

Englewood public defender resigns

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State suspended Nealy for alleged misconduct

By **MAYA KREMEN**
STAFF WRITER

ENGLEWOOD — The city's public defender, who has longstanding ties to city Democrats, has resigned after being suspended by the state for allegedly neglecting his clients.

The state suspended Walter Nealy's license this month for alleged misconduct in two private clients' cases, which came on top of two earlier state reprimands. He has since left his part-time city job.

Nealy is a former city councilman, city Democratic committee adviser, health board attorney and was a treasurer for Assemblyman Gordon Johnson's last council campaign. He also has a private practice in Hackensack.

Nealy was reprimanded by the state in 2001 for misappropriating \$4,000 and failing to keep proper records, state documents show. In 2004 he was reprimanded for "gross neglect" after the state found he failed to file paperwork and misled a client.

The city hired him as a part-time pub-
See **RESIGN** Page **L-6**

Resign: Public defender

From Page **L-1**

lic defender in June 2007.

Nealy said his three-month suspension was unfounded.

"I'm disappointed, but it is what it is," he said. "My version of what occurred was somewhat different."

Johnson said the council did not know about Nealy's reprimands when it hired him. He called the failure to check Nealy's records with the state "an oversight."

"Why didn't anyone check it? I don't know," he said. "I was not proactive in checking his back-

ground. As part of the process now to select an attorney to represent a board or entity, I would check their background."

Nealy made \$4,886 in 2007 and has made \$5,659 in 2008 to date as a public defender. His job was to represent clients in municipal court who could not afford private attorneys.

The state found last month that he misled a man with a murder conviction into thinking an appeal was pending, when it had actually been dismissed.

In addition, the state found that

he did not return numerous calls from another client regarding a bankruptcy hearing.

Nealy maintains that he told the first client about the dismissed appeal, and returned the second client's calls.

In its decision to suspend Nealy, the state said he was "unwilling to learn from his prior encounters with the disciplinary system."

City officials have chosen immigration attorney Joseph Raia to replace Nealy, Johnson said.

E-mail: kremenm@northjersey.com