Richard A. Sbeglia	01	6	\$1,118,677
Herschel L. Reingold	08	1	\$ 4,344	Michael D. Scavella	04	1	\$ 2,000
Agostinho Dias Reis	01	1	\$ 3,712	Stanley D. Scharf	10	16	\$ 89,719

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

Name	JD	#	Amount	Name	JD	#	Amount
Nelson K. Scherer	10	1	\$ 2,348	Jacob Spatz	03	3	\$ 3,245
John C. Schettino	10	1	\$ 4,000	Jerome L. Spiegelman	01	48	\$ 889,719
David Schick	01	7	\$ 549,116	Jerome Spies	10	2	\$ 126,754
Robert L. Schlesinger	03	3	\$ 3,068	Lionel Spring	01	1	\$ 83,311
Michael J. Schluskel	10	3	\$ 214,665	Howard R. Staller	01	1	\$ 8,000
Peter G. Schmidt	01	3	\$ 400,000	Ferne Mayer Steckler	10	3	\$ 10,500
Richard C. Schulz	10	1	\$ 24,035	Alexander B. Stein	01	2	\$ 31,450
Robert Schutrum, Jr.	08	1	\$ 1,500	Elliot J. Stein	01	74	\$ 762,109
Jeffrey M. Schwartz	10	36	\$ 575,250	Joel B. Steinberg	01	1	\$ 1,400
Melvyn Schwartz	01	2	\$ 459,972	Randy S. Steinhauer	10	3	\$ 36,000
Steven M. Schwartz	09	2	\$ 3,500	Duane M. Stenstrom, Jr.	08	6	\$ 6,674
Schwartz & Gutstein	01	6	\$ 250,501	Jeffrey S. Stern	02	10	\$ 244,077
Joel E. Schweitzer	08	6	\$ 46,294	Stanley R. Stern	01	5	\$ 325,676
Joseph F. Scirto, Jr.	08	10	\$ 106,962	Joseph Sternschein	11	4	\$ 75,715
Harry W. Scott, Jr.	02	1	\$ 200	Frederick D. Stevens	08	1	\$ 4,185
Paul A. Seader	01	2	\$ 435,000	Conrad J. Strabone	11	2	\$ 5,400
Bernard M. Seeman	10	1	\$ 50,000	John C. Stuck, Jr.	07	15	\$ 507,353
Jeffrey P. Segal	10	4	\$ 505,524	Wallace Sturm	02	1	\$ 1,500
Arthur J. Selkin	09	11	\$ 107,300	John J. Sullivan	01	1	\$ 29,990
Bernard L. Seltzer	10	11	\$ 94,609	Joseph E. Supples	08	3	\$ 9,150
Ralph Serpico	11	3	\$ 176,191	Leonard A. Sussman	01	3	\$ 44,438
Barry R. Shapiro	01	16	\$ 3,065	Monroe Sussman	10	1	\$ 46,667
Michael Shapiro	01	1	\$ 58,231	Carrie Sutherland	10	2	\$ 7,670
Phillip E. Shapiro	01	1	\$ 700	Morton S. Swirsky	01	6	\$ 62,610
Eden Shaw	01	1	\$ 12,500	Israel I. Sylvan	01	3	\$ 22,253
Brian A. Sheridan	01	1	\$ 785	Alan J. Taliuaga	02	2	\$ 3,500
John M. Sheridan	07	6	\$ 371,500	Samuel Tannenbaum	09	1	\$ 300,000
Richard M. Sherman	10	25	\$ 97,623	Regina M. Tate	10	3	\$ 6,890
Robert J. Sherman	10	7	\$ 15,159	Sergio M. Taub	11	49	\$ 326,401
Jon D. Sherry	02	3	\$ 46,000	Louis Taubenblat	02	9	\$ 718,854
Alan J. Shimel	10	2	\$ 26,666	Sharon Lynch Taureck	02	5	\$ 40,966
Robert G. Short	09	1	\$ 800	Mitchell B. Tallis	02	12	\$ 326,567
Robert A. Shuster	10	1	\$ 32,925	Arelia Taveras	11	2	\$ 1,500
Anis A. Siddiqi	02	4	\$ 75,614	Peter P. Tavolacci	09	1	\$ 2,400
Matthew A. Siegel	09	2	\$ 14,147	Timothy Taylor	01	1	\$ 19,000
Stephen D. Siegfried	10	20	\$1,015,719	Theodore E. Teah	12	1	\$ 13,373
Zoilo I. Silva	01	1	\$ 2,500	Norman Eric Teitler	11	2	\$ 14,414
Oswald B. Silvera	02	7	\$ 16,125	Ron Telford	06	1	\$ 1,100
Mark A. Silverman	10	2	\$ 2,169	Milton A. Teplin	01	3	\$ 26,000
William Sims	08	2	\$ 8,037	William J. Terranova	10	1	\$ 11,700
William Simms	02	2	\$ 9,500	Charles R. Testa	07	2	\$ 2,850
Valerie T. Simuro	02	9	\$1,475,763	Michael B. Thomas	09	1	\$ 600
Barry H. Singer	09	9	\$ 235,034	Alan S. Tifford	10	14	\$ 291,016
Mitchell L. Singer	01	7	\$ 129,000	Robert S. Tobin	01	2	\$ 16,320
Baljit Singh	01	1	\$ 150	Thomas P. Tobin	10	4	\$ 184,450
Indar Singh	11	16	\$ 156,237	Joseph A. Tracy	09	4	\$ 131,676
Ronald A. Sipos	08	2	\$ 106,730	Joseph J. Tringali, Jr.	09	5	\$ 43,487
Myron W. Siskin	10	1	\$ 13,436	Kathleen K. Trum	10	3	\$ 50,926
Allan Sloan	01	6	\$ 108,601	Joseph R. Turner	01	4	\$ 41,572
Joseph D. Sloboda	10	2	\$ 5,458	Robert E. Twiste	02	13	\$ 213,179
Ronald J. Slocum	06	1	\$ 650	James W. Ulaszewski	08	2	\$ 1,048
Peter W. Sluys	09	6	\$ 113,856	Meric A. Underweiser	10	19	\$ 126,593
Kendrick C. Smith	01	1	\$ 3,675	Girard M. Ursitti	08	5	\$ 76,957
Ormond N. Smith	02	6	\$ 77,480	Norman Ushkow	02	1	\$ 1,575
Benjamin Sneed	01	4	\$ 24,833	Dawn M. Varsalona	02	4	\$ 3,720
John J. Sobolewski	10	1	\$ 90,500	William C. Vaughan	08	1	\$ 100,000
Jack B. Solerwitz	10	99	\$3,008,734	Jerry M. Vasquez	12	1	\$ 4,475
Joseph F. Soviero, Jr.	10	1	\$ 5,000	Erik Veski	01	1	\$ 222,964
Michael T. Spallino	01	2	\$ 8,800	Tom M. Vetrano	02	4	\$ 30,056

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

Name	JD	#	Amount	Name	JD	#	Amount
Lillian R. Villanova	09	3	\$ 109,636	Steven Winston	01	1	\$ 9,500
Louis V. Viscomi	01	3	\$ 31,500	Samuel Ulrich Wiseman	01	2	\$ 38,280
Frank Vitulli	02	1	\$ 12,000	Gerard A. Wisla	11	10	\$ 142,350
Dennis E. Vourderis	02	7	\$ 354,498	Steven D. Wisniewski	08	16	\$ 7,805
Arnold P. Wagner	10	4	\$ 72,900	Walter S. Wojcik	03	1	\$ 250
H. Robert Wall	06	46	\$ 912,929	Michael T. Wolin	01	1	\$ 25,035
Wallman & Wechsler	01	41	\$1,858,579	Marvin Wolinetz	02	1	\$ 350
Mortimer Warfman	01	34	\$ 16,236	George Wolynetz	01	3	\$ 244,703
Paul J. Warkow	10	1	\$ 1,000	William S. Wood	07	4	\$ 49,065
Patrick T. Wedlock	05	8	\$ 4,910	John M. Wourgola	10	11	\$ 97,534
Richard B. Weil	01	1	\$ 48,737	Adam Morgan Wright	01	1	\$ 500
Jonathan A. Weinstein	11	2	\$ 4,250	William Wright, Jr.	01	1	\$ 46,485
Martin J. Weinstein	02	1	\$ 25,000	Kathryn B. Wunderlich	03	1	\$ 600
Myles N. Weintraub	10	7	\$ 123,623	Henry E. Wyman	08	33	\$ 496,811
Michael S. Weiss	09	3	\$ 2,325	Louis B. Youmans	01	1	\$ 5,000
Peter R. Weiss	02	1	\$ 15,000	Floyd A. Young	08	1	\$ 10,000
C. Theodore Wellington	11	6	\$ 193,815	Maurice Young	11	2	\$ 15,000
David R. Wendt	08	15	\$ 168,673	Nancy J. Young	01	9	\$ 124,809
Allen P. Werbalowsky	03	1	\$ 4,250	Francis A. Zarro	01	1	\$ 300,000
Leslie M. Westreich	01	1	\$ 100,000	Richard Zelma	01	1	\$ 115,000
Benjamin P. Whitaker	07	15	\$ 603,251	Frederick J. Ziems	10	2	\$ 105,368
D. William White	02	15	\$ 171,308	Jacob S. Zimmerman	10	27	\$ 355,991
Jonathan E. White	03	6	\$ 13,769	Victor P. Zodda	10	2	\$ 282,225
Marina K. Whitfield	06	1	\$ 34,776	Peter S. Zogby	05	1	\$ 1,535
Beaufort N. Willbern	08	2	\$ 69,470	H. Michael Zukowski	01	1	\$ 8,000
Aaron G. Windheim	09	1	\$ 11,547	Bertram Zweibon	01	14	\$ 564,282

Helpful Telephone Numbers

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.

