

Glossary of Terms

Below are terms often used within the Disciplinary system. For additional questions regarding these terms, please contact the Office of the Secretary of the Board at 717-231-3380.

Abbreviated Procedure - Method by which certain disciplinary and reinstatement cases may be handled. After the evidence has been presented in either a disciplinary or reinstatement case, the procedure allows for an agreement among the parties as to the disposition of the matter. Preparation of the transcript is waived, and the report of the Hearing Committee is prepared in summary format. Refer to Disciplinary Board Rules 89.181 and 89.277.

Administrative Suspension – Status of lawyers, after Court order, who have failed to: pay the annual fee and file the form required by [Rule 219](#), Pa.R.D.E.; comply with continuing legal education requirements imposed by the Pennsylvania Continuing Legal Education Board; pay any expenses taxed in a disciplinary proceeding; or meet the requirements for maintaining a limited law license as a limited in-house corporate counsel, a foreign legal consultant, an attorney participant in defender and legal services programs, or a military attorney.

Attorney Registration Office – The administrative division of the Disciplinary Board which governs the annual registration of every attorney admitted to or practicing law in the Commonwealth of Pennsylvania, with the exception of those admitted to practice *pro hac vice*.

Board - The Disciplinary Board of the Supreme Court of Pennsylvania.

Censure - Public reprimand by the Supreme Court.

Court - The Supreme Court of Pennsylvania.

Disciplinary Counsel – It is the investigative and prosecutorial division of the disciplinary system, and it's administered by the [Chief Disciplinary Counsel](#).

Disbarment – Most severe type of discipline given to an attorney. The attorney may not practice law for a minimum of 5 years if disbarred. After 5 years, he or she may apply for reinstatement, but the Board does not guarantee the right to practice again. Also, see Keller Threshold term listed below.

Formerly admitted attorney - A disbarred, suspended, administratively suspended, retired or inactive attorney.

Hearing Committee – Committee of lawyers who are appointed to three-year terms and can be reappointed once. They serve on a voluntary, unpaid basis. Each of the four districts has Hearing Committees composed of three-member panels. The Committees hear cases and review files concerning attorneys located within that district.

Informal Admonition - Private informal form of discipline given by the Chief Disciplinary Counsel when found that the conduct of a lawyer is improper and in violation of the rules. This is the lowest form of private discipline usually administered for first time minor offenses.

Keller Threshold Question - Based upon the Supreme Court opinion in *Office of Disciplinary Counsel v. Keller*, 509 Pa. 573,506 A.2d 872(1986), in which a standard was enunciated that is to be applied in reinstatement cases whereby the Respondent was disbarred. *Keller* holds that before consideration is given to the attorney's moral qualifications and competency in learning of the law, the Court must first consider whether the conduct for which the Respondent was disbarred was so egregious that the Respondent should not be reinstated under any circumstances. It is a preliminary question which must be addressed prior to hearing evidence of Respondent's fitness to be reinstated from disbarment.

Office of the Secretary - The staff of the Board assigned the powers and duties of the Office of the Secretary and consisting of the Executive Director, Secretary of the Board, Counsel to the Board, Hearing Coordinator and support staff.

Open Proceeding - A disciplinary or reinstatement proceeding open to the public in accordance with [Rule 402\(a\) of the PA Rules of Disciplinary Enforcement](#).

Petition for Discipline - A formal pleading filed by the Office of Disciplinary Counsel with the Disciplinary Board, requesting action by the Board under the Disciplinary Rules and Enforcement Rules. It is similar to a civil complaint.

Petition for Reinstatement and Questionnaire - A formal pleading filed by an attorney seeking reinstatement to the practice of law from inactive status (voluntary or involuntary), retired status, administrative suspension, suspension or disbarment. The questionnaire requests specific information from the attorney which is subsequently used in considering whether or not the Petition should be granted.

Petitioner-attorney - Any attorney subject to these rules who has filed a petition for reinstatement to practice law.

Private Discipline - Includes private reprimand and informal admonition. The public is not privy to the imposition of these types of discipline.

Private Reprimand - Type of discipline given by a three-member panel of the Board. This is usually for minor misconduct or the next level of discipline for an attorney who previously received an informal admonition.

Probation - Type of discipline given by the Supreme Court, which supervision is required by the Board. The attorney is permitted to continue practicing, but is monitored by another attorney or a medical professional for a set period of time.

Prothonotary – The filing office for the Supreme Court of Pennsylvania. Disciplinary Board matters are filed in the Western District office in Pittsburgh.

Public Censure – Public reprimand given by the Supreme Court. This does not limit the attorney's right to practice law.

Public Discipline - Includes public censure, suspension, and disbarment. The imposition of these types of discipline is made public.

Respondent-attorney – Any attorney subject to the rules who is the focus of a disciplinary investigation or proceeding.

Reviewing Hearing Committee Member - A senior or experienced hearing committee member designated under the Board Rules to review the disposition of a complaint recommended by the Office of Disciplinary Counsel.

Suspension – Discipline given by the Supreme Court to an attorney. The attorney may not practice law for a set period of time not to exceed five years. If a suspension is for more than one year, the attorney is required to petition for reinstatement under [Rule 218 of the PA Rules of Disciplinary Enforcement](#).

Temporary Suspension – Interim discipline ordered by the Supreme Court in cases involving criminal convictions, willful failure to comply with subpoenas, and in emergency situations. A final order for a set period of suspension or for disbarment will be entered at a later date.