



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

*Dedicated to protecting the public, maintaining the integrity of the
legal profession, and safeguarding the reputation of the courts.*

ANNUAL REPORT 2020

Issued: March 11, 2021

The Disciplinary Board of the Supreme Court of Pennsylvania

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BOARD CHAIR'S SUMMARY

The year 2020 was significant in many ways. The year began with the retirement of Paul J. Killion, the long-serving Chief Disciplinary Counsel and the hiring of his replacement, Thomas J. Farrell. While Paul will certainly be missed, Tom stepped in without missing a beat. Just as he was settling in, the pandemic turned the world upside down. The Board, and particularly the staff, rose to the occasion.

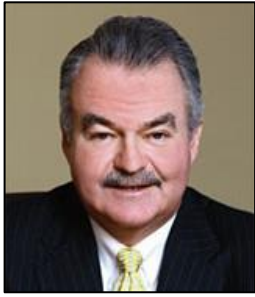
In 2020, operational procedures were instituted that allowed the staff to work remotely. Protocols were instituted for the use of advanced video communication technology to permit the continuation of the Board's primary objective – prompt investigation and adjudication of attorney discipline and reinstatement matters. Hearings, arguments, reprimands, and Board meetings were all conducted by way of videoconference. The Executive Director, Board Prothonotary, Counsel to the Board, Special Counsel, and the entire staff are to be thanked for their diligence, initiative, and hard work.

During the pandemic, we experienced an 18% reduction in the number of complaints filed. At the same time, the number of sanctions imposed in matters involving attorney misconduct declined to 148. Cumulatively, 725 Reinstatement Petitions or Requests for Reinstatements to Active Status were filed in 2020. The entire organization, both the Executive Office and the Office of Disciplinary Counsel, worked diligently to ensure the smooth functioning of our system of self-regulation. Every Hearing Committee member and each Board member worked hard to ensure the smooth functioning of the disciplinary system in Pennsylvania.

This report highlights the significant and important changes implemented in 2020. On a personal note, I want to thank the Court for allowing me to serve as Chair. In addition, my special thanks go to each member of the Board as well as to the entire profession for the opportunity to serve in this role. I leave the Board in the capable hands of existing and newly appointed members. Serving on the Board has truly been an honor.

James C. Haggerty
Board Chair

BOARD MEMBERSHIP



James C. Haggerty, Esquire
Board Chair
(Philadelphia County)



John F. Cordisco, Esquire
Board Vice Chair
(Bucks County)



Celeste L. Dee
(Lehigh County)



John P. Goodrich, Esquire
(Allegheny County)



Jerry M. Lehocky, Esquire
(Philadelphia County)



Christopher M. Miller, Esquire
(Allegheny County)



Gretchen A. Mundorff, Esquire
(Fayette County)



John C. Rafferty, Jr., Esquire
(Montgomery County)



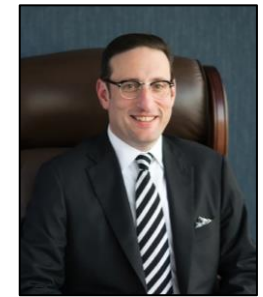
Dion G. Rassias, Esquire
(Philadelphia County)



Hon. Robert L. Repard
(Tioga County)



Hon. Eugene F. Scanlon, Jr. (ret.)
(Allegheny County)



David S. Senoff, Esquire
(Philadelphia County)



Andrew J. Trevelise, Esquire
(Philadelphia County)
Board Chair April 2019 - April 2020
Term Expired April 1, 2020



P. Brennan Hart, Esquire
(Allegheny County)
Term Expired April 1, 2020



Stefanie B. Porges, M.D.
(Montgomery County)
Term Expired April 1, 2020

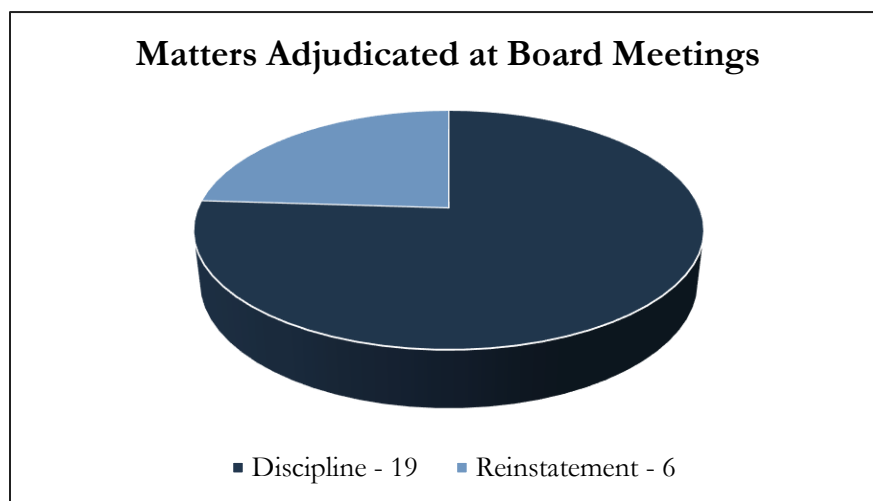
BOARD HIGHLIGHTS

Board Meetings

In 2020, the Board met one time in person and three times via Webex videoconference to address administrative, adjudicatory, and executive business. Throughout the year, the Board committees and the Board membership met by telephone or other electronic means to address Board business.

- January 15 & 16 – Philadelphia, Pennsylvania
- April 21 & 22 – Held Virtually via Webex
- July 22 & 23 – Held Virtually via Webex
- October 15 & 16 – Held Virtually via Webex

The Board adjudicated 25 matters this year: 9 in January, 6 in April, 7 in July, and 3 in October. Of the 25 adjudicated matters (19 discipline and 6 reinstatement), the Board filed recommendations to the Court in 23 matters. In 2020, the Court issued orders in 24 adjudicated matters, adopting the Board's recommendation in 21 of those matters.



Board Committee Progress Reports

All Board members serve on Board committees, with the Board Chair and Vice Chair serving as ex-officio members on each committee. In 2020, the committees undertook significant and meaningful projects and assignments, meeting one time in person and three times via teleconference, coinciding with scheduled Board meetings. Additionally, committee work was performed electronically and telephonically throughout 2020.

Rules Committee

The Rules Committee Chair is Dion G. Rassias. Committee members include Christopher M. Miller and David S. Senoff.

Under the leadership of Committee Chair Rassias, the committee oversees the consideration of amendments to existing rules and the drafting of new rules in the Rules of Professional Conduct (RPC), Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E), and Disciplinary Board Rules and Procedures.

Requests for rule amendments and new rules come from various sources, including, but not limited to: Board members, Office of Disciplinary Counsel, and Executive Office staff; the Supreme Court of Pennsylvania; lawyers; bar associations; and the general public. Recommendations for rule amendments are placed on the committee's agenda.

Generally, once the committee and the Board approve a proposed rule amendment, the Board publishes a Notice of Proposed Rulemaking in the *Pennsylvania Bulletin* explaining the proposal and requesting public comment. Upon close of the comment period, the committee reviews the comments and makes a recommendation to the Board on the final rule-proposal. Upon Board approval, the final proposal is submitted to the Supreme Court.

The Supreme Court of Pennsylvania adopted the following rule amendments in 2020:

Pa.R.D.E. 218(f)(1), (f)(3), and (g)(1) - Order dated March 31, 2020, effective April 30, 2020. This amendment imposes a filing fee of \$250 assessed against petitioner-attorneys for reinstatement from inactive status pursuant to Pa.R.D.E. Rule 301 and assesses a nonrefundable filing fee of \$250 on formerly admitted attorneys seeking reinstatement from suspension of one year or less. Additionally, the amendment permits the Board to assess penalties on unpaid taxed expenses in reinstatement matters.

RPC 8.4(g) - Order dated June 8, 2020, effective December 8, 2020. This amendment to the conduct rules makes it professional misconduct for a lawyer, in the practice of law, by words or conduct, to knowingly manifest bias or prejudice, or engage in harassment or discrimination.

On August 6, 2020, Zachary Greenberg, Esquire, a Pennsylvania licensed lawyer, filed a lawsuit in the United States District Court for the Eastern District of Pennsylvania against the Board members, Chief Disciplinary

Counsel, and Deputy Chief Disciplinary Counsel in their official capacities, challenging the constitutionality of the rule. On December 8, 2020, Judge Chad Kenney ordered a preliminary injunction barring enforcement of the rule, finding that the rule and the comments explaining it constituted viewpoint-based discrimination in violation of the First Amendment. The defendants filed a Notice of Appeal to the Third Circuit on December 22, 2020.

Pa.R.D.E. 205(b) and (c), 208(c) and (d)(1), and 213(d)(3) - Order dated July 6, 2020, effective August 5, 2020. This amendment clarifies that prehearing and hearing procedures in formal proceedings before Hearing Committees and special masters are governed by the Pennsylvania Rules of Disciplinary Enforcement and the decisional law of the Supreme Court and Board. Further, the amendment gives the Board the power and duty to decide, through the Board Chair, Vice Chair, or designated lawyer member, an interlocutory appeal to the Board where such appeal is permitted.

Pa.R.D.E. 102, 201(a)(3), 204(c), 217(d)(3), 219(b)(2), and 404 - Order dated October 29, 2020, effective November 28, 2020. New Rule 404 permits attorneys who are either in good standing or administratively suspended to permanently resign from the bar, as long as such attorney is not the subject of any investigation into alleged misconduct. Once permanently resigned, the attorney may not seek reinstatement through the Pennsylvania Rules of Disciplinary Enforcement, and must undergo the readmission process pursuant to the Pennsylvania Bar Admission Rules. Other rule amendments conformed to new Rule 404.

RPC 1.5 - Order dated November 25, 2020, effective immediately. This amendment to the conduct rule governing fees adds commentary related to the situation of successor counsel in contingency fee matters. The commentary gives guidance to lawyers on their ethical duties where a client enters a contingent fee agreement with one lawyer, terminates that lawyer's services without cause, and enters a new contingent fee agreement with a successor lawyer.

In addition to these rule changes, during 2020 the Board published in the *Pennsylvania Bulletin* five Notices of Proposed Rulemaking and six sets of amendments to the Disciplinary Board Rules and Procedures to conform to amendments to the Pennsylvania Rules of Disciplinary Enforcement adopted by the Supreme Court.

Finance & Personnel Committee

The Finance & Personnel Committee Chair is John P. Goodrich. Committee members include Jerry M. Lehocky and Hon. Eugene F. Scanlon, Jr.

The committee oversees the Board's assets, including financial, human, and technological, to develop an appropriate fiscal and operational strategy that furthers the mission of the Board. In many instances, the committee makes recommendations to other committees to elevate operational strategy.

In pursuit of its task, the committee reviewed and approved the proposed Budget for fiscal year 2021-2022, and reviewed and approved the external audit of fiscal year 2019-2020, which was completed by Trout, Ebersole & Groff. The audit found no material deficiencies or misstatements.

The committee reviewed and approved a lease renewal for the Office of Disciplinary Counsel District II office in Trooper, Pennsylvania. In an effort to increase efficiency, the new lease reduces rentable square feet by approximately 40%, resulting in a savings of nearly \$1.3-million over the life of the lease.

Among many other personnel related matters, the committee authorized the hire of a new Special Counsel and monitored progress of its 2018 organizational realignment designed to modernize the operations of the Board and more efficiently move cases through the system. The committee routinely evaluates the performance of the Board's senior staff and reviews policies intended to advance the Board's operational strategy.

Committee Chair Goodrich serves as the Board's representative to the Investment Advisory Board (IAB), established by the Supreme Court, and participated in the semi-annual meeting in May 2020.

Disciplinary Board Staff	
Total Employees <i>As of January 1, 2020</i>	69
New Hires	7
Retirements & Separations	9
Total Employees <i>As of December 31, 2020</i>	67

Communications Committee

The Communications Committee's Chair is Hon. Robert L. Repard. Committee members include Gretchen A. Mundorff and Celeste L. Dee.

The role of the committee is to increase visibility and to explore ways of improving communications with attorneys and the public, specifically through the Board's media platforms. Throughout 2020, under the leadership of Committee Chair Repard, the committee successfully adopted enhancements to multiple functions of the Board's website and approved the live-streaming of public proceedings on the Board's YouTube channel. In total, over 100 hours of proceedings were livestreamed to more than 4,000 viewers.

One of the significant tasks of this committee is the crafting and monthly distribution of the Board's Attorney Newsletter. Communicating with the profession and public frequently allows the Board to share important initiatives, information, and directives with the profession expeditiously. At the end of 2020, there were approximately 63,000 subscribers to the newsletter.

In coordination with the Board's Education Committee and the Administrative Office of Pennsylvania Courts (AOPC) Communications Department, Hearing Committee training videos were developed, recorded, and released to all newly-appointed Hearing Committee members.

Under Committee Chair Repard's leadership, the Board uses social media and its website to share information and articles which may be beneficial to the profession. In addition to sourcing and authoring these interactions, the Board coordinates with other Court Boards and Committees to share information with the profession that is relevant.

In 2020, the Board continued to publicize openings and vacancies for Court Boards and Committees in its newsletter, on the website, and via social media. AOPC personnel advised that these efforts have resulted in increased numbers of applicants for these positions.

Education Committee

The Education Committee's Chair is Gretchen A. Mundorff. Committee members include Hon. Robert L. Repard and John C. Rafferty, Jr.

The role of the committee is to propose and carry out education and training opportunities for Hearing Committee members and Board members.

Under the leadership of Committee Chair Mundorff, the committee planned and implemented a virtual New Member Hearing Committee Training. Participants viewed a 4½ hour training video, which included presentations by Board members; Hearing Committee members; Board staff; the Chief Disciplinary Counsel and Deputy Chief Disciplinary Counsel; and, Respondent's Counsel, Ellen Brotman. The program was designed to educate new members about the disciplinary system and their responsibilities as Hearing Committee members.

In an effort to create greater efficiency, future trainings of Hearing Committee members will be done annually in conjunction with a Board meeting.

In addition to their participation in hearing committee training, Board members had the opportunity to participate at conferences related to disciplinary matters. Board members continued their efforts to participate in numerous CLE presentations throughout the year.

Board members and staff attended the 17th Annual Meeting National Council of Lawyer Disciplinary Boards (NCLDB) in Austin, Texas, in February 2020. Attendees included: Hon. Robert L. Repard, Board member; Jesse G. Hereda, Executive Director and member of the NCLDB Board of Directors, who participated on a panel presentation entitled "Public vs. Private: Private Discipline and Public Access to Disciplinary Information;" and, Marcee D. Sloan, Board Prothonotary and Secretary of the NCLDB Board of Directors.

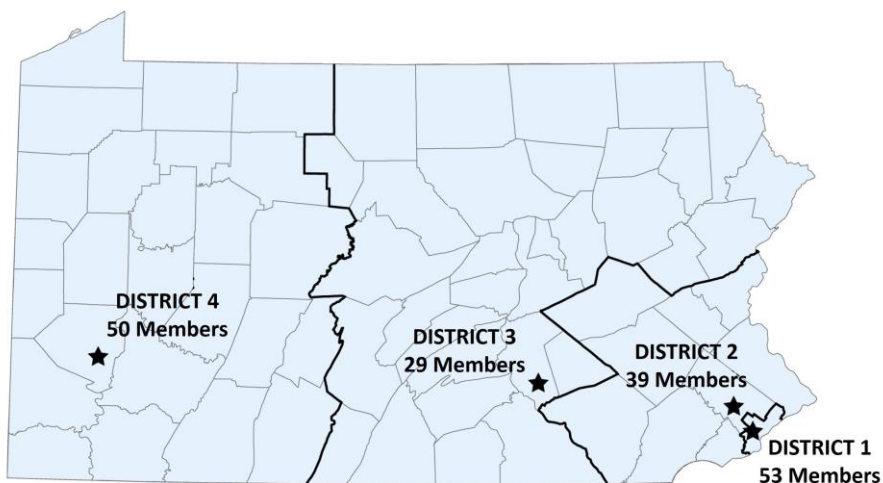
Hearing Committees

Annually, the Disciplinary Board is tasked with appointment of Hearing Committee members within each district. A Hearing Committee member for a district must be a member of the bar of this Commonwealth who maintains an office for the practice of law within that district. At the conclusion of 2020, there were 171 Hearing Committee members throughout Pennsylvania.

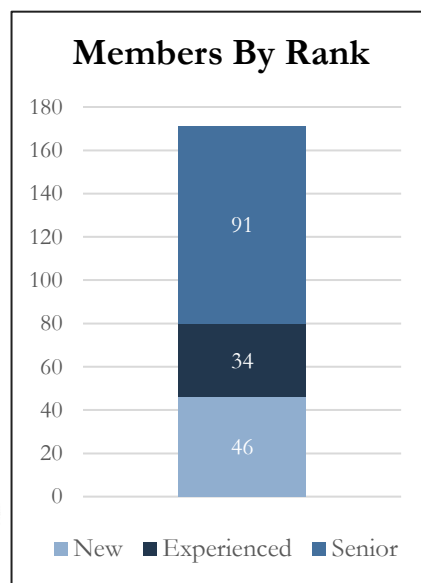
2020 Hearing Committee Appointments

District I 8 Appointments 11 Reappointments	District II 5 Appointment 8 Reappointments
District III No Appointments 8 Reappointments	District IV 5 Appointments 7 Reappointments

The Board acknowledges the significant role that Hearing Committee members play in the disciplinary process and is committed to appointing Hearing Committee members who will ably perform the duties of the position. It is the Board’s preference that Hearing Committee members meet certain qualifications prior to appointment, namely, having been in practice for a minimum of seven years and having no prior disciplinary history. The 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.



★ Indicates location of Office of Disciplinary Counsel Office



Duties of Hearing Committee members include reviewing the recommended disposition of complaints as offered by the Office of Disciplinary Counsel and conducting disciplinary and reinstatement hearings, either as a three member panel or single designated member. Hearing Committee members are responsible for preparing a written report and recommendation to the Board following disciplinary and reinstatement proceedings.

Complaint Dispositions Reviewed	101
Prehearing Conferences Held	30
Disciplinary Hearings Held	23
Reinstatement Hearings Held	7
Hearing Committee Reports Filed	24
Hearings on Motions to Quash Subpoenas	4
Hearings Held Before a Special Master	0

Commencing June 15, 2020, as a result of the COVID-19 global pandemic, all prehearing conferences and hearings in disciplinary and reinstatement matters were conducted via Webex videoconference for the remainder of the year.

In all matters referred for hearing, the Board's Special Counsel assisted and supported the Hearing Committee members to ensure that the Board's objective of moving cases expeditiously is achieved.

EXECUTIVE OFFICE HIGHLIGHTS

Attorney Discipline & Reinstatement

The Board Prothonotary is the record-keeper for all filings related to disciplinary and reinstatement matters. In addition, the Prothonotary assigns and schedules matters for Hearing Committee and Board review and performs various administrative functions.

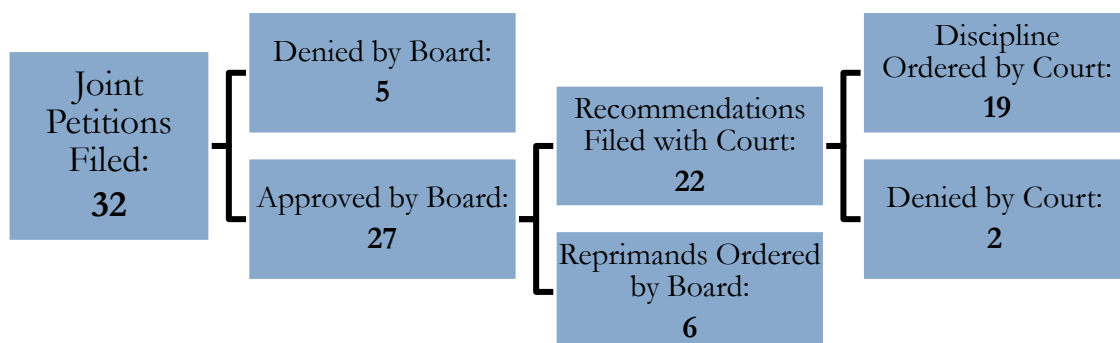
Disciplinary & Reinstatement Filings

	Filed	Granted	Denied
Petition for Discipline	25	NA	NA
Joint Petition for Discipline on Consent	32	<i>Shown Below in "2020 Joint Petitions In-Depth"</i>	
Petition for Emergency Temporary Suspension	4	4	0
¹Petition for Reinstatement from Discipline	6	7	3
Certification for Reinstatement from Suspension of One Year or Less	6	6	0
²Petition for Reinstatement from Inactive Status, Retired Status, or Administrative Suspension of More Than 3 Years	108	106	0

¹Ten matters noted were filed in 2019 and six matters noted were still pending as of December 31, 2020.

²One matter noted was withdrawn and one matter noted was dismissed.

2020 Joint Petitions In-Depth



One matter noted under "Recommendations Filed with Court" was filed in 2019.

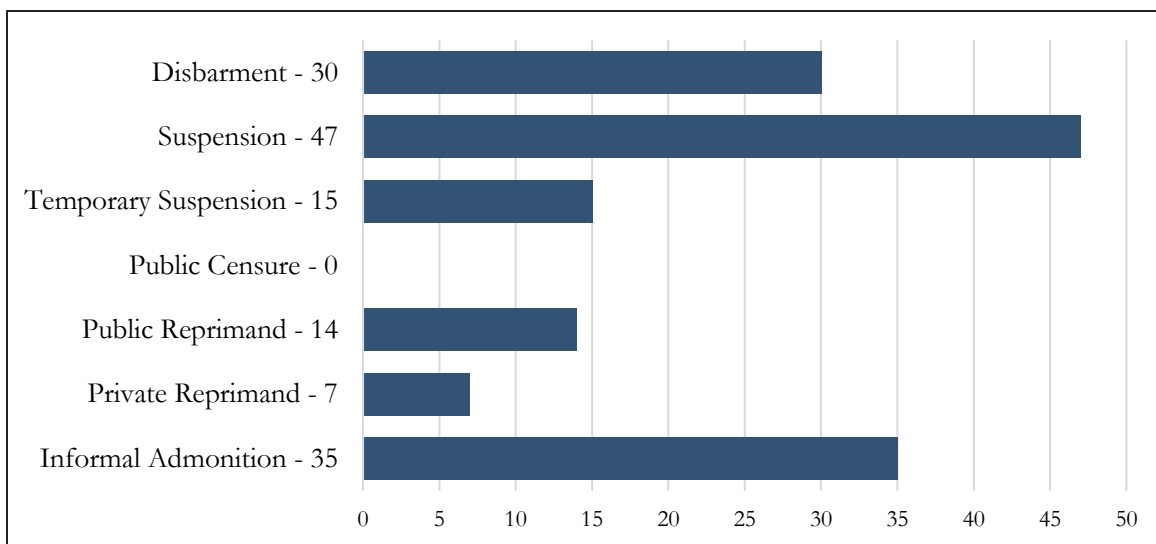
One matter noted under "Discipline Ordered by Court" was pending as of December 31, 2020.

Proceedings Held Before Board Member(s)

Contempt Hearing	0
Motion for Reconsideration to File Petition for Reinstatement	1
Petition to Dissolve Temporary Suspension	1
Probation Violation Hearing	1
Appeals on Motion to Quash Subpoenas	2
Oral Argument	6

In 15 matters, a three-member panel of the Board reviewed hearing committee member recommendations in informal proceedings.

Discipline Imposed in 2020



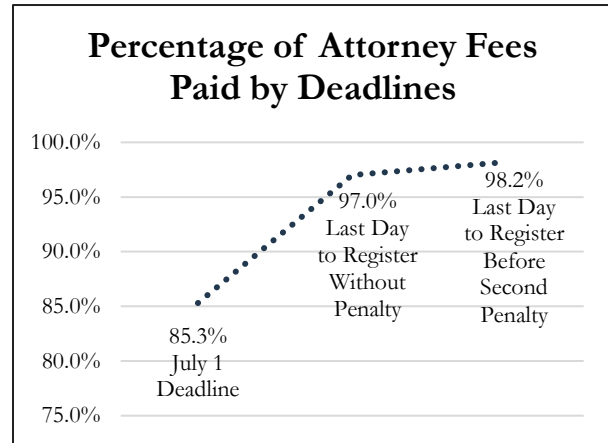
Discipline Statistics – Historical Comparison

	Informal Admonition	Reprimands		Public Censure	Temporary Suspension	Suspension	Disbarment	Total
		Private	Public					
2020	35	7	14	0	15	47	30	148
2019	68	7	20	0	27	55	34	211
2018	52	11	15	0	19	31	32	160
2017	46	8	17	2	18	40	35	166
2016	54	6	22	1	21	37	19	160
2015	58	10	14	1	21	38	37	179

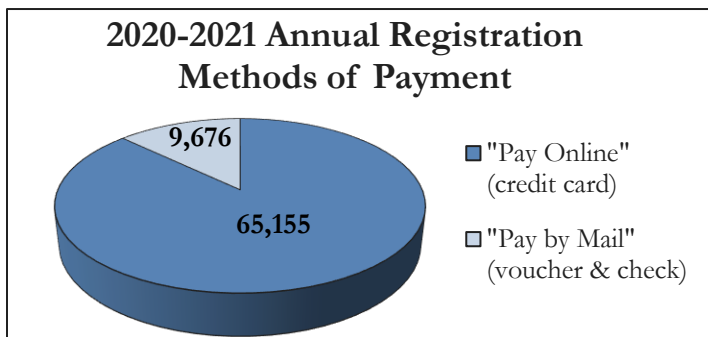
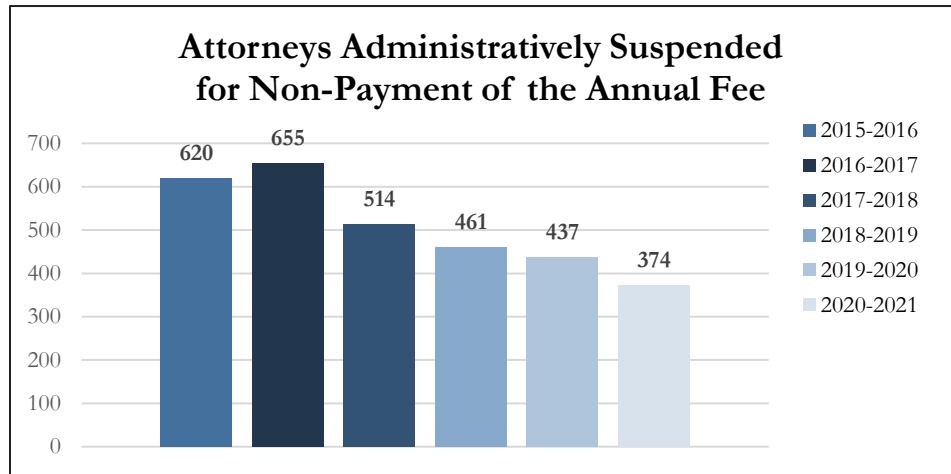
Attorney Registration

2020-2021 Annual Registration Summary

Annual registration continues to open on or before May 15 and is due on July 1. In 2020, annual registration opened on April 27 to more than 76,000 attorneys. Late payment penalties are assessed to all those who have not completed registration on or before July 16 and August 1. After the assessment of the second late penalty, a list of remaining non-compliant attorneys is certified to the Supreme Court for administrative suspension.



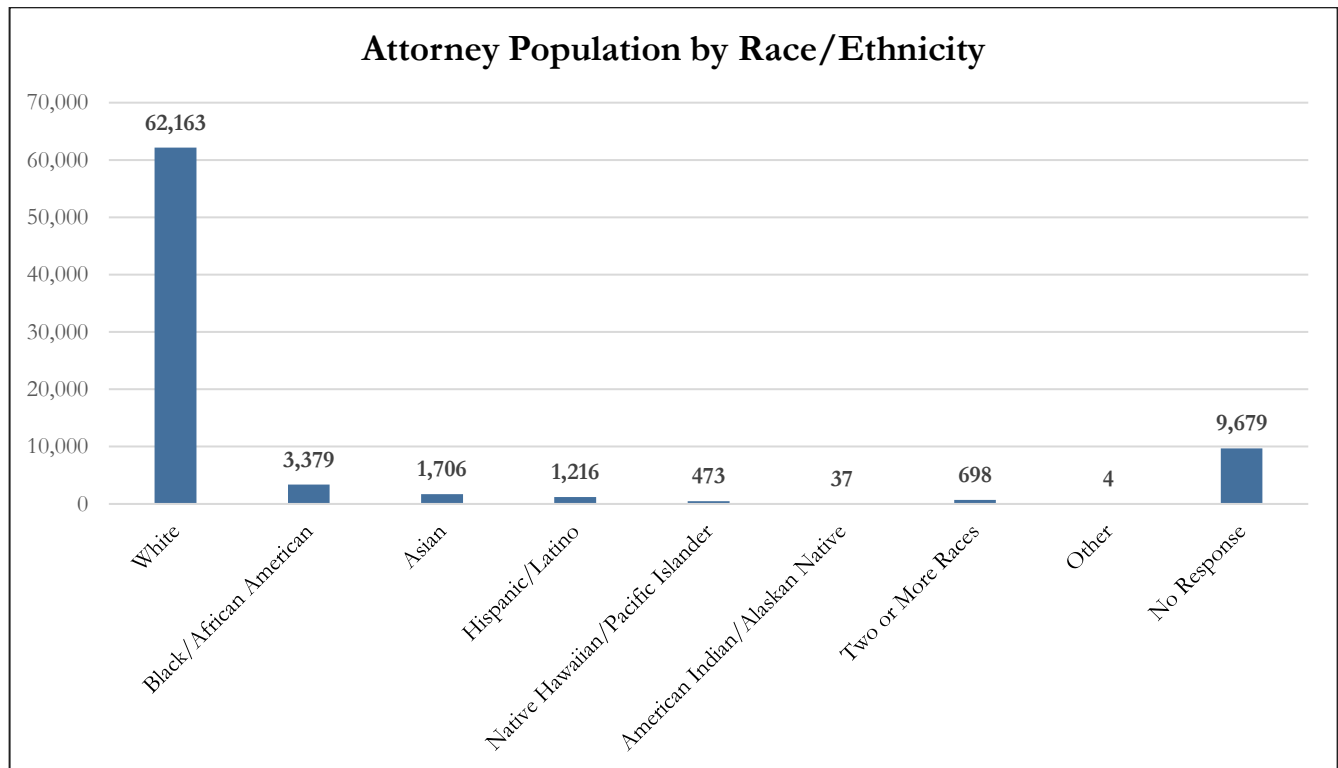
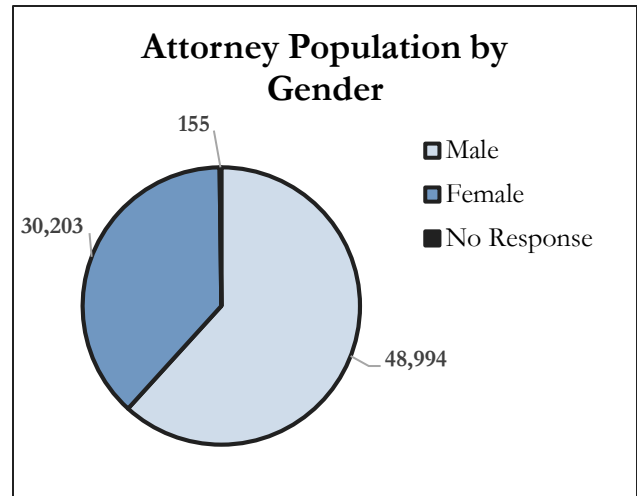
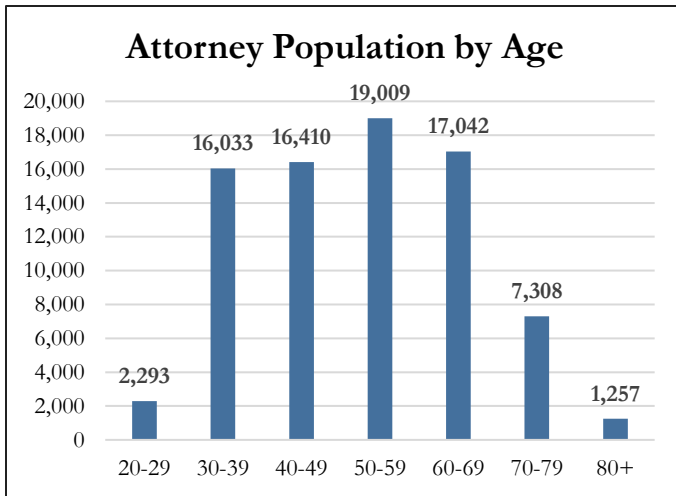
On August 12, the remaining 1,194 non-compliant attorneys were certified to the Supreme Court for administrative suspension. During the 30-day period in which the Supreme Court Order was pending, attorneys were able to complete their outstanding obligation and, therefore, be removed from the list of attorneys to be administratively suspended. As of September 11, 2020, the effective date of the Order, 374 attorneys remained on the list and were administratively suspended. Importantly, even during the COVID-19 pandemic, the number of attorneys administratively suspended in 2020 is the lowest that it has been in recent history.



Since 2016, annual attorney registration has been required to be completed electronically pursuant to Pa.R.D.E. 219(a). When registering, attorneys are able to submit payment online with a credit/debit card or by mail with a check and unique payment voucher.

Annually, the Disciplinary Board collects demographic data from Pennsylvania attorneys during the attorney registration process. Attorneys are asked to provide voluntary responses to one question regarding gender

and one question regarding race/ethnicity. The graphs below are representative of the aggregate responses with respect to age, gender, and race and/or ethnicity for all attorney-registrants who provided responses to the questions, including those who do not maintain an office in Pennsylvania. These figures include attorneys who were registered as either Active (which includes the following statuses: Active, In-House Corporate Counsel, Defender or Legal Services Attorney, and Foreign Legal Consultant) or Inactive at the time of registration.



Beginning with the 2019-2020 annual registration form, a question regarding succession planning is posed to all attorneys. While succession planning is essential to every attorney's practice, failure to have a designated successor is NOT a violation of the Rules of Professional Conduct or the Pennsylvania Rules of Disciplinary

Enforcement. The succession planning responses from all registered Pennsylvania attorneys that were provided during the 2020-2021 registration period are shown below.

Response Options	Total	%
I have a successor attorney. My successor is an individual.	2,436	3.14%
I have a successor attorney. My successor is a law firm.	9,181	11.82%
I do not have a successor because I do not have PA clients.	29,712	38.24%
I do not have a successor and I do have PA clients.	5,478	7.05%
Prefer not to answer.	30,880	39.75%
TOTAL	77,687	100.00 %

Reinstatements

Reinstatements of those on Inactive Status, Retired Status, or Administrative Suspension for three years or less are granted and processed by the Attorney Registration Office. Attorneys seeking reinstatement in this way are required to submit the appropriate form(s) and fee(s) as provided by Attorney Registration staff.

2020 Reinstatements – Three Years or Less	
From Inactive	455
From Retired	27
From Administrative Suspension	123
TOTAL	605

Attorney Data Update

The Disciplinary Board collects and maintains various information on all attorneys admitted to practice in Pennsylvania. Publicly accessible information for individual attorneys can be obtained on the Board's website. Data requests for large groups of attorneys are received regularly and are reviewed on a case-by-case basis.

In early December, all Pennsylvania President Judges and Court Administrators were notified of the availability of attorney data. At year-end, the Board had received over 30 requests for data from counties around the Commonwealth. All requestors have received at least their first data file(s) and subsequent files will be sent in the frequency (weekly, biweekly, monthly, quarterly, semi-annually, or annually) chosen by each requestor.

New Attorney Update

Daily, new attorneys are admitted by the Supreme Court Prothonotary's Office and uploaded into the Attorney Registration database. In 2020, exactly 1,000 attorneys were admitted to the Pennsylvania bar. This includes those fully admitted to the bar by exam or motion and those with limited admissions (In-House Corporate Counsel, Defender or Legal Services, Foreign Legal Consultant, Military Attorney, and Attorney Spouse of Active-Duty Military). The law schools listed below accounted for 87% of the attorneys admitted in 2020.

<u>Law School</u>	<u>2020 Admittees</u>
Temple University - Beasley School of Law	163
Villanova University - Charles Widger School of Law	111
University of Pittsburgh - School of Law	104
Duquesne University - School of Law	97
Drexel University - Thomas R. Kline School of Law	86
Penn State Law & Penn State Dickinson Law	76
Widener University - Commonwealth Law School	74
Widener University - Delaware Law School	62
University of Pennsylvania - Carey Law School	50
Rutgers Law School	47

Not included in the chart above are the "2020 Limited Licensees." The Supreme Court of Pennsylvania issued an Order on April 28, 2020 allowing recent law school graduates unable to sit for the July bar exam due to COVID-19 to be permitted to temporarily engage in the limited practice of law while under the supervision of a fully admitted attorney. Through its collaboration with the Pennsylvania Board of Law Examiners (PABLE), the Attorney Registration Office maintained a list of these limited licensees throughout the year. 163 of those granted this limited license passed the October bar exam. 20 of those granted the limited license did not pass the bar exam and their limited admission was thus terminated.

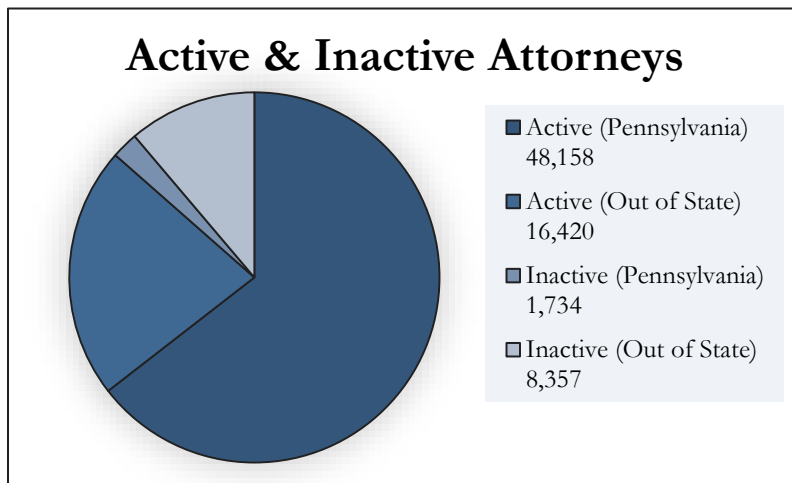
License Status Updates

Since mid-2018, emeritus status has been an option for retired attorneys who desire to perform pro bono work with legal aid organizations. Emeritus attorneys fulfill valuable roles in the community by bolstering legal aid and other nonprofit programs to help close the gap between the need for and the availability of free legal services. At the start of 2020, there were 12 attorneys on emeritus status. At year-end, that number had increased to 23 emeritus attorneys. As the number of attorneys requesting emeritus status is slowly increasing, the Board is taking concrete steps to further promote emeritus status and pro bono service for all attorneys. Through a future page on the Board's website dedicated to pro bono topics and resources, the

addition of information on the annual registration form, and direct communications with attorneys, the Board hopes to raise awareness about the emeritus program and increase pro bono services provided by all attorneys. The Board is working in collaboration with the IOLTA and CLE Boards to encourage and expand access to legal services.

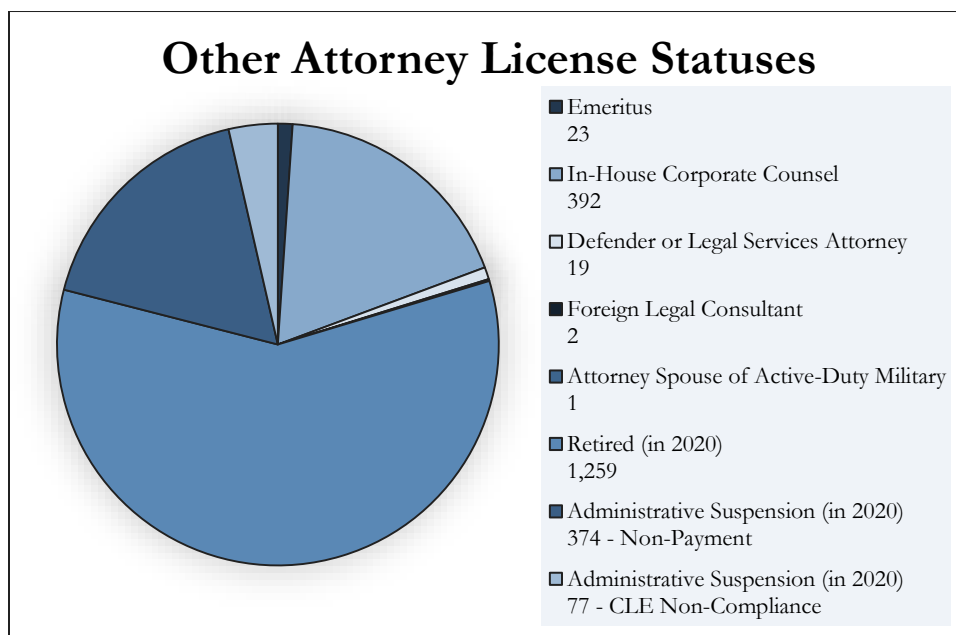
Since Pa.R.D.E. 404 (regarding permanent resignation) became effective on November 28, 2020, one attorney has requested and been granted resignation. Attorney Registration staff have received inquiries from several other attorneys regarding the option to permanently resign.

In 2019, the Supreme Court adopted Rule 304 of the Pennsylvania Bar Admission Rules which provides for limited licensure of an Attorney Spouse of Active-Duty Military. The first admission under this limited license was granted on September 22, 2020.



Most Populous Pennsylvania Counties

PA County	Active Attorneys
Philadelphia	14,010
Allegheny	8,968
Montgomery	5,030
Dauphin	2,431
Chester	2,418



Technology

2020 brought several challenges to the work environment that required innovations in technology by the Disciplinary Board. Such innovations aided in overcoming the constraints presented by the COVID-19 pandemic and allowed the Board to increase transparency, production, and efficiency.

One of the most consequential changes was the transition from in-person hearings to virtual. Using Webex videoconferencing for all parties to meet, along with the YouTube platform for livestreaming, hearings were able to resume after only a 3-month hiatus. In 2020, the Board conducted and streamed to the public 16 hearings, 6 oral arguments, 10 public reprimands, and 1 hearing on a petition to dissolve temporary suspension.

In total, more than 30 proceedings were live-streamed in 2020, accounting for over 100 hours of live-streaming. Also in 2020, more than 4,100 streams were started, accounting for 2,322 cumulative viewing hours of the Board's live-streamed proceedings.

The Disciplinary Board is grateful for the cooperative relationship it shares with the Administrative Office of Pennsylvania Courts. With the guidance and assistance of the AOPC, the Board has been able to accomplish the following in 2020:

- **PC Refresh** – The Board made significant updates to the computer equipment used in all of its offices.
- **Remote Access** – Allowing all Board staff to work remotely and continue operations during closure due to the pandemic.
- **Smartboards** – The Board now has smartboards in three offices (Philadelphia, Pittsburgh, and most recently Trooper) with access to a fourth at the Pennsylvania Judicial Center in Harrisburg. These boards not only allow for videoconferencing for hearings, but also the presentment of evidence and witnesses by both the Office of Disciplinary Counsel (ODC) and the Respondent, or their Counsel.

A revamp to the Attorney Registration System presents new attorneys on the Board's website almost immediately upon being admitted without having to await admission applications from PABLE, allowing Courts and members of the public to review the license status of these attorneys who have not yet received a license card.

The Board has developed and released the Case Research Collection (CRC), a repository of public and private discipline and reinstatement matters currently incorporating matters from the past five years, to

ODC. The Board is preparing the release of the CRC to the public by way of the Board's website. Users will be able to search cases by discipline imposed, Rule violated, and keyword, among many other criteria.

Throughout 2020, there were more than 2.2 million visitors to the website and the Board has posted more than 110 news articles on case decisions. These news articles, also linked on the Board's social media accounts, help increase transparency and provide the public with up-to-date and accurate information.

Other enhancements to the Board's website include the addition of an interactive booklet for each of the rule sets pertaining to the Board (Rules of Professional Conduct, Rules of Disciplinary Enforcement, and Board Rules and Procedures) and adding the Attorney Newsletter in webpage view.

In addition to the items mentioned above, standard enhancements were made throughout the year to the Board's Case Management System, Attorney Registration System, and Document Management System. In 2020, the Board continued its commitment to increase efficiency in operations by embracing and utilizing technology.

Finance & Budget

Financial Highlights of FYE June 30, 2020

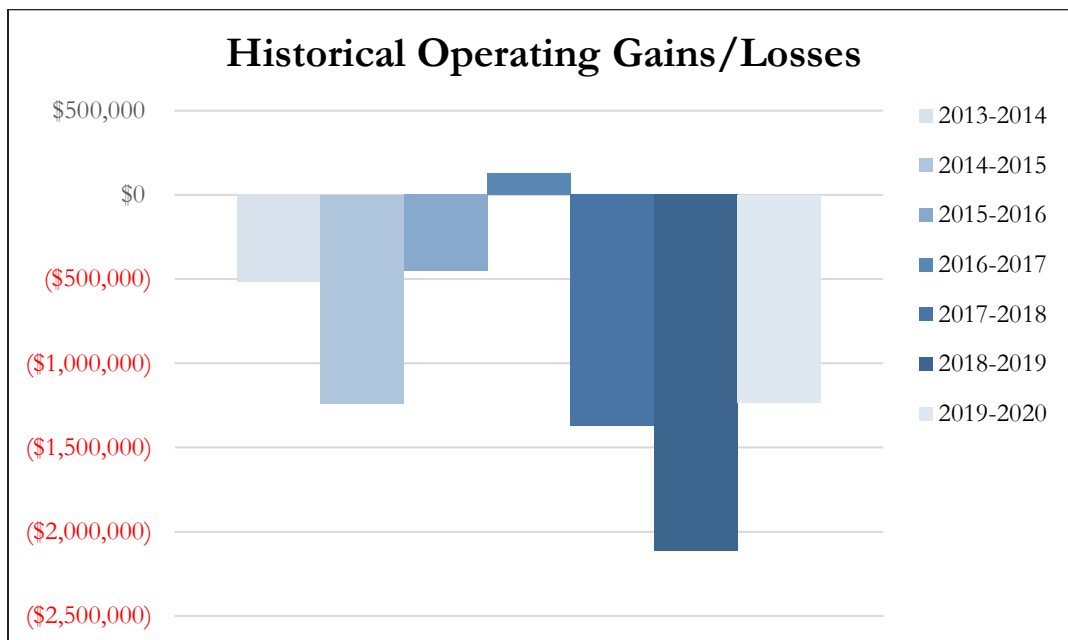
Operating Revenue:	\$11,100,681
Expenses:	(\$12,334,541)
Operating Income:	(\$1,233,860)
Non-Operating Revenue:	<u>\$375,461</u>
Change in Net Position:	(\$858,399)
Net Position (June 30, 2020):	\$8,918,302
Reserve Funds (IAB):	\$10,012,863

Operating Revenue: Annual fees plus administrative fees

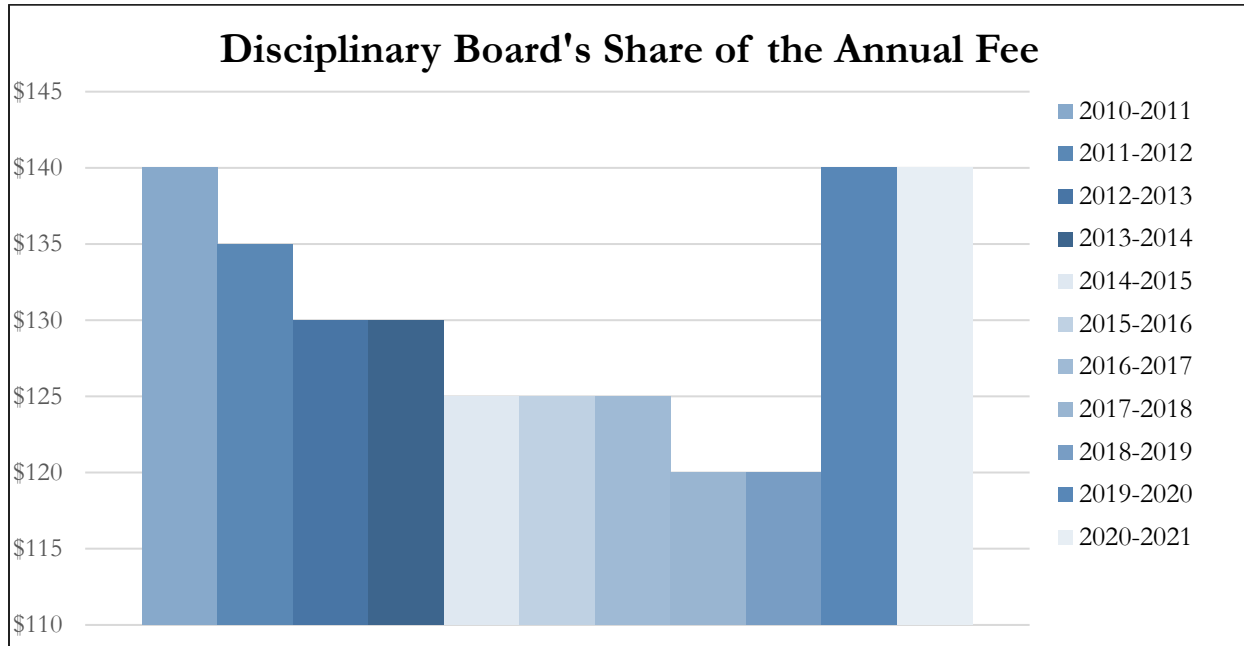
Non-Operating Revenue: Gains or losses on the Board's investments with the Investment Advisory Board (IAB) Fund

Change in Net Position: Operating Income plus Non-Operating Revenue

Reserve Funds (IAB): The Board's investments which are held by and managed through the IAB.



On December 17, 2019, the Board participated in the annual Lawyer Assessment Committee (LAC) telephone conference. At that time, the Board submitted a tentative Budget for Fiscal Year 2020-2021, proposing nearly flat Budgeted Revenues and a 4.5% increase in Budgeted Expenses. The submitted Budget projected that expenses would exceed revenues by \$1,055,446, or approximately 9% of revenue, based on an annual fee allocation to the Disciplinary Board of \$140 per Active Pennsylvania Attorney and \$100 per Inactive Pennsylvania Attorney. The annual fee for Active attorneys is currently \$225, which is shared as follows: \$140 to the Disciplinary Board, \$60 to the Pennsylvania Lawyers Fund for Client Security, and \$25 to the IOLTA Board.



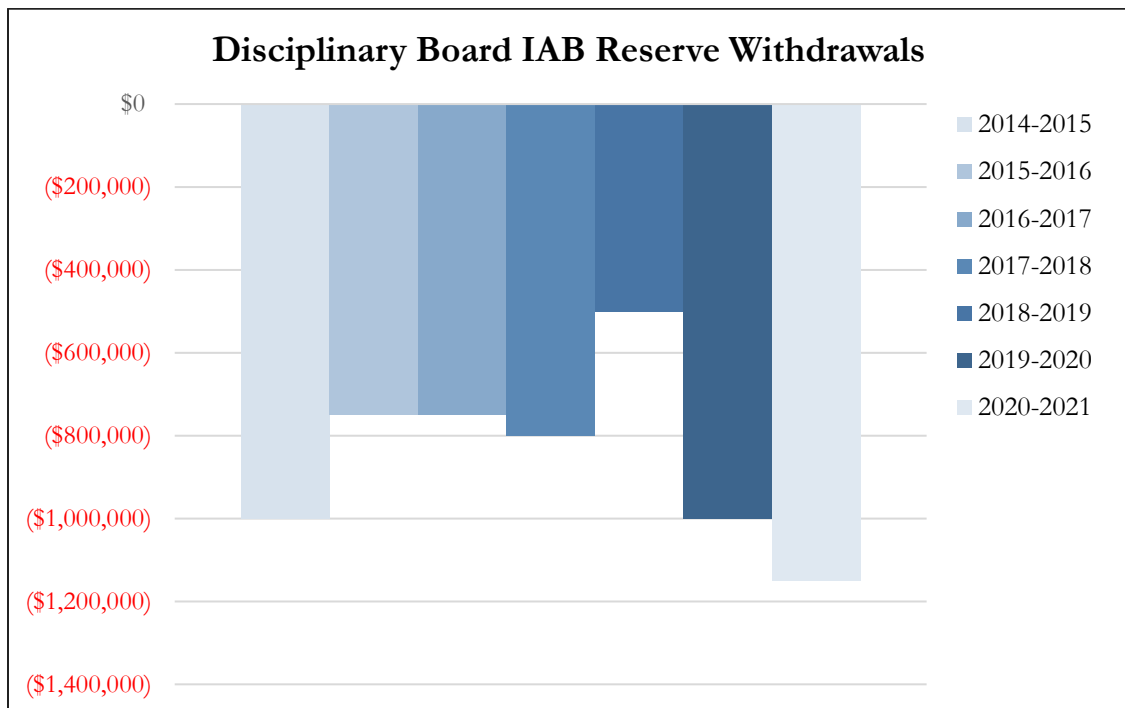
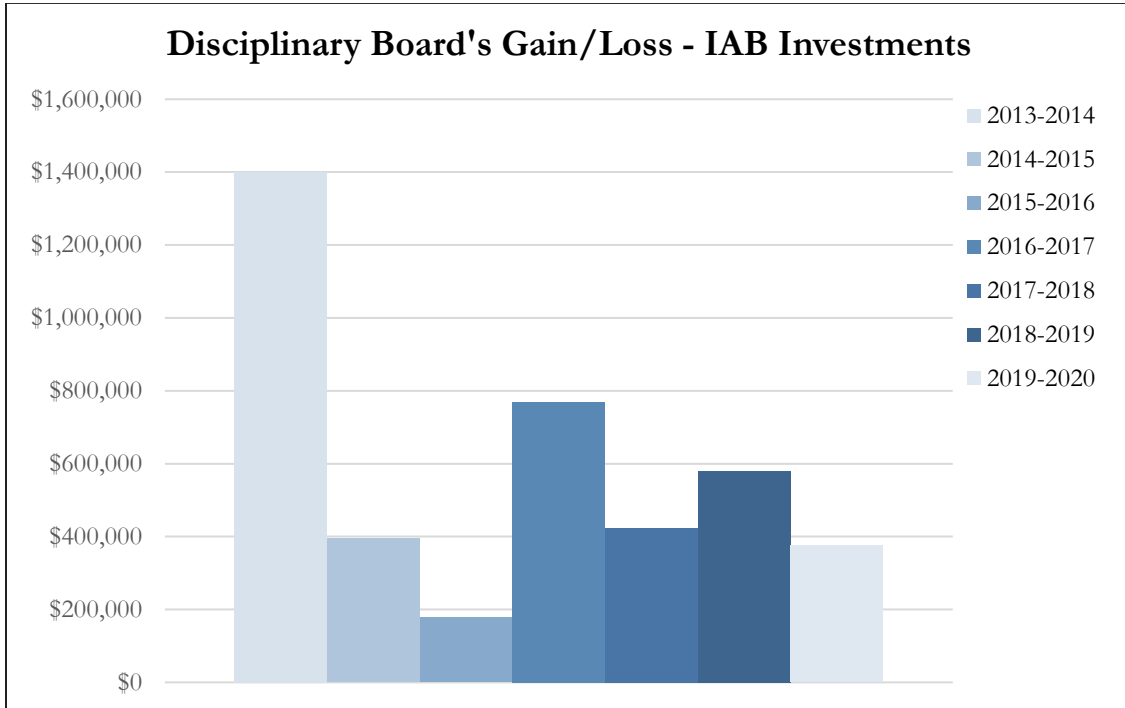
By Supreme Court Order dated February 15, 2019, which became effective on March 17, 2019, the Supreme Court of Pennsylvania amended Rule 208 of the Pennsylvania Rules of Disciplinary Enforcement to establish the assessment of a monthly penalty for unpaid taxed expenses and administrative fees. Rule 208(g)(5) was adopted to encourage satisfaction of outstanding obligations to the Disciplinary Board. Failure to pay taxed expenses and/or administrative fees within 30 days shall result in the assessment of a penalty, levied monthly at the rate of 0.8% of the unpaid principal balance. For good cause shown, the Disciplinary Board may reduce or waive the penalty assessment. As of December 31, 2020, there were 561 matters with a total outstanding balance of costs owed to the Disciplinary Board in the amount of \$1,315,511.31.

At the direction of the Supreme Court and in an ongoing effort to be an asset to the legal profession, in conjunction with the Pennsylvania Lawyers Fund for Client Security, the Disciplinary Board provides a portion of its revenue to fund Lawyers Concerned for Lawyers (LCL), an organization whose mission is “to provide a caring peer assistance program to save the lives and restore the health and professional competence of Pennsylvania’s judges and lawyers, members of their families, and law students who are at risk as a result of alcohol and drug use, gambling, depression, or other serious mental illness.” LCL’s budget is approved annually during the LAC telephone conference call. For additional information about LCL, or to obtain assistance, please visit their website at www.lclpa.org.

Non-Operating Revenue (Investment Gain/Loss)

The Board’s non-operating revenue consists of its investment gains or losses for any given year. The Investment Advisory Board (IAB) was formed in 2005 to pool the reserves of multiple Court boards in an effort to provide enhanced leverage of resources. Since inception, the Board’s reserve fund has achieved a

Net Return on Investment (ROI) of approximately 5%. As evidenced by the Disciplinary Board's Gain/Loss - IAB Investments chart, the Board's investment growth has been meaningful in light of the Board's need in recent years to make significant withdrawals from the IAB reserve to fund operations.



Independent Auditor's Report

Attached for Court-use only.

OFFICE OF DISCIPLINARY COUNSEL HIGHLIGHTS

Cases

In light of the COVID-19 pandemic, Disciplinary Counsel fully embraced the use of remote technology to conduct hearings and present oral argument before the Disciplinary Board.

In December 2020, Disciplinary Counsel testified on behalf of the Chester County District Attorney's Office at a criminal trial that resulted in 34 guilty jury verdicts.

The Office of Disciplinary Counsel (ODC) continued to cooperate with and provide valuable assistance to the Pennsylvania Lawyers Fund for Client Security in carrying out its important mission.

Cases Opened in 2020	3,652
Cases Resolved in 2020	4,026
<i>*A disciplinary matter may consist of multiple complaints filed against one attorney.</i>	

Education

Despite the challenges presented by the pandemic, Disciplinary Counsel continued to educate its peers, the bar, and community through in-person and virtual presentations and CLEs including:

- In January, all ODC staff convened in Harrisburg for a training session that included presentations by Disciplinary Counsel and Auditors regarding: oral argument before the Supreme Court, investigations of financial misconduct, and trial advocacy techniques and strategy.
- Disciplinary Counsel presented as panel members on the topic of prosecuting prosecutors at the mid-year meeting of the National Organization of Bar Counsel (NOBC) in February in Austin, Texas. In July, Disciplinary Counsel participated in an NOBC Diversity Forum.
- In February, Disciplinary Counsel and an auditor presented a program on "Fees, Timing and Other Ethical Issues" at the Pennsylvania Criminal Defense Lawyers 2020 DUI Motor Vehicle Summit.
- Disciplinary Counsel addressed professional responsibility issues and the disciplinary process at Temple Law School, Drexel University Law School and Penn State Dickinson Law School.
- Chief Disciplinary Counsel and Deputy Chief Disciplinary Counsel recorded videos discussing various aspects of the disciplinary system for use in training new Hearing Committee members.

- Chief Disciplinary Counsel addressed the Office of General Counsel’s annual CLE retreat.
- In November and December, Disciplinary Counsel served as a panelist along with representatives from the Client Security Fund and IOLTA Board at a program titled “IOLTA Compliance: Keeping Client Funds Safe and Keeping You Out of Trouble.”
- Disciplinary Counsel presented at a number of Bridge the Gap programs.

ODC continued its volunteer internship program for law students who received training and worked in a government setting. Supervised by Disciplinary Counsel, they conducted legal research, wrote memoranda, and participated in discussions regarding investigations and strategy. Law students from Temple and Villanova participated in the program.

Staffing Changes

A number of longstanding employees retired at the end of 2020. Among these retirees was former Chief Disciplinary Counsel, Paul J. Killion. Mr. Killion retired in January of 2020 after nearly 18 years of service. The Board thanks all retirees for their hard work and dedicated service and wishes them a long, happy, and healthy retirement.

2020 New Hires

- Jessica Torres, Disciplinary Counsel, District III
- Gabrielle Ciampoli, Secretary, District II

2020 Staff Promotions

- Darnell Grayson, Paralegal, District I
- Dejah Wood, Paralegal, District III

ORGANIZATION INFORMATION

Executive Office Staff & Location

- Executive Director
 - Counsel to the Board
 - Special Counsel
 - Board Prothonotary
 - Attorney Registrar
 - Support Staff (7)
- Jesse G. Hereda, Executive Director
 601 Commonwealth Avenue, Suite 5600
 Harrisburg, PA 17120
 (717) 231-3380

Office of Disciplinary Counsel Staff & Locations

- Chief Disciplinary Counsel
 - Deputy Chief Disciplinary Counsel
 - Counsel-in-Charge (5)
 - Disciplinary Counsel (23)
 - Auditors (7)
 - Support Staff (17)
- Thomas J. Farrell, Chief Disciplinary Counsel
 601 Commonwealth Avenue, Suite 2700
 Harrisburg, PA 17120
 (717) 783-0990

Office of Disciplinary Counsel

District I

1601 Market Street, Suite 3320
 Philadelphia, PA 19103
 (215) 560-6296

District II

820 Adams Avenue, Suite 170
 Trooper, PA 19403
 (610) 650-8210

District III

601 Commonwealth Avenue, Suite 5800
 Harrisburg, PA 17120
 (717) 772-8572

District IV

437 Grant Street, Suite 1300
 Pittsburgh, PA 15219
 (412) 565-3173

*Organizational Chart***Supreme Court of Pennsylvania****Disciplinary Board of the
Supreme Court of Pennsylvania****Chief Disciplinary Counsel
(Office of Disciplinary Counsel)****Deputy Chief
Disciplinary Counsel****District I****District II****District III****District IV****Executive Director
(Executive Office)****Attorney Registration
Office****Communications****Finance Office****Human Resources****Prothonotary's Office****Special Counsel
(Hearing Committees)****Technology****Counsel to the
Board**