



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

*Dedicated to protecting the public, maintaining the integrity of the
legal profession, and safeguarding the reputation of the courts.*

ANNUAL REPORT 2019

Issued: March 26, 2020

The Disciplinary Board of the Supreme Court of Pennsylvania

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BOARD CHAIR'S SUMMARY

Following a year of significant organizational change and restructuring, in 2019, the Disciplinary Board focused on a multitude of projects that advanced the Board's mission. The committees of the Disciplinary Board performed significant work and enacted a number of important changes, which are highlighted within this report.

One of the Board's objectives during this year was to ensure that cases were expeditiously handled and processed through the system. As you will see in this report, 4,353 cases were resolved by the Disciplinary Board in 2019 and, of these, 211 matters involved the imposition of discipline. This is a 30% increase over the number of matters in which discipline was imposed in 2018. This increase is not the result of a change in the way discipline was imposed, but rather reflects the result of the Board's goal of expeditiously moving cases through the system. Cumulatively, 821 reinstatement petitions or requests for reinstatement to active status were filed in 2019. The dedication of our staff, volunteer hearing committee members, and Board members are reflected in these figures.

Chief Disciplinary Counsel Paul J. Killion announced his retirement in 2019, prompting the Board to hire a new Chief Disciplinary Counsel, Thomas J. Farrell. We are grateful to Paul for his more than 17 years of service to the profession and we welcome Tom into his new role.

Pennsylvania's attorney regulatory system is functioning well and I am confident the system will continue to improve under the Board's recently named Chair James C. Haggerty and Vice-Chair John F. Cordisco. I wish to thank the Court, my fellow Board members, and the members of the entire profession for the opportunity to serve in this role.

Andrew J. Trevelise
Board Chair



Brian J. Cali, Esquire
Board Chair
January - April 2019



Andrew J. Trevelise, Esquire
Board Chair
April 2019



James C. Haggerty, Esquire
Board Vice Chair
April 2019

BOARD MEMBERSHIP



Andrew J. Trevelise, Esquire
Board Chair
(Philadelphia County)



James C. Haggerty, Esquire
Board Vice Chair
(Philadelphia County)



John F. Cordisco, Esquire
(Bucks County)



John P. Goodrich, Esquire
(Allegheny County)



P. Brennan Hart, Esquire
(Allegheny County)



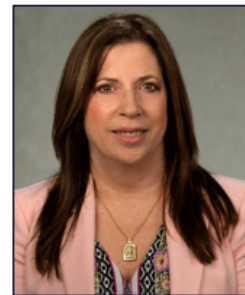
Jerry M. Lehocky, Esquire
(Philadelphia County)



Christopher M. Miller, Esquire
(Allegheny County)



Gretchen A. Mundorff, Esquire
(Fayette County)



Stefanie B. Porges, M.D.
(Montgomery County)



John C. Rafferty, Jr., Esquire
(Montgomery County)



Dion G. Rassias, Esquire
(Philadelphia County)



Hon. Robert L. Repard
(Tioga County)

BOARD HIGHLIGHTS

Board Meetings

In 2019, the Disciplinary Board met four times in-person to address administrative, adjudicatory, and executive business. Throughout the year, the Board met telephonically or electronically to address Board business.

- January 9 & 10 - Philadelphia, Pennsylvania
- April 9 & 10 - Pittsburgh, Pennsylvania
- July 18, 19, & 20 - Bedford, Pennsylvania
- October 16 & 17 - Pittsburgh, Pennsylvania

Discipline and reinstatement matters are adjudicated during each meeting. In 2019, there were 34 matters adjudicated at the meetings: 7 in January, 7 in April, 8 in July, and 12 in October. Of the 34 matters (25 discipline and 9 reinstatement) adjudicated, the Board filed recommendations to the Court in 30 matters. In 2019, the Court issued orders in 25 adjudicated matters, adopting the Board's recommendation in 23 of those matters.

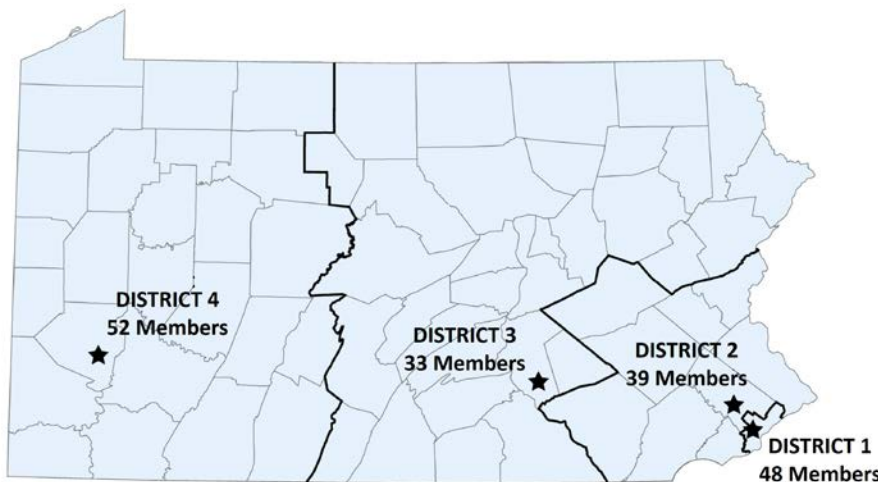
Hearing Committees

Annually, the Disciplinary Board is tasked with appointment of hearing committee members within each disciplinary district. A hearing committee member for a district must be a member of the bar of this Commonwealth who maintains an office for the practice of law within that district. At year's end, there were 172 hearing committee members throughout Pennsylvania.

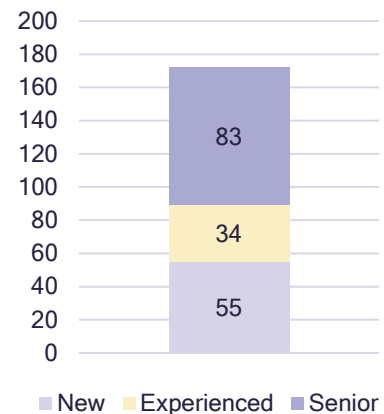
2019 Hearing Committee Appointments

District I	District II
13 Appointments	9 Appointments
8 Reappointments	8 Reappointments
District III	District IV
4 Appointments	9 Appointments
9 Reappointments	14 Reappointments

The Board acknowledges the significant role that hearing committee members play in the disciplinary process and is committed to appointing hearing committee members who will ably perform the duties of the position. It is the Board's requirement that hearing committee members meet certain qualifications prior to appointment, namely, having been in practice for a minimum of 7 years and having no prior disciplinary history. The Board is committed to appointing diverse hearing committee members, recognizing that diversity of experience, practice area, background, race, gender, and geography is beneficial to the disciplinary process.



Members By Rank



★ Indicates location of Office of Disciplinary Counsel Office

Duties of hearing committee members include reviewing the disposition of complaints recommended by the Office of Disciplinary Counsel and conducting hearings, as a three-member panel or single designated member, for disciplinary and reinstatement matters. Hearing committee members are responsible for preparing a written report to the Board following disciplinary and reinstatement proceedings.

Disciplinary Hearings Assigned	34
Reinstatement Hearings Assigned	13
Complaint Dispositions Reviewed	146
Hearing Committee Reports Filed	38

In 2019, 11 reinstatement hearings and 24 disciplinary hearings were conducted before three-member hearing committee panels. There were two reinstatement hearings presided over by a single designated hearing committee member. Additionally, four matters were held before special masters, of which two masters were former Disciplinary Board Chairs: three presided over multi-day hearings in three separate matters, and one presided over a hearing on a Motion to Quash a Subpoena.

In all matters referred for hearing, the Board's Special Counsel assisted and supported the hearing committee members. In 2018, the staff role of Special Counsel was created by the Board to provide support to hearing committee members and to ensure that the Board's objective of moving cases expeditiously was achieved. As a result of the Board's directive, there has been a decrease in continuances requested; an increased promptness in the scheduling of disciplinary and reinstatement hearings; and an improvement in the quality and consistency of Hearing Committee Reports and Recommendations to the Board.

Committee Progress Reports

In addition to their adjudicatory duties, Board members serve on Board Committees. Each of the committees undertook significant and meaningful projects and assignments. In addition to the appointed committee members, the Board Chair and Vice-Chair serve as ex-officio members on all committees. In 2019, the committees met four times in person, coinciding with scheduled Board Meetings, and numerous times electronically and telephonically.

Rules Committee

The Rules Committee Chair is Dion G. Rassias. Committee Members include P. Brennan Hart, Christopher M. Miller, and John C. Rafferty, Jr.

The Rules Committee oversees the consideration of amendments to existing rules and the drafting of new rules in the Rules of Professional Conduct (RPC), Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E), and Disciplinary Board Rules.

Requests for rule amendments and new rules come from various sources, including, but not limited to: internally from Board Members, Office of Disciplinary Counsel, and Executive Office staff; the Supreme Court of Pennsylvania; lawyers; bar associations; and the general public. Any recommendation received is placed on the committee's agenda for discussion.

Generally, once the committee and the Board agree to propose a rule amendment, the Board publishes a Notice of Proposed Rulemaking in the *Pennsylvania Bulletin* explaining the proposal and requesting public comment. Upon close of the comment period, the Board reviews the comments before taking further action, typically submitting a final proposal to the Court.

The Supreme Court of Pennsylvania approved the following rule changes in 2019:

Pa.R.D.E. 208(g)(5) - Order dated February 15, 2019, effective March 17, 2019. This amendment permits the Board to assess penalties on unpaid taxed expenses and administrative fees in discipline matters. The amendment is intended to incentivize timely satisfaction of outstanding obligations to the Board.

Pa.R.D.E. 219(f) - Order dated February 25, 2019, effective March 27, 2019. This amendment to the timeline of annual attorney registration changed the dates by which an attorney must complete the annual registration in order to avoid assessment of non-waivable late payment penalties. Previously,

late payment penalties were imposed after July 31 and August 31; the new rule assesses penalties after July 16 and August 1.

Pa.R.D.E. 208(d)(1) - Order dated March 26, 2019, effective April 25, 2019. This amendment clarified that both parties in a matter have the right to submit briefs and present oral argument to a Board panel.

Pa.R.D.E. 102, 104, 205, 206, 208, 209, 213, 214, 215, 216, 217, 218, 219, 301, 401, and 403; RPC 8.3 - Order dated April 18, 2019, effective May 18, 2019. These comprehensive amendments reflect the reorganization of the Board's operations. The amendments eliminated the "Office of the Secretary" which had existed since the Board's inception, and designated an Executive Director to oversee operations of the Board Prothonotary's Office, the Attorney Registration Office, finance, human resources, technology, and communications. Additional key rule amendments gave the Board more flexibility in appointing hearing committee members and special masters. The changes were predicated on the Board's goals to facilitate workflow and ensure the timely advance of matters through the system.

RPC 1.6(c) - Order dated August 15, 2019, effective September 14, 2019. This amendment added an exception to the confidentiality rules to allow lawyers to reveal information to the extent that the lawyer believes necessary to comply with other law or court order.

Pa.R.D.E. 102, 201, 217, and 219 - Order dated October 2, 2019, effective November 1, 2019. These amendments conform to changes made by the Pennsylvania Board of Law Examiners to permit attorney spouses of active duty service members to hold a limited admission to practice under Pennsylvania Bar Admission Rule 304.

Pa.R.D.E. 219(d)(2), (f), (h)(2), (j)(1) and (2), and (k) - Order dated November 18, 2019, effective December 18, 2019. The language in the affected subdivisions referenced the circumstance of a "check" or "checks" in payment of attorney registration fees or late payment penalties being returned to the Board as unpaid. The amendment replaced "check" or "checks" with the term "payment."

Pa.R.D.E. 205 - Order dated December 18, 2019, effective January 17, 2020. By this amendment, the Board's composition changed from thirteen members to twelve members, consisting of ten lawyers and two non-lawyers. In addition, each member will serve a single six-year term, instead of two three-year terms.

In addition to these rule changes, during 2019 the Board published Notices of Proposed Rulemaking for three proposed rule amendments and submitted proposals in those matters to the Court, including

proposed amendments to the Rules of Professional Conduct to make harassment and discrimination in the practice of law misconduct under RPC 8.4(g).

Finance & Personnel Committee

The Finance & Personnel Committee Chair is John F. Cordisco. Committee Members include John P. Goodrich and Jerry M. Lehocky.

The Finance and Personnel Committee oversees the Board's assets, including financial, human, and technological, to develop an appropriate fiscal and operational strategy that furthers the mission of the Board. In many instances, the committee makes recommendations to other committees to elevate operational strategy.

In pursuit of its task, the Committee reviewed and approved the proposed Budget for fiscal year 2019-2020, and reviewed and approved the external audit of fiscal year 2018-2019, which was completed by Trout, Ebersole & Groff.

Among many other personnel related matters, the Committee monitored progress of its 2018 organizational realignment designed to modernize the operations of the Board and more efficiently move cases through the system.

Committee Chair John F. Cordisco serves as the Board's current representative to the Investment Advisory Board (IAB), established by the Supreme Court, and participated in the semi-annual meeting in May 2019.

Communications Committee

The Communications Committee's Chair is Stefanie B. Porges, MD. Committee Members include Hon. Robert L. Repard and Gretchen A. Mundorff.

The role of the Communications Committee is to increase visibility and to explore ways of improving communications with attorneys and the public, specifically through the Board's media platforms. Throughout 2017 and 2018, under the leadership of Committee Chair Stefanie M. Porges, M.D., the Committee successfully led the Board in its development of a new website and a new social media strategy.

One of the significant tasks of this Committee is the crafting and distribution of the Board's Attorney Newsletter which is distributed monthly. Communicating with the profession and public frequently allows

the Board to share important initiatives, information, and directives with the profession expeditiously. At the end of 2019, there were approximately 68,000 subscribers to the newsletter.

In coordination with the Board's Education Committee and the Administrative Office of Pennsylvania Courts (AOPC) Communications Department, instructional videos on the topic of "reinstatement" were developed and released. As of the end of 2019, these videos were viewed nearly 600 times.

Under Committee Chair Porges' leadership, the Board uses social media and its website to share information and articles which may be beneficial to the profession. In addition to sourcing and authoring these interactions, the Board coordinates with other Court Boards and Committees to share information with the profession that is relevant.

In 2019, the Board continued to publicize openings and vacancies for Court Boards and Committees in its newsletter, on the website, and via social media. AOPC personnel advised that these efforts have resulted in increased numbers of applicants for these positions.

Education Committee

The Education Committee's Chair is P. Brennan Hart. Committee Members include Hon. Robert L. Repard and Gretchen A. Mundorff.

The role of the Education Committee is to propose and carry out education and training opportunities for Hearing Committee members and Board members.

Under the leadership of Committee Chair P. Brennan Hart, the Committee planned and implemented regional Hearing Committee training in Philadelphia on January 9, 2019, in Pittsburgh on April 9, 2019, and in Harrisburg on June 25, 2019. Attendees received two hours of Continuing Legal Education (CLE), presented by Board members and senior Hearing Committee members.

On June 25, 2019, newly appointed Hearing Committee members came to Harrisburg to participate in a New Member Hearing Committee Training. Participants attended a 3½ hour training session, which included presentations by Board members; Board staff; Chief Disciplinary Counsel and other Office of Disciplinary Counsel staff; and, Respondent's Counsel, Ellen Brotman. The program was designed to educate new members about the disciplinary system and their responsibilities as Hearing Committee members.

In an effort to create greater efficiency, future trainings of hearing committee members will be done annually in conjunction with a Board meeting. The Committee, in conjunction with the Communications Committee and the AOPC Communications Department, has begun the development of a series of instructional videos to be accessed by hearing committee members in the performance of their duties.

The Committee crafted and implemented a CLE opportunity for the entire Board at its July meeting, the theme of which was “How We Do Business, Looking to the Future.” This session provided junior Board members with an opportunity to gain the valuable perspective of senior Board members. As a result of this educational session and discussion that flowed therefrom, the Board proposed a rule amendment, which was subsequently adopted by the Court, regarding Board membership.

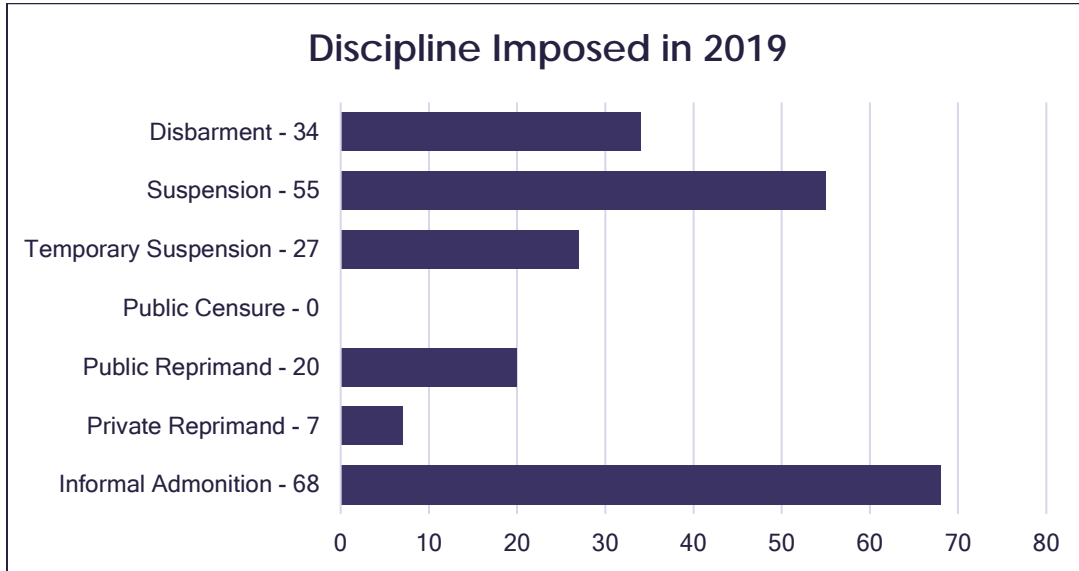
In addition to these educational training sessions, Board members had the opportunity to participate at conferences related to disciplinary matters. Board members continued their efforts to participate in numerous CLE presentations throughout the year.

Board members and staff attended the National Council of Lawyer Disciplinary Boards’ 16th Annual Meeting in Las Vegas, Nevada, in January 2019. Attendees included: Board Chair Andrew J. Trevelise, who gave a presentation entitled “Emeritus Status and Pro Bono Representation”; former Board Chair Douglas W. Leonard, who gave a presentation entitled “The YOU in Adjudication: How Our Core Mindset Influences Our Adjudicative Performance”; Christopher M. Miller, Board Member; Jesse G. Hereda, Executive Director; and, Marcee D. Sloan, Board Prothonotary and NCLDB Board of Directors Secretary.

On May 29, 2019, Executive Director Jesse G. Hereda attended a conference of law school deans, held in Harrisburg, Pa. The conference was organized by Lawyers Concerned for Lawyers and the topics included extensive discussion on mental health and substance abuse issues involving law school students. Attendance at this conference provides insight into the issues that plague individuals who are entering the law profession.

EXECUTIVE OFFICE HIGHLIGHTS

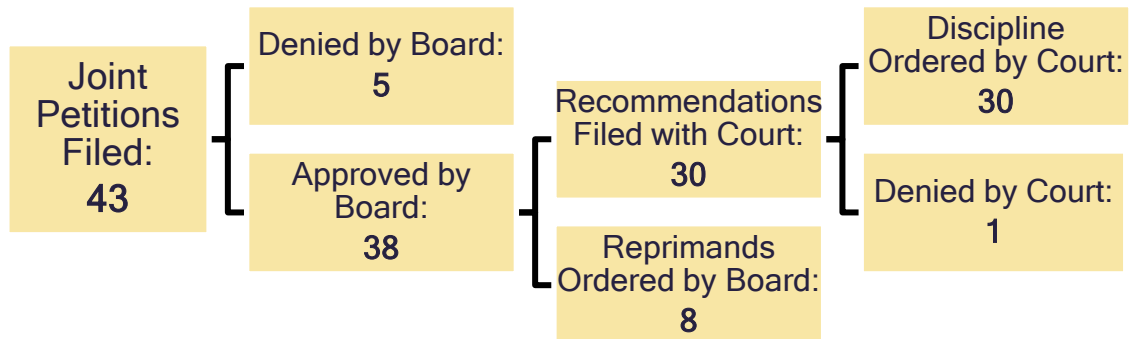
Attorney Discipline & Reinstatement



Discipline Statistics - Historical Comparison

	Informal Admonition	Private Reprimand	Public Reprimand	Public Censure	Temporary Suspension	Suspension	Disbarment	Total
2019	68	7	20	0	27	55	34	211
2018	52	11	15	0	19	31	32	160
2017	46	8	17	2	18	40	35	166
2016	54	6	22	1	21	37	19	160
2015	58	10	14	1	21	38	37	179
2014	76	3	5	1	16	42	46	189

2019 Joint Petitions In-Depth



**One matter noted under "Discipline Ordered by Court" was filed with the Court in 2018.*

Matters Considered By Board Member Panels

Recommendations in Informal Proceedings	16
Joint Petitions Reviewed	42
Oral Arguments Held	13
Public Reprimands Administered	20
Private Reprimands Administered	7

Matters Considered By A Single Designated Board Member

Petitions for Reinstatement from Inactive Status	104
Petitions for Emergency Temporary Suspension	5
Probation Violation Hearings	2
Contempt Hearing	1

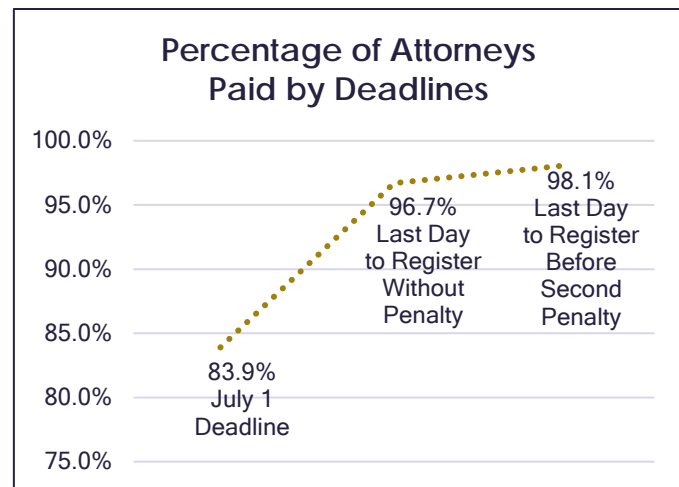
Reinstatement of Formerly Admitted Attorneys

Petitions for Reinstatement from Discipline	12
Petitions for Reinstatement from Inactive Status, Retired Status, or Administrative Suspension of 3 Years or Longer	101
Requests for Reinstatement from Inactive Status, Retired Status, or Administrative Suspension of Less Than 3 Years	708

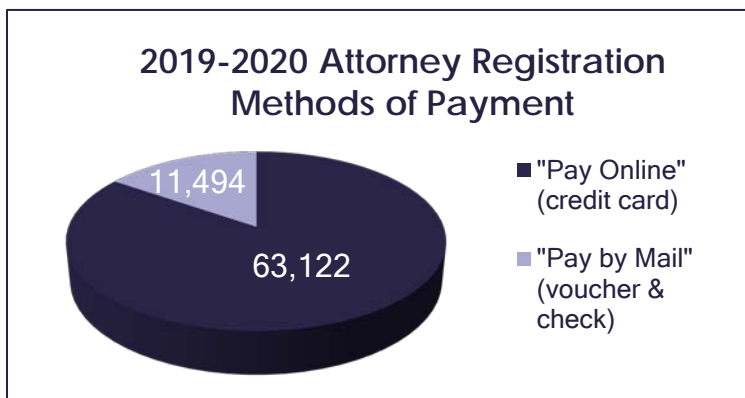
Attorney Registration

Effective in March 2019, a rule change condensed the registration timeline commencing with the 2019-2020 registration period. The new registration timeline affects late fee assessment only. Registration continues to be open before May 15 of each year with a July 1 due date. The late payment penalties are assessed to all those who have not completed registration on or before July 16 and August 1. After the assessment of the second late penalty, a list of remaining un-registered attorneys is certified to the Supreme Court for administrative suspension.

For the 2019-2020 annual registration period, 83.9% of attorneys paid by the July 1 deadline. As of July 16, the last day to register without penalty, 96.7% of attorneys had completed their registration. Finally, 98.1% of attorneys had completed their annual registration requirement as of August 1, the last day to register before a second penalty is assessed.



On August 14, the remaining 1,286 un-registered attorneys were certified to the Supreme Court for administrative suspension. During the 30 day period in which the Supreme Court Order was pending, attorneys were able to complete their outstanding obligation and therefore be removed from the list of attorneys to be administratively suspended. This year, 437 attorneys were placed on administrative suspension, effective September 13, 2019.



Since 2016, annual attorney registration has been required to be completed electronically pursuant to [Pa.R.D.E. 219\(a\)](#). When registering, attorneys are able to submit payment online with a credit card or by mail with a check and unique payment voucher.

Also during 2019-2020 annual registration, a new section of the Attorney Annual Fee Form was presented in regards to succession planning. Recognizing that the future is unpredictable, attorneys should strive to lessen the impact of unexpected interruption in their relationships with clients by taking protective measures. While succession planning is essential to every attorney's practice, failure to have a designated successor is NOT a violation of the Rules of Professional Conduct or the Pennsylvania

Rules of Disciplinary Enforcement. In early 2019, Board Member Dion G. Rassias provided an article on this topic. Read “Succession Planning - Is It Mandatory for Lawyers in Pennsylvania?” here: <https://www.padisciplinaryboard.org/news-media/news-article/68/succession-planning---is-it-mandatory-for-lawyers-in-pennsylvania>.

Succession Planning Responses from All Registered Pennsylvania Attorneys

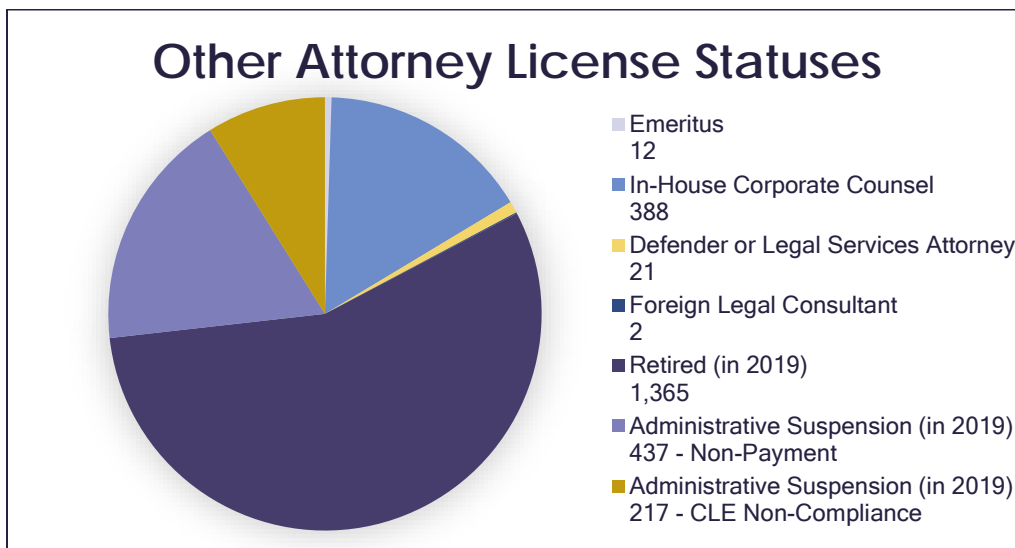
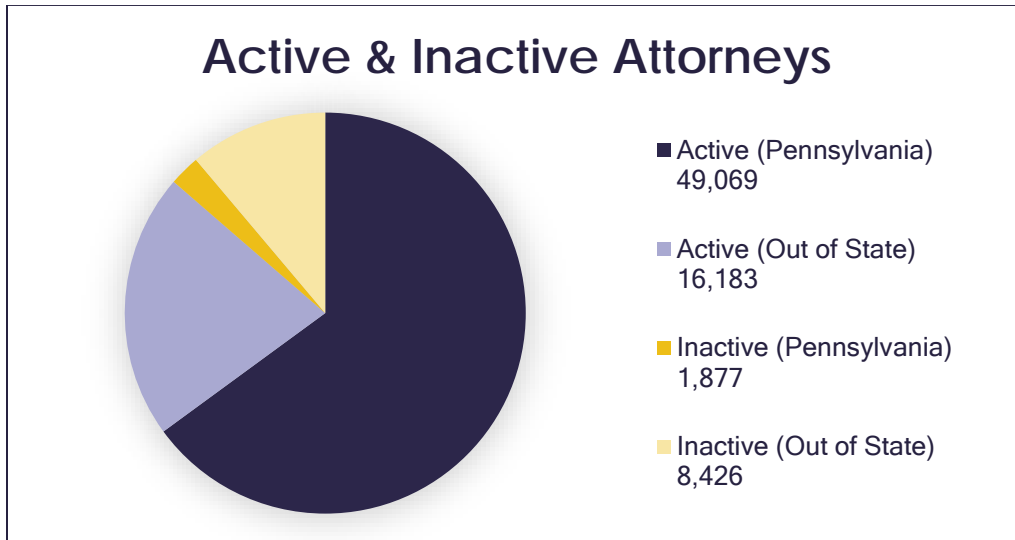
Response Options	Total	%
I have a successor attorney. My successor is an individual.	2,082	2.74 %
I have a successor attorney. My successor is a law firm.	8,369	11.02 %
I do not have a successor because I do not have PA clients.	27,658	36.42 %
I do not have a successor and I do have PA clients.	5,756	7.58 %
Prefer not to answer.	32,083	42.24 %
TOTAL	75,948	100.00 %

Daily, new attorneys are admitted by the Supreme Court Prothonotary’s Office and uploaded into the Attorney Registration database. In 2019, just over 1,600 new attorneys were admitted to the Pennsylvania Bar. This includes those fully admitted to the Bar by exam or motion and those with limited In-House Corporate Counsel and Defender or Legal Services Attorney admissions. The law schools listed below accounted for more than half of the 2019 new admittees.

Law School	2019 Admittees
Temple University - Beasley School of Law	168
Villanova University - Charles Widger School of Law	157
Duquesne University - School of Law	101
University of Pittsburgh - School of Law	98
Drexel University - Thomas R. Kline School of Law	89
Penn State Law & Penn State Dickinson Law	67
Widener University - Commonwealth Law School	63
Widener University - Delaware Law School	49
Rutgers Law School	41
University of Pennsylvania - Carey Law School	39

Since mid-2018, emeritus status has been an option for retired attorneys who wish to do pro bono work with legal aid organizations. Emeritus programs create a pool of qualified volunteer attorneys to provide services to those in need. Emeritus attorneys perform valuable roles in the community by bolstering

legal aid and other nonprofit programs to help close the gap between the need for and the availability of free legal services. At year's end, 12 attorneys had assumed emeritus status. The Board recognizes that increasing the number of attorneys assuming emeritus status is best accomplished by the local bar associations and legal aid organizations, and is committed to performing the necessary outreach to achieve this goal.



Most Populous Pennsylvania Counties

<u>County</u>	<u>Active Attorneys</u>
Philadelphia	14,288
Allegheny	9,115
Montgomery	5,065
Dauphin	2,490
Chester	2,391

Technology

As in previous years, 2019 brought several technology innovations to the Disciplinary Board. These enhancements, meant to increase transparency, production, and efficiency, touch every area of the Board's operations. In 2019, the Board continued its commitment to increase efficiency in operations by embracing and utilizing technology.

The Board spent significant time developing its new Costs database. This database is used for maintaining costs assessed by Court or Board Orders in accordance with Pa.R.D.E. 208(g)(5), which took effect on March 17, 2019. In conjunction with this, the Board worked with its vendor to develop a module that allows the staff to scan large batches of monthly invoices, created using the Costs database, directly into the document storage system, saving the user valuable time.

During the summer of 2019, the Office of Disciplinary Counsel (ODC) transitioned to a Centralized Intake office. This caused a need to plan and develop an entirely new interface for the ODC's Case Management System, as well as multiple reports and processes.

The Attorney Registration System underwent several internal changes this year, including: storing and maintaining succession planning information gathered during the annual attorney registration period; the processing of attorneys administratively suspended for failure to pay costs assessed by Court or Board Order; and, implementing a process for the acceptance of the newly created Attorney Spouse of Active-Duty Military admission. All of these changes were made in coordination with other agencies of the Court.

The Disciplinary Board is grateful for the cooperative relationship it shares with the AOPC. With their guidance and assistance, the Board has been able to accomplish the following in 2019:

- **PC Refresh** - The Board opened bidding in the fall of 2019 for all new computer equipment. The bid was awarded in the first quarter of 2020.
- **File-Sharing** - Oftentimes, ODC has the need to send or receive documents that are simply too large to email. This file-sharing platform allows for a secure method of exchange.
- **Smartboards** - The Board now has two smartboards (in Philadelphia and most recently in Pittsburgh) with a third scheduled to be installed in District II in 2020. These boards enable video conferencing between offices and allow for parties to examine witnesses and present evidence during hearings. ODC has even used the boards to interview witnesses from State Correctional Institutions without the inconvenience and expense of arranging transport of the witnesses.

Throughout 2019, there were more than 2.1 million visitors to the website. The Board has posted more than 100 news articles on case decisions which have been expanded to include discipline for out-of-

state attorneys licensed in Pennsylvania and reinstatements from discipline. These news articles, also linked on the Board's social media accounts, help increase transparency and provide the public with current and accurate information.

In coordination with the Board's website vendor, a new module was developed which allows staff to link to outside articles in the newsletter without cluttering the website's newsfeed.

In addition to the items mentioned above, standard enhancements were made throughout the year to the Board's Case Management System, Attorney Registration System, and Document Management System.

Finance & Budget

Financial Highlights of FYE June 30, 2019

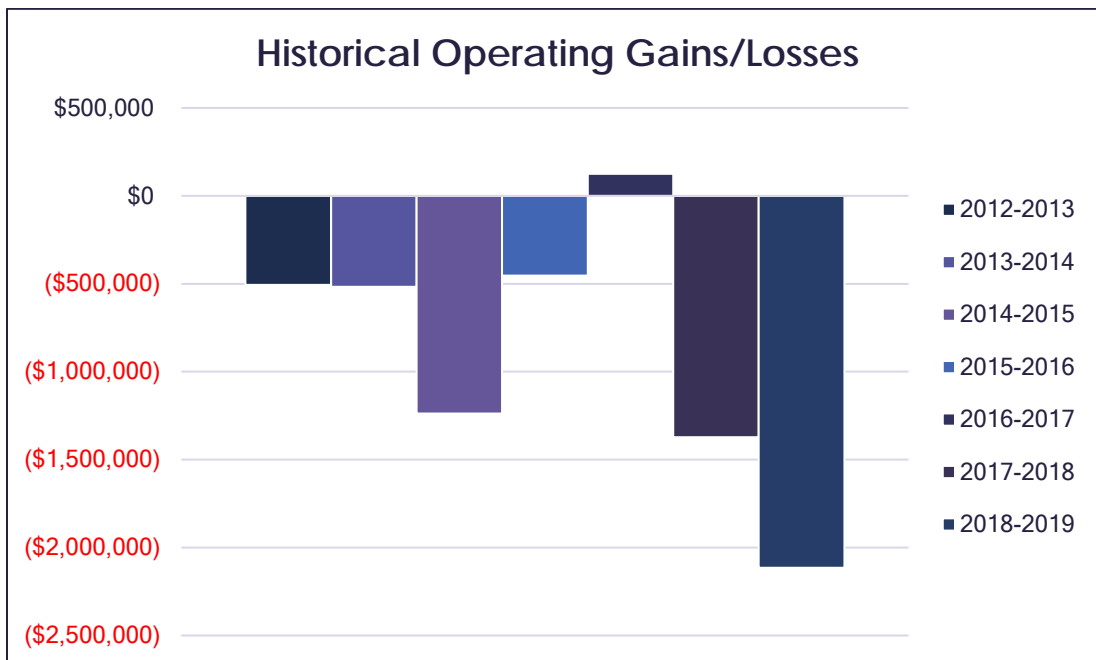
Operating Revenue:	\$9,831,577
Expenses:	(\$11,945,487)
Operating Income:	(\$2,113,910)
Non-Operating Revenue:	\$579,444
Change in Net Position:	(\$1,534,466)
Net Position as of 6/30/19:	\$9,776,701
Reserve Funds (IAB):	\$10,637,438

Operating Revenue: Annual fees plus administrative fees

Non-Operating Revenue: Gains or losses on the Board's investments with the IAB Fund

Change in Net Position: Operating Income plus Non-Operating Revenue

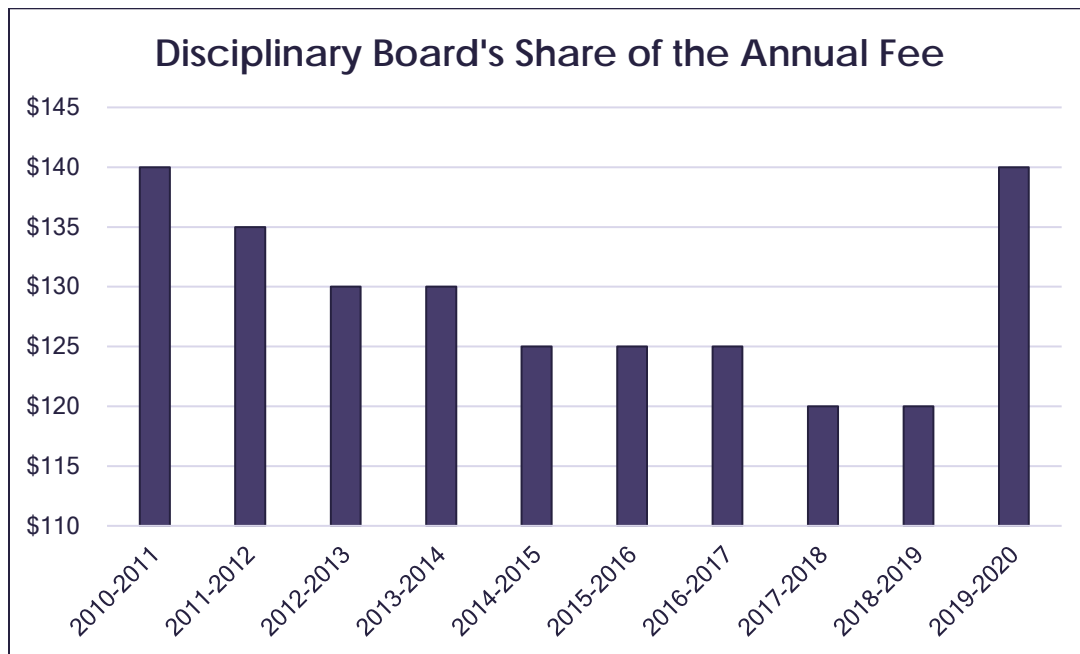
Reserve Funds (IAB): These funds, defined on page 15, constituted 93% of the Board's net position.



On November 28, 2018, the Board participated in the annual Lawyer Assessment Committee (LAC) telephone conference call. At that time, the Board submitted a tentative Budget for Fiscal Year 2019-2020, proposing a 1% decrease in its Budgeted Revenues and a 7% increase in its Budgeted Expenses. The submitted Budget projected that expenses would exceed revenues by \$1,836,446, or approximately 18% of revenue, based on an annual fee allocation to the Disciplinary Board of \$140 per Active Pennsylvania Attorney and \$100 per Inactive Pennsylvania Attorney.

By Supreme Court Order dated February 7, 2019, the Court revised the annual fee for Active attorneys to a total of \$225, which is shared as follows: \$140 to the Disciplinary Board, \$60 to the Pennsylvania

Lawyers Fund for Client Security, and \$25 to the Pennsylvania Interest on Lawyers' Trust Accounts Board.



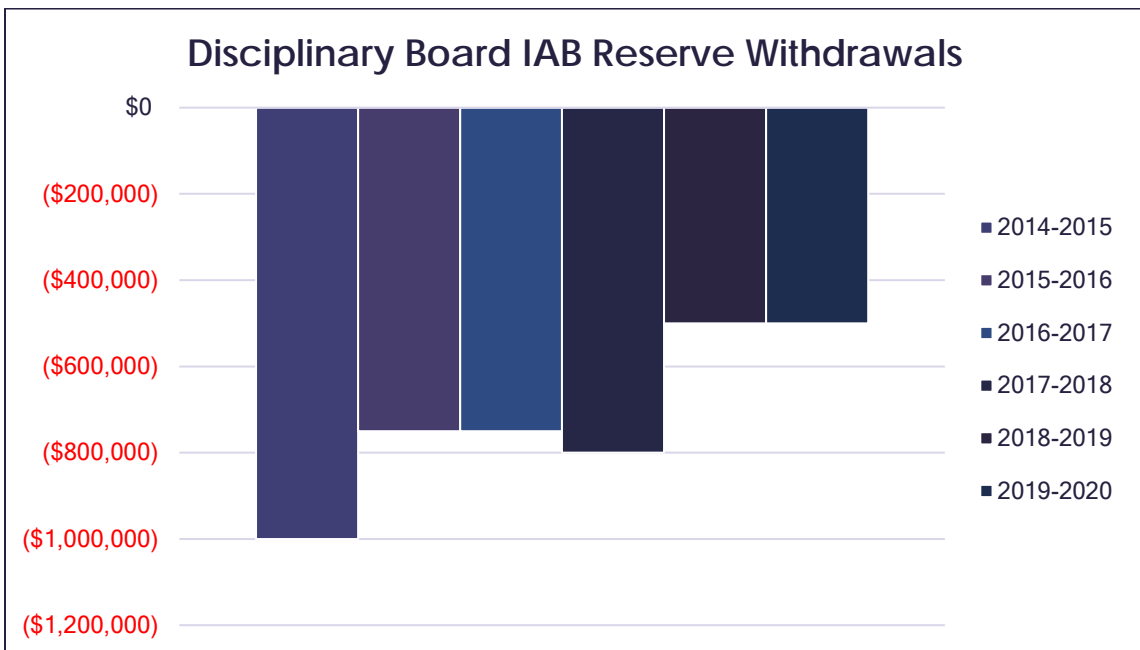
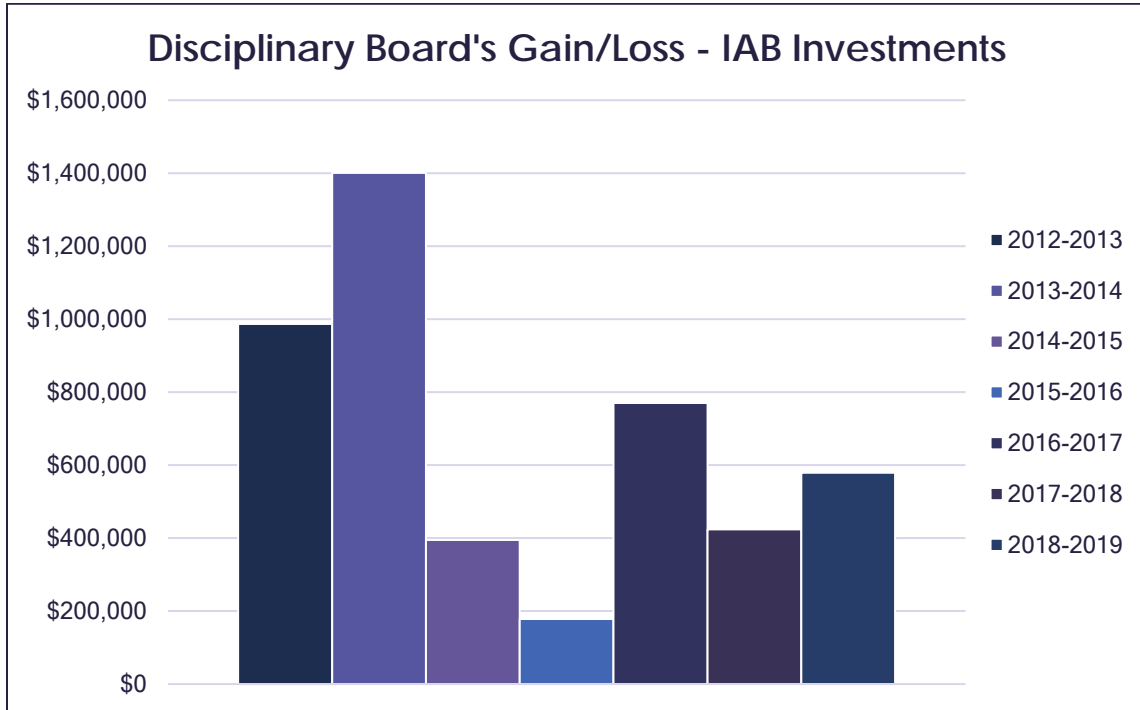
By Supreme Court Order dated February 15, 2019, the Supreme Court of Pennsylvania amended Rule 208 of the Pennsylvania Rules of Disciplinary Enforcement to establish the assessment of a monthly penalty for unpaid taxed expenses and administrative fees. Rule 208(g)(5) is adopted to encourage timely satisfaction of outstanding obligations to the Disciplinary Board. Failure to pay taxed expenses and/or administrative fees within 30 days shall result in the assessment of a penalty, levied monthly at the rate of 0.8% of the unpaid principal balance. For good cause shown, the Disciplinary Board may reduce or waive the penalty assessment. The new rule took effect on March 17, 2019. As of December 31, 2019, there were 904 matters with a total outstanding balance of costs owed to the Disciplinary Board in the amount of \$1,428,351.87.

At the direction of the Court and in an ongoing effort to support the legal profession, in conjunction with the Pennsylvania Lawyers Fund for Client Security, the Disciplinary Board provides a portion of its revenue to fund Lawyers Concerned for Lawyers (LCL), an organization whose mission is “to provide a caring peer assistance program to save the lives and restore the health and professional competence of Pennsylvania’s judges and lawyers, members of their families, and law students who are at risk as a result of alcohol and drug use, gambling, depression, or other serious mental illness.” LCL’s budget is approved annually during the LAC telephone conference call. For additional information about LCL, or to obtain assistance, please visit their website at www.lclpa.org.

Non-Operating Revenue (Investment Gain/Loss)

The Board’s non-operating revenue consists of its investment gains or losses for any given year. The Investment Advisory Board (IAB) was formed in 2005 to pool the reserves of multiple Court boards in an effort to provide enhanced leverage of resources. Since inception, the Board’s reserve fund has achieved a Net Return on Investment (ROI) of approximately 5%. As evidenced by the Disciplinary

Board's Gain/Loss - IAB Investments chart, the Board's investment growth has been meaningful in light of the Board's need in recent years to make significant withdrawals from the IAB reserve to fund operations.



Independent Auditor's Report

Attached for Court-use only.

OFFICE OF DISCIPLINARY COUNSEL HIGHLIGHTS

Cases

Disciplinary Counsel presented oral argument before the Pennsylvania Supreme Court in four disciplinary cases. In one case, the Court entered a disbarment Order 13 days after the argument. The other three cases remained pending before the Court at year's end.

While the Office of Disciplinary Counsel employs consent discipline whenever reasonable, Disciplinary Counsel litigated 41 cases, including a number of cases spanning multiple days of hearings, at the Hearing Committee level, ranging from cases submitted on stipulated facts to a hearing before a Special Master that covered nine trial days.

Cases Opened in 2019	4,454
Cases Resolved in 2019	4,353
<i>*A disciplinary matter may consist of multiple complaints filed against one attorney.</i>	

In January, Disciplinary Counsel and an auditor/investigator testified on behalf of the Montgomery County District Attorney's Office at a criminal trial that resulted in a guilty plea. In May, Disciplinary Counsel and an auditor/investigator testified on behalf of the Chester County District Attorney's Office at a criminal trial that resulted in numerous guilty jury verdicts.

ODC continued to cooperate with and provide valuable assistance to the Pennsylvania Lawyers Fund for Client Security in carrying out its important mission.

Education

Disciplinary Counsel continued to educate our peers, the bar, and community through numerous presentations and CLEs, including:

- Disciplinary Counsel presented as panel members at the mid-year meeting of the National Organization of Bar Counsel (NOBC) in January in Las Vegas and NOBC's annual meeting in August in San Francisco;
- In March and November, Disciplinary Counsel lectured on ODC's functions and the disciplinary process at Temple Law School;

- Disciplinary Counsel presented on the ethics of social media use at the annual meeting of the American Immigration Lawyers Association in Philadelphia, also in March;
- In June, Disciplinary Counsel participated as part of a panel at a Hearing Committee training program in Harrisburg;
- In September, Disciplinary Counsel lectured on professional responsibility at Penn State Dickinson Law, served as a panel member at the Office of General Counsel's CLE retreat in Camp Hill, and addressed the Allegheny County Bar Association Criminal Law Section;
- In October, Disciplinary Counsel discussed ODC's functions and the Rules of Professional Conduct with students at Villanova University, Charles Widger School of Law; and,
- Disciplinary Counsel presented at Bridge the Gap programs in Bucks County in March, in Philadelphia in May, and in Pittsburgh and Philadelphia in November.

Disciplinary Counsel attended an NOBC trial advocacy training program in Chicago in October and a National Institute for Trial Advocacy (NITA) program in Philadelphia in November.

ODC continued its volunteer internship program for law students. The interns received training and an opportunity to work in a government setting. Under supervision of Disciplinary Counsel, they performed legal research, authored memoranda, and participated in discussions regarding investigations and strategy. Law students from Temple, Villanova, and the University of Pennsylvania participated.

Staffing Changes

In 2019, ODC created a new central intake unit to include: Counsel-in-Charge, Jana M. Palko; four Disciplinary Counsel; and one paralegal, designed to more efficiently and uniformly conduct the initial investigation of new disciplinary complaints. Additionally in 2019, James M. Fox was named Counsel-in-Charge of the District IV office.

Chief Disciplinary Counsel Paul J. Killion retired in January 2020 after more than 17 years of service, and the Board appointed Thomas J. Farrell of Pittsburgh to the position. Raymond S. Wierciszewski, formerly Counsel-in-Charge of District II, was appointed Deputy Chief Disciplinary Counsel. Ramona M. Mariani was appointed Counsel-in-Charge of the District II office, and Kristin Wells became Counsel-in-Charge of the District III office. Anthony P. Sodroski continues as Counsel-in-Charge of the District I office.

ORGANIZATION INFORMATION

Executive Office Staff & Location

- Executive Director
- Counsel to the Board
- Special Counsel
- Board Prothonotary
- Attorney Registrar
- Support Staff (6)

Jesse G. Hereda, Executive Director
 601 Commonwealth Avenue, Suite 5600
 Harrisburg, PA 17120
 (717) 231-3380

Office of Disciplinary Counsel Staff & Locations

- Chief Disciplinary Counsel
- Deputy Chief Disciplinary Counsel
- Counsel-in-Charge (5)
- Disciplinary Counsel (24)
- Auditors (8)
- Support Staff (18)

Thomas J. Farrell, Chief Disciplinary Counsel
 601 Commonwealth Avenue, Suite 2700
 Harrisburg, PA 17120
 (717) 783-0990

Office of Disciplinary Counsel

District I

1601 Market Street, Suite 3320
 Philadelphia, PA 19103
 (215) 560-6296

District II

820 Adams Avenue, Suite 170
 Trooper, PA 19403
 (610) 650-8210

District III

601 Commonwealth Avenue, Suite 5800
 Harrisburg, PA 17120
 (717) 772-8572

District IV

437 Grant Street, Suite 1300
 Pittsburgh, PA 15219
 (412) 565-3173

Organizational Chart

