



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

**July 2021
Newsletter**



From the Chair

As a reminder, all attorneys are required to annually register on or before July 1. For those who have not yet completed registration for this year, you are encouraged to [visit the registration site](#) as soon as possible to avoid the imposition of late payment penalties or, at worst, administrative suspension of your license. As of July 14, 2021, nearly 95% of attorneys have completed their annual registration. *Of note, an attorney's annual registration is considered to be complete only when both the annual registration form is submitted and the appropriate fee is paid.



In an ongoing effort to increase transparency, the Board previously determined that Public Reprimands will continue to be live-streamed. These public proceedings will next take place on July 15, 2021 starting at 9:30 a.m. on the [Disciplinary Board's YouTube page](#). All are invited and encouraged to view the reprimands to better understand the workings of our system of self-regulation.

Continuing with the theme of increased transparency, we recently released an important update to our website. The [Case Research Collection \(CRC\)](#) is a database of concluded proceedings before the Disciplinary Board of the Supreme Court of Pennsylvania, making available case information and documents. All entries in the CRC provide a basic set of information, including keywords, rule violations, and disposition.

Jack P. Goodrich
Board Chair

Annual Attorney Registration

2021-2022 Registration Past Due!

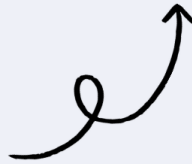


REMINDER!

**Annual
Registration
first late fee
is assessed
after July
16.**



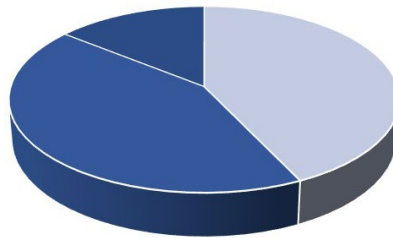
**SECOND \$200 LATE FEE
ASSESSED AFTER
AUGUST 1**



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of the Supreme Court of Pennsylvania

Discipline Imposed

June 2021



- Informal Admonition - 3
- Private Reprimand - 0
- Public Reprimand - 0
- Public Censure - 0
- Probation - 0
- Disability Inactive - 0
- Temporary Suspension - 0
- Suspension - 3
- Disbarment - 1

Suspension

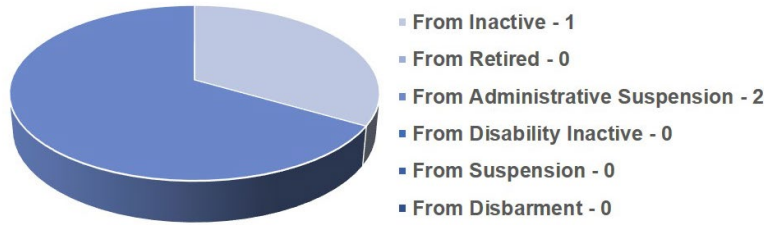
[John William Eddy](#)
[Edward Harrington Heyburn](#)
[Edward C. Meehan, Jr.](#)

Disbarment

[Christopher Allen Boyer](#)

Reinstatement Granted

June 2021



From Inactive

[Mark Eric Mullaney](#)

From Administrative Suspension

[Judy Arline Smith](#)

[Augusta Wilson](#)

Note: The above-listed reinstatements reflect only those granted by Supreme Court Order. An attorney listed above whose current license status does not reflect reinstatement has yet to submit the fees necessary to finalize reinstatement.

Upcoming Public Proceedings

We encourage you to observe our public disciplinary and reinstatement hearings, oral arguments, and public reprimands on the [Board's YouTube channel](#). View "Upcoming Public Proceedings" at the bottom of the Board's home page, www.padisiplinaryboard.org.

July

July 15 - George W. Bills, Jr. - Public Reprimand
 July 15 - Paul Christopher Dougherty - Public Reprimand
 July 15 - Michael B. Howard - Public Reprimand
 July 15 - Shawn Kendricks Page, Sr. - Public Reprimand
 July 15 at **10:15 am** - Robert J. Colaizzi - Oral Argument

August

August 2 - Michael John Pisanchyn, Jr. - Dispositional Hearing
 August 3 - Michael John Pisanchyn, Jr. - Dispositional Hearing
 August 10 - Peter Richard Henninger, Jr. - Disciplinary Hearing
 August 11 - Peter Richard Henninger, Jr. - Disciplinary Hearing

September

September 9 - Anthony M. Crane - Reinstatement Hearing
 September 29 - Erik Benjamin Cherdak - Disciplinary Hearing
 September 30 - Erik Benjamin Cherdak - Disciplinary Hearing

October

October 5 - John Anthony Costalas - Reinstatement Hearing
 October 6 - Joshua M. Briskin - Disciplinary Hearing
 October 13 - Joseph A. Gembala, III - Reinstatement Hearing

November

November 4 - Herbert Karl Sudfeld, Jr. - Reinstatement Hearing

Vacancies

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 vacancies on the following panels:

- [Committee on Rules of Evidence](#) - There are **four** positions available. Applicants should be knowledgeable about the Pennsylvania Rules of Evidence and possess trial court experience.
- [Minor Court Rules Committee](#) - There is **one** position available. Applicants should be knowledgeable about the Pennsylvania Rules of Conduct, Office Standards and Civil Procedure for magisterial district judges and courts, and experienced in magisterial district court practice.

Application Instructions

If you would like to be considered to serve on a board, committee, advisory group, or related independent entity, email the [application](#), cover letter, resume, and other pertinent information expressing your reasons of interest to SCApplications@pacourts.us.

More information may be found on the [Unified Judicial System of Pennsylvania website](#).

Applications are due by July 31, 2021

Disciplinary Board News

Disciplinary Board Releases New Pro Bono Webpage, Encouraging Service to PA Communities

On June 30, the Disciplinary Board released a [new webpage](#) for attorneys, highlighting pro bono resources and opportunities through the Board, the PA IOLTA and CLE Boards, and other legal organizations throughout the commonwealth.

One such opportunity is the Disciplinary Board's emeritus status program offered to retired

Pennsylvania attorneys. Emeritus designation allows registered attorneys on retired status to use their experience and expertise to help provide more equitable access to legal assistance.

The PA IOLTA Board provides critical grant funding to legal aid organizations delivering free civil legal aid to low-income Pennsylvanians facing a legal crisis where a basic human need is at stake. Training and support not typically provided in their regular practice is extended to volunteer attorneys.

In 2019, the PA CLE Board began a three-year pilot program allowing attorneys to receive CLE credit for *pro bono* service completed through Accredited Pro Bono CLE Providers. The Supreme Court of Pennsylvania approved this project in an effort to blend legal education initiatives with much-needed access to legal assistance.

Other resources featured on the webpage connect users to opportunities through the Pennsylvania Legal Aid Network (PLAN), PProbono.net, the PA Bar Association, and the American Bar Association.

The “Pro Bono” webpage presents helpful links, documents, and news items to interested attorneys. Users can also find the [Chief Justice’s letter](#) calling on the legal community to provide pro bono service and greater access to justice for all Pennsylvanians. Interested in learning more about pro bono opportunities? Visit the new “Pro Bono” webpage at padisciplinaryboard.org/for-attorneys/pro-bono.

Case Research Collection: A Quick Tour

By Edwin Frownfelter, Disciplinary Board Newsletter Editor

As the Disciplinary Board prepared to unveil to the bar and the public its new [Case Research Collection](#), I was given access to the system and asked to prepare an article of my impressions. I have long been interested in the availability of past cases for research, so I appreciated the opportunity to take a test drive. I was not involved in the design of the system, so this is a user’s perspective.

The General Search allows three options for searching. If you are looking for a particular case, the first section allows you to search by first, middle, and/or last name, or by county.

Choosing a recent case, I typed “Porsch” into the Last Name field, and the search function popped up two cases for Matthew Porsch, including the 2020 case I was looking for at No. 248 DB 2018. Clicking the “View Case” button goes to the discipline summary, from which you can download the Board Report or the Order/Opinion in PDF. So far, so good.

What if I remembered the respondent’s first name but not the last? I searched for “Matthew” in the First Name field and obtained ten results, including the two I retrieved by the last name search.

Searching by county is also an option. Many years ago I practiced in Franklin and Fulton Counties, so I looked them up. The engine gave me three cases in Franklin and none in Fulton. That’s not to say there has never been a Fulton County disciplinary case. The system only goes back through 2016, when the Board started indexing cases for the system. The system contains over 700 cases.

The second part of the search form allows you to search by rules. First you specify whether you want to search the Rules of Professional Conduct, Rules of Disciplinary Enforcement, or Disciplinary Board Rules and Procedures. Then you identify the rule number and, if you want to be

specific, the section. I searched for cases citing D.Bd. Rule 85.10, the stale matters rule, but 85.10 wasn't included in the dropdown menu under "Select a Rule," so apparently there are no cases citing that rule in the system. Rule 85.13 (failure to verify response) was in the menu, so I tried that, and retrieved two results, both Informal Admonitions.

When you view a result in a case where private discipline was imposed – informal admonition or private reprimand – you are directed to a summary screen that lists the data for the discipline and includes a summary of the facts and violations found, but not the name or identifying information of the attorney. The discipline documents themselves are not available.

The final section of the search screen is for keyword searches. This search is limited to keywords that have been coded into the case by Board staff. It doesn't do Boolean or word searches on the underlying documents, so you will need to choose from the search terms in the dropdown menu. A list of searchable keywords can be found in the collection's [user manual](#). A [video tutorial](#) is also available online for further guidance.

My overall impression is that the Case Research Collection will be a useful research tool for attorneys practicing before the Disciplinary Board. The reach is limited to fairly recent cases, although it will grow with time. Some topics may not be addressed by cases currently in the system. But any lawyer practicing in the field of disciplinary law would be well advised to access the collection and do some practice searching, as someday it may lead you to just the case you need.

The Case Research Collection is currently live at <https://www.padisciplinaryboard.org/cases/case-research-collection>

12 Attorneys Take on Hearing Committee Responsibilities; 44 Attorneys Reappointed

Hearing Committee members perform essential roles in Pennsylvania's disciplinary system, chief among them to review Disciplinary Counsel's recommended dispositions and to conduct hearings into formal charges of attorney misconduct and petitions for reinstatement. These efforts, which include reviewing pleadings and briefs, weighing evidence, and writing reports, are critical to guiding the Board and the Supreme Court in their determinations.

The newly-appointed members below have committed to this substantial service to the legal profession by accepting appointments as Hearing Committee members, effective July 1. Also listed below are current Hearing Committee members who have agreed to extend their tenure by accepting reappointment to an additional three-year term, effective July 1.



2021 HEARING COMMITTEE APPOINTMENTS

NEWLY APPOINTED MEMBERS

DISTRICT I

Harris Bock
Mark Bradley Goodheart*
Kenneth Grunfeld
Damian S. Jackson
Jason Alan Medure*
Michele E. Turner

*Previously served as a
Hearing Committee Member

DISTRICT II

Elizabeth C. Early
Lauren Ashley Hughes
Jimmy C. Chong
Evelyn Rodriguez Devine

DISTRICT III

Paul D. Edger

DISTRICT IV

Ryan D. Very

REAPPOINTED MEMBERS

DISTRICT I

Michael F. Barrett
Butler Buchanan
Timothy W. Callahan, II
Maureen Cassidy
Christopher Fox
Jason Gosselin
Jillian Johnston
Sophia Lee
Nicholas G. Liermann
Mark G. Lionetti
Kevin E. Raphael
Michael T. Scott
Kristin Shicora

DISTRICT II

Robert A. Auclair
Allan D. Goulding, Jr.
Denis Grey
Philip Marsh Hof
Teresa A. Mallon
George Rassias
Donald Spry
Francis J. Sullivan
Hon. Thomas Wallitsch

DISTRICT III

Vincent Cimini
Maria Cognetti
Barry J. Cohen
Daniel Penetar
A. Lisa Pierotti
Timothy P. Polishan
Anthony G. Ross

DISTRICT IV

Charles Avalli
Matthew A. Bole
William Bresnahan
Henry M. Casale
Phillip Ray Earnest
Craig Fishman
Elizabeth Hughes
Thomas McDonnell
Colin Morgan
R. Sean O'Connell
Jason Ott
Bruce Rende
Joseph Romano
Justin Romano
Gina Zumpella



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CDC Corner

Confidentiality in the Attorney Disciplinary System – Part Two

[Last month](#) I described how confidentiality works during the investigative stages of an Office of Disciplinary Counsel (ODC) matter and in cases which result in private discipline. This month I'll explain confidentiality in public discipline matters and some exceptions to the usual rules.

ODC's filing and service of a petition for discipline begin a formal disciplinary proceeding. [Pa.R.D.E. 208\(b\)\(1\)](#). The petition does not become available to the public, however, until the respondent files an answer or the time to answer expires without one being filed. [Pa.R.D.E. 402\(a\)\(1\), \(2\)](#). This allows for a period during which the respondent may resign from the bar without publicly admitting wrongdoing. Any attorney who is the subject of an investigation may resign from the bar at any time, but only by filing a verified statement that, *inter alia*, admits the material facts concerning the misconduct. [Pa.R.D.E. 215\(a\)\(3\), \(4\)](#). If he submits the statement before the time has run to answer a petition for discipline, the statement "shall not be publicly disclosed" (with certain exceptions), although the Supreme Court's order of disbarment is public. [Pa.R.D.E. 215\(c\)](#). Thus, by early resignation, the respondent can avoid public revelation of the alleged misconduct, any admission of wrongdoing, and the public filing of the petition for discipline.

Even once the formal proceeding becomes public, not everything does. As I described [last month](#), the complaint, our investigation, the DB-7 and its answer — the documents and work product generated during the informal proceeding phase — remain confidential, at least from the public at large, unless a document is introduced as an exhibit at the hearing. ODC, Hearing Committee, and Board work product created after public proceedings commence also continue to be confidential. [Pa.R.D.E. 402\(e\)\(1\)](#).

Disciplinary allegations may become public even before the filing of a petition for discipline if we file a petition for emergency temporary suspension under [Pa.R.D.E. 208\(f\)](#). We do this under [Pa.R.D.E. 208\(f\)\(1\)](#) when the facts indicate that the respondent is a threat of ongoing harm, or under [Pa.R.D.E. 208\(f\)\(5\)](#) when the respondent fails to honor document demands or subpoenas. These petitions usually are filed before formal, public proceedings commence. [Pa.R.D.E. 402\(c\)\(3\)](#) presently states that once the Supreme Court enters an order of temporary suspension under [Pa.R.D.E. 208\(f\)\(1\)](#), the proceedings become public. While [Pa.R.D.E. 402\(c\)\(3\)](#) is silent as to [Pa.R.D.E. 208\(f\)\(5\)](#), the Court's practice has been to state in orders under that subsection that the discipline is public under Rule 402's confidentiality provisions. A proposed change to Rule 402 clarifies that orders under both subsections of [Pa.R.D.E. 208\(f\)](#), as well as [Pa.R.D.E. 214\(d\)](#), relating to criminal proceedings, are public. See [51 Pa.B. 2486](#).

There are exceptions going both ways. If after a hearing the Board and Court decide that the petition for discipline should be dismissed or that a private disciplinary sanction should be imposed, all pleadings become confidential. One could say the bell can't be unrung, but the documents no longer are available to the public. [Pa.R.D.E. 402\(k\)](#). Rule 402 permits disclosure of confidential information in certain circumstances to various agencies, including the Judicial Conduct Board, agencies investigating the qualifications of judicial candidates, disciplinary authorities in other jurisdictions, criminal law enforcement, and the Lawyers Fund for Client Security. The Rules also have a catch-all which permits disclosure "to protect the public, the administration of justice, or the legal profession." [Pa.R.D.E. 402\(c\)\(5\)](#).

Finally, there is no expungement in our system. Documents relating to dismissed complaints and private discipline sanctions remain in ODC's and the Executive Office's confidential electronic records indefinitely. See [Pa.R.D.E. 207\(b\)\(5\)](#) and [Pa.D.Bd. Rule § 93.63\(a\)\(5\)](#).

Thomas J. Farrell
Chief Disciplinary Counsel

Pennsylvania Supreme Court Overturns Cosby Conviction

By an [Opinion dated June 30, 2021](#), the Supreme Court of Pennsylvania overturned the conviction of actor and comedian Bill Cosby on charges of indecent assault based on a 2004 incident in his home in Cheltenham, Montgomery County involving former Temple University Director of Basketball Operations Andrea Constand.

The Court reviewed the extensive record of the proceedings and determined that a 2005 decision of former Montgomery County District Attorney Bruce Castor not to prosecute Cosby was binding on his successor in office. Castor stated that he issued a public statement declaring that Cosby would not be prosecuted in order to remove the privilege against self-incrimination, so that Cosby would be compelled to testify in civil proceedings brought by Constand. Cosby gave depositions in the civil case.

Castor's successor in office Risa Vetri Ferman determined she was not bound by Castor's decisions, and filed a new criminal case in which Cosby's civil depositions were admitted into evidence. Cosby was convicted in a second trial after a mistrial, and sentenced to three to ten years in prison. He had served more than two years at the time of the Court's decision.

The Supreme Court decided the case on the issue of whether Castor's public decision not to prosecute was binding on his successor. The opinion, written by Justice David Wecht, found that it was:

[W]e hold that, when a prosecutor makes an unconditional promise of non-prosecution, and when the defendant relies upon that guarantee to the detriment of his constitutional right not to testify, the principle of fundamental fairness ... demands that the promise be enforced. [52]

After an examination of caselaw on the effect of non-prosecution agreements, the Court concluded that:

The law is clear that, based upon their unique role in the criminal justice system, prosecutors generally are bound by their assurances, particularly when defendants rely to their detriment upon those guarantees. [57]

The Court noted that Castor's intent to foreclose Cosby's assertion of the privilege against self-incrimination, along with Cosby's reliance on that result by giving depositions without asserting the privilege, were key facts triggering the due process concerns on which the decision was based.

The Court concluded that the only sufficient remedy was to hold Castor's successor to his decision by vacating Cosby's conviction and barring further prosecution. Justices Todd, Donohue and Mundy joined the opinion. Justice Dougherty filed a [concurring and dissenting opinion](#), joined by Chief Justice Baer, in which he criticized Castor's decision to foreclose prosecution and advocated a remedy of suppressing the depositions in the criminal case, rather than forcing specific performance of the non-prosecution decision. Justice Saylor [dissented](#), arguing that the Court should give more deference to the trial court's findings as to the nature of the non-prosecution decision.

New York Court Suspends Giuliani's License

The Appellate Division of the Supreme Court of New York entered a [disciplinary decision of major consequence](#). In a per curiam [Order issued June 24, 2021](#), the Court granted a motion by the New York Attorney Grievance Commission to temporarily suspend the license of Rudolph W.

Giuliani, former U.S. Attorney, New York City Mayor and presidential candidate, based on numerous statements he made in litigation and public campaigns regarding the outcome of the 2020 presidential election.

The Court noted that “Only uncontroverted claims of professional misconduct may serve as a basis for interim suspension on this motion.” Over the 33 pages of the order, the Court listed numerous statements made by Giuliani both in court proceedings and in public settings such as press conferences, TV programs, and podcasts, in which he made various claims of election fraud which were contradicted by documents and affidavits offered by the AGC. Giuliani did not directly contradict the allegations, but argued that any inaccuracy in his statements was not knowing falsehood, because he relied on various sources including media reports, incorrect research reported to him by interns, and a blog. He did not offer affidavits confirming the sources on which he relied, but cited them in his own affidavit.

The Court rejected Giuliani’s argument that his statements were protected by the First Amendment. Opining that Giuliani’s claims undermined confidence of the public in the integrity of the election, the Court stated that attorneys involved in litigation of issues of public interest are subject to a higher level of scrutiny than other people, even in statements made outside court proceedings. “They are perceived by the public to be in a position of knowledge, and therefore, a crucial source of information and opinion,” wrote the Court, quoting *Gentile v State Bar of Nevada*, 501 US 1030, 1051 (1991).

The suspension of Giuliani’s license is a temporary interim suspension while disciplinary proceedings are pending. He will have the opportunity to present his case in future disciplinary hearings and arguments leading to a final resolution of the case.

Bankruptcy Court: Disbarred Lawyer Can’t Discharge \$1.3 Million Owed to Client Security Fund

[Disbarred California attorney Anthony Kassas](#) owed a pile of money. Kassas was disbarred based on a scheme in which he obtained millions of dollars through mail solicitations falsely stating that he was engaged in litigation against various banks. His disbarment order required Kassas to pay restitution to 56 former clients, in the total amount of \$201,706 plus interest, as well as \$61,112.27 in costs. The California State Bar’s Client Security Fund paid out a total of \$1,367,978.12 to 305 former clients of Kassas. With interest added in, Kassas owed the Client Security Fund \$2,090,096.32.

Kassas filed for bankruptcy seeking to discharge all of these debts. The State Bar conceded that the restitution payments were dischargeable, and Kassas acknowledged that the assessment for costs was not. The parties litigated the question of whether the \$2 million he owed to the Client Security Fund could be discharged. The State Bar argued that the debt’s primary purpose is to punish Kassas by forcing him to confront the magnitude of the harm caused by his actions. Kassas contended that because his reimbursement obligation is calculated by the amount paid to his victims, the State Bar is acting as a conduit to reimburse third parties for actual pecuniary loss, which would be dischargeable.

U.S. Bankruptcy Judge Ernest M. Robles of Los Angeles ruled against Kassas in a [June 14 opinion](#). Noting decisions of the California Supreme Court that the primary purpose of restitution payable to the Client Security Fund is rehabilitative, not compensatory, he found that the duty to reimburse the Client Security Fund was a penalty imposed in furtherance of the State’s interest in punishing and rehabilitating errant attorneys, rather than compensation for actual pecuniary loss. The Court then granted the State judgment finding that the amounts Kassas owed to the Client

Security Fund and for costs of the disciplinary case were non-dischargeable.

Kassas filed a direct appeal of the decision to the 9th U.S. Circuit Court of Appeals at San Francisco.

Texas Supreme Court: Lawyer Statements in Press Release Aren't Protected by Judicial Proceedings Privilege

The Supreme Court of Texas declared in a [May 21 ruling](#) that the absolute privilege for statements made by lawyers in judicial proceedings does not extend to press releases and public statements made in connection with a case.

The Court [revived a defamation lawsuit](#) by a Texas restaurant owner against an attorney for an animal rights organization protesting the treatment of four white Bengal tigers housed at the restaurant.

"Although attorneys often make publicity statements for their clients, wrapping these statements in an absolute privilege would unreasonably shield attorneys from liability for defamatory statements that would be actionable if uttered by anyone other than an attorney," the Court said. "Attorneys who make such statements outside a judicial proceeding have many potential defenses to defamation liability, but the judicial-proceedings privilege and attorney immunity are not among them."

Florida Supreme Court Denies CLE Credit for ABA Programs due to Diversity Policy

The Supreme Court of Florida issued an [order](#) banning continuing legal education credit for programs which use any quotas based on race, ethnicity, gender, religion, national origin, disability, or sexual orientation in the selection of course faculty or participants.

[The order puts Florida into conflict](#) with the American Bar Association's [Diversity & Inclusion CLE Policy](#), which sets forth an expectation that all its sponsored or co-sponsored CLE programs will include members of diverse groups based on race, ethnicity, gender, sexual orientation, gender identity, and disability.

The Florida Bar's CLE approval department determined that under the order, ABA programs not approved prior to April 15, 2021 will be allowed for CLE credit. As of that date, the ABA had 361 programs approved in Florida.

Zoom Follies of the Month: Lawyer Fined for Middle Finger in Zoom Session Says It Was Directed at his Computer

The Michigan Court of Appeals has [fined a lawyer](#) and referred him for possible further discipline after determining he raised his middle finger to an opposing lawyer during recent oral arguments.

Attorney James Heos, of East Lansing, Michigan, acknowledged that he made the gesture, but claimed he did so out of frustration at his blank screen, believing he was not visible to the court and counsel. He walked back an earlier claim that he was "pointing at the screen." He described himself as "technically challenged." He added, "I had a pitching wedge in the corner. I wanted to

pick up that pitching wedge and just break that computer."

The court, after reviewing the recording, didn't buy Heos's explanation, and fined him \$3,000, saying "Mr. Heos exhibited shameful disrespect to the court and to opposing counsel in his offensive gesture and his dishonest replies to the court's inquiries." Heos promptly paid the fine.


Attorney Well-Being

Lawyers Concerned for Lawyers PA & Texas Lawyers' Assistance Program Publish Video Raising Awareness about Mental Health within the Legal Profession

Lawyers are consistently near or at the top of the list of professions with the highest suicide rates. After cancer and heart disease, suicide is the third most common cause of death among attorneys. Research indicates that lawyers are also the "most depressed" of 105 surveyed professions. Despite these facts, few lawyers are educated about depression and suicide prevention.


[Lawyers Concerned for Lawyers of Pennsylvania](#), in collaboration with the [Texas Lawyers' Assistance Program](#), has published an [educational video](#) as part of a national campaign to raise awareness about mental health issues within the legal profession. Through this medium, attorneys share their own stories of struggle with anxiety and depression, and amongst these testimonies are messages of hope. "Getting help is a sign of strength. It is not a showing of weakness," one such attorney stresses.

If you are a member of the legal profession who is struggling with depression, anxiety, or other mental health conditions, help is available. Call LCL's confidential helpline at 1-888-999-1941.



**“Getting help is a
sign of strength.
It is not a showing
of weakness.”**

If you are a member of the legal profession who is struggling with mental health, call the Lawyers Concerned for Lawyers confidential helpline at 1-888-999-1941.



Does the Public Health Crisis Have You Feeling Anxious, Stressed or Depressed ?

Call Now
to learn more about our free services.

LAWYERS CONCERNED FOR LAWYERS
PENNSYLVANIA

100% Confidential Helpline
1-888-999-1941
www.lclpa.org

Peer & staff support, assessment by a qualified healthcare provider, literature, intervention assistance and resources

[Lawyers Concerned for Lawyers](#) (LCL) is a confidential and safe resource for Pennsylvania attorneys and their family members who may be struggling with their mental health or substance use. An astounding one in three legal professionals will face these issues at some point in their career. Since 1988, LCL has confidentially assisted and supported thousands of individuals who have faced a myriad of challenges (including grief, stress, anxiety, depression, eating disorders, gambling problems, problematic alcohol or prescription drug use, etc.), helping them navigate through dark and difficult times. Members of our profession are dying because they are afraid or unable to ask for help. If you or someone you know is struggling, please call us. You may save a life. There is help and there is hope.

[Resource Guide for the Legal Profession During COVID-19](#)

Confidential 24/7 Helpline: 1-888-999-1941

Lawyers-only support meetings

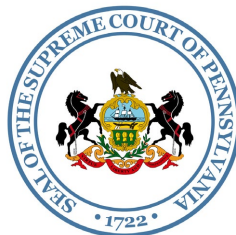
Peer and staff support & resource coordination

LCL resources are free, voluntary, & confidential

Free CLE, resources, and information at www.lclpa.org

Assessment by a healthcare professional to determine a customized treatment plan, if indicated

Around the Court



Juvenile Justice Task Force Task Force Report Highlights Challenges

In December 2019, Governor Tom Wolf, Supreme Court Chief Justice Thomas G. Saylor, and

General Assembly leaders from both houses and parties jointly established the [Pennsylvania Juvenile Justice Task Force](#), charged with conducting a comprehensive, data-driven assessment of Pennsylvania's juvenile justice system, reviewing laws and policies, research about what works to improve outcomes, and input from hundreds of citizens through roundtables, public testimony, and questionnaires provided to nearly 800 judges, probation officers, and district attorneys.

The Task Force delivered its [Final Report and Recommendations](#) in June 2021. It also published an [Executive Summary](#) highlighting its findings and recommendations.

Task Force Key Findings:

- Research shows most youth are not on a path toward adult crime and over-involvement in the system can increase their likelihood of reoffending. Yet most youth in the juvenile justice system have little or no prior history of delinquency, have not committed a felony or a person offense, and do not score as high risk to reoffend.
- Despite its success, diversion is underutilized.
- Young people with low-level cases end up on probation and in residential placement.
- Young people spend years out-of-home and under court supervision, on average.
- Out-of-home placement consumes the vast majority of taxpayer spending - even though services for youth living at home are generally more effective.
- Outcomes for youth show large disparities by race and geography - even for similar behavior.

Task Force Policy Recommendations:

- Strengthen due process and procedural safeguards.
- Employ evidence-based practices at every stage of the juvenile justice process.
- Raise the minimum age for when a youth can be tried in juvenile court.
- Narrow the criteria for trying young people as adults in criminal court.
- Consistently divert young people with low-level cases to community-based interventions in lieu of formal delinquency proceedings.
- Focus the use of pre-adjudication detention.
- Focus the use of residential placement on young people who pose a threat to community safety, and keep youth out-of-home no longer than the timeframe supported by research.
- Reinvest averted costs in non-residential evidence-based practices and increased access to services.
- Prioritize restitution payments to victims and prevent unnecessary system involvement by eliminating the imposition of fines and most court fees and costs.
- Ensure that young people who have completed their obligations to the court are not held back from successful transition into adulthood by records of juvenile justice system involvement.
- Improve oversight to ensure that every young person placed in the custody of the Commonwealth is safe, treated fairly, and receiving a quality education.
- Increase system accountability and address inequities through enhanced data reporting to the public and wider representation on oversight bodies.

From the Pennsylvania Bar Association



Did you know that “nearly 90% of consumers say that a firm must have at least a four-star rating to be hired”? Have you ever wondered if, in a world where online reviews can make or break a small law firm, a lawyer can compensate a client for posting positive online reviews?

Online reputation management, where a lawyer is just one click away from gaining five-star status or becoming radioactive, is often a critical part of a law firm’s marketing and business strategy. Unfortunately, many perils stem from responding to and striking back at clients, not the least of which entail disciplinary action and sanctions by disciplinary authorities.

Online review websites often create a minefield of ethical concerns when the client reviews are less than stellar or downright hostile. Lawyers faced with negative online reviews should pause before firing off a response that may invite scrutiny by the disciplinary authorities. But, lawyers whose present or former clients post negative reviews are not totally without recourse. A well-thought-out and measured response can be accomplished without running afoul of the rules.

For answers and discussions on various opinions and the Rules of Professional Conduct, read [“Negative Online Reviews: Think Twice Before Posting Your Reply”](#) found in the July/August edition of the PBA’s award-winning magazine, *Pennsylvania Lawyer*. The [Pennsylvania Lawyer](#) is a member benefit that delivers informative and educational articles while also providing a forum for comment and discussion. To learn more about the [wide array of benefits](#) offered to PBA members, please [contact PBA](#).

Please note that the Disciplinary Board of the Supreme Court of Pennsylvania and the Pennsylvania Bar Association (PBA) are separate organizations. For more information about PBA, visit their [website](#).

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.

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