



**THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

STANDARD GUIDANCE TO LAWYERS WHO HAVE BEEN ADMINISTRATIVELY SUSPENDED

1. Your administrative suspension is effective 30 days after the date of the Court's order. The terms of Rule 218(h), Pa.R.D.E. (relating to reinstatement) do not excuse the requirement for current compliance by you with the provisions of Rule 217, Pa.R.D.E.
 - (a) If you do not resolve your noncompliance prior to the effective date of your administrative suspension, you are required "promptly" to give notice of your administrative suspension to all clients represented in pending matters, or in litigation or administrative proceedings, and the attorneys for each adverse party in such litigation or proceedings, by use of the Forms DB-23(a) and DB-24(a) provided to you. (Rule 217(b), Pa.R.D.E.)
 - (b) You are also required to notify the following of your suspension: all persons or their agents or guardians, wards, heirs and beneficiaries to whom a fiduciary duty is or may be owed at any time after your suspension; all other persons to whom you may at any time expect to have professional contacts under circumstances where there is a reasonable probability that they may infer that you continue as an attorney in good standing; and any other tribunal, court, agency or jurisdiction in which you are admitted to practice.
 - (c) Such notices are to be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. The notices may be delivered in person with you securing a signed receipt, electronic mailing with some form of acknowledgment from the client other than a "read receipt" and mailing by registered or certified mail return receipt requested. You are required to file copies of the notices with the Board and to serve copies on the Office of Disciplinary Counsel.
 - (d) Within 10 days after the effective date of the order (40 days from its entry), you are to file the "Statement of Compliance", Form DB-25(a) with the Board and serve a copy of that Form on Office of Disciplinary Counsel. If the suspension order was retroactive to an earlier date, the Statement of Compliance is required to be filed and served within 10 days after the date of the Court's order.
 - (e) If the various requirements of Rule 217 including the filing of the required Statement of Compliance and copies of notices to clients are not timely accomplished by you, the Office of Disciplinary Counsel will not hesitate to initiate action, in any court of competent jurisdiction, for such injunctive and other relief as may be appropriate to protect the interests of your former clients. (Rule 218(k)(2), Pa.R.D.E.)
2. **Rule 219(h) states that an attorney who has been administratively suspended for three years or less shall be reinstated upon filing the annual fee form, a verified statement showing compliance with Rule 217 and payment of the current annual fee, the annual fee that was due in the year in which the attorney was administratively suspended, the late payment penalty, and a \$300.00 reinstatement fee.**
3. From and after the entry of the order, you are not to accept any new retainer or engage as attorney for another in any new case or legal matter of any nature, although, in the 30-day period between entry of the order and its effective date, you may wind up and complete matters which were pending on the entry date.
4. In addition to the steps that you must promptly take under the other provisions of Rule 217, Pa.R.D.E. to disengage from the practice of law, you shall promptly cease and desist from using all forms of communication that expressly or implicitly convey eligibility to practice law in the state courts of Pennsylvania, including but not limited to professional titles, letterhead, business cards, signage, websites, and references to admission to the Pennsylvania Bar.

5. It is not envisioned that you will, or that you may, unilaterally proceed to dispose of, or transfer to another lawyer, any case, without having given the required notice to the client.
 - (a) Each client is to be put in a position to make an informed choice as to who is to represent him or her in connection with the legal matter in which you represented the client, and his or her expressed directions are to be observed by you.
 - (b) When a new attorney is selected by the client, you must promptly make the client's file available to the new attorney, without waiving any right to compensation you may have earned.
 - (c) You are not to share in any fee for legal services performed by any other attorney, following your administrative suspension, but you may be compensated for the reasonable value of your services rendered and disbursements incurred prior to the effective date thereof. In no event should the reasonable value of your services, and of those of the substituted attorney, exceed the amount the client would have had to pay, had no substitution of counsel been required.
6. A formerly admitted attorney may not engage in any form of law-related activities in this Commonwealth except in accordance with the requirements of Rule 217(j), Pa.R.D.E. This Rule sets forth boundaries pertaining to law-related activities and specifies certain activities which are prohibited to formerly admitted attorneys. You should carefully review Rule 217(j), a copy of which is attached, and be guided accordingly.
7. Lastly, in Pennsylvania, it is a misdemeanor of the third degree for a person, not currently admitted to practice law, to hold himself or herself out to the public as being entitled to practice law, or use or advertise the title of lawyer, attorney at law, attorney and counselor at law, counselor, or the equivalent in any language, in such a manner as to convey the impression that he or she is a practitioner of the law of any jurisdiction. 42 Pa.C.S., Section 2524. No further guidance can or will be offered by the Disciplinary Board as to what constitutes the practice of law, within the meaning of that statute, or otherwise. In case you anticipate engaging in conduct which could reasonably raise question as to whether it constitutes the practice of law, it is urged that you formally seek prospective guidance in that regard, from appropriate local or state professional associations, whenever such question may arise.

Attachment: Rule 217(j), Pa.R.D.E.