



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

February 2022
Newsletter



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From the Chair

As the conclusion of my term as Board Chair nears, I'd like to extend my most sincere congratulations to Jerry M. Lehocky and Dion G. Rassias who, this January, were [appointed](#) by the Supreme Court to be the next Board Chair and Vice-Chair, respectively. I look forward to witnessing the Board's progress and achievements under their skillful leadership. I would also like to congratulate Gretchen A. Mundorff on her [reappointment](#) to the Board for a second term. Thank you, Jerry, Dion, and Gretchen, for your unwavering dedication to our organization's work and mission.



Next month, the Disciplinary Board will celebrate its Golden Anniversary. The Board was established by Supreme Court Order dated March 21, 1972 and has evolved much over the past fifty years. Through weekly mini-newsletters and an exciting social media campaign, we will look back on the Board's history and legacy and anticipate what the future holds for the legal community in Pennsylvania.

To those attorneys looking to become involved in the Board's work across the Commonwealth, consider [applying](#) to serve on our Hearing Committees. Hearing Committee Members play an essential role in Pennsylvania's disciplinary system. I encourage all to learn more about the [duties and expectations](#) of Committee Members through the "Disciplinary Board News" below.

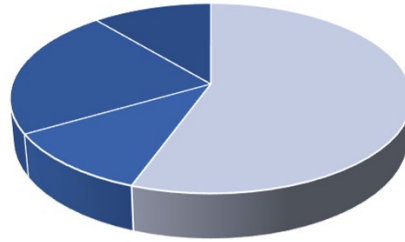
Lastly, set to take effect this July, a Supreme Court [Order](#) recently established guidelines for the creation of a Judicial Ethics Advisory Board. This new organization is designed to guide and educate in the prevention of judicial misconduct, further strengthening the integrity of Pennsylvania's courts. This important step affirms the Supreme Court's commitment to justice for all Pennsylvanians.

Best wishes to all for a safe and healthy month!

Jack P. Goodrich
Board Chair

Discipline Imposed

January 2022



- Informal Admonition - 5
- Private Reprimand - 0
- Public Reprimand - 0
- Public Censure - 0
- Disability Inactive - 0
- Temporary Suspension - 1
- Suspension - 2
- Disbarment - 1

Temporary Suspension

[Stuart Thomas Cottee](#)

Suspension

[Scott Michael Jocken](#)

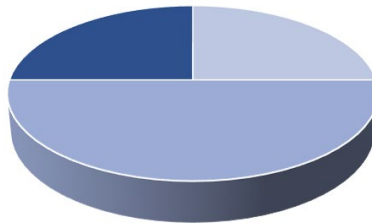
[William H. Lynch Jr.](#)

Disbarment

[Alan Charles Green](#)

Reinstatements

January 2022



- From Inactive - 1
- From Retired - 2
- From Administrative Suspension - 0
- From Disability Inactive - 0
- From Suspension - 0
- From Disbarment - 0
- Reinstatement Denied - 1

From Inactive

[Mary Clare Costello](#)

From Retired

[Martin E. Odstrchel](#)

[Elizabeth Lee Ritter](#)

Reinstatement Denied

[Jay Marc Berger](#)

Note: The above-listed granted reinstatement matters reflect only those granted by Supreme

Court Order. An attorney listed as reinstatement granted, but 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](#). You can also view "Upcoming Public Proceedings" at the bottom of the Board's home page, www.padisiplinaryboard.org.

Scheduled proceedings begin at 9:30 am unless otherwise noted.

February		
February 16 February 17	Marianne Sawicki	Disciplinary Hearing
February 24	Lon VanDusen Hughes	Disciplinary Hearing
March		
March 2	Stephen Paul Hildebrand	Disciplinary Hearing
March 3	Shawn-Ryan White	Disciplinary Hearing
March 4 at 10:00 am	Steven Gaspar Bazil Michael Frederick Fink Todd Joseph Leta Kenneth Scott Saffren Richard G. Scheib William E. Vinsko, Jr. Edward Walter Wertman	Public Reprimand
March 8 March 9	Joshua Lawrence Gayl	Reinstatement Hearing
March 10 at 9:00 am	Jimmie Moore	Oral Argument Before the Supreme Court
March 22 March 23	Christopher Nicholas Urbano	Disciplinary Hearing
March 28	James Harry Turner	Disciplinary Hearing
April		
April 14	Daniel P. Ring	Reinstatement Hearing
April 19	William Jay Gregg	Reinstatement Hearing
April 20	Timothy Nicholas Tomasic	Disciplinary Hearing
April 26	Richard Hulings Luciana	Disciplinary Hearing
May		
May 3 May 4	Victor Mba-Jonas	Reinstatement Hearing
May 11	Joshua M. Briskin	Disciplinary Hearing
May 25	Neil E. Jokelson	Reinstatement Hearing
June		
June 2	Vincent James	Reinstatement Hearing
To Be Scheduled		
Matthew J. Reusing, Jr. – Reinstatement Hearing		

Disciplinary Board of the Supreme Court of Pennsylvania Announces New Leadership

The Disciplinary Board of the Supreme Court of Pennsylvania has [appointed](#) Jerry Lehocky as Board Chair and Dion Rassias as Vice-Chair, effective April 1, 2022. The following year, Dion Rassias will assume the role of Board Chair and former Sen. John C. Rafferty, Jr. will be appointed Vice-Chair, effective April 1, 2023.

Jerry M. Lehocky

Philadelphia attorney Jerry M. Lehocky was first appointed to the Board in February 2018 and was reappointed in December 2020. Mr. Lehocky previously served the Disciplinary Board as a Hearing Committee Member from 2000-2006, 2008-2014, and 2016-2018.



A founding partner of Pond Lehocky Stern Giordano, Mr. Lehocky has litigated workers' compensation and Social Security since being admitted to practice in 1985. Initially, his practice involved representing employers and insurance companies, but in 1991, Mr. Lehocky began representing claimants exclusively.

Dion G. Rassias

Philadelphia trial lawyer Dion G. Rassias was first appointed to the Board in April 2018 and was reappointed in February 2021. Mr. Rassias previously served as a Hearing Committee Member from 2010-2016.



Mr. Rassias is a trial lawyer with the Philadelphia law firm, The Beasley Firm LLC. He is admitted to practice in the bars of Pennsylvania, Delaware, Massachusetts, New Jersey, New York, the District of Columbia, the United States Supreme Court, the United States Court of Claims, and the numerous corresponding Federal Courts in the states where he is admitted.

John C. Rafferty, Jr.

Former Senator John C. Rafferty, Jr. was first appointed to the Board in February 2019 and was reappointed in October 2021.



Prior to his appointment to the Disciplinary Board, Sen. Rafferty served the 44th Senatorial District which included Berks, Chester and Montgomery counties. Since leaving the Senate after serving four terms, he re-joined the firm Hamburg, Rubin, Mullin, Maxwell & Lupin, PC in an Of Counsel capacity.

[Read more...](#)

Gretchen A. Mundorff Reappointed as Disciplinary Board Member

Gretchen A. Mundorff has been [reappointed](#) as a member of the Disciplinary Board of the Supreme Court of Pennsylvania effective April 1, 2022.



First appointed to the Board in March 2019, Ms. Mundorff's reappointment means she will serve on the Disciplinary Board until April 1, 2025.

Ms. Mundorff is a founding partner of the Connellsville, Pennsylvania law firm

of Watson Mundorff LLP where she concentrates her general civil practice in personal injury, family law, and municipal law. [Read more...](#)

Interested in Becoming a Hearing Committee Member?

Annually, the Disciplinary Board is tasked with the appointment of Hearing Committee members. Duties of Hearing Committee members include reviewing the recommended disposition of complaints as offered by the Office of Disciplinary Counsel; conducting disciplinary and reinstatement hearings, either as a three-member panel or single designated member; and preparing a written report and recommendation to the Board following disciplinary and reinstatement proceedings. The Disciplinary 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. For Hearing Committee member positions, the Board ordinarily considers applicants with at least seven years of relevant experience.

Applicants are required to:

- be a member in good standing of the Pennsylvania bar;
- maintain an office for the practice of law within Pennsylvania;
- be willing to participate in in-person disciplinary and reinstatement proceedings; and
- be fully-vaccinated against COVID-19.

Please review the [Hearing Committee Member Duties](#) for more information and [apply](#) today!

**HEARING COMMITTEE
APPLICATION**

Learn more today.
Applications are due March 11, 2022.

 THE DISCIPLINARY BOARD
OF THE STATE BAR OF PENNSYLVANIA

Rules

Disciplinary Board Proposes Amendment of Temporary Suspension Rule

The Disciplinary Board has issued a Notice of Proposed Rulemaking setting forth amendments to Rule 208(f) of the [Pennsylvania Rules of Disciplinary Enforcement](#), pertaining to emergency temporary suspension and related relief. The rulemaking is published at [52 Pa.B. 965 \(2/12/2022\)](#).

The amendment would allow Disciplinary Counsel to file a request with the Supreme Court that a

rule to show cause (RTSC) be issued requiring an attorney who has been on temporary suspension for two years or more and who has committed certain enumerated conduct to show cause why the attorney should not be disbarred.

The amendment places the burden on Disciplinary Counsel to show that the grounds specified in the rule exist, but the issuance of the RTSC shifts the burden to the respondent-attorney to show why disbarment is not warranted.

Causes supporting issuance of a RTSC are:

1. The respondent-attorney has not complied with conditions imposed in the order of temporary suspension or with the requirements of Enforcement Rule 217;
2. The order of temporary suspension was based, in whole or in part, on the respondent-attorney's failure to provide information or records, and the respondent-attorney has not provided the information or records, or otherwise cured the deficiency;
3. The respondent-attorney has engaged in post-suspension conduct that materially delays or obstructs the investigation of the misconduct;
4. The respondent-attorney's whereabouts are unknown and Disciplinary Counsel has been unable after reasonable effort to make contact;
5. A conservatorship of the affairs of the respondent-attorney has been appointed pursuant to Enforcement Rule 321; or
6. The respondent-attorney has not participated in proceedings before the Pennsylvania Lawyers Fund for Client Security in which an adjudicated claim has resulted in an award.

Comments may be submitted on or before March 14, 2022 to:

The Disciplinary Board of the Supreme Court of Pennsylvania
601 Commonwealth Avenue, Suite 5600
PO Box 62625
Harrisburg, PA 17106-2625
Fax: (717) 231-3381
Email address: DBoard.Comments@pacourts.us

Disciplinary Board Proposes Significant Amendments to Enforcement Rules

The Disciplinary Board has issued a proposed rulemaking which provides for numerous changes to the [Pennsylvania Rules of Disciplinary Enforcement](#). The rulemaking is published at [52 Pa.B. 942 \(2/12/2022\)](#).

Pa.R.D.E. 219: The heart of the proposed rulemaking is a complete rewriting of [Pa.R.D.E. 219](#), currently titled "Annual registration of attorneys." The title is changed to "Annual registration and assessment. Administrative suspension. Administrative changes in status" to more accurately reflect the scope of the rule. Subdivisions (a) through (g) govern the registration process and the consequences of an attorney's failure to complete registration.

- Subdivision (a) sets forth the registration period and specifies which license statuses are required to register and which license statuses are exempt.
- Subdivision (b) sets forth the requirement to pay the annual assessment, how it is to be paid, and the amount for active status, inactive status, and limited licenses. The Note informs how the total assessment is apportioned among the Board, IOLTA Board, and Pennsylvania Lawyers Fund for Client Security.
- Subdivision (c) sets forth the requirement to electronically file an annual registration form and further provides for exemptions to allow a paper filing.

- Paragraphs (c)(1)(i) – (vii) set forth the information required to be provided by the attorney on the registration form. Proposed paragraph (c)(1)(vi) contains a new requirement that the attorney identify the professional liability insurance carrier.
- New Paragraph (c)(4) requires every attorney, regardless of registration status, to provide contact information to the Attorney Registration Office (ARO) and update the information within 30 days of any change. This includes attorneys who cannot or are not required to annually register, such as disbarred, suspended, administratively suspended, and retired attorneys.
- Subdivision (d) provides that the ARO will issue a license card or certificate to acknowledge completion of registration and payment of the annual assessment.
- Subdivision (e) addresses incomplete registration.
- Subdivision (f) addresses late payment penalties and collection fees, and sets forth the dates when such are assessed.
- Subdivision (g) governs administrative suspension, which is the result of failure to comply with the registration, CLE, or costs and fees requirements. This subdivision also addresses notice to the attorney of the order of administrative suspension and the restrictions on an attorney's practice during the time that the attorney fails to satisfy the deficiency that led to the administrative suspension.
- Subdivisions (h) and (i) govern administrative status and set forth the requirements necessary for an attorney to assume a different status.
- Subdivision (j) governs status changes for judges who sit on courts as specified under the rule and who are assigned "judge status" by the ARO.

The proposed rulemaking sets forth amendments to several other Rules of Disciplinary Enforcement as well. Many of these are designed to conform to the amendments to Pa.R.D.E. 219, but some are substantive changes. Amendments of note include the following.

Pa.R.D.E. 102: Under [Pa.R.D.E. 102. Definitions](#), new definitions will be added for several statuses, including Active, Disability inactive, Disbarment, Emeritus, Inactive, Judge, Permanent resignation, Retired, and Suspension. The definitions also state whether an attorney on the status is eligible to practice,¹ and in some cases what the expectations for return to active status are. Several other Rules are amended to add reference to some of these statuses.

Pa.R.D.E. 205: An amendment to [Pa.R.D.E. 205. the Disciplinary Board of the Supreme Court of Pennsylvania](#), enumerates three additional powers and duties of the Disciplinary Board, relating to collection of expenses of investigation and prosecution, late penalties and administrative fees, reinstatement fees, and collection fees arising from disciplinary actions. These powers currently exist and are set forth in various Enforcement Rules, but the amendment consolidates them within subdivision (c).

Pa.R.D.E. 221: The proposal amends [Pa.R.D.E. 221. Funds of clients and third persons -- Mandatory overdraft notification](#), by adding a new subdivision (q) setting forth the financial accounts and information required to be listed on the annual registration form filed by attorneys. This information is required under current Pa.R.D.E. 219(d)(1)(iii) – (v), but was moved to Pa.R.D.E. 221 for brevity and clarity. The proposed revision of Pa.R.D.E. 219(c)(1)(iii) sets forth that financial accounts and information must be provided on the registration form and directs the reader to new Pa.R.D.E. 221(q) to obtain the specifics of the required financial information.

Comments may be submitted on or before March 18, 2022 to:

The Disciplinary Board of the Supreme Court of Pennsylvania
 601 Commonwealth Avenue, Suite 5600
 PO Box 62625

¹ Spoiler alert: only those on active and in some cases emeritus status are eligible to practice.

CDC Corner

Pro Bono Legal Services

The Rules of Professional Conduct urge lawyers to “render public interest legal service.” See [RPC 6.1](#). While this rule is “not intended to be enforced through the disciplinary process,” it is of the highest importance. One of Chief Justice Baer’s first actions upon becoming Chief was to [write the bar and urge all lawyers to commit to public interest legal service](#).

The need is great. Many nations, such as the United Kingdom, recognize a right to government-funded legal services even in civil cases. We don’t, and as a result, our [rank in access to justice surveys](#) is lower-tier. See also Latham & Watkins, LLP, [A Survey of Pro Bono Practices and Opportunities in 84 Jurisdictions](#), pgs. 690-91 (2016). While pro bono service alone cannot close the gap between need and representation, it can help. In addition, pro bono service enhances the reputation of our profession and facilitates the functioning of our legal system; representation by professionals who know the rules expedites litigation and transactions.

Pro bono representation can be valuable and rewarding, but also challenging. Some guidance:

Keep in mind that all the rules of professional conduct apply to your pro bono clients. Their cases may be complex and in areas of the law where you do not usually practice. You must attain and display competence in that area. See [RPC 1.1](#). You should provide the client with an engagement letter to define the scope of your representation and responsibility for costs. See [RPC 1.2\(c\)](#) & [comment \[6\]](#); [1.5\(b\)](#). The conflict rules apply to pro bono work as to any other. See [RPC 1.7](#), [1.8](#). [RPC 1.4\(c\)](#) requires that you carry malpractice insurance or inform the client that you don’t. While most lawyers have insurance, many government lawyers do not because they do not have private clients. Both the federal and state government encourage public lawyers to do pro bono work, but government lawyers should be careful, for their own protection, to work with an organization or program which will provide the insurance.

Lawyers who may have conflicts in doing pro bono work (such as government lawyers who work in the court system) or even those who just want a break from lawyering while helping the community can explore the options suggested in [RPC 6.1](#): “service in activities for improving the law, the legal system or the legal profession, and by financial support for organizations that provide legal services to persons of limited means.” Even in non-representation service on nonprofit boards and community organizations, you will find that your lawyering skills are useful: negotiation savvy, the ability to navigate crises, and the knowledge to spot legal issues and advise that a specialist in that area be consulted.

The Disciplinary Board website has a [dedicated page linking to resources](#) where lawyers can find opportunities for pro bono service. The list is far from exhaustive: you can mold pro bono service to match your personal values in representing whichever individuals or causes you deem worthy.

Pro bono service is the least we can do to repay society for the generous (to lawyers) monopoly

that professional licensure confers. Sometimes the obligations of our profession impose a hermitic isolation and narrow our perspective. Pro bono service can make us better lawyers and, to invoke an anachronism for lawyers' special status, "statesmen" by opening our minds to the voices and needs of people different from us and from our usual clients, people who face and prevail against challenges beyond our experience and imagination.

Thomas J. Farrell
Chief Disciplinary Counsel

Articles of Interest

Lawyer Convicted of Stalking Suspended for Three Years

By [Order](#) dated January 6, 2022, the Supreme Court adopted the recommendation of the Disciplinary Board and suspended Chester County lawyer William H. Lynch, Jr., for a period of three years. The suspension was based on Lynch's conviction of the offense of Stalking in violation of [18 Pa.C.S.A. §2709.1\(a\)\(2\)](#), a misdemeanor of the third degree.

Lynch's conviction stemmed from a pattern of behavior toward a woman he met and began seeing on social terms. After a month of telephone and text communications and a few in-person meetings, Lynch began to pressure the woman into a romantic and sexual relationship, but she declined and expressed a preference to remain friends. At that point Lynch escalated his communications with over 90 sexually explicit, derogatory, and profane text messages over the course of a few days. He then threatened to use his status as an attorney against her, threatening to file a legal action and to make complaints to the police, and sending her a "spoliation" letter. He did attempt to file three criminal complaints against her. He appeared at her workplace. Finally, he reminded her he had weapons available to him, which caused her to feel threatened with violence. He appeared at the Harrisburg office of the Attorney General of Pennsylvania to file complaints against the Attorney General and former Governor, and behaved in a "loud, obnoxious, and very vulgar" way that caused the agent taking the complaint to hear he would attack the Attorney General.

Lynch's victim filed a complaint with the police, and he was arrested the same day. He was freed on bail, with the condition that he have no contact with his victim. Nonetheless, Lynch sent her a card demanding that she meet with him to return gifts he had given her and attempted to telephone her in violation of the conditions of his bail.

Lynch was charged with three criminal counts, and pleaded guilty to one count of stalking. He was sentenced to two days to 23 months incarceration, and required to undergo a mental health evaluation. After two days in prison, he was paroled on 23 months probation and required to undergo an anger management/domestic violence program. He was placed on temporary suspension after his conviction.

At his disciplinary hearing, Lynch testified that he felt remorse over his actions. However, he spoke entirely in terms of the adverse impact the conviction and suspension had on his own life. The Hearing Committee found that his statements did not express contrition nor acknowledge the suffering his conduct caused to the victim, and concluded that Lynch's remorse and apology were not genuine. The Hearing Committee recommended a suspension for one year and one day, retroactive to his temporary suspension.

However, on review the Disciplinary Board saw the matter as more serious. It viewed his failure to

express remorse and recognition of the harm he caused as aggravating factors, along with his use of his status as an attorney to escalate the fear caused in his victim. The Board viewed his prior record of no discipline, character testimony from fellow lawyers, and his rehabilitative work with a psychiatrist and counselor following his conviction as mitigating factors. After examining several prior cases of lawyers who engaged in domestic violence and harassment, the Board concluded that a suspension for three years, not retroactive, was appropriate discipline. The Supreme Court agreed with the Board's recommendation and imposed a three-year suspension.

Reprimand of Lawyer with over \$500,000 in Student Debt Vacated Due to Financial Hardship

A New York lawyer was able to convince a Federal appeals court to vacate a reprimand it issued to her, based on her financial condition, including over half a million dollars in student loans.

In an [Order](#) issued December 3, 2021, the United States Court of Appeals for the Seventh Circuit reprimanded Farva Jafri, counsel for the appellant, for failing to appear for an oral argument on the case. The case settled shortly before a scheduled oral argument, but court officials told Jafri that unless a motion to dismiss agreed to by all the parties was granted, the oral argument would still be held. Jafri filed a late motion, but it was not signed by counsel for the appellee, nor did it mention costs or other terms agreed by the parties. The Court did not grant the motion, and only counsel for the appellee appeared for the argument. The Court issued a rule to show cause why Jafri should not receive discipline, and her response was unsatisfactory to the Court, and so it issued the order reprimanding Jafri.

Jafri filed a [motion for reconsideration](#), arguing that she was an inexperienced lawyer with only two years in the practice of law, and that expecting her to travel to Chicago to appear at the argument caused financial hardship and penalized those with few resources. Jafri argued that neither she nor her client could afford the travel expense, citing in part her student loan balance of \$543,200. She stated that an ethics lawyer she consulted after the reprimand advised her to stop taking indigent clients, and that the reprimand operated to discourage young lawyers from taking pro bono cases.

On reconsideration, the Court entered a brief [Order](#) vacating the reprimand "in light of the information provided in Farva Jafri's request for reconsideration."

"Nirvana Baby" Given One Last Chance to Chase that Dollar

It must be tough, knowing that one's greatest moment of fame occurred when one was four months old. But Spencer Elden, now 30, seems to have a love-hate relationship with his status as the [naked baby in a swimming pool](#), chasing a dollar bill on a fishhook in the famous cover of Nirvana's 1991 album *Nevermind*.

In a 2015 interview, Elden seemed pleased with his celebrity status, saying, "It's only opened doors for me and been a really positive, fun experience." Over the years he has reenacted the scene for money, sold autographed album covers on eBay, and even had "Nevermind" tattooed across his chest.

In August 2021, however, Elden [filed a lawsuit](#) against the estate of Kurt Cobain, the surviving members of Nirvana, the photographer, and others, alleging that the photo was "child pornography," exploitation and invasion of privacy. He sought damages of \$150,000 from each of

the ten defendants, for a total of \$1.5 million.

The defendants filed a motion to dismiss, arguing among other claims that the action was time-barred. When counsel for Elden failed to file a response, U.S. District Judge Fernando M. Olguin of the Central District of California entered an [Order](#) dismissing the action with leave to amend. The order gave counsel for Elden until January 13, 2022 to file an amended complaint addressing the defendants' arguments.

On January 13, 2022, Elden's counsel filed an [amended complaint](#), seeking \$150,000 each from an expanded pool of defendants.

Attorney Well-Being

Psychology Professor Recommends: Cultivate Optimism

A psychology professor at the University of Pennsylvania and former president of the American Psychological Association has some free advice for lawyers to combat depression and get better results: cultivate optimism.

Professor Martin Seligman, [giving the keynote speech at the inaugural virtual conference of the Institute for Well-Being in Law](#), noted that lawyers are trained to anticipate unexpected adverse developments and worst-case scenarios. However, this job skill sometimes develops into a general pessimism, which can carry over into the lawyer's personal life, causing problems such as high rates of depression, burnout, alcoholism, and divorce.

Seligman defined optimism as the belief that one can make a positive difference in the world now and well into the future. He argued that lawyers often need to make a deliberate effort to move past their natural tendency to pessimism and cultivate an attitude of optimism. "Optimism is what causes perseverance," Seligman said. "When you are optimistic, you keep going in the face of obstacles."

Seligman states that optimism is an important safeguard against depression, as optimistic people think of the bad events as temporary rather than permanent, and believe they can do something about bad events, as opposed to believing they're helpless.

Seligman identifies five pillars to his theory of optimism, which he memorializes as PERMA -- Positive emotion, Engagement, Relationships, Meaning, and Accomplishment.

"Meaning," as Seligman uses the term, is a sense that a person is a part of something larger, and that her or his actions contribute to a greater cause. "Being attached to law and the rule of law is to be attached to something much larger than the individual, something right at the heart of human progress," he said. "The profession of law happens to be just about as meaningful a profession as exists."

LAWYERS CONCERNED FOR LAWYERS
— PENNSYLVANIA —

If you or someone you care about is in distress because of alcohol, drugs, depression, anxiety, stress, gambling, or other mental health issues, LCL can help.

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[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



Pennsylvania Supreme Court Creates New Ethics Advisory System for Judges

By [Order](#) dated January 14, 2022, the Supreme Court of Pennsylvania adopted [rules](#) creating the new [Judicial Ethics Advisory Board](#) (JEAB), consolidating its ethics advisory services into a single

entity available to all levels of the Pennsylvania judiciary. The JEAB will provide ethics advisory opinions upon request of any judicial officer or judicial candidate.

Previously, different advisory committees provided advice to common pleas court judges and magisterial district judges. The new JEAB will integrate advisory services to all Pennsylvania judges. Membership will include appellate, common pleas, and magisterial judges, and also an attorney member who is not a judge. All members will undergo specialized ethics training before beginning their service. The JEAB will have permanent staff as well.

In addition to its advisory function, the JEAB will develop an accessible database of advisory opinions and general guidance for research and reference.

Rule 206 of the new [Rules of the Judiciary Ethics Advisory Board](#) creates “Rules of Reliance” which provide support to judicial officials and candidates who rely on the advice or general guidance of the JEAB. It states, “Where a judicial officer complies with Advice that is subsequently adopted as a Board Opinion, such compliance shall be entitled to substantial weight in determining whether discipline should be recommended or imposed.” The same principle applies to reliance on the JEAB’s published General Guidance. It does not, however, extend to informal discussions with JEAB members or staff.

Speaking about the new JEAB, Chief Justice Max Baer of the Supreme Court said, “While our current judicial ethics system has served the judiciary well to this point, the multiple board structure is an outlier when compared to other states and the federal system. The new, single advisory board structure will afford significant improvement and provide consistency and transparency.”



Pennsylvania Judicial Conduct Board Appoints New Chief Counsel and Deputy Chief Counsel

The [Pennsylvania Judicial Conduct Board](#) (JCB) has named Francis J. Puskas, II, Esquire, of Lebanon, to the position of Chief Counsel, and Melissa L. Norton, Esquire, of Lancaster, to the position of Deputy Chief Counsel effective upon the departure of Richard W. Long, Esquire, the current Chief Counsel. Mr. Puskas succeeds Mr. Long, who resigned from the JCB at the close of business on February 4, 2022 to join a statewide professional association as General Counsel. Mr. Puskas currently serves as the Deputy Chief Counsel to the JCB. As Chief Counsel, Mr. Puskas will lead the independent judicial agency, which includes a talented team of attorneys, investigators, and support staff based in the Pennsylvania Judicial Center in Harrisburg. Ms. Norton currently serves as Deputy Counsel to the JCB and will fill the vacancy of Deputy Chief Counsel created upon the appointment of Mr. Puskas to Chief Counsel.

Mr. Puskas has served as counsel to the JCB since 2002 and as its Deputy Chief Counsel since 2005. Prior to working for the JCB, Mr. Puskas served as an Assistant District Attorney in Warren County, Pennsylvania, and as Deputy Attorney General in the Pennsylvania Office of Attorney General. He also served as an associate attorney with the law firm Fox and Fox in Norristown,

Pennsylvania.

Ms. Norton began her service with the JCB in 2016 as Assistant Counsel and was promoted to Deputy Counsel in 2018. Prior to joining the JCB, she served as an Assistant District Attorney in Northumberland County for 25 years, followed by several years as an Assistant Public Defender in Northumberland and Lancaster Counties.

The Judicial Conduct Board is an independent body of Pennsylvania citizens that comprises three judges, three attorneys, and six non-lawyer electors. Half of the Judicial Conduct Board members are appointed by the Governor and half by the Supreme Court. The members serve four-year terms, without pay, and no more than half of its appointed members may be from the same political party. [Read More...](#)

From the Pennsylvania Bar Association



Growing in Leadership through the PBA

Bar association membership provides a variety of opportunities to elevate and grow as a lawyer and as a human being. If one of your professional (or personal) goals for 2022 is to improve upon your leadership skills, the Pennsylvania Bar Association (PBA) invites you to become more engaged in PBA [Committees](#) and [Sections](#), the [Women in the Profession Commission](#), the [Young Lawyers Division](#), and any number of other groups of lawyers working to improve the practice of law and quality of life in Pennsylvania.

The PBA is also committed to investing in the leadership potential of young lawyers through the [Bar Leadership Institute](#). If you enjoy writing or teaching, talk to the PBA about sharing your expertise and experience to inspire excellence in others through quality CLE programs and professional publications. The PBA provides the tools, resources, and opportunities to grow your career and enhance your quality of life.

Learn more about [about the 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 are our original source, there may be a hat tip in it for you.

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