

July 2025 Newsletter







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From the Chair

The 2025-2026 Annual Attorney Registration deadline was Tuesday, July 1, 2025. My fellow Disciplinary Board Members and I strongly encourage all Pennsylvania attorneys who have not yet completed their registration obligations for the coming registration cycle to do so as soon as possible in order to avoid the imposition of late payment penalties or the administrative suspension. Please note that late fees will be assessed after July 16th and after August 1st. Approximately ninety-six percent of attorneys have completed the yearly registration obligation as of today's newsletter publication.



Each July, new Members are appointed to serve as Hearing Committee members while others are reappointed to additional three-year terms. I would like to take this opportunity to extend my sincere gratitude to all new Members accepting this tremendous responsibility, reappointed Members once again heeding the call in support of their communities, and former Members whose tenure has recently ended, having dutifully completed their service toward the mission of the Board. Critical to the Board's most sensitive work are its adept volunteer Hearing Committee Members. Hearing Committee Members assess Disciplinary Counsel's recommendations for discipline and conduct hearings on formal charges of professional misconduct and petitions for reinstatement. The role these individuals play in Pennsylvania's attorney disciplinary system cannot be overstated, and the Board is most grateful for their generosity of time and talent.

Having completed twelve years (not consecutively) as a Hearing Committee Member prior to being appointed to the Board, I can personally attest to the hard work that Hearing Committee Members are called upon to perform. At the same time, I can also attest to the fact that this work is some of the most important and rewarding work you can do as an attorney.

With gratitude,

David S. Senoff Board Chair

Annual Attorney Registration

Late Payment Penalties Assessed After July 16th and August 1st

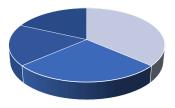
The deadline for the 2025-2026 <u>Annual Attorney Registration</u> was July 1, 2025. Any attorney currently on active or inactive status must <u>register</u> via the Unified Judicial System Web Portal. Registration fees are \$275 for active status and \$100 for inactive status; there is no fee for those timely registering for retired status. Payment may be made online.

The first \$200 late payment penalty is assessed after July 16th, and the second \$200 late payment penalty is assessed after August 1st. These penalties are imposed automatically and are not waivable by the staff or Board. An additional fee of \$25 will be assessed in the event of any returned payment. Failure to complete registration by **August 1st** shall be deemed a request for transfer to administrative suspension under <u>Pa. R.D.E. 219(f)</u>.



Discipline Imposed

June 2025



- Informal Admonition 4
- Private Reprimand 0
- Public Reprimand 0
- Public Censure 0
- Disability Inactive 3
- Temporary Suspension 0
- Suspension 2
- Disbarment 2

Disability Inactive

Marnie Burk

Mark D. Mungello

Mitchell A. Sommers

Suspension

<u>Faye Riva Cohen</u> <u>Mary Margaret Cowan</u>

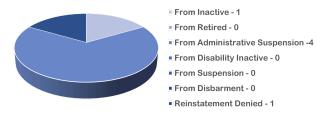
Disbarment

Alan Kane

John T. O'Malley

Reinstatements

June 2025



From Inactive
Wendy G. Spector

From Administrative Suspension

Deborah Morris Burton
Raymond F. Danielewicz, Jr.
Kimber Parker Schladweiler
Nathan Andrew Tenny

Reinstatement Denied

J. Michael Farrell

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

Twenty-Seven Attorneys Appointed to First-Time Hearing Committee Assignments as Twenty Members Reappointed to Additional Terms

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

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

2025 HEARING COMMITTEE APPOINTMENTS

DISTRICT I

Scott Alan Bennett* William J. Brennan* **Shahirah Renee Brown Dennis Chow** Jonathan Lee Cochran Laura Ann Decker **Daniel Ellis Dolente** Joel H. Feigenbaum Jonathan W. Hugg* **Stacy Lynn Hughes** Brent William Landau* Thomas Aloysius Lynam, III John Joseph Pease, III Jeffrev H. Ouinn Henry Falkner Reichner* Daniel Erik Rhynhart* **Ryan Blake Smith**

DISTRICT II

Anthony J. Baratta Nancy Conrad* Zanetta Maree Ford* Samuel H. Israel Jay Michael Kurtz Allen Michael Mandelbaum Tina Mazaheri* Adam Samuel Rosenthal* Michael T. Scott* Jack Thomas Tomarchio Timothy J. Yuncker

*Reappointed or otherwise previously served as a Hearing Committee Member



DISTRICT III

Jenni Henley Chavis*
Joseph G. Ferguson
Peter M. Good*
Jonathan David Koltash*
Glenn John Smith
David Tepper*
Lam Dang Truong

DISTRICT IV

Justin Todd Barron
Michael Thomas Della Vecchia*
Christy Patricia Foreman
Anthony Joseph George Hassey
Jamie Lynn Inferrera
Sloane Buffington O'Donnell
Jason Louis Ott*
Sunu M. Pillai
Joseph Christopher Romano*
Jason Marc Schiffman*
Charlene Sten Seibert*
David Eugene Sweitzer

Research Notification: Disciplinary Board to Participate in Confidential Lawyer Well-Being Survey

The Disciplinary Board of the Supreme Court of Pennsylvania is participating in a new <u>national research project</u> on lawyer mental health and well-being. The project, a collaboration between the American Bar Association Commission on Lawyer Assistance Programs and lawyer behavioral health and well-being specialist Patrick Krill (J.D., LL.M, M.A.), is being led by Krill and his research partner Justin Anker (Ph.D.) from the University of Minnesota Department of Psychiatry and Behavioral Sciences. This research will be conducted by state bars across the country disseminating an anonymous survey to a random sample of their lawyers.

This study aims to provide a ten-year update to and build upon the landmark 2016 ABA-Hazelden Betty Ford study, providing essential insights into current trends, attitudes, and barriers to mental health and well-being in law. Given substantial shifts in the legal profession over the past decade, including significant changes resulting from the COVID-19 pandemic and an increasing role of technology in legal practice, an updated national assessment of mental health and substance use among attorneys is critically needed.

In addition to updating and building upon the 2016 study, this survey will include methodological enhancements (e.g., a random sample) and reach an even wider cross section of the lawyer population. The anonymous and confidential survey will investigate a range of individual risk factors for mental health and substance use problems (including stress, anxiety, depression, and behavioral motives) as well as cultural and workplace risk factors (workload, burnout, attitudes towards substance use and self-care, availability and utilization of support resources). The survey

will also explore mental health and well-being protective factors in order to highlight behaviors, norms and experiences associated with good mental and physical health.

Approximately 45,000 active Pennsylvania attorneys will be randomly selected and invited to participate in this research study. If you are selected, you will receive an email from the Disciplinary Board with more information about the study and a link to complete the survey. This survey will take approximately twenty minutes to complete.

Raw data collected in this survey will not be shared with the Disciplinary Board or any other entity related to the Supreme Court of Pennsylvania. The only information that will be shared with the Disciplinary Board is an aggregate summary of all member responses to various survey measures (e.g., demographics, anxiety, etc.). All survey responses will be anonymous and go directly to the University of Minnesota which maintains the confidentiality of all data. No identifying information will be asked, and all data will be de-identified including IP addresses.

Any questions should be directed to Dr. Justin Anker, Principal Investigator or Patrick Krill, Co-Investigator.

Dr. Anker can be reached at:

Justin Anker, Ph.D.
Office: (763) 620-0615
anke0022@umn.edu

Patrick Krill can be reached at: Patrick Krill, J.D., LL.M, M.A. Office: (724) 719-2134 Patrick@prkrill.com

Upcoming Public Proceedings

We encourage you to observe our public disciplinary and reinstatement hearings, oral arguments, and public reprimands on the <u>Board's YouTube channel</u>. You can also view "Upcoming Public Proceedings" at the bottom of the Board's <u>home page</u>.

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

July		
July 17 at 10:00 am	Olivia A. Adams	Oral Argument
July 17 at 10:45 am	Brian Joseph Salisbury	Oral Argument
July 31	Todd Andrew Goodman	Reinstatement Hearing
August		
August 1	Todd Andrew Goodman (cont.)	Reinstatement Hearing
August 4-8, 11-14	Ryan A. Mergl	Disciplinary Hearing
August 18	Brian Scott Quinn	Disciplinary Hearing
August 19-21	John W. Pauciulo	Disciplinary Hearing
September		
September 8-9	Arkady Rayz	Disciplinary Hearing
September 15-16	Paul S. Peters, III	Disciplinary Hearing
September 22	Mikel Peter Eggert	Reinstatement Hearing
September 24	Daryl Alan Yount (cont.)	Disciplinary Hearing
September 26	Paul Andrew Raymond Stewart (cont.)	Disciplinary Hearing
September 29	Bradley Adam Winnick	Reinstatement Hearing
October		
October 28	John McDanel	Disciplinary Hearing
October 27	Tyler Alan Lindquist	Disciplinary Hearing
October 30	Arkady Rayz (cont.)	Disciplinary Hearing
To Be Scheduled		
Alexander C. Boose - Public Reprimand		
Michael B. Goodman - Public Reprimand		
Albert G. Reese, Jr Public Reprimand		

CDC Corner

A Lawyer's Obligation to Truth

As is true of other areas of the law, the disciplinary rules sometimes limit culpability for inaccurate representations only if performed with knowledge of the falsity. For a lawyer, however, "knowledge" carries an obligation to truth lay people do not bear.

Examples of a knowledge requirement abound. A few examples: A lawyer cannot counsel a client to engage in conduct the lawyer knows is criminal or fraudulent (RPC 1.2(d)); a lawyer cannot offer evidence he knows is false, and if he later comes to know of its falsity, he must correct it (RPC 3.3(a)(3)); when representing a client, he cannot knowingly make false statements of material fact to third parties (RPC 4.1(a)); and, in any context, he cannot make statements he knows to be false about a public legal official's qualifications or integrity (RPC 8.2(a)).

When we judge lawyers under the Rules of Professional Conduct, however, "knowledge," "know," and "knowingly" mean something more demanding than these terms do when applied to a layperson's state of mind. In other legal contexts, public figure defamation cases for example, if a person subjectively believes a falsity is true, he cannot be penalized for publishing or acting upon it, even if he was negligent in failing to investigate the truth of the matter. *Harte-Hanks v. Connaughton*, 491 U.S. 657, 667 (1989). A different rule governs lawyer discipline. Lawyers have an obligation to make a reasonable inquiry into a statement's truth or conduct's legality—the sort of inquiry a reasonably competent attorney would undertake—before making the representation.

Our Supreme Court has held that a lawyer is chargeable with knowledge when he fails to make that reasonable inquiry. *E.g.*, *ODC v. Surrick; ODC v. Price*. And the Court has many times expressed its disapproval for mendacious lawyers. *E.g.*, *ODC v. Holston; ODC v. Grigsby.* (both resulting in disbarment). In my experience at ODC, propounding falsities to courts is the violation most likely to result in lengthy suspension or disbarment. Thus, former New York City Mayor Rudolph Giuliani found himself disbarred for making claims of fraud in the 2020 presidential election based upon flimsy rumors he failed to reasonably investigate. *Matter of Giuliani*, 230 A.D.3d 101 (NY App.Div. 1st Dept. 2024).

Are these instances of courts making the job of disciplinary authorities too easy or penalizing lawyers for vigorous advocacy? To the contrary, the demand that lawyers strive to ascertain truth before advancing a claim arises from the epistemic rules in which lawyers are trained as well as from prudent concern for the power a law license confers. We are trained to sift fact from fiction, and successful completion of that training entitles us to advise clients as to legal obligations and to represent them before courts. Any litigator knows that before she introduces evidence to persuade a fact-finder, she must investigate its basis in personal knowledge and its authenticity and test it with reagents that might dissolve its cogency: Does its source hold a bias? Do prior inconsistent statements or contrary solid evidence undermine its strength? A lawyer who fails to discharge this epistemic duty of reasonable investigation is not a fit lawyer.

Most important, lawyers' heightened obligation to speak truth corresponds to our role in the American legal system. As the Preamble to the Rules tells us, we bear "a special responsibility for the quality of justice." Comment [1]. This includes "preserving government under law" and challenging the government when it abuses its authority. Comment [11]. Implicit in these obligations is a special duty to use our skills to advance truth and ferret out falsity.

As our Supreme Court recently wrote, "The administration of justice is dependent on the honesty and integrity of the lawyers who practice in the legal system." *ODC v. Anonymous Attorney,* 327 A.3d 192, 207 (PA 2024).

Thomas J. Farrell Chief Disciplinary Counsel

Articles of Interest

Philadelphia Lawyer Receives Stayed Suspension for Trust Account, Fee Agreement Issues

A Philadelphia lawyer with more than fifty years' experience in the practice of law agreed to a disciplinary disposition in which she received a suspension stayed by probation, after admitting to numerous violations of the Rules of Professional Conduct in her fee agreements and in her handling of fees and entrusted funds.

In a <u>Joint Petition in Support of Discipline on Consent</u>, Faye Riva Cohen admitted that she failed to properly handle her law firm's bank accounts, failed to correctly report all her accounts on her Annual Registration Forms and falsely certified on her forms that she was in compliance with the Rules of Professional Conduct (RPC) and the Pennsylvania Rules of Disciplinary Enforcement. Cohen also engaged in additional wrongdoing, including deceitful conduct regarding her fees, lack of competence, diligence, and communication in an estate matter. She failed to explain matters to the extent necessary to enable clients to make informed decisions regarding her representation and handling of her retainer fees. She acknowledged serious aggravating factors in failing to initially cooperate with ODC and undertake prompt remedial measures.

Many of Cohen's problems stemmed from her practice of entering into oral fee agreements with clients over the telephone and then sending them fee agreements containing provisions which did not comply with the RPC. These provisions included fees paid in advance would be non-refundable, even if not earned, as well as fee payments that would be deposited directly into the firm's general account and not a trust account. If the clients did not accept Cohen's recommendations for settlement of a matter, they agreed to discharge her without refund of fees paid in advance.

Cohen agreed that these practices resulted in violation of nine of the RPC, relating to the scope of representation, explaining matters to clients and obtaining their informed consent, illegal or

excessive fees, depositing client funds in a trust account, refunding unearned fees upon the termination of representation, and dishonest statements.

The parties agreed that suspension for one year and a day was the appropriate disposition but that mitigating factors existed, including Cohen's long career, public service, admission of wrongdoing, amendment of her fee agreements and practices, and reimbursement of the affected clients. They agreed that the suspension should be stayed in full by a period of probation. The probation will be subject to conditions including taking CLE courses regarding IOLTA management and fee agreements. Upon consideration of the recommendation of a three-member Board panel, the Court granted the Joint Petition.

New Jersey Lawyer Admonished for Allowing False Claims about Education

A New Jersey lawyer consented to imposition of a <u>Letter of Admonition</u> after admitting that he failed to take steps to correct false information about his educational credentials on his law firm's website and his continuing education biography.

Paul N. Ambrose graduated from Seton Hall University and subsequently from Seton Hall University School of Law. Neither time did he achieve *cum laude* status. He later took coursework at New York University (NYU) School of Law toward an LLM degree but did not earn the degree.

Many years later, he joined a law firm. His biography on the firm's website, which was written by someone else, stated that he graduated *cum laude* from Seton Hall and that he held an LLM degree from NYU. Although he did not personally prepare the biography, he conceded that he "could, and should have, corrected" the description of his academic credentials. This error was repeated when the firm merged with another and a new biography was prepared for the combined firm website.

Additionally, between 2014 and 2019, he conducted presentations at approximately twenty Continuing Legal Education (CLE) seminars hosted by the National Business Institute (NBI). In 2014 or 2015, he directed NBI to remove the false references to his LLM degree and *cum laude* status from its CLE marketing materials. However, he conceded that NBI was "not consistent in removing" the false credentials from the marketing materials and that he did not follow up to confirm that such false information was removed. The Board's letter stated, "By December 2016, you should have been keenly aware that your false academic credentials would continue to be published in NBI marketing materials."

The Board's letter stated that this conduct violated New Jersey RPC 7.1(a)(1) [false communications about the lawyer's services] and (2) and RPC 8.4(c) [conduct involving dishonesty]. The Board found mitigating factors: (1) his actions did not appear to have resulted from any direct attempt at personal gain; (2) the passage of almost nine years since the false academic credentials last appeared in CLE marketing brochures or firm websites; (3) the lack of evidence that the conduct resulted in harm to any clients; and (4) the lack of prior discipline in a forty-five-year career at the bar. Accordingly, it deemed a Letter of Admonition to be the appropriate resolution.

Florida Lawyer Suspended for Deleting Files on Ex-Firm's Drive

An inexperienced Florida lawyer <u>was suspended</u> for ninety days after a referee found that she had deleted files from a USB drive belonging to the law firm by whom she was formerly employed and for notices filed on behalf of firm clients after her departure from the firm and in her own litigation with the firm.

Alexa Martinez had only been admitted to the bar for two months when she was hired by Silverberg Brito, PLLC as an associate attorney. Silverberg terminated her employment four months later. After her employment was terminated, Martinez kept possession of a USB drive belonging to Silverberg. The firm demanded she return the drive. Martinez indicated that she would but failed to do so after several requests. When she finally did return the drive, all the files on it had been deleted. The referee found that Martinez's deletion of the contents of the USB drive constituted violations of Rules 4-3.4 (Fairness to Opposing Party and Counsel), 4-8.4(c) ("A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation"), and 4-8.4(d) ("conduct in connection with the practice of law that is prejudicial to the administration of justice).

The referee also found that Martinez had engaged in minor misconduct in violation of Rule 3-4.3 (Misconduct and Minor Misconduct) and Rule 4-8.4(d) by filing a notice on behalf of a firm client without proper client authorization and unreasonably delayed her withdrawal for about one month. In one case, she attempted to undo a settlement offer sent by Silverberg in an effort to preserve attorney fees for herself, which resulted in delay of resolution of the matter and use of court resources to bring the case to a conclusion. She also filed notices of appearance in several cases without proper authority, which the Court found to be in violation of Rules 4-3.1 (meritorious claims and conclusions), 4-3.3 (candor to the tribunal), 4-8.4(c) (misrepresentation) and 4-8.4(d) (conduct prejudicial to the administration of justice).

The Court also found that she had violated Rules 4-3.4(c) ("knowingly disobey an obligation under the rules of a tribunal), 4-8.4(c), and 4-8.4(d) by filing improper notices of unavailability in an effort to avoid being deposed in her litigation with the firm.

The referee recommended that Martinez receive a ten-day suspension and a public reprimand. However, after noting that Martinez's misconduct involved several incidents of dishonesty and that she had delayed the proceedings by prolonging the civil litigation in the matter, the Court concluded that a suspension for ninety days was warranted.

Author Urges New Approach to Technological Competence

The legal profession needs a new, stricter approach to technological competence, argues Steven Embry, a lawyer and publisher of the blog <u>Tech Law Crossroads</u>, in an <u>article</u> published on *Above the Law*.

He points to a recent action of the Supreme Court of Puerto Rico which adopted a new Rule 1.19 titled "Technological Competence and Diligence." It states, "Persons practicing law must acquire the necessary skills and maintain a reasonable knowledge of technological developments that may impact legal practice and notarial functions. This includes the duty to use technology diligently and with awareness of its benefits and risks in order to provide competent and effective legal representation or notarial services."

Embry points out that the counterpart to this provision in the ABA Model Rules of Professional Conduct is <u>Comment 8 to RPC 1.1</u> which states: "To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject."

Embry argues that this provision does not address the issue of technological competence with the strength of Puerto Rico's new rule, as it is only a comment, and it uses "squishy" language like "should" that is not mandatory. He writes that the Puerto Rican text is "a stronger, more grounded rule. But its real power lies in what it implies: that tech competence isn't just another checkbox — it's now foundational to how we fulfill every ethical duty we have."

But Embry suggests the real issue goes beyond mere technical competence. He argues ethical valuation of legal service must be rethought in a time when technology can crunch tasks, which used to take hours, into seconds. He contends that the traditional model of fees based solely on the time expended is no longer an accurate measure of the value of legal services. He writes, "It's inevitable that we will see ethical complaints or even malpractice claims against lawyers who fail to use tech efficiently. We need to rewrite the rules to reflect a new reality: in the future, value won't be exclusively measured in hours."

A Sticky Situation: Federal Judge Rebukes Party for Chewing Gum Deposit

A <u>litigant in a Florida Federal court</u> got herself in a Big League jam by sticking her chewing gum to the bottom of the table where she sat. She got in Extra trouble when said ill-placed chicle adhered to the skirt of an Assistant U.S. Attorney occupying the same chair in a subsequent proceeding.

U.S. District Court Judge T. Kent Wetherell, II, was Alerted of the incident by court staff and tossed a Trident in the form of a <u>Rule to Show Cause</u> against Lorraine M. Padavan. She is the plaintiff in litigation against a woman she accused of taking control of her late husband's assets after he and the plaintiff won \$96 million in the New York Lottery. In <u>response to the Rule</u>, Ms. Padavan did not get Wrigley but admitted she was the perpetrator of the ill-fated deposit, apologizing to the Court and the gum-gummed Assistant U.S. Attorney.

Judge Wetherell did not react with Glee but entered an <u>order</u> "with the admonishment that what Plaintiff did by sticking her chewed gum under a courtroom table was inappropriate and unacceptable and had better not happen again." He noted that such an order is outside the Orbit of what he ever thought he would do as a judge, but since the Plaintiff is compos Mentos and admitted her actions, an admonition would suffice. He added in a footnote, "If anything like this happens again, I will come up with sanctions that are commensurate with the schoolchild-nature of the violation—maybe sitting in the courtroom under the supervision of a court security officer handwriting 'I will not stick my gum under a courtroom table again' 100 times on notebook paper; an afternoon of helping the court custodial staff clean the courtroom and adjacent public areas; and/or a couple hours of scraping gum off the sidewalk in front of the courthouse."

Quch!

Attorney Well-Being

Free and Confidential Support Sessions for Law Students

Did you know? Law students can register for free, virtual, confidential support sessions with Lawyers Concerned for Lawyers of Pennsylvania (LCL). Law students can schedule a thirty-minute session with Laurie Besden, Executive Director of LCL, during their school's designated day and times. Every appointment will be assigned a unique Microsoft Secure Teams Meeting link for the confidential meeting; the Teams Secure Platform is one of the most secure communication and collaboration apps. For your school's registration link, please see the your Dean of Students or contact LCL at info@lclpa.org.

Visit LCL's website for more information on resources tailored to law students' experiences.

Explore the Disciplinary Board's Lawyer Well-Being Webpage

The Disciplinary Board's "Lawyer Well-Being" webpage 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 "Lawyer Well-Being" page, visit padisciplinaryboard.org/for-attorneys/well-being.



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.



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

<u>Lawyers Concerned for Lawyers</u> 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 Board of Law Examiners Announces Transition to NextGen Bar Exam

The Supreme Court of Pennsylvania, along with the PA Board of Law Examiners (PABLE), recently <u>announced</u> the state's transition to the NextGen Uniform Bar Exam. Law school graduates will take this new version of the bar exam in PA beginning in July 2028. The Commonwealth will become one of forty-three jurisdictions that have announced their participation in the move to the NextGen bar exam.

The NextGen exam is administered over nine hours—differing from the current twelve—and utilizes a new test question type: integrated question sets. As noted in the Court's press release, "These scenario-based questions intensify the exam's assessment of knowledge and skills utilized in the practice of law as candidates must apply lawyering skills to realistic scenarios."

Addressing civil procedure, contract law, evidence, torts, business associations, constitutional law, criminal law, real property, and family law, the NextGen exam will examine test-takers on nine foundational subjects. The exam also tests seven legal skills which include legal research, legal writing, identifying and analyzing legal issues, investigation and evaluation, client counseling and advising, negotiation and dispute resolution, and client relationship and management.

Notably, a NextGen exam score taken in PA will offer portability for candidates seeking admission in another UBE jurisdiction, allowing candidates to avoid taking a second exam. PABLE will, in turn, accept transfer scores from both the current version of the UBE exam and the new version during their transition to NextGen. The NextGen minimum score requirement is yet to be

Read the full press release here on the UJS website.



Support Civil Legal Aid in Pennsylvania

Contribute to civil legal aid when you complete your Annual Attorney Registration or <u>anytime</u> online.

One hundred percent of your personal investment goes directly to fund civil legal aid to low-income Pennsylvanians across the Commonwealth. Your support makes it possible for IOLTA-funded civil legal aid organizations to serve more people in need.

To learn more about civil legal aid in Pennsylvania, check out the PA IOLTA Board's <u>2024 Annual Report</u>.

From the Pennsylvania Bar Association



The Pennsylvania Bar Association Has Great Offerings for Summer

Join PBA for a July 16th Lunch and Learn

Your Invisible Network: Building Professional Relationships for Business Success and Personal Fulfillment

We all recognize the value of a network—but how exactly do we build our network? In this free interactive talk, author and executive coach Michael Melcher will share insights and practical tools from his book, Your Invisible Network. You will leave with clear strategies, real-life examples, and manageable tips to implement right away!

Join us for this free (non-CLE) webinar and learn how to build and leverage network for success and fulfillment! To learn more and to register for this event, click here.

2025 Guide to Legal Issues for Pennsylvania Older Adults Now Available

Providing information about legal issues faced by PA's older residents and their caregivers, the *Guide* can help older adults make appropriate choices to maximize personal autonomy, minimize costs, navigate the maze of government benefits, and protect themselves against predators seeking to deceive, exploit, or defraud them. The *Guide* was a joint effort of the PBA Senior Lawyers Committee and the Elder Law Section with contributions from several law schools. The *Guide to Legal Issues for Pennsylvania Older Adults* can be found here.

Podcasts

The PBA continues to expand its digital offerings with two standout podcasts that bring timely legal insights directly to your ears. Whether commuting, walking the dog, or taking a break, these podcasts are a must-listen for PA legal professionals.

<u>Death and Dirt</u> - Presented by the Real Property, Probate, and Trust Law Section

- Death and Dirt explores the legal complexities of estate planning, trust administration, and real property law. Each episode features expert guests and practical conversations tailored to attorneys, financial advisors, and real estate professionals.
- Highlight: This month's episode will explore fiduciary duties, legal deserts, and the future of mentorship.

Law in the Family - Presented by the Family Law Section

- Law in the Family delivers practical guidance and thoughtful commentary on the evolving landscape of family law in Pennsylvania. From custody and support to legislative updates and courtroom strategies, this podcast is a valuable resource for family law practitioners.
- Highlight: This month's episode will explore the Post-Tax Season Tips and Ideas for Filing on Extension.

PBA podcasts are available on Spotify, Apple Podcasts, and other platforms.

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 <u>pabar.org</u> or follow on Facebook, Instagram, and LinkedIn.

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, <u>pass it along</u>. If you are our original source, there may be a hat tip in it for you.

Resources

Pending Cases Recent Cases

<u>Case Research Collection</u> <u>Attorney Gateway</u>

Rules Search Opinions

<u>FAQs – For the Public</u> <u>FAQs – For Attorneys</u>

<u>Lawyer Well-Being</u> <u>Pro Bono</u>

Annual Report <u>Discipline Statistics</u>

PA CLE Board

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