



From the Board

If I may use a sports metaphor to frame my initial greeting as the Board Chair - I am excited to be out of the on-deck circle and in the batter's box! I welcome the opportunity to serve the Board and to communicate to you via this medium.

I recently spoke to members of the National Organization of Bar Counsel from Colorado and Texas and they told me I am currently the only non-lawyer Chair of a Disciplinary Board in the United States. Two things came to mind: 1) there should be more non-lawyers in these seats nationally and in Pennsylvania; 2) there is enormous responsibility on my shoulders as a non-lawyer Chair. While there are approximately 67,000 active lawyers in Pennsylvania, I represent one of over 12 million citizens of Pennsylvania who are the consumers of legal services. In many ways, I and my fellow non-lawyer colleague on the Board, Dr. Stefanie Porges, are the voice and conscience of those 12 million consumers.

As a corporate consultant and coach, my mantra is "power with, rather than power over." How do I do that? I yield. I give people control over their work lives. I don't micromanage. I do expect results. I want to provide people a challenge to achieve. I expect the best effort and outcome from every person. I invest in people, through my time and by providing opportunities for advancement and education. I have a history of obtaining excellent results for my clients and I place a great deal of pressure on myself to deliver similar results as Board Chair.

People who work with me quickly understand that I am collaborative, I listen to what is important to you, and am always working to co-create our mutual success. Mother Theresa provided one of the greatest collaborative leadership quotes ever, "You can do things I cannot do, I can do things you cannot do - together we can do great things."

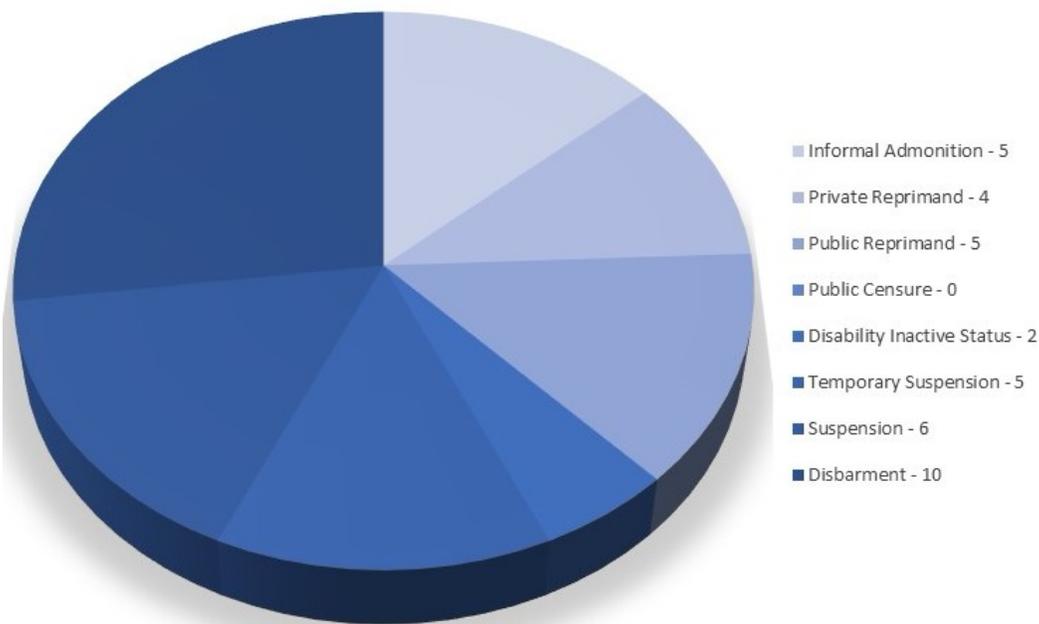
Together, we, the lawyers and non-lawyer members of this Board, will do great things.

Douglas W. Leonard, Chair



Discipline Imposed

January 1, 2018 - March 31, 2018



Rule Changes & Appointments

Disciplinary Board Adopts Public Access Policy

In compliance with the Supreme Court's adoption of the [Public Access Policy of the Unified Judicial System of Pennsylvania](#), which makes case records open and accessible to the public while safeguarding sensitive private information contained in those records, the Disciplinary Board adopted this policy, as well. Effective January 6, 2018, all documents filed with the Board containing confidential information shall be filed in two versions - a redacted version and an unredacted version. More information about these requirements is available here: [Disciplinary Board Adopts Public Access Policy](#).

Appointments and Distinctions

By [Order](#) dated February 9, 2018, the Supreme Court of Pennsylvania [appointed](#) Dion G. Rassias of Philadelphia, a former Disciplinary Board Hearing Committee Member, to serve on the Board beginning April 1, 2018. The Board congratulates Mr. Rassias on his appointment.

Marcee D. Sloan, Board Prothonotary, was [re-elected](#) to serve as secretary of the National Council of Lawyer Disciplinary Boards (NCLDB) for the 2018-2019 year. The Board is proud of Ms. Sloan's involvement in this organization and congratulates her on her re-election.

Board Chair Douglas W. Leonard has been [nominated](#) to serve as a member of the National Task Force on Lawyer Well-Being. The task force was established in 2016 by the American Bar Association Commission on Lawyer Assistance Programs, the National Organization of Bar Counsel, and the Association of Professional Responsibility Lawyers, with a focus on building a legal profession rooted in greater well-being, increased competence, and greater public trust. The Board is proud of Mr. Leonard's involvement in the task force and congratulates him on his nomination.

The Board also extends its thanks to past-Chair David Schwager for his hard work and leadership

of the Board during the 2017-2018 year. Please see the [2017 Annual Report](#) for an overview of the Board's accomplishments and operations during Mr. Schwager's term as Chair.

Attorney Registration

Registration is coming! Registration is coming!

Upcoming Important Dates

- May 7 - Registration Opens (UJS Portal)
 - July 1 - Annual Fee Due
 - August 1 - First Late Fee Assessed
- September 1 - Second Late Fee Assessed

Registration reminders are sent via email. Please make sure to update any contact information changes with both the [Disciplinary Board](#) and the [UJS Portal](#). For more registration information, check out our [Registration FAQs](#).

New Section on Registration Form

Attorneys registering this year will see a new section on the Attorney Registration Form. This section will ask for demographic information about an attorney's gender, race, and ethnicity. Providing this information is optional and attorneys will have the ability to select "prefer not to answer" in response to the questions. The Supreme Court of Pennsylvania has directed the Board to collect this data as a first step in increasing diversity and inclusion in the Bar, by obtaining reliable data on the state of diversity in the profession. Data will only be shared in its aggregate form. To learn more about this initiative, please see: [Disciplinary Board Announces Diversity Data Collection](#).

CLE Compliance Period Ending

Attorneys in CLE Group 1 are coming to the end of their compliance period - April 30. To check your compliance status, visit [pacle.org](#).

Articles of Interest

Reinstatement of Convicted Prosecutor Denied

In 2012, the Supreme Court of Pennsylvania [disbarred Anthony C. Cappuccio](#). Cappuccio was convicted of several offenses relating to the corruption of minors. At the time of his offenses, he was Chief Deputy District Attorney of Bucks County and encountered his minor victims through his youth work with his church. In its opinion, the Supreme Court stated that Cappuccio's position of trust and responsibility was a significant aggravating factor. *Office of Disciplinary Counsel v. Cappuccio*, 48 A.3d 1231 (Pa. 2012).

Cappuccio spent the eight years after his disbarment completing a psychological treatment program, working as a paralegal, and complying with the terms of his criminal probation. He applied for reinstatement and submitted a considerable amount of evidence as to his rehabilitation. After an extensive hearing, the Hearing Committee recommended that Cappuccio's application for reinstatement be denied.

On review, the Disciplinary Board agreed. Initially, the Board found that Cappuccio's crime, while

serious, was not so egregious that it prevented his reinstatement at any time in the future under the standards of [Office of Disciplinary Counsel vs. Keller, 506 A. 2d 872 \(Pa. 1986\)](#). Thereafter, the Board noted that the evidence of Cappuccio's rehabilitation was extensive. This included his successful completion of a four-year sex offender therapy program, during which time he gained insight and learned to manage his issues. The Board found Cappuccio to be fully credible, expressing sincere remorse, accepting responsibility and demonstrating a willingness to share his experiences with others. Despite the quality of Cappuccio's rehabilitation, however, the Board concluded that the passage of eight years was insufficient to dissipate the detrimental impact of his misconduct, as the enormity of his actions left too much of a stain on the public trust. As a compelling factor in the decision, the Board cited testimony by victims and other witnesses as to the continuing negative impact of Cappuccio's conduct on the community. The Board recommended that the petition for reinstatement be denied. By [Order dated January 22, 2018](#), the Supreme Court accepted the Board's recommendation and denied reinstatement.

Attorney Disbarred Following Embezzlement Charges, Burglary of Former Employer

By Order dated March 12, 2018, the Supreme Court of Pennsylvania disbarred Nichole Ashley Collins from the Bar of the Commonwealth of Pennsylvania upon review of her Verified Statement of Resignation. Appended to her Statement was her previously filed Joint Petition to Temporarily Suspend an Attorney.

In her Statement of Resignation, Collins acknowledged that the material facts set forth in the Joint Petition are true and that she could not successfully defend against them. In her Joint Petition the following allegations were stated: Collins converted approximately \$9,906.68 from her firm's cost account over approximately a one and one-half month period; over two years, Collins overstated amounts received on her commission sheets and double-billed for alleged client services to her firm's detriment; in total, it is alleged that Collins' overstatements and overbilling cost her firm approximately \$97,000; and at various points during her employment, she made side-deals with clients, totaling a \$90,000 loss to her firm in accounts receivable.

In January of 2018, Ms. Collins was charged with embezzling funds from her former law firm and then burglarizing its office after her employment was terminated. The charges filed against Ms. Collins by the Pennsylvania Attorney General's Office include counts of burglary, forgery, theft, receiving stolen goods, access device fraud and criminal mischief. The Attorney General took jurisdiction of the case because Ms. Collins' husband is a Dauphin County prosecutor.

Lawyer Dressed as Elsa Goes Viral Pushing Snowbound Police Truck

It might not be the way most lawyers would prefer to achieve Internet fame, but Boston attorney [Jason Triplett](#) found his moment of viral fame when he was captured on video pushing a snowbound police truck out of a snow drift – [dressed as Elsa from Frozen](#).

Triplett, manager of attorney recruiting, training, and development at Kirkland & Ellis in Boston, decided to wear the costume to a bar in a heavy snowstorm for laughs. When a police officer who had stopped in for some food found his van stuck in the snow, Triplett realized his moment of fame had arrived. A fellow patron documented his heroic extraction of the mired vehicle, in full costume, and posted it to [Facebook](#), where it has gathered nearly seven million views.

Some might say such publicity is beneath the dignity of a practicing lawyer, but to those who hold that view, our advice is: [Let It Go](#).

The Supreme Court of Pennsylvania is aided by select boards, committees, commissions and councils consisting of more than 180 appointed volunteers - most, but not all, are lawyers and judges.

The panels have a wide range of responsibilities and functions. Some make recommendations to the Court for amendments, revisions or simplification of court procedural rules. Others regulate the practice of law, oversee continuing legal education for lawyers and administer funds to assist individuals unable to pay for legal services. Still others advise on keeping the courts free of bias and discrimination and on long-range planning.

There are currently two vacancies on these panels:

- [Appellate Court Procedural Rules Committee](#) (Apply by April 30, 2018)
- [Minor Judiciary Education Board](#) (Apply by April 30, 2018)

For application information, please visit: <http://www.pacourts.us/courts/supreme-court/committees/>

Around the Court



As part of the Court's continuing efforts to align with industry standards for security and to provide safe and secure access on the UJSPortal, which provides access to court case information, electronic filing, attorney registration, electronic payments and other services, the AOPC will be disabling access to the UJSPortal for internet browsers which use security protocols TLS 1.0 and 1.1 (SSL 3.0, etc.) beginning on April 16, 2018. As a result of the lack of security related to those protocols, many organizations across the web are, and have been, making the same changes, including the UJSPortal's e-pay processor, USBank. **As such, beginning April 16, 2018, any browsers and/or applications that do not support a minimum of TLS 1.2 will no longer be able to access the UJSPortal** (<https://ujportal.pacourts.us>). As a guiding rule of thumb, users should utilize the most current version of their web browser of choice (i.e. [Internet Explorer](#), [FireFox](#), [Chrome](#), [Safari](#), etc.).

Lawyers Concerned for Lawyers

PENNSYLVANIA

[Lawyers Concerned for Lawyers of Pennsylvania \(LCL\)](#) is a 100% **confidential** assistance program that helps lawyers, judges, and their family members, as well as law students who may be struggling with substance use and/or mental health issues. LCL services are free and include peer support, assessment by a healthcare professional (if indicated), literature, lawyers and judges-only recovery meetings, and intervention support services. Stress, anxiety, depression, substance use, and problematic drinking significantly affect our profession. **One in three legal professionals will struggle with these issues during his/her career.** If left unaddressed, they eventually impact relationships, health, and competency. There is no need to suffer in silence. If you are experiencing mental health or substance use issues, or if you are concerned about a colleague or loved one, please call LCL for assistance:

Lawyers' Confidential Helpline: 1-888-999-1941

Judges' Confidential Helpline: 1-888-999-9706

www.lclpa.org or www.jcipa.org

Visit these websites for more information and resources, self-assessment screens, articles, and free CLE videos.



The Pennsylvania IOLTA Board is a non-profit organization that operates under the Supreme Court of Pennsylvania. Upon approval of the Court, the Board [awards grants](#) to legal aid providers and law schools to accomplish its mission of supporting the delivery of civil legal services to low-income and disadvantaged Pennsylvanians.

Attorneys help to provide legal assistance for low income Pennsylvanians each time they deposit funds into their IOLTA account. IOLTA stands for 'Interest on Lawyers Trust Accounts' and the program offers an innovative way to increase access to justice for individuals and families living in poverty. Without taxing the public, and at no cost to lawyers or their clients, the interest earned from the money deposited into IOLTA accounts is used to fund civil legal aid to low income Pennsylvanians.

As an attorney, there are more ways to support the IOLTA Board's mission than simply utilizing your IOLTA account. **In a recent [letter from Chief Justice Saylor to all Pennsylvania lawyers](#), he encourages members of the legal profession to provide *pro bono* representation or to financially support legal aid programs.** Consider making a voluntary contribution when you complete your annual attorney registration - or anytime [online](#). Your tax-deductible donation will help to support and expand the availability of legal aid for those without the financial resources to hire an attorney.

If you are interested in supporting the delivery of civil legal aid through *pro bono* representation, contact your local bar association or [click here](#) for a list of IOLTA-funded legal aid programs. To learn more about the IOLTA Board, visit www.paiolta.org or contact the office directly at 717-238-2001.

Resources

[FAQs - For the Public](#)

[Annual Report](#)

[Recent Discipline](#)

[FAQs - For Attorneys](#)

[Rules](#)

[Discipline Statistics](#)

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