



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

October 2023
Newsletter



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From the Chair

As I approach the mid-year mark of my final year of service to the Disciplinary Board, I do so with a renewed vigor, proud of the work we have completed and driven to finish our remaining tasks. Education and transparency have been the focus of my time as Chair, and this month's message continues with that emphasis. We have covered a lot of ground to date in my prior messages, and now I turn to a specific topic that is often raised in casual discussions about the Disciplinary Board with other lawyers. It concerns the serious matter of the duty to self-report.



Through past editions of this publication, the Disciplinary Board's Chief Disciplinary Counsel and Deputy Chief Disciplinary Counsel have emphasized the responsibility of both [lawyers](#) and [judges](#), respectively, to report suspected attorney misconduct. This month, however, I want to highlight the equally important, yet extremely difficult, responsibility of a lawyer's duty to self-report.

[Pennsylvania Rule of Disciplinary Enforcement \("Pa.R.D.E."\) 214\(a\)](#) addresses an attorney's obligation to self-report a criminal conviction within twenty days to the Office of Disciplinary Counsel. It is important to note that the attorney's responsibility under the rule does not abate because the conviction is under appeal or that an appeal is being contemplated. Further, an attorney should not assume that his or her obligation to report is satisfied if the clerk of court transmits the notice of conviction to Disciplinary Counsel. The attorney must always report the criminal conviction if required to do so under Rule 214.

What types of criminal convictions must be reported? Pa.R.D.E. 214(h) provides that the term "crime" means an offense that is punishable by imprisonment in the jurisdiction of conviction whether or not a sentence of imprisonment is actually imposed. Furthermore, the term "crime" includes DUI convictions and criminal contempt whether direct or indirect and without regard to the sentence that may be imposed or is actually imposed. However, "crime" does not include parking violations or summary offenses, both traffic and non-traffic, unless a term of imprisonment is actually imposed. The rule does not limit the criminal conduct to Pennsylvania convictions; the crime can take place anywhere.

Many Pennsylvania lawyers are admitted in other jurisdictions. [Pa.R.D.E. 216\(e\)](#) addresses the duty to self-report to our Board within twenty days of the imposition of discipline (suspension, disbarment, or revocation of license), resignation while under disciplinary investigation, and transfer to disability inactive status in those jurisdictions.

Communicating the information required under Rules 214 and 216 is simple. The Board's website contains the [contact information](#) for the Board's Executive Office, Office of Chief Disciplinary Counsel, and the four District Offices.

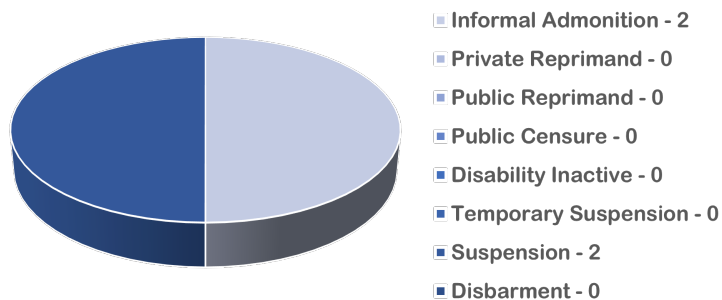
Why it is important to self-report? Besides being an ethical obligation, there are benefits to self-reporting. The early admission of wrongdoing and cooperation with the Office of Disciplinary Counsel (ODC) often leads to mitigation of punishment in disciplinary proceedings should the situation so require. Conversely, the failure to report a conviction, accept responsibility, and cooperate with ODC all may be used as aggravating factors in the determination of appropriate attorney discipline. I encourage all Pennsylvania lawyers to familiarize themselves with these rules for their benefit and the benefit of our colleagues who may need assistance.

Thank you for reading and enjoy the beauty of our state's unique fall surroundings. And again, let us continue to look out for one another and remember that the Disciplinary Board is here to help, not hurt, Pennsylvania lawyers.

Dion G. Rassias
Board Chair

Discipline Imposed

September 2023



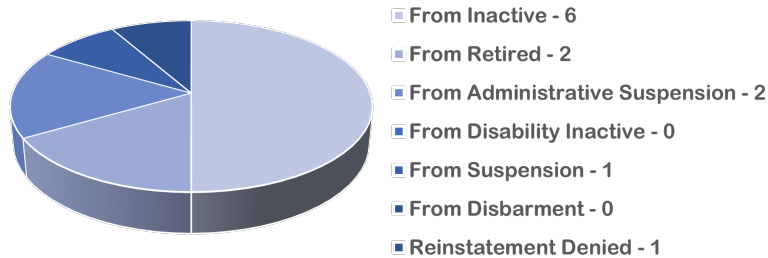
Suspension

[John William Eddy](#)

[Delphine Lara Farr](#)

Reinstatements

September 2023



From Inactive

[Allan William Brown](#)
[Alene Nicole Friant](#)
[Sheri Lynn Geis](#)
[Anicia Marie Ogonosky-Gau](#)
[David N. Salkin](#)
[Eric K. Senn](#)

From Retired

[Alison Hart Brafman](#)
[Lili Ann Hagenbuch](#)

From Administrative Suspension

[Andrea Bethany Korb](#)
[Brenda Alexandria McClaney Wise](#)

From Suspension

[Joseph Vaccaro](#)

Reinstatement Denied

[Craig B. Sokolow](#)

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.

Disciplinary Board News

Connect to Pro Bono Opportunities and Resources Through the Disciplinary Board's Pro Bono Webpage

In 2021, 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.

The Disciplinary Board's [Emeritus status](#) program is 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.

Via the PA CLE Board, attorneys can 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 Chief Justice Debra Todd's May 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 Board's "Pro Bono" webpage at padisciplinaryboard.org/for-attorneys/pro-bono.

2023-2024 Annual Attorney Registration Summary

Annual Attorney Registration opened on May 1st to over 75,200 attorneys who were eligible (and required) to complete annual registration by July 1st. By the July 1st deadline, nearly 88% of attorneys had completed their registration. Prior to the assessment of the first late fee on July 17th, nearly 97% of attorneys had complied. Prior to the assessment of the second late fee on August 2nd, over 98% of attorneys had completed the registration process.

Throughout the registration season, numerous email reminders are sent to attorneys with an outstanding requirement at the time of email distribution. These reminder emails (sent from PAAttorneyRegistration@pacourts.us) continue to be sent until an attorney's registration is complete or until the Supreme Court Order for Administrative Suspension is effective. Emails are sent to various groupings, including:

- all attorneys whose registration is incomplete;
- attorneys who chose to create a mail-in payment voucher, but payment has not yet been received; and
- attorneys admitted to the Pennsylvania bar during the previous registration year (first timers).

Because communications regarding the registration requirement are only sent electronically, it is crucial that all Pennsylvania attorneys ensure that [current contact information](#) is on file with the Disciplinary Board.

On August 9th, a Supreme Court Order was issued for Administrative Suspension of the remaining noncompliant attorneys. Prior to the effective date of the Order, attorneys can complete their registration and thus be removed from the list of those to be administratively suspended. On September 8, 2023, the remaining 328 unregistered attorneys were administratively suspended for continued failure to comply.

Thank you to all the attorneys who registered timely this year!

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](#).

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

<i>October</i>		
October 19 at 10:45 am	John McDanel Mark Steven Pearlstein Tiarra Taylor	Public Reprimand
<i>November</i>		
November 6	Robert Philip Tuerk	Reinstatement Hearing
November 8 November 9	Laura Testa Musi	Consolidated Disciplinary & Reinstatement Hearing
November 16 November 17	J. Michael Farrell	Reinstatement Hearing
November 20 November 21	Thomas Gregory G. Coppolo	Disciplinary Hearing
November 28	Shelley L. Fant	Disciplinary Hearing
November 29	George Paul Chada (cont.)	Disciplinary Hearing
<i>December</i>		
December 6 December 7	Kelton Merrill Burgess	Disciplinary Hearing
<i>To Be Scheduled</i>		
Patrick C. Carey – Disciplinary 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:

[Criminal Procedural Rules Committee](#) – Applicants should be knowledgeable about the Pennsylvania Rules of Criminal Procedure and experienced in state criminal practice in Pennsylvania.

[Orphans' Court Procedural Rules Committee](#) – Applicants should be knowledgeable about the Pennsylvania Orphans' Court Rules and experienced in Orphans' court practice in Pennsylvania.

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 Tuesday, October 31, 2023.

Articles of Interest

ABA Ethics Opinion Offers Advice on Preparing Witnesses

The American Bar Association's Standing Committee on Ethics and Professional Responsibility has issued a formal ethics opinion providing guidance to lawyers on "The Ethics of Witness Preparation". [Formal Opinion 508](#) was published August 5, 2023.

The opinion begins, "The distinction between legitimate witness preparation and guidance versus unethical efforts to influence witness testimony, a practice sometimes known as coaching, horseshedding, woodshedding, or sandpapering, can be ambiguous owing in large part to the concurrent ethical duties to diligently and competently represent the client and to refrain from improperly influencing witnesses." (We confess we have never heard the terms "horseshedding", "woodshedding", or "sandpapering", but we wish we had.) The Committee notes that ethical issues in witness preparation have become more critical in a time when many proceedings are conducted by remote technology.

The Committee lists several witness preparation activities that are proper and integral to thorough and effective trial preparation:

- remind the witness that he or she will be under oath;
- emphasize the importance of telling the truth;
- explain that telling the truth can include a truthful answer of "I do not recall";
- explain case strategy and procedure, including the nature of the testimonial process or the purpose of the testimony or deposition;
- suggest proper attire and appropriate demeanor and decorum;
- provide context for the witness's testimony;
- inquire into the witness's probable testimony and recollection;
- identify other testimony that is expected to be presented and explore the witness's version of events in light of that testimony;
- review documents or physical evidence with the witness, including using documents to refresh a witness's recollection of the facts;
- identify lines of questioning and potential cross-examination;
- suggest choice of words that might be employed to make the witness's meaning clear;
- tell the witness not to answer a question until it has been completely asked;
- emphasize the importance of remaining calm and not arguing with the questioning lawyer;
- tell the witness to testify only about what they know and remember and not to guess or speculate; and
- familiarize the witness with the idea of focusing on answering the question, *i.e.*, not

volunteering information.

The Committee cites several of the Model Rules of Professional Conduct which prohibit certain actions in witness preparation. [Model Rule 3.4\(a\)](#) generally states that it is unethical to obstruct another party's access to evidence or unlawfully alter, destroy, or conceal a document or other material having potential evidentiary value, either by direct act or encouraging another to do so. [Model Rule 3.4\(b\)](#) prohibits a lawyer from advising or assisting a witness—whether a client or not—to give false testimony. [Model Rule 3.4\(c\)](#) bars a lawyer from knowingly disobeying an obligation under the rules of a tribunal. [Model Rule 8.4\(d\)](#) forbids conduct prejudicial to the administration of justice.

The Opinion names a number of practices that might violate these rules, including:

- telling a witness to “downplay” the lawyer’s preparation;
- encouraging a client to misrepresent a location of a slip and fall accident to have a viable claim;
- witness coaching and influencing behaviors include programming a witness’s testimony;
- knowingly violating sequestration orders;
- counseling or assisting a witness to give false testimony;
- advising a client or witness to disobey a court order regulating discovery or trial process;
- offering an unlawful inducement to a witness;
- procuring a witness’s absence from a proceeding; or
- winking at a witness during trial testimony, kicking a deponent under the table, or passing notes, or whispering to a witness mid-testimony.
- In Footnote 10, the Opinion notes: “Telling a witness that a truthful answer of ‘I do not recall’ is an acceptable response and ethically distinguishable from telling a witness, ‘The less you recall the better.’”

The Opinion discusses remote proceedings which have proven particularly challenging for assuring the integrity of witness testimony. It cites cases where lawyers were disciplined for providing a client with answers to questions while off camera. The Opinion names a number of precautions that can be taken to prevent such misconduct. In conclusion, it states, “It is prudent for lawyers and adjudicators to consider prophylactic measures designed for use in remote proceedings to prevent and detect incidences of unethical coaching conduct.”

Lawyer Who Took Fees While Suspended Agrees to Extended Suspension

A suspended Fayette County lawyer agreed to a Joint Petition in Support of Discipline on Consent that started a new three-year suspension after admitting that he took fees from a client for legal services he was not eligible to provide.

[John William Eddy](#) was suspended for three years by order of the Supreme Court in 2021, retroactive to September 6, 2019. The period of his suspension ended in September 2022, but he has not applied for reinstatement as is required to resume practice after a suspension for more than one year.

Eddy admitted that, between April and June 2021, he accepted payments from a client whose son was facing criminal charges. He failed to inform the client that he was on interim suspension and was not eligible to practice law. Instead, he informed the client that he would work with an attorney who was his former partner to represent her son in his criminal case. Over the next few months, he accepted payments in the amount of \$3,418.50. He never spoke to his former partner about the case and did not pass on any of the money for legal fees or expenses. He did nothing to arrange for representation of the client’s son. His inaction resulted in issuance of a bench warrant

for the son due to his failure to attend hearings.

Upon learning of the deception, the client demanded a refund which Eddy did not provide. She subsequently filed a claim with the Lawyers Fund for Client Security which paid her claim. Eddy eventually reimbursed the Fund through counsel.

Eddy admitted that he underwent a relapse of drug and alcohol addiction during the period of this conduct.

Based on this fact situation, Eddy and the Office of Disciplinary Counsel agreed that the appropriate discipline was a new three-year suspension which would take effect on the date of the Supreme Court's order and not be retroactive.

A three-member panel of the Disciplinary Board approved the Joint Petition, and the Supreme Court accepted its recommendation and suspended Eddy for three years by [Order](#) dated September 12, 2023. The new suspension will run through September 2026.

California Shelves 1,700 Attorneys in Trust Accounts Sweep

Approximately 1,700 attorneys in California have been [placed on administrative suspension](#) as the California State Bar moves to implement a new Client Trust Account Protection Program adopted last year.

The new measure was enacted in reaction to the case of former Los Angeles attorney Thomas Girardi who was accused of stealing \$18 million from clients. Girardi was the subject of 205 complaints, only three of which led to his disbarment. A [review](#) by an outside law firm hired by the Bar found that Girardi had close connections to many individuals in the system that led to cases not being vigorously pursued.

The [Client Trust Account Protection Program](#) requires attorneys to register their client trust accounts annually with the state bar, complete a yearly self-assessment of their practices managing client trust accounts, and certify with the state bar that they comply and understand the requirements for safekeeping funds. Initially, more than two thousand attorneys were found to be noncompliant, but only those who failed to come into compliance by the June 30th deadline were administratively suspended. By July 28th, the number of attorneys not in compliance had dropped to 1,641.

Steven Moawad, the special counsel overseeing the trust account program, stressed that the suspensions were administrative, not disciplinary, and based solely on failure to report rather than findings of financial misconduct. He stated that some of the nonreporting lawyers may be deceased or otherwise out of practice, acknowledging that the Bar's recordkeeping of such cases is limited to what is reported to it. He also noted that some lawyers may be failing to report because they know their accounts are not in order. More severe discipline may await those lawyers.

ABA Seeks Volunteers to Help Maui Wildfire Victims

The American Bar Association has become actively involved in providing legal assistance to people displaced and distressed by the Maui wildfires.

The [Disaster Legal Services Program](#) of the ABA Young Lawyers Division is partnering with the Federal Emergency Management Agency, the Hawaii State Bar Association, and the Legal Aid Society of Hawaii to provide assistance to those in qualifying counties who cannot afford an attorney for representation in disaster-related legal issues. Common issues include replacing wills and other legal documents destroyed in the fires; scams or identity theft; landlord/tenant or foreclosure issues; and disability-related access to federal, state, and local disaster programs.

Lawyers who are not admitted to the Hawaii bar can support relief efforts with donations to an [ABA fund](#) to deploy pro bono attorneys for help Maui survivors with immediate and long-term legal needs. Lawyers can also consult the ABA's [Disaster Relief Pro Bono Portal](#), an online resource providing opportunities to address legal issues arising from natural disasters. More information on the Maui situation is available on the ABA's [website](#).

Attorney Well-Being

Legal Employers' Role in Combatting Mental Health Stigma

Education is a key first step in reducing stigma and preventing and addressing burnout and other mental health issues in the workplace. Firms should offer frequent and diverse CLE programming on topics of wellness, mental health and substance use issues, stress management, and mindfulness. [Lawyers Concerned for Lawyers of Pennsylvania](#) offers free educational programs on a myriad of topics to all legal employers, bar associations and other legal entities. In our experience over the last 30 plus years, the reach of our educational programming has been directly proportional to the number of lawyers, law students and judges that reach out to us for supportive services. The more legal professionals we reach via educational programming, the more they are willing to reach out for help.

Education empowers individuals to reach out for support and resources. Our goal, as should be the goal of legal employers, is to 'normalize the ask.' Given the fact that at least one in three lawyers will experience a significant mental health or substance use challenge throughout the course of their career, employers have a clear mandate to focus on education, prevention, and compassionate treatment and support for employees facing such issues to foster a healthy work culture that will benefit not only their employees but also their clients.

Besides being the absolute right thing to do, it is also far more profitable for employers to have healthy lawyers representing satisfied clients than having burned out employees who are distracted and exhausted struggling to stay above water. Every firm and workplace has its own culture which is often determined and perpetuated by its leaders. You can offer all the wellness initiatives possible and still have burned out employees if healthy boundaries, prioritization of well-being, and authentic support for such efforts are not modeled strongly and consistently by firm leaders.

Other simple things legal employers can do to promote a healthy and mutually supportive work culture and reduce risk of burnout include:

- Frequently recognizing and expressing appreciation for the hard work of their employees (This can be an overt, formal gesture as well as a simple "thank you" delivered with sincerity and consistency.);
- Ensuring that employee input and feedback is valued, supported, protected, and recognized by leadership (It may be best to provide a structure and method for such input that can be easily reproduced.);
- Having an unmanageable workload is a primary driver for burnout. Legal employers can

take proactive measures to critically assess workloads and incorporate employee feedback to determine and rectify what factors may be exacerbating the workload issues (lack of resources, lack of time, lack of clarity of assignment, issues impeding collaboration, etc.);

- Ensuring there are ample resources to support the work of the employees and their mental health as well as consistent utilization and promotion of such resources by leadership;
- Providing transparency of decision-making by leaders and checking in with employees frequently; and
- Exhibiting approachability, authenticity, and sincerity in all interactions with staff.

Taking these steps will reduce burnout, improve outcomes, and foster a sense of community, autonomy, and self-efficacy among employees. It's a win-win for everyone.

Jennifer C. Zampogna, M.D.

Former Director of Operations, Lawyers Concerned for Lawyers of Pennsylvania

Originally published in 2022, this article is part of a [series](#) produced in partnership with [Lawyers Concerned for Lawyers of Pennsylvania](#), exploring lawyer well-being as misconduct prevention. Topics include challenges to mental health, stress and burnout, preventative strategies, employer support, and seeking support through LCL.

Free Virtual CLE Event to Be Hosted by Lawyers Concerned for Lawyers and the Philadelphia LGBTQ Bar Association

Join Lawyers Concerned for Lawyers of Pennsylvania (LCL) and the Philadelphia LGBTQ Bar Association for a [free virtual CLE event](#) (1.0 Ethics) on Wednesday, October 18th from 12:00pm-1:00pm. "Inspiration: Turning Our Test into Testimony" will address the prevalence of mental health and substance use challenges in the legal profession through a candid panel discussion. Learn more and register [online](#).

INSPIRATION: TURNING OUR TEST INTO OUR TESTIMONY



MODERATOR



LAURIE BESDEN, ESQ.

Executive Director, Lawyers Concerned for Lawyers
of Pennsylvania, Inc. (LCL PA)

PANELISTS



REGGIE JOHNSON, ESQ.

Solo Practitioner
Board Member, LCL PA



AVERY MCLEAN

3L Penn State Law, University Park
President, Mindfulness in Law Society



THE HONORABLE ANN M. BUTCHART

Judge, Philadelphia Court of Common Pleas

VIRTUAL FREE CLE

WEDNESDAY

OCTOBER 18, 2023

12 PM - 1 PM

REGISTER HERE

1 HR Ethics Credit in PA

Please join us for a collaborative program between the Philadelphia LGBTQ Bar Association and Lawyers Concerned for Lawyers of Pennsylvania. The prevalence rates of mental health and substance use challenges in the legal profession are astounding. This program will address those challenges and the importance of mental health through a robust, vulnerable and candid panel discussion with some of the finest legal professionals in the Commonwealth of Pennsylvania. Asking for support is a sign of strength. The goal of this program is to break down barriers, melt away stigmas, and normalize 'the ask' for help. There is no one more important to advocate for than yourself!

Explore the Disciplinary Board's Lawyer Well-Being Webpage

Earlier this year, the Disciplinary Board released a new "[Lawyer Well-Being](#)" webpage that connects Pennsylvania attorneys with pertinent resources, [articles](#), events, and CLE opportunities to better understand and support their mental health and well-being. To access the Board's new "Lawyer Well-Being" page, visit padisciplinaryboard.org/for-attorneys/well-being.

LAWYER WELL-BEING

Connect to available resources to better understand and support mental health and well-being, particularly as they relate to the legal profession.

padisciplinaryboard.org/for-attorneys/well-being




The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania



Lawyers Concerned for Lawyers is a confidential and safe resource for Pennsylvania attorneys and their family members who may be struggling with their mental health or substance use. 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. If you or someone you know is struggling, please call us. You may save a life.

● ● ●

There is help, and there is hope.



**LAWYERS CONCERNED FOR LAWYERS
PENNSYLVANIA**

lclpa.org | 1-888-999-1941

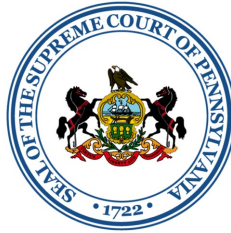
- Evaluation by a healthcare professional**
- Information and literature**
- Peer and staff support**
- Assistance with interventions**
- Recovery meetings**
- Online resources and CLE**

[Lawyers Concerned for Lawyers](http://lclpa.org) is a confidential assistance program for the Pennsylvania legal community and their family members. LCL may not report information about a subject attorney back to the Disciplinary Board.

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

Last year, the Supreme Court of Pennsylvania adopted amendments to the Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.) relating to confidentiality of proceedings, providing for three exceptions to the requirement of confidentiality under [Pa.R.D.E. 402\(d\)](#). Included in these exceptions is the allowance for Disciplinary Counsel to make a referral of an attorney to [Lawyers Concerned for Lawyers of Pennsylvania](#) (LCL) and share information as part of the referral. *However*, it is crucial to note that LCL may *not* report information about a subject attorney back to the Disciplinary Board. LCL is a **confidential** assistance program for the Pennsylvania legal community and their family members.

Around the Court



Supreme Court Justice Dougherty to Host Free CLE Event on Autism and the Courts

Join Pennsylvania Supreme Court Justice Kevin M. Dougherty for a free [CLE event](#) to deepen participants' understanding of the autism spectrum and explore ways to better serve individuals on the spectrum within the legal system. Register for this event [via Drexel University](#).

Free CLE Credits

Pennsylvania Supreme Court Justice Kevin M. Dougherty on the Intersection of Autism, the Courts, and the Practice of Law



Date: 10/25/2023

Time: 10 a.m. - 1 p.m.

CLE credits: 3 substantive CLE credits

Location: Virtual

In conjunction with PBI, Pennsylvania Department of Human Services, the ASERT Collaborative, and Drexel University, Supreme Court Justice Kevin M. Dougherty is bringing the nationally recognized Autism and the Courts Initiative to Pennsylvania attorneys.

The latest 2023 CDC statistics show that 1 in 36 children, and 1 in 44 adults are currently diagnosed with autism spectrum disorder (ASD). **In Pennsylvania alone the number of autistic individuals receiving services from the state has more than doubled in recent years, and research shows that individuals on the spectrum are almost 7 times more likely to come into contact with the justice system, often with adverse consequences.**

This CLE will help Pennsylvania attorneys answer the following questions:

- What is Autism?
- What myths and misconceptions surround ASD and those who are diagnosed with it?
- How could/does ASD interact with the legal system?
- What advice can a parent and a clinician give to attorneys?
- What knowledge can Pennsylvania attorneys offer to their peers regarding the intersection of ASD and the law?

Faculty

- **Justice Kevin M. Dougherty**, Associate Justice, Supreme Court of Pennsylvania
- **Kate Hooven**, MS, Justice System Consultant, ASERT Collaborative
- **David R. Fine, Esq.**, K&L Gates
- **Dr. Michael J. Murray**, Medical Director of Autism and Developmental Disabilities at Sheppard Pratt
- **Robert T. Moran, Esq.**, The Moran Law Group, Scranton, PA
- **Tamara A. Siegert, Esq.**, LSCI Coordinator, Allegheny County DHS, Pittsburgh, PA
- **Hon. Derek S. Green, Esq.**, Former Philadelphia City Councilmember, Of Counsel, Obermayer Rebmann Maxwell and Hippel

Register at: https://drexel.zoom.us/webinar/register/WN_k6aa8Bw1ShqjRXUwi-UKUw

Andrea Tuominen Succeeds Geoff Moulton as State Court Administrator

On October 1st, Andrea Tuominen succeeded Geoff Moulton as State Court Administrator. In

April, Pennsylvania Chief Justice Debra Todd [announced](#) the impending retirement of Moulton. Moulton retired on September 30th after seven years of service to the state judiciary. Prior to his tenure as Court Administrator, Moulton held the position of Counsel to the Pennsylvania Supreme Court and previously served as judge in the Pennsylvania Superior Court.

Andrea Tuominen previously held the title of Deputy Court Administrator and has been with the court system since 1992. She is an active member of the Pennsylvania Bar Association where she served as co-chair of the Commission on Women in the Profession and in various executive council positions.

Chief Justice Todd touted Tuominen's experience and qualifications, stating, "The Court looks forward to working with Andrea Tuominen, as she moves into the role of court administrator. There is no one more prepared to step into this important position than Andrea, who has served in various roles as part of the court administrative offices for three decades. The breadth and depth of experience and expertise she brings to this role will serve the staff, judges, and all court users well."

The Disciplinary Board extends its gratitude to Geoff Moulton for his years of service and its congratulations to Andrea Tuominen as they both end new chapters.



New Infographic Recognizes Importance of Court Interpreters

The Unified Judicial System recently [released](#) a new infographic recognizing the work of language interpreters within Pennsylvania Courts. In 2022, 252 official court interpreters represented forty-four languages across the state. Spanish, Nepali, and American Sign Language topped the list of language access requests.

Learn more about [language access](#) and the Courts' [interpreter program](#) on the UJS website.

Court interpreter –

A trained language professional who facilitates communication and access to court services for a person with limited English proficiency or who is deaf or hard of hearing by orally interpreting or signing.

In 2022...

49,229 interpreter requests were made.

252 interpreters representing **44** languages were on the AOPC's statewide roster.

\$6.1 million was spent on county language access and interpreter expenses.

79% of interpreter requests were for Spanish interpreters.

Top 10 languages requested in 2022:



Top 10 counties for language access and interpreter expenses:



Data was extracted from the Language Access Data Collection application and only reflects interpreter encounters that were tracked through that application.

AOPC

From the Pennsylvania Bar Association



Celebrate Pro Bono Lawyers in Pennsylvania

October is a special time set aside to recognize the attorneys who provide pro bono service. The

PBA joins in the [National Celebration of Pro Bono](#), observed this year from October 22-28 with the theme of “Voices of Democracy: Ensuring Justice for All.”

The need for legal services continues to rise as does the number of people with limited means to afford the legal help they need. Only one in five low-income persons with civil legal issues talks with an attorney, and perhaps as many as two-thirds of the eligible clients who make it to a legal aid office in Pennsylvania have been turned away because the local offices, even with pro bono support, do not have the resources to help everyone in need. All share the obligation to help under the Rules of Professional Conduct.

[Pennsylvania Rule of Professional Conduct 6.1](#) (Voluntary Pro Bono Publico Service) says in part:

A lawyer should render public interest legal service. A lawyer may discharge this responsibility by providing professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations, by 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.

Please take a moment to check out [Pennsylvania Free Legal Answers](#), [PALawHelp.org](#), and [Paprobono.net](#), sites promoted by the PBA and the Pennsylvania Legal Aid Network, to learn more about available resources and pro bono service opportunities. Those who have expertise in veterans matters or immigration should consider volunteering with the [ABA Federal Free Legal Answers](#) site which handles both military and immigration issues.

The Supreme Court of Pennsylvania supports pro bono service by [providing CLE credits](#) for pro bono work and through its creation of an [Emeritus status](#) for retired lawyers to provide pro bono service with approved legal services organizations. Each year, the Chief Justice also publishes an [open letter](#) to the profession, calling on all to support pro bono efforts throughout the Commonwealth.

The need for pro bono services is real, it is growing, and the consequences are significant. The PBA values the pro bono services provided by so many each year. Please do not hesitate to contact PBA Pro Bono Coordinator [David Trevaskis](#) for ways to easily connect and provide much need pro bono services. PBA also would love to hear about pro bono efforts made by you or a colleague so that they can recognize your work.

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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