

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FIRST DEPARTMENT

In the Matter of William James MacNaughton, an Attorney and
Counselor-at-Law

2026 NY Slip Op 00313 · No. Case No. 2025-05969; Motion No. 2025-05366 · Decided January 22, 2026

SUMMARY

The Appellate Division, First Department imposed reciprocal discipline on William James MacNaughton based on a public censure issued by the Supreme Court of New Jersey for violating New Jersey Rule of Professional Conduct 1.9(a). The court rejected the available defenses under 22 NYCRR 1240.13(b), found that the misconduct also violated the New York Rules of Professional Conduct, and publicly censured respondent.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Per Curiam; Dianne T. Renwick, Presiding Justice; Ellen Gesmer, Justice; Lizbeth González, Justice; Manuel Mendez, Justice; Marsha D. Michael, Justice
JURISDICTION	Supreme Court of the State of New York, Appellate Division, First Department
DECIDED	January 22, 2026
DOCKET	Case No. 2025-05969; Motion No. 2025-05366
DISPOSITION	other
PROCEDURAL POSTURE	The Attorney Grievance Committee moved for reciprocal discipline under Judiciary Law § 90(2) and 22 NYCRR 1240.13 based on the respondent's public censure by the Supreme Court of New Jersey.
STANDARD OF REVIEW	Under 22 NYCRR 1240.13(b), the respondent may defend against reciprocal discipline only by showing a denial of due process, an infirmity of proof, or that the foreign misconduct would not constitute misconduct in New York. In determining the sanction, the court defers to the discipline imposed by the jurisdiction where the charges originated.
PRECEDENTIAL VALUE	Published

PARTIES

Attorney Grievance Committee for the First Judicial Department v.
William James MacNaughton

TOPICS

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PRACTICE AREAS

attorney discipline

professional responsibility

legal ethics

reciprocal discipline

QUESTIONS PRESENTED

1. Whether the First Department should impose reciprocal discipline based on the public censure imposed by the Supreme Court of New Jersey.
2. Whether any permissible defense under 22 NYCRR 1240.13(b) prevented New York from accepting the New Jersey finding of misconduct.
3. What sanction should be imposed in New York for the misconduct underlying the foreign discipline.

HOLDINGS

1. Reciprocal discipline was warranted because MacNaughton was disciplined in New Jersey, did not assert any permissible defense, and the underlying misconduct also violated New York Rule of Professional Conduct 1.9(a).
2. A public censure was the appropriate reciprocal discipline because it was commensurate with the public censure imposed by New Jersey.

KEY QUOTATIONS

"Under 22 NYCRR 1240.13(b), an attorney disciplined in a foreign jurisdiction is precluded from raising any defenses except: "(1) that the procedure in the foreign jurisdiction was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or "(2) that there was such an infirmity of proof establishing the misconduct as to give rise to the clear conviction that the Court could not, consistent with its duties, accept as final the finding in the foreign jurisdiction as to the respondent's misconduct; or "(3) that the misconduct for which the respondent was disciplined in the foreign jurisdiction does not constitute misconduct in New York."" ([*1])

"As to the sanction to be imposed, this Court defers to the sanction imposed by the jurisdiction in which the charges were originally brought because the foreign jurisdiction has the greatest interest in fashioning sanctions for misconduct" ([*1])

FACTUAL BACKGROUND

MacNaughton represented Shari Harmelech and his companies in litigation and later pursued fee-collection and judgment-enforcement efforts adverse to Harmelech, a former client. New Jersey disciplinary authorities found that his later conduct was part of the same matter as his earlier representation and violated New Jersey Rule of

Professional Conduct 1.9(a). The Supreme Court of New Jersey publicly censured him, and he failed to timely report that discipline to New York authorities.

PROCEDURAL HISTORY

New Jersey disciplinary authorities found that MacNaughton violated New Jersey Rule of Professional Conduct 1.9(a) by pursuing matters adverse to a former client in a substantially related matter. The New Jersey Disciplinary Review Board upheld the finding and recommended a public censure, which the Supreme Court of New Jersey imposed on May 7, 2024. MacNaughton did not timely report the discipline in New York and did not appear in the reciprocal-discipline proceeding. The First Department granted the Attorney Grievance Committee's motion and publicly censured him.

DISPOSITION

other

CASES CITED

- Matter of Milara, 194 AD3d 108, 111 [1st Dept 2021]
- Matter of Tabacco, 171 AD3d 163, 165 [1st Dept 2019]

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