

## Notable Career Enters New Phase

### *Grace Moran Returns to Nuts-and-Bolts Lawyering*

BY LEIGH JONES

Call it Grace Moran: Phase III. After raising seven children — yes, seven — followed by a 22-year stint representing the Tenth Judicial District Grievance Committee, Ms. Moran is entering a new stage of her career that she says will return her to the nuts-and-bolts lawyering she craves.

Now serving as of counsel with Moran & d'Arcambal in Rockville Centre, Ms. Moran plans to defend the types of actions that she prosecuted for much of her career with the Grievance Committee.

"When I was on the other side of a matter, I was always saying that I wouldn't handle it like that," she said in a recent interview. "Suddenly, I'm confronted with putting my own theories to the test."

The moniker of the firm she has joined is no coincidence. Her daughter, Siobhan Moran, is a name partner, along with Michelle d'Arcambal. With a second office in Manhattan, the eight-attorney firm focuses on commercial law and insurance defense.

Grace Moran will help establish the firm's professional discipline services, and perhaps no one is better suited on Long Island to represent attorneys in

trouble with the Code of Professional Conduct than she. After graduating from St. John's University School of Law in 1979 at the age of 40, Ms. Moran worked briefly for a city firm before taking a job as assistant counsel on the Tenth District staff.

In December 1998, Ms. Moran replaced Chief Counsel Frank Finnerty, a man whom she describes as a mentor. She worked as acting chief counsel and took the top spot a month later to become the first female chief counsel for a grievance committee in the state. In 1994, she became the first woman to serve as the president of the Nassau County Bar Association.

But running the staff of attorneys, which swelled from four to 12 during her tenure, increasingly steered Ms. Moran away from lawyering and toward administration, a transition that she ultimately outgrew.

"You reach a point where you get into a groove," she said. "I had reached that point. I wanted to get back to the actual practice of law."

It was not until Ms. Moran, 64, officially retired, however, that the mother and daughter seriously considered joining forces.

"We really hadn't discussed it," Siobhan Moran said. "We were all sitting back waiting to see if she was seri-

ous, then she really pulled the trigger."

When asked what working with Mom is like, Siobhan Moran gave a good-natured groan. "Mostly, it's pretty good," she said, adding with a laugh. "It's a lot easier having her in the law office than growing up with her."

She continued, "She has a vast amount of experience to draw on. She definitely brings a different perspective."

Despite more than two decades working as the opponent of lawyers in trouble, Grace Moran remains surprisingly sympathetic and unjaded about those in ethical hot water.

"What people don't realize is that you don't have to be a bad lawyer or a bad person to get in trouble with the Grievance Committee," she said. Describing the Rules of Professional Conduct as "broad and extensive," she added, "You can step over the line almost without realizing it. It makes me somewhat paranoid now."

Harvey Besunder, an attorney who served on the Grievance Committee from 1988 to 1996, said Ms. Moran's "tremendous insight into people" puts her in good stead not only to work the other side of grievance matters now but also to return to hands-on practice.

"I don't see it as an easy task for anyone, but she'll handle it nicely," Mr. Besunder observed. His Islandia

firm, Pruzansky & Besunder, has represented attorneys charged with ethical violations.

"Whether they were the complainant or the attorney, they walked away thinking they got a fair shake," he said.

Ms. Moran's departure from the Tenth District's offices in Syosset was made with little ado, a conscious decision on Ms. Moran's part, but a strategy that left many wondering where one of the best known attorneys on Long Island had gone.

"It's just my personal style," said Ms. Moran, who had grown adept at avoiding the spotlight in her former job which sometimes involved well known attorneys in trouble. "I just wanted to slip out the back door."

The new chief counsel for the Grievance Committee, Robert P. Guido, who worked with Ms. Moran for about 20 years, said that it was her choice to commemorate her departure with a luncheon and not much else.

"We keep a pretty low profile here," Mr. Guido said, adding that since becoming chief counsel, he has done "very little lawyering," mostly tending to administrative tasks instead.

Now that she has left the Tenth District and entered private practice, Ms. Moran, who declined an interview with the *Law Journal* for a profile piece two years ago, is ready to talk about the perspective that her former position afforded.

Foremost, she said that attorney accountability has dramatically increased over the last 20 years.

"When I started, few people knew what a Grievance Committee was," she said. "I have watched the court become stricter, and I've seen an increase in

surveillance," which she described as a "good thing."

Ms. Moran said that in the 1970s when she attended St. John's law school, she took a professional responsibility course as a "break" from tougher courses. Not the case now, she said. The "pendulum" regarding attorney oversight has swung so far that the profession feels "overwhelmed" by its responsibilities, she added.

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"But it levels the playing field for attorneys and clients," she remarked.

## Client Communication

The Grievance Committee for the Tenth Judicial District generally works as a clearinghouse in Nassau and Suffolk counties for complaints regarding attorneys' alleged ethical violations. Allegations that do not rise to the level of serious misconduct typically result in the committee issuing a letter of admonition or, in more grave situations, a letter of caution. The committee also dismisses complaints.

For matters that demonstrate serious breaches of the code, the Grievance Committee prosecutes those actions before the Appellate Division.

In 2000, the year for which the latest information is available, the Second Department received 59 cases, as opposed to 91 in 1999. In 1998, some 86

cases went to the Second Department, compared with 56 in 1997 and 62 in 1996.

When Ms. Moran started, the most common problem involved attorneys stealing from clients, she said, specifically from escrow accounts, personal injury settlements and estates they handled. Over the years, however, conflict of interest issues arose more often, to the point now where an "infinite variety" of opportunities for attorneys to breach the rules exists.

But what has remained a consistent mistake among attorneys in trouble with the Grievance Committee is a failure to communicate with clients, Ms. Moran observed.

"It's difficult because some clients can call four and five times per day," she said.

The type of clients Ms. Moran will encounter remains to be seen. But what is certain about her new of counsel post is that she now can slow down a bit.

She had a taste of it during the weeks that she took off after her retirement from the Tenth District. Like many professionals who decelerate from a full-throttle job, however, she discovered some surprises.

"We all have these ideas that if we just had the time, we'd do these wonderful things," she said. "I've come to the conclusion I'll never do them."

Even so, Ms. Moran said she plans to find a balance between work and leisure, and spend more time with her husband of 42 years, Eugene Moran and their many grandchildren.

But will she miss the Tenth District? "Someone told me I would miss the deference," she said. "I honestly don't think I'll miss that, but I will miss the people."