



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

February 2024 Newsletter



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From the Chair

Since I began writing this column, it has been my goal to provide you with as much information as reasonably possible so that you would have a better understanding of what the Disciplinary Board does, how it does it, what services it provides, and ultimately how it can make the practice of law better for you. During each of these monthly attempts, I have tried to vigorously emphasize that the Board is here to help, not hurt, members of the profession.

We've covered a lot of ground over the course of the last ten messages; here's the summary:



- **April 2023:** Our renewed mission of education and transparency, along with highlighting the "Autism and the Courts" webpage
- **May 2023:** Specifically how the disciplinary process works and why it is so fair, at each and every stage
- **June 2023:** Where does your annual attorney registration fee go and what does it provide for?
- **July 2023:** A look at what the Board did during this month in addition to highlighting the lawyer well-being initiatives
- **August 2023:** Hearing Committee Training and the public hearings available on the Board's YouTube channel
- **September 2023:** Rule of Professional Conduct 8.4(g) and the federal litigation that ensued
- **October 2023:** The duty to self-report
- **November 2023:** All of the different Rules that apply to the disciplinary process and how they interact with one another
- **December 2023:** The list of services and outreach that the Board regularly provides to lawyers and law students
- **January 2024:** The types and levels of discipline involved with attorney misconduct, and what each entails

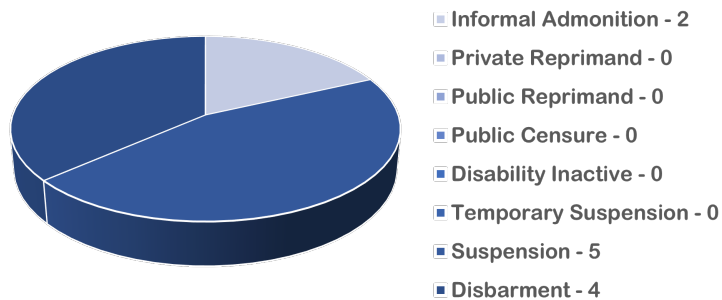
I hope that these messages have been informative and have provided you with the tools and resources to gain a clearer understanding of the important work that the Board does and, simultaneously, have dispelled any negative misconceptions of the Disciplinary Board. I further hope that the information that has been made available to you is valuable from the standpoint of your recognition of how easy it is to stay clear of a rule violation, and how hard, yet smoothly, the Disciplinary Board works on a day in and day out basis. It is now easy for you to remain a spectator in the disciplinary process through your own vigilance and dedication to the profession you love.

Once again, thank you for reading and, of course, remember that the Disciplinary Board is here to help, not hurt, Pennsylvania lawyers.

Dion G. Rassias
Board Chair

Discipline Imposed

January 2024



Suspension

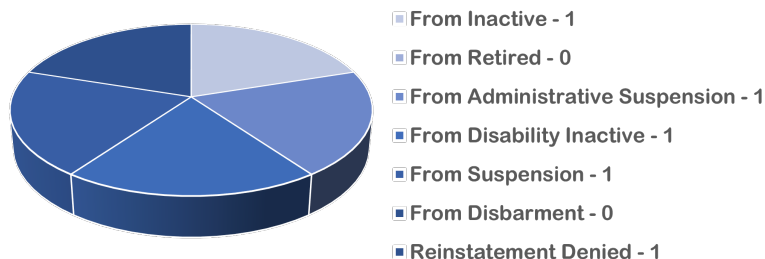
[Michael Eric Adler](#)
[Jesse M. Cohen](#)
[John K. Evans, III](#)
[Marylin Jenkins Milner](#)
[Thomas Edward Weiers, Jr.](#)

Disbarment

[Kevin Robert Gallagher](#)
[James Andrew Keating](#)
[Kristine Ann Michael](#)
[Gregory M. Palumbo](#)

Reinstatements

January 2024



From Inactive
[Cynthia M. Morrison](#)

From Administrative Suspension
[Anthony Mazzarelli](#)

From Disability Inactive
[Richard P. Kimmins](#)

From Suspension
[Gina Yvonne Toppin](#)

Reinstatement Denied
[Louis Alfred Piccone](#)

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

Disciplinary Board of the Supreme Court of Pennsylvania Announces New Leadership

The Supreme Court of Pennsylvania has [appointed](#) John C. Rafferty, Jr. as Board Chair and Gretchen A. Mundorff as Board Vice-Chair, effective April 1, 2024.

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.

Throughout Sen. Rafferty's time in the Senate, he served as the Chairman of the Senate Transportation Committee, Vice Chairman of the Judiciary Committee, and member of the Appropriations, Consumer Protection and Professional Licensure, and Law and Justice Committees. He was also appointed to serve on both the Pennsylvania Commission on Sentencing and the Pennsylvania Commission on Crime and Delinquency.

Before he ran for the Senate, Sen. Rafferty practiced law in private practice focusing on education, real estate, zoning, business, and estate law. He also served as a former Pennsylvania deputy attorney general in the criminal law division where he investigated and prosecuted Medicaid fraud.

Sen. Rafferty previously served as a member of the Methacton School Board, the Montgomery County Board of Assessment Appeals, and the Lower Providence Board of Supervisors.

Gretchen A. Mundorff was first appointed to the Board in March 2019 and was reappointed in January 2022.

Ms. Mundorff is a founding partner of the Connellsville, Pennsylvania law firm of Watson Mundorff LLP where she concentrates her general civil practice in plaintiffs' personal injury, family law, municipal law, and zoning.

Over the course of her legal career, Ms. Mundorff has been an engaged member of the Pennsylvania Bar Association (PBA) having served as the organization's second woman president in 2010-2011 and in numerous other roles including PBA Secretary, PBA Zone Six Governor, Chair of the PBA Young Lawyers Division and Bar Leadership Institute, Vice Chair of the PBA Commission on Women in the Profession, and member of the PBA House of Delegates.

Additionally, she has served on many of the organization's task forces and committees including the PBA Legal Services to Middle-Income Persons Committee, PBA Leadership Diversity Task Force, PBA Task Force on the Pennsylvania Judiciary, and the PBA Legal Access Task Force. Recognized for her notable contributions to the organization, she was honored with both the Anne X. Alpern Award from the PBA Commission on Women in the Profession and the Chief Justice Flaherty Award from the PBA Conference of County Bar Leaders.

A life fellow of both the American and Pennsylvania Bar Foundations, Ms. Mundorff served as a Director of the Pennsylvania Bar Institute and as a member of the American Bar Association House of Delegates. She is also a past member of the Pennsylvania Supreme Court Disciplinary Board Hearing Committee and served as Chair of the Continuing Legal Education Board of the Supreme Court of Pennsylvania. She currently serves as the President of the Fayette County Bar Association.

Ms. Mundorff is an active member in the volunteer community. She is a past director of the United Way of Connellsville, the United Way of Westmoreland County, the American Heart Association of Fayette County, the Uniontown-Harmarville Rehabilitation Advisory Board, Artworks Regional School for the Arts, and the Family Health Council in Pittsburgh. She is a former president of the Greater Connellsville Chamber of Commerce and the Rotary Club of Connellsville. Ms. Mundorff has served as President of the United Methodist Women of the Albright United Methodist Church in South Connellsville where she has been active on the church council and has served as a youth Sunday School teacher and as a member of the Chancel Choir.

Throughout her distinguished career, Ms. Mundorff has received many recognitions for her dedication to the legal profession and volunteer service. In addition to being named a Pennsylvania Super Lawyer for many consecutive years, she was named a Distinguished Citizen by the U. S. House of Representatives. She was also recognized by the American Red Cross with the Coldren Award for volunteer service and received the Athena Award from the Greater Connellsville Chamber of Commerce and was named a Paul Harris fellow by the Rotary Club of Connellsville. Ms. Mundorff was inducted into the Connellsville High School Falcon Foundation of Hall of Fame.

Ms. Mundorff graduated *summa cum laude* with a Bachelor of Arts degree in Psychology from Chatham College in Pittsburgh and was inducted into both Phi Beta Kappa and Mortar Board honor fraternities. She earned her Juris Doctorate from the Marshall-Wythe School of Law at The College of William and Mary in Virginia.

The Disciplinary Board was created by the Supreme Court of Pennsylvania to review conduct and assure compliance by all attorneys to the Pennsylvania Rules of Professional Conduct. The Board assists the Supreme Court in the licensing and discipline of attorneys in Pennsylvania. Its mission is to protect the general public, maintain a high standard of integrity in the legal profession, and safeguard the reputation of the courts of Pennsylvania.

Disciplinary Board members, which include ten lawyers and two non-lawyers from across the Commonwealth, meet regularly to decide cases, policies, and board administrative matters. All members of the Disciplinary Board serve as unpaid volunteers.



Disciplinary Board Attends Annual NCLDB Conference

Each year, the [National Council of Lawyer Disciplinary Boards](#) (NCLDB) holds its annual conference, bringing together disciplinary adjudicators and staff from around the country. This year's conference, held in Long Beach, California from February 7th-9th, featured educational sessions on diverse subjects ranging from negotiated discipline to the use of artificial intelligence and its ethical implications for the legal profession.

The Honorable Tani Cantil-Sakauye, former Chief Justice of the Supreme Court of California, delivered this year's keynote speech. A longtime advocate for equal access to justice, former Chief Justice Cantil-Sakauye impressed the importance of ethical law practice as the essential foundation for justice and public trust. Former Chief Justice Cantil-Sakauye was the second woman and first person of color to serve as California's Chief Justice.



The Honorable Tani Cantil-Sakauye, former Chief Justice of the Supreme Court of California, addressed the assembly as this year's keynote speaker. She currently serves as president and CEO of the Public Policy Institute of California, a non-profit, non-partisan think tank that works to improve public policy in California through independent and objective research.

Conference sessions addressed recruiting and training Hearing Committee Members, attorney well-being, a comparative look at negotiated discipline, artificial intelligence and attorney ethics, and more. Behavioral consultant, executive coach, and Former Disciplinary Board Chair Douglas W. Leonard led two interactive sessions promoting increased self-awareness. The first session, "Managing Energy", explored layers of physical, social, and emotional energy behaviors and guided participants to better understand and manage stress. The second, "Argue Better: Improve Civility Through Enhanced Self-Awareness", highlighted participants' productive behaviors, perceptual filters, and sometimes-problematic reactions that can disrupt decorum and mar professional relationships.



Former Board Chair Douglas W. Leonard led two conference sessions focused on self-awareness and managing energy.

Executive Director of the Disciplinary Board, Jesse G. Hereda, currently serves as President of the NCLDB Board of Directors. At the conference, Mr. Hereda was presented with a commemorative plaque by Immediate Past President Jeffrey D. Woolf (Massachusetts Board of Bar Overseers) on behalf of the NCLDB Board. Mr. Hereda's term will end on June 30, 2024 at which time he will be succeeded by current President-Elect Aisha L. Cassis, Deputy Executive Attorney of the District of Columbia Board on Professional Responsibility.



NCLDB Immediate Past President Jeffrey D. Woolf (Massachusetts Board of Bar Overseers) presents President Jesse Hereda (PA Disciplinary Board) with a commemorative plaque.

In addition to the week's legal discourse, conference participants also attended a special joint networking reception with the National Organization of Bar Counsel (NOBC) aboard the *Queen Mary*, retired and permanently docked in Long Beach. The event included private tours of many of the Queen Mary's decks and quarters, exploring the history of its construction and its time as both an ocean liner and troopship as well as the very human stories to which it bore witness. In an oration to the convocation, Commodore Everette Hoard reflected upon personal lessons in leadership and service. He regaled attendees with a magnetic narrative of the ship's past, noting, "We can take you on an incredible adventure across the waves of time." The event also included a silent auction that raised \$560 for the State Bar of California's [Justice Gap Fund](#) which helps to fund approximately one hundred legal aid organizations providing free civil legal services to low-income Californians.



Commodore Everette Hoard addresses event attendees, sharing tales from the ship's storied past as well as invaluable lessons gained through his more than forty years of service on the Queen Mary.

The National Council of Lawyer Disciplinary Boards is a non-profit organization serving as a clearinghouse for the adjudication process of attorney discipline throughout the United States and Canada.

Apply to Become a Disciplinary Board 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 considers applicants who have been licensed to practice law for at least *seven years*.

Applicants are required to:

- be a member in good standing of the Pennsylvania bar;
- be licensed to practice law for at least seven years;
- maintain an office for the practice of law within Pennsylvania; and
- have no prior history of discipline.

Applicants should be willing to:

- serve a minimum of at least one three-year term;
- participate at disciplinary and reinstatement proceedings; and
- attend Hearing Committee Training, if possible. The next Hearing Committee Training will be held in-person in Hershey, PA on July 23-24, 2024.

Completed [applications](#) are due by March 1, 2024. Hearing Committee Members will be appointed by the Board in April 2024 and will begin serving their term on July 1, 2024. Preview the Hearing Committee Member [duties](#) for more information and [apply](#) today!

A promotional graphic for the Hearing Committee Application. It features a dark blue background on the left with the text "HEARING COMMITTEE APPLICATION" in large, white, italicized serif font. Below this, in smaller white text, it says "Learn more today. Applications are due by March 1, 2024." At the bottom left is the seal of the Disciplinary Board of the Supreme Court of Pennsylvania. On the right side of the graphic is a circular inset showing a smiling man with glasses, wearing a dark suit and tie, with his arms crossed.

**HEARING COMMITTEE
APPLICATION**

Learn more today.
Applications are due by March 1, 2024.

 The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

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>February</i>		
February 21 February 22	J. Michael Farrell	Reinstatement Hearing
February 26	Milton E. Raiford	Disciplinary Hearing
February 27	George Paul Chada (cont.)	Disciplinary Hearing
February 28	Milton E. Raiford (cont.)	Disciplinary Hearing
<i>March</i>		
March 6 March 7	Jimmie Moore	Reinstatement Hearing
March 8 at 10:30 am	Craig Thomas Hosay Brian Frederick Levine Michael J. O'Neill	Public Reprimands
March 19 at 10:00 am	Joseph D. Lento Gary Scott Silver	Oral Arguments
<i>April</i>		
April 16 April 17	Dustin William Cole	Disciplinary Hearing
April 22 April 23	John Patrick Sanderson, III & Scott Richard Sanderson	Consolidated Disciplinary Hearing
<i>May</i>		
May 8 May 9	Kimberly Ann Furmanek	Disciplinary Hearing
May 15 May 16	Andrew Scott Ziegler	Disciplinary Hearing
May 21 May 22	Maqsood Hamid Mir	Reinstatement Hearing
May 30	Tancredi William Calabrese	Disciplinary Hearing
<i>June</i>		
June 5 June 6 June 7	Scott Eric Diamond	Disciplinary Hearing
June 25 June 26 June 27	J. Conor Corcoran	Disciplinary Hearing
<i>July</i>		
July 29 July 30 July 31	Patrick C. Carey	Disciplinary Hearing
<i>To Be Scheduled</i>		
Jonathan C. Dunsmoor - Public Reprimand		
Brian Christopher Eves - Public Reprimand		
Richard P. Kimmins - Public Reprimand		
Timothy Kolman - Public Reprimand		
Ivan Erik Lee - Public Reprimand		
David E. Mulock - Public Reprimand		

Articles of Interest

Top Disciplinary Cases for 2023

Each year, we review the most significant cases decided within the Pennsylvania disciplinary system. We look at cases that interpret or illustrate important ethical considerations or disciplinary procedures, that apply disciplinary law to unusual fact situations, or that address emerging issues of technology and change in the legal profession.

The following cases caught our interest:

1. [Greenberg v. Lehocky](#), 81 F.4th 376 (U.S. Court of Appeals, 3rd Circuit, 2023)

The U.S. Third Circuit Court of Appeals decided a case challenging the constitutionality of a 2020 amendment to Pa. [Rule of Professional Conduct 8.4](#), adding subsection (g) that prohibits harassment and discrimination in the practice of law. Zachary Greenberg, who teaches continuing legal education courses, sued to enjoin application of the rule on the grounds that they inhibited his First Amendment rights and exposed him to disciplinary action for teaching about incidents potentially violating the rule. The U.S. District Court for the Eastern District of Pennsylvania agreed with him and enjoined application of the rule.

The Third Circuit reversed the decision of the District Court on summary judgment. The Court found that Greenberg lacked standing to challenge the rule. The Court noted that there was no reasonable prospect that Greenberg would face disciplinary action for statements made in continuing education programs and that the rule did not chill his freedom of speech. Accordingly, the Court of Appeals reversed the decision and directed that the complaint be dismissed for lack of standing.

In a concurring opinion, Senior Judge Thomas Ambro warned that at some point the same arguments will be raised by a lawyer charged in a disciplinary case and suggested that the Board should proactively amend the rule to meet the constitutional objections.

2. [William E. Gericke](#), No. 154 DB 2022

William E. Gericke entered into a Joint Petition in Support of Discipline on Consent, agreeing to a one-year suspension. He was conflicts counsel for a Philadelphia law firm. A partner contacted him with confidential information about a pending merger that was not public information. He purchased stock in the company that was the firm's client without obtaining the informed consent of the client. After the merger was announced, he sold the stock for a \$10,000 profit. Subsequently, he became the target of a probe by the Securities and Exchange Commission for insider trading and entered into an Administrative Order with the SEC under which he paid a fine for using confidential information. He agreed that his conduct violated four Rules of Professional Conduct, including [RPC 1.8\(d\)](#) which prohibits a lawyer to use information relating to the representation to the detriment of a client. After an extensive analysis of comparable cases, the parties agreed to a suspension for one year, which will not require Supreme Court approval for Gericke to be reinstated. The Supreme Court approved the Joint Petition and suspended Gericke for one year.

3. [Joshua M. Briskin](#), No. 72 DB 2021

Joshua M. Briskin was suspended for three years based on findings that he violated numerous Rules of Professional Conduct arising from two cases. Some details from the case are worthy of note.

In one of the cases, Briskin gave his client a written statement of the basis of his fees. But the statement was in English, and his client, a Spanish speaker, was unable to read English. Despite the fact that he transmitted the paper to the client, the Disciplinary Board found that he had failed to comply with the requirements of [RPC 1.5\(b\)](#) as he failed to communicate the basis of his fees in a form the client could understand. This demonstrates that requirements to communicate such matters are not mere technicalities but must be communicated in a form that the client can reasonably understand and consent.

The Board also found significant aggravating factors including the Respondent's behavior in the disciplinary proceeding. The Board noted, "Respondent saw nothing wrong with his conduct and, egregiously, referred to his own clients as 'trash.' Respondent conveyed his disdain for these proceedings through his disrespectful behavior to the Committee, Petitioner's counsel, and the witnesses. Respondent's testimony on cross-examination revealed his penchant for flippant and discourteous responses." He also failed to attend the final day of the hearing. This is one of many cases where a respondent-attorney's emotionally involved self-representation probably did more harm than good to his outcome.

It is also notable that Briskin had assumed retired status, but the Disciplinary Board declined to treat this as a mitigating factor.

4. [Brandon Michael Eberle, No. 54 DB 2023](#)

The Disciplinary Board entered an Order that a Public Reprimand be imposed on Eberle for filing a document containing a forged signature of opposing counsel. Eberle requested an extension of time to file preliminary objections or an answer to a complaint filed by opposing counsel. He contacted opposing counsel with a draft agreement to extend the time for a response. Opposing counsel orally agreed to the extension but stated that she would handle the matter. She subsequently sent Eberle a signed version of the agreement. However, in the meantime, Eberle filed a Motion for Extension of Time that included a forged copy of opposing counsel's signature and indication of oral agreement. Opposing counsel requested that Eberle file a document striking the filed motion, and the Court ordered that the motion be stricken and removed from the docket. Eberle then filed an Answer, New Matter, and Counterclaim.

In the Public Reprimand, the Disciplinary Board found that Eberle's action in filing a motion that appeared to have the consent of opposing counsel, when it did not, violated five Rules of Professional Conduct relating to dishonest statements, criminal acts, and conduct prejudicial to the administration of justice.

The case illustrates the importance of taking care to assure that all documents filed in litigation are accurate and avoid falsely implying one has consent when one does not, even if there is general agreement in principle.

5. [Brian Frederick Levine, No. 23 DB 2022](#)

The Levine case illustrates the limits of what an attorney can do to negotiate a settlement without stepping over the line into witness intimidation or improper influence.

Levine represented a defendant in charges of receiving stolen property, regarding a Corvette automobile. He contacted the complaining witness to discuss a "global resolution" in which she

would not appear at the preliminary hearing or testify against Levine's client at trial, in return for which he would turn over the keys, possession, and title to the jointly owned vehicle. At one point he advised her it was in her interest not to appear at the hearing because she could face "lateral charges". The Board determined that the threat of "lateral charges" was a criminal act in violation of [RPC 8.4\(b\)](#), citing the Pennsylvania witness intimidation statute at [18 Pa.C.S. § 4953](#). It also concluded that his offer of possession of the vehicle in exchange for her refusal to testify violated [RPC 3.4\(b\)](#), which prohibits a lawyer to pay or offer to pay compensation to a witness contingent upon the content of the witness' testimony, and [RPC 8.4\(d\)](#), conduct prejudicial to the administration of justice.

Lawyer for Rap Star Pleads Guilty to Release of Information

California lawyer David Kenner, 82, [pled guilty](#) to one count of criminal contempt in the United States District Court for the District of Columbia for his conduct in a case where he represented Pras Michel, a former member of the rap trio The Fugees. Michel faces charges of acting as an unregistered foreign agent of China, conspiring to make illegal campaign contributions, and witness intimidation. In April 2023, Michel was convicted on ten felony counts stemming from his involvement with a Malaysian billionaire accused of embezzling billions from that country's sovereign wealth fund. Michel dismissed Kenner after the trial and a motion seeking a new trial based on allegations of Kenner's ineffective representation is pending.

Kenner's legal issues arose when he released grand jury materials and other non-public information subject to a protective order to reporters for *Bloomberg News*, who were reporting on the proceeding against Michel. He provided the reporters with the confidential documents after they signed a copy of the protective order, but the reporters used the privileged material anyway. Kenner's attorney stated in a sentencing memo that Kenner believed the reporters' coverage would help Michel's case.

Under the plea agreement, Kenner will serve one year of unsupervised probation and pay a fine of \$5,000. Kenner, appearing by remote technology from his office in California, called the conviction a "low point" in his fifty-six-year-long career, admitted his conduct was reckless, and accepted responsibility for his actions.

Legal Assistant Charged with Embezzlement from Judge

From time to time, we have seen cases where lawyers got into trouble due to embezzlement by their trusted staff. But even judges can fall victim to dishonest staff as charges brought against a former Michigan court assistant show.

Steven Allen of Detroit [was arraigned](#) on four felony charges: embezzlement, using a computer to commit a crime, forgery of bank bills/promissory notes, and stealing or retaining without consent a financial transaction device. According to prosecutors, he was employed as a judicial assistant in the 3rd Circuit Court in Wayne County from 2018 to 2022. Prosecutors allege that, during this time, he obtained an ATM card with access to a judge's accounts and made withdrawals and purchases amounting to \$60,000. They aver that he also wrote bad checks to cover up his misconduct. The judge reportedly learned of the missing funds when she received notice of delinquent taxes on a property, despite Allen presenting checks that appeared to pay the taxes.

A "not guilty" plea was entered by the Court when Allen stood silent at the arraignment.

In a press release, Attorney General Dana Nessel said, "Even judges are not immune to theft, embezzlement and fraud perpetrated against them by those they trust the most. Truly anyone can fall victim to financial exploitation crimes."

Double Down: Court Rejects Double-Spacing Argument

You think you know what double-spacing is? You're probably wrong.

A judge in the Western District of Tennessee faced a truly monumental issue: did a party cheat to get more words into a one hundred-page brief by violating the court's requirement that documents be double-spaced?

In the case of [Jessica Jones v. Varsity Brands](#), the Defendants filed a motion accusing the plaintiffs of heinous misconduct: "Plaintiffs have with regularity over[ridden] the standard double-space setting and instead spaced lines twenty-four points apart. This has enabled Plaintiffs to have approximately twenty-seven lines on each page rather than the approximately twenty-three lines per page that would result from formatting using standard double spacing." This enabled them to pack an additional 7.5 pages into their fact statement and seventeen additional pages into their opposition brief. The Defendants requested an order compelling the Plaintiffs to comply with the court rule requiring "double spacing."

After the involvement of nine law firms and sixty-six pages of briefing, declarations, and exhibits, the Plaintiffs prevailed. They enlisted the aid of lawyer/typographer Matthew Butterick, author of a book called [Typography for Lawyers](#), to show that the term "double-spacing" has different meanings. He showed that the classic definition of double-spacing from the days of typewritten documents is a line height twice the font size (e.g., twenty-four points for twelve-point type). However, Microsoft Word, for aesthetic reasons, uses a different standard of 233% of font size. The classic twenty-four-point spacing used by Plaintiffs produces spacing at two hundred percent of line size, and, since two hundred is less than 233, they got more bang for their typological buck.

Butterick's argument was sufficiently persuasive that the Court denied the Defendants' motion, finding that while there are different definitions of the term, it is not clear that Plaintiffs violated the local rule in using classic double-spacing rather than the Word default. In perhaps the most sensible comment in the entire discussion, the Court noted, "The last thing any party needs is more words on a page . . . The length of an argument is no guarantee of its success . . . Moving forward, the Parties are encouraged to spend their valuable time focusing on the merits of this case, and certainly not figuring out how many sometimes-useless words will fit on a page."

Attorney Well-Being

IWIL to Host Free Virtual Event Exploring Black Lawyers' Pivotal Role in Environmental Justice

On Wednesday, February 21, 2024, the [Institute for Well-Being in Law](#) (IWIL) will host "[Green Justice, Black Lawyers: A Discussion Around Eco-Advocacy, Environmental Wellness, & Well-Being](#)", a free virtual event exploring "the pivotal role of Black lawyers in the environmental justice movement, bridging the gap between legal advocacy and the pursuit of environmental wellness and community well-being". The session will include a live Q&A and will feature the triumphs,

challenges, and well-being of Black lawyers in the environmental justice landscape.

Register for this event on the [IWIL website](#).

Save the Date: Well-Being in Law Week Returns in May

The [Institute for Well-Being in Law](#)'s annual Well-Being in Law Week returns May 6-10, 2024. More information is soon to come.

Register [here](#) for its upcoming Law Firm Planning Group meetings to be held on Monday, March 11th and Monday, April 8th.



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




Digital resources
Informative articles
Upcoming events
CLE opportunities

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



Pennsylvania Courts Announce Pilot Project Providing Older Adults with Free Legal Representation in Guardianship Cases

The Pennsylvania Courts and its Office of Elder Justice in the Courts recently [announced](#) a new pilot project in partnership with MidPenn Legal Services and the Dauphin County Orphans' Court. The grant-funded project will offer free legal representation in all Dauphin County guardianship cases for adults aged sixty and older.

Through this initiative, Dauphin County's Orphans' Court will "appoint counsel for all alleged incapacitated persons aged sixty and older unless they decline representation, elect to hire private counsel, or have counsel who was appointed by the court prior to the start of the pilot project".

Read the full [press release](#) on the Unified Judicial System website.

Learn more about the work of the [Office of Elder Justice in the Courts](#) on the UJS website.



SUPREME COURT OF PENNSYLVANIA

Pennsylvania Interest on Lawyer Trust Accounts Board

Pennsylvania IOLTA Board Publishes Its 2023 Annual Report

The IOLTA Board has released its [2023 Annual Report](#). In support of its mission, nearly \$30 million in grant funds financed the delivery of free civil legal aid to low-income Pennsylvanians in 2023.

The 2023 Annual Report features client stories from Disability Rights Pennsylvania, Justice at Work, and SeniorLAW Center.

The IOLTA Board strongly encourages law firms to patronize Platinum Leader Banks for their IOLTA accounts. Platinum Leader Banks voluntarily pay a premium interest rate on IOLTA accounts, thereby increasing funding available for civil legal aid.

The IOLTA Board is extremely grateful for the [voluntary financial support](#) received from members of the private bar.

To learn more about the IOLTA Board, please visit paiolta.org or contact the IOLTA office directly at (717) 238-2001.



Job Opening: Outside Counsel, Pennsylvania Board of Law Examiners

The Pennsylvania Board of Law Examiners [is seeking](#) outside counsel to serve as counsel to the board. The position is part-time, estimated at 150-200 hours per year. Board counsel attends five board meetings annually (two remotely) and provides legal opinions to the Board and Executive Director.

Learn more about the [position opening](#) on the Unified Judicial System's 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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