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The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

**March 2020
Newsletter**



Unified Judicial System of Pennsylvania Coronavirus Information

The Pennsylvania Judiciary has provided [updates regarding county-by-county court operations and proceedings](#). We continue to monitor developments regarding the spread of the coronavirus (COVID-19) and its impact on court operations.

[By order of the Supreme Court of Pennsylvania, all Pennsylvania Courts are generally closed to the public, beginning at the close of business March 19, 2020, and lasting through at least April 3, 2020, subject to general and specific directives and exceptions in the order.](#)

We communicate regularly with the Governor's Office and the state Department of Health for guidance on measures to continue protecting the health and safety of court users and court employees.

Contact your local county court for more information or [visit their website](#). You can also learn more about mitigating the spread of the virus at [Health.pa.gov](#).

From the Chair

As we navigate the uncharted waters of the Coronavirus pandemic, on behalf of the Board, I want to express our concern that all of you stay safe and healthy. That is my primary message to all of you in this newsletter.

Under our current circumstances, it is important you be aware that we continue to conduct operations at the Disciplinary Board as close to normal as we can. Like most of you, the staff of the Board's Executive Office and Office of Disciplinary Counsel are working remotely in order to maintain a continuity of operations. Also, on March 17, 2020, I issued an [Order](#) continuing all prehearings, hearings, and arguments, as well as extending filing deadlines, as appropriate. The Board continues to monitor the situation and will provide updates as necessary. I anticipate that a further Order will be forthcoming extending the time periods. I encourage all of you to follow the [Pennsylvania](#)



[Department of Health's Coronavirus website](#) for important information, and for their guidelines to help "[stop the spread](#)" of the virus.

My term on the Board and as Chair of the Board concludes at the end of the month. As I have shared in previous newsletters, I am proud of the work this Board has done to continuously improve attorney regulation in our Commonwealth. Among many other notable items, the Board has: reorganized its operations to improve efficiency; adopted countless rule amendments to improve the organization; and, hired Thomas J. Farrell to succeed Paul J. Killion as Chief Disciplinary Counsel. I am also proud of all of you who maintain the highest ethical standards in your practice. As I have noted before, it is a small number of lawyers that the Disciplinary Board has reason to discipline and it is the rest of you who are the standard bearers for our profession. Pennsylvania's attorney regulatory system is functioning well and I am confident it will continue to improve under the Board's recently named Chair James C. Haggerty and Vice-Chair John F. Cordisco.

Perhaps most importantly, I wish to thank the Justices of the Supreme Court for the trust and responsibility you have placed in me to serve the profession as a Board member and as Chair. I am humbled and forever grateful for the opportunity to have served.

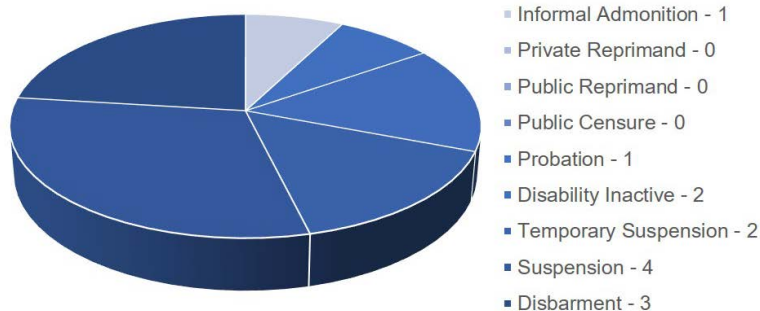
Andrew J. Trevelise, Esquire
Board Chair

Social Media

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Discipline Imposed

February 2020



Probation

[Erika Roxanne Groves](#)

Temporary Suspension

[Marko David Maylack](#)
[Daniel P. Vermeychuk](#)

Suspension

Disbarment

[Tangie Marie Boston](#)

[Adam Luke Brent](#)

[Frank G. Fina](#)

[Donald L. Vittorelli, Jr.](#)

[Gary Alan Frank](#)

[Wayne Gordon Gracey](#)

[James Kevin Reed](#)

Rules

Supreme Court Stays Certified Legal Interns Rule Change

In February we reported on an order by the Supreme Court of Pennsylvania amending [Rule 322 of the Pennsylvania Bar Admission Rules](#) to alter some provisions regarding Certified Legal Interns.

On February 13, 2020, the Supreme Court entered an [order](#) staying those rule changes pending further order of court.

Articles of Interest

Is Your Bench Strong Enough to Win?

We have [previously presented information regarding succession planning to protect the interests of an attorney's clients. The article below, written by former Disciplinary Board Chair, Douglas W. Leonard, provides another perspective of succession planning.](#)

The strategic importance of succession is indisputable, and the basic elements of effective succession planning have long been understood. So why do many plan poorly for succession?

Why indeed!

Your company's leadership 'bench' is developed by, among other things, savvy succession planning; and, essentially, succession planning is smart business planning.

In its least common denominator, the crucial question is: does your organization proactively manage the leadership pipeline or does it leave succession to good fortune or chance?

Succession is about the former of those questions. Proactively developing people, rather than merely naming someone as a replacement. Succession planning is about making sure your organization - regardless of type or structure - will continue to thrive, grow, and move forward.

I've had a front-row seat to succession planning in many organizations. I have worked as a corporate consultant and executive coach for 25 years and witnessed all manner of approaches. Before my consulting career began, I experienced succession first hand in organizations in which I was employed.

Leaders, at some point in their development, hit a transition point. That is where they move from a lower-level role to a role that is critical to succession.

Various studies of large consultancies show that from that transition point, roughly:

- 10-20% Succeed
- 30-40% Perform *mediocrely*
- 40-60% Fail

That is too little success, too much failure, and too much mediocrity.

If you provide little to no development to your organization, you can just imagine what the statistics look like for your key emerging leaders. You are effectively rolling the dice at the craps table of business.

One of the most famous, distinguished, and sought after executive coaches to CEOs, Marshall Goldsmith, likes to say (and wrote a book with this title) "*What got you here, won't get you there.*" That title captures the fundamental truth that the skillset you developed to succeed in your current position is not the same one that will help you excel in the next role at the next level.

To me, that book title means there is no effective succession without rigorous personal development. The next person up should not be left to chance or random acts of leadership development. When an organization engages me to coach emerging leaders, identified as having what it takes for senior leadership positions to the C-Suite or CEO role, I take the advice of Mr. Goldsmith and remind my coachee that out of necessity they need to reinvent themselves to succeed in the new position.

On the two ends of the succession spectrum, albeit very different types of entities – is one of my clients - a Fortune 50 company with over 85,000 employees. They are extraordinarily dedicated to succession planning and growing future-fit leaders. There are numerous paths for personal development and each person has a customized personal development plan that is executed against rigorously and modified regularly. They concern themselves well beyond making sure future leaders are capable and a good fit for the role, but with how well the leader learns to disrupt themselves and is agile and nimble to lead in the future state, not merely the current state.

In the Disciplinary Board, for which I once served as Chair and "succeeded," the Chair before me, just as a new Chair "succeeded" me, there is a relatively rigid seniority system. That is not unique; boards throughout the entire court system and every county bar association that you are familiar with will recognize that process. That is the opposite end of the succession spectrum from the example above. That system presumes that the next most senior person is the best suited to lead.

These organizations also do not generally provide any growth and development initiatives to the people who are taking the reins of the organization. There is some hopefulness that the person has grasped the lifeblood of the organization through their seniority, and that experience will enable them to be an effective leader. Maybe. Maybe not. Not unsurprisingly, the leadership of those groups is uneven and varied as the person in the role.

In addition to development of people, there is process. A good process cannot overcome poorly developed leaders, yet process is a contributing factor.

To increase the chances of finding a leader who will serve long and well, companies must do three fundamental things. Of the three, two are internally driven and the third is an internal/external hybrid.

1. You should have available a deep pool of internal candidates kept well-stocked by a leadership development process that reaches from the bottom to the top of the organization and identifies high potential candidates from diverse backgrounds.
2. Senior leadership, boards of directors, or other high-level leadership groups should create,

then continually update and refine their succession plan and have in place a thoughtful process for making decisions about candidates. To me, this is about fitness, not fit. I'm not looking for leaders who fit the existing paradigm but who continuously learn, unlearn, relearn, and are unrelentingly curious. They see leadership as something that is not mastered, but requires a continuous effort to improve. I look for "learn-it-all" not know-it-alls.

3. Finally, if any outside candidates are to be considered, senior leadership should be exacting and informed drivers of the executive search process, leading the recruiters they hire to fill the position rather than being led by the recruiters they've hired.

If you have made it this far in the article and you don't fully understand how (and why) your organization develops and selects leaders as they do – you are now fully aware that you have no true succession plan or system.

That is a scary place for your business to be unless you are a very lucky at rolling the dice.

Lawyer Going to the Dogs – for Clients

[This lawyer advertisement](#) reaches out to a community underserved by the legal profession – our canine companions. Could it be that the lawyer's appeal is a little – jerky?

Disciplinary Board News

Three Disciplinary Board Member Appointments Issued



By [Order](#) dated February 18, 2020, the Supreme Court of Pennsylvania appointed **David S. Senoff**, Esquire, to the Disciplinary Board for a term of six years, commencing April 1, 2020. As a founding member of First Law Strategy Group, LLC, Senoff has focused his 27-year career on class-action lawsuits in important public policy fights. As one of the lead attorneys involved in seeking justice for the victims of the "Kids-for-Cash" cases, and having been instrumental in the creation of the Pennsylvania law regarding the state's Wage Law, he has taken on some of the toughest public policy fights in Pennsylvania. [Read more...](#)

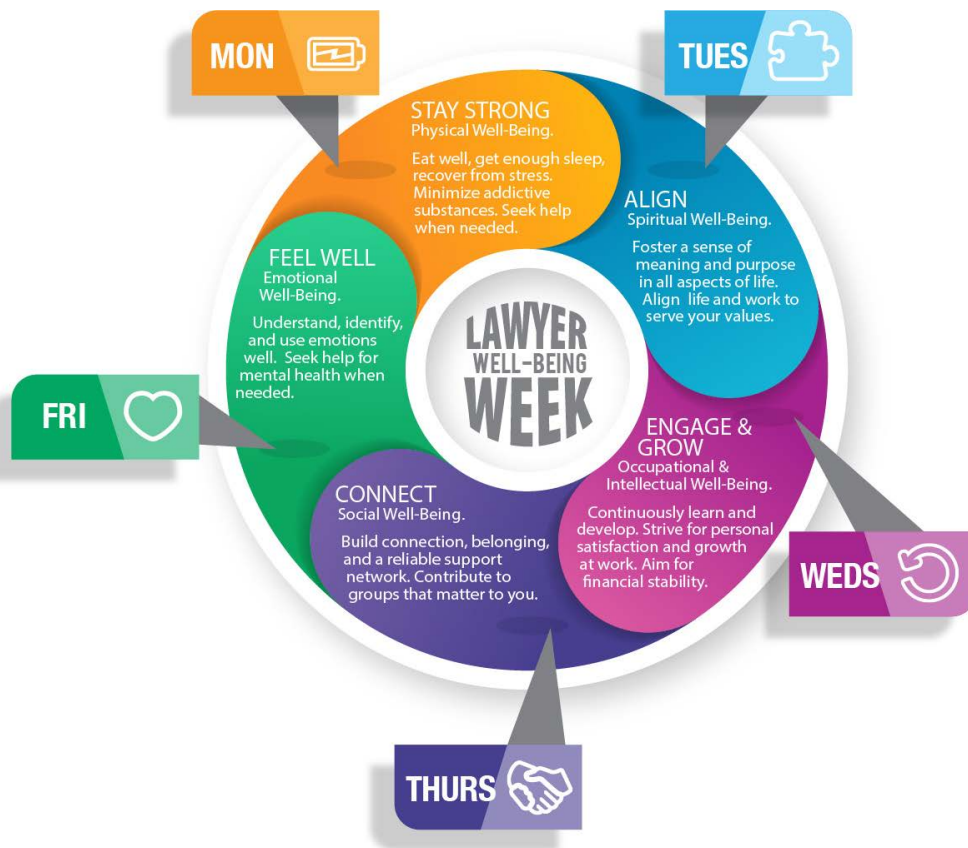
By [Order](#) dated February 18, 2020, the Supreme Court of Pennsylvania appointed **Celeste L. Dee** to the Disciplinary Board for a term of six years, commencing April 1, 2020. With extensive experience in business administration, business development and politics, Dee has spent her professional life gaining a wide range of skills and knowledge. After spending the last 12 years working in politics as an operations manager, regional director, political director, and campaign manager for campaigns at nearly every level, Dee now owns and manages Advantage Political Strategies – a full-service campaign management firm based in the Lehigh Valley. [Read more...](#)





By [Order](#) dated February 18, 2020, the Supreme Court of Pennsylvania appointed **Hon. Eugene F. Scanlon, Jr.** (retired), to the Disciplinary Board for a term of seven years, commencing April 1, 2020. After over 10 years serving as a judge in both the family and civil divisions of the Allegheny County Court of Common Pleas, he founded Scanlon Alternative Dispute Resolution (ADR) Services in Pittsburgh where he now uses his judicial experience to offer mediation, arbitration, and neutral evaluation. [Read more...](#)

Attorney Well-Being



Lawyer Well-Being Week

To align with Mental Health Awareness Month in May, [Lawyer Well-Being Week](#) will occur May 4-8, 2020.

Participating organizations include the National Task Force on Lawyer Well-Being, the American Bar Association (ABA) Law Practice Division and its Attorney Well-Being Committee, and the ABA Commission on Lawyer Assistance Program's (CoLAP) Well-Being Committee. We invite you to join them in being a lawyer well-being champion.

The aim of Well-Being Week is to raise awareness and encourage action across the profession to improve well-being for lawyers and their support teams. The Lawyer Well-Being Week team of volunteers has been working hard to make it easy for you to get involved. You can help make a difference by organizing or joining in [activities](#) and [events](#).

Can Wellness Be a Small Firm Priority?

Brian Cuban, author of *The Addicted Lawyer*, [writes of an encounter](#) with a longtime friend who is a partner in a medium-sized firm. While discussing Cuban's work with addiction, his friend confessed that issues of wellness are not a priority in firms like his. While lawyers in large firms frequently have access to employer assistance programs and high-quality health insurance, those assets may not be available to lawyers in smaller firms. It is not unusual for lawyers in small firms to have low quality health insurance that provides little or no coverage for mental health or substance abuse issues, and to be under pressure to produce work whenever needed and wherever they are. Advances in technology mean lawyers are no longer limited to the resources available in an office, but may be expected to work even when away from the office, on personal time, and at any time of the day. Cuban quotes his friend's comment:

The expectation is that you're always available. If you're on vacation, great — but that just means that they expect you to get the document out before your wife and kids get up for breakfast. And if you're not willing to be always accessible, you'll lose the client to another lawyer who will. We're all in a race to the bottom to ruin our lives.

Cuban comments that while advocates for wellness and work-life balance are making progress in persuading many of the big law firms to alter the culture of the practice of law, the path may be steeper for reaching out to medium- and small-sized firms.

Around the Court



SUPREME COURT OF PENNSYLVANIA

Pennsylvania Interest on Lawyer Trust Accounts Board

The Pennsylvania Interest on Lawyer Trust Accounts (IOLTA) Board is pleased to share its [2019 Annual Report](#).

Additionally, the IOLTA Board would like to highlight their work over the last several months in partnership with researchers at Franklin & Marshall College to study the impact of civil legal aid in Pennsylvania. The [Economic Impact of Civil Legal Aid in Pennsylvania Report](#) examines significant positive impacts to both individuals receiving civil legal aid as well as positive economic ripple effects for Pennsylvania communities, resulting in a \$12 return on investment for every \$1 directed to funding civil legal aid.

We Want To Hear From You...

We are always on the lookout for stories of interest relating to legal ethics, new issues in the

practice of law, lawyer wellness, and funny or just plain weird stories about the legal profession. If you come across something you think might be enlightening, educational, or entertaining to our readers or social media followers, [pass it along](#). If you're our original source, there may be a hat tip in it for you.

Resources

[FAQs - For the Public](#)

[Annual Report](#)

[Recent Discipline](#)

[FAQs - For Attorneys](#)

[Rules](#)

[Discipline Statistics](#)

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