



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 2023

Issued: March 18, 2024

The Disciplinary Board of the Supreme Court of Pennsylvania

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BOARD CHAIR'S SUMMARY

Following the significant challenges of the past few years, 2023 auspiciously offered opportunity for continued assessment and evolution as both the Supreme Court of Pennsylvania and its Disciplinary Board adapted to the demands of a modern legal system and workplace. The Board and its staff have diligently sought to increase the impact of its service to a modern Pennsylvania, promoting public access, knowledge, and empowerment.

Acknowledging the immense importance of public service as the heart of the Board's mission, the Board would like to extend its special appreciation to the thirty-eight retired attorneys who transferred to or reregistered for emeritus status. Skilled emeritus attorneys provide pro bono legal services to where it is often most needed throughout our Commonwealth, volunteering their unique expertise and experience to their communities.

Supporting the Board's labors to strengthen its outreach and educational arm, its members and staff have continued to further the Board's relationship with area law schools and students. Board members and Chief Disciplinary Counsel have visited Pennsylvania law school classrooms, speaking with students about our state's disciplinary system and ethical obligations young lawyers will face once admitted to practice. Meanwhile, Board staff have reinvigorated their communication strategy to better reach the next generation of Pennsylvania lawyers.

Once again, the Board partnered with the Administrative Office of Pennsylvania Courts, the Pennsylvania Lawyers Fund for Client Security, the Pennsylvania Interest on Lawyers' Trust Accounts Board, the Pennsylvania Continuing Legal Education Board, the Pennsylvania Board of Law Examiners, Lawyers Concerned for Lawyers of Pennsylvania, and the Pennsylvania Bar Association, collaborating to advance Pennsylvania's legal profession and expand access to justice. On behalf of the Board, I would like to emphatically thank all partner Court agencies and professional organizations.

As my tenure as Board Chair concludes, I would like to extend my most sincere gratitude to each of my fellow Board members, talented staff members, and volunteer Hearing Committee members for their dedication to the ethical practice of law. I'd like to express my congratulations and support to the next Board Chair, John C. Rafferty, Jr., and Vice-Chair, Gretchen A. Mundorff, under whose leadership the Board will continue to thrive. Lastly, I wish to thank Chief Justice Debra Todd and the Associate Justices of the Supreme Court for the true honor of serving the profession as Disciplinary Board Chair.

Dion G. Rassias
Board Chair

BOARD MEMBERSHIP



Dion G. Rassias, Esquire
Board Chair
(Philadelphia County)



John C. Rafferty, Jr., Esquire
Board Vice-Chair
(Montgomery County)



Joshua M. Bloom, Esquire
(Allegheny County)



Celeste L. Dee
(Lehigh County)



Laura E. Ellsworth, Esquire
(Allegheny County)



Jerry M. Lehocky, Esquire
(Philadelphia County)



Christopher M. Miller, Esquire
(Allegheny County)



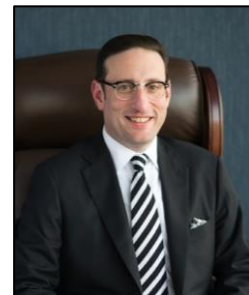
Robert J. Mongeluzzi, Esquire
(Philadelphia County)



Gretchen A. Mundorff, Esquire
(Fayette County)



Hon. Robert L. Repard
(Tioga County)



David S. Senoff, Esquire
(Philadelphia County)



Shohin H. Vance, Esquire
(Philadelphia County)

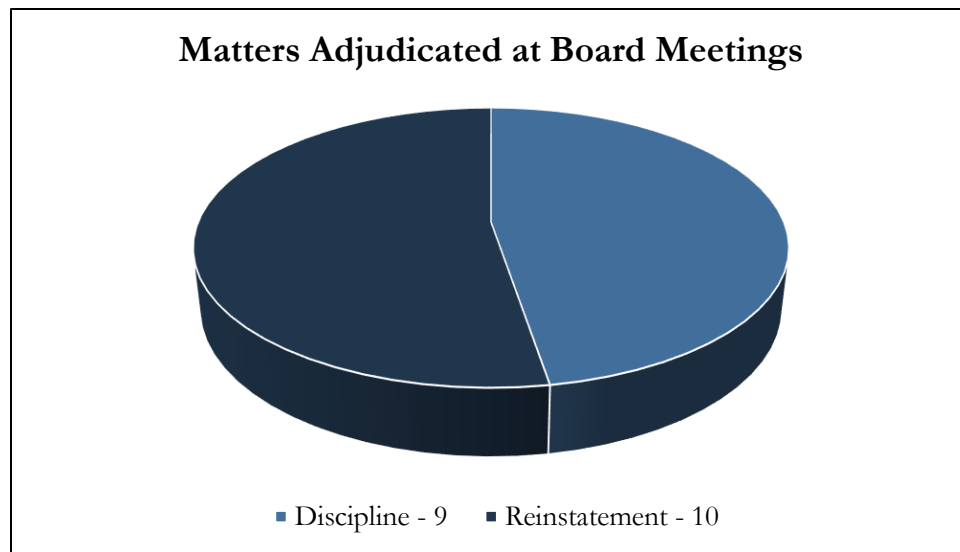
BOARD HIGHLIGHTS

Board Meetings

In 2023, the Board met in-person four times to address administrative, adjudicatory, and executive business. Throughout the year, the Board membership and the Board committees met by telephone or other electronic means to perform the business of the Board.

- January 18 & 19 – Philadelphia, Pennsylvania
- April 18 & 19 – Pittsburgh, Pennsylvania
- July 24 & 25 – Hershey, Pennsylvania
- October 27 & 28 – Bedford, Pennsylvania

At the 2023 meetings, the Board adjudicated 19 matters: 4 in January, 3 in April, 7 in July, and 5 in October. The 19 matters consisted of 9 discipline matters and 10 reinstatement matters. In 2023, the Supreme Court issued orders in 13 adjudicated matters, adopting the Board's recommendation in 13 of those matters.



Board Committee Progress Reports

All Board members serve on Board committees, with the Board Chair and Board Vice-Chair serving as ex-officio members of each committee. In 2023, the committees undertook significant and meaningful projects and assignments, meeting four times in connection with scheduled Board meetings. Additionally, committee work was performed electronically and telephonically throughout 2023.

Rules Committee

The Rules Committee Chair is David S. Senoff. Board members Jerry M. Lehocky and Laura E. Ellsworth serve on the committee.

Under the leadership of Committee Chair Senoff, the committee oversees the consideration of amendments to existing rules and the drafting of new rules for the Rules of Professional Conduct, Pennsylvania Rules of Disciplinary Enforcement, 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 for discussion.

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.

In 2023, the Supreme Court of Pennsylvania adopted the following amendments to the Rules of Professional Conduct (RPC) and Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.), following proposal by the Board:

RPC 1.19 (Lawyers Acting as Lobbyists). By Order dated April 11, 2023, effective immediately, the Court adopted an amendment to the Rules of Professional Conduct to provide that a lawyer whose service as a public officer or public employee of a governmental body concludes on or after June 1, 2023, shall not act as a lobbyist, as defined in any statute, resolution passed or adopted by either house of the Legislature, regulation promulgated by the Executive Branch or any agency of the Commonwealth of Pennsylvania or ordinance enacted by a local government unit, on any matter before the governmental body with which the lawyer had been associated for one year after termination of the lawyer's service as a public officer or public employee.

Pa.R.D.E. 102, 201, 204, 205, 208, 212, 216, 217, 218, 219, 221, 301, 321, 401, 402, 403, 501,502, 503, 512, 514, 521, 531 & 532 and RPC 1.17. By Order dated July 19, 2023, effective September 1, 2023, with the exception of certain attorney registration requirements effective May 1, 2024 in conjunction with the 2024-2025 annual registration period, the Court adopted comprehensive amendments to the rules relating to attorney registration and assessment, administrative suspension, and administrative status changes.

Pa.R.D.E. 102. By Order dated July 25, 2023, effective immediately, the Court amended the rules relating to the definitions of senior and experienced hearing committee members.

Other Board action on Rules Committee items:

In addition to rule change proposals submitted to the Court, in 2023, the Board published in the *Pennsylvania Bulletin* three Notices of Proposed Rulemaking seeking public comment and three sets of amendments to the Disciplinary Board Rules and Procedures. As well, the Board responded to five rules-related inquiries from the Court.

Finance & Personnel Committee

The Finance & Personnel Committee Chair is Robert J. Mongeluzzi. Board members Christopher M. Miller and Joshua M. Bloom serve on the committee.

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 2024-2025, and reviewed and approved the external audit of fiscal year 2022-2023, which was completed by Maher Duessel. The audit found no material deficiencies or misstatements.

Among many other personnel related matters, the committee 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.

Board Chair Rassias serves as the Board's representative to the Investment Advisory Board (IAB), established by the Supreme Court, and participate in the IAB meetings.

Disciplinary Board Staff	
Total Employees <i>As of January 1, 2023</i>	70
New Hires	5
Retirements & Separations	1
Total Employees <i>As of December 31, 2023</i>	74

Communications Committee

The Communications Committee Chair is Hon. Robert L. Repard. Board member Celeste L. Dee serves on the committee.

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 2023, under the leadership of Committee Chair Repard, the committee successfully adopted multiple enhancements to the Board's website. Among other things, such enhancements include:

- a new "Lawyer Well-Being" webpage, connecting Pennsylvania attorneys with available resources to better understand and support their mental health and well-being, particularly as they relate to the legal profession.
- a new "Conservatorships" webpage, making available important conservatorship information to all clients and other interested parties affected by absent attorneys.
- a more direct route of access for Hearing Committee members to relevant review and hearing materials via the Attorney Gateway.

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 2023, there were approximately 55,900 subscribers to the newsletter.

Under Committee Chair Repard's leadership, the Board uses its newsletter, social media, and 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 and Commonwealth law organizations to share information with the profession that is relevant.

Throughout the year, the committee produced its own web articles highlighting various well-being subjects. The articles present several topics on wellness as it relates to both attorneys' personal and professional lives and misconduct prevention, including the use of grounding techniques to combat stress and anxiety, mindfulness and meditation, sleep procrastination, and managing stress throughout the holiday season.

In 2023, the Board continued to publicize openings and vacancies for Court Boards and Committees in its newsletter, on the website, and via social media.

The committee continued distribution of a monthly email to law school contacts in and around the Commonwealth. Each email details Board news to be shared with student bodies and includes a link to the previous month's newsletter and a list of scheduled public proceedings. In 2023, the committee also designed and produced new visual marketing materials – including a digital flyer, print flyer, and poster – to promote interest in ethical law practice amongst the next generation of legal professionals.

Education Committee

The Education Committee Chair is Gretchen A. Mundorff. Board member Shohin H. Vance serves on the committee.

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

Under the leadership of Committee Chair Mundorff, the committee planned and held an in-person training event for all Hearing Committee members in Hershey, Pennsylvania. The Board was highly honored to host Chief Justice Debra Todd at this year's training. Chief Justice Todd welcomed all attendees and noted the Board's duty to the public and the justice system, highlighting the significance of the undertakings of Hearing Committee Members. The 6-hour training event also included presentations by Board members; Hearing Committee members; Board staff; the Chief Disciplinary Counsel and Deputy Chief Disciplinary Counsel; Respondent's Counsel, Ellen Brotman; and the Education and Outreach Coordinator for Lawyers Concerned for Lawyers of Pennsylvania, Brian S. Quinn. The program was designed to educate these volunteers about the disciplinary system and their responsibilities as Hearing Committee members.

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.

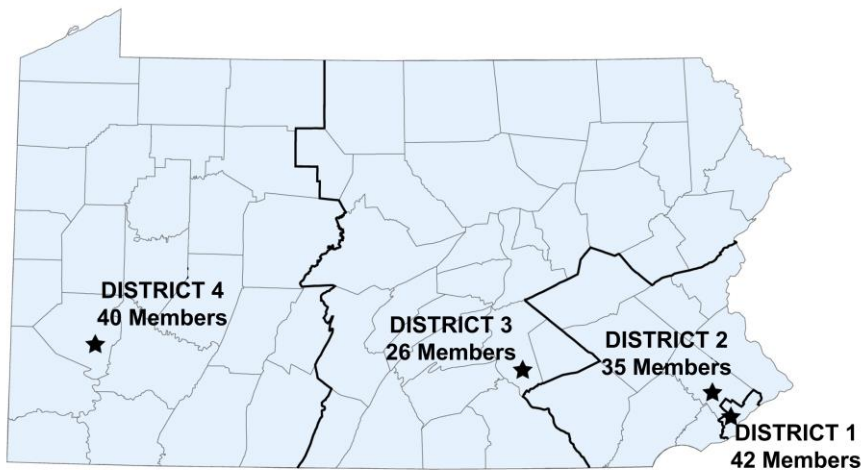
The 20th Annual Meeting of the National Council of Lawyer Disciplinary Boards (NCLDB) was held in New Orleans, Louisiana in February 2023. Board members who attended in-person included: Gretchen A. Mundorff, Laura E. Ellsworth, Christopher M. Miller, Hon. Robert L. Repard, David S. Senoff, and Shohin H. Vance. Staff members who attended in-person included: Jesse G. Hereda, Executive Director and President of the NCLDB Board of Directors; Marcee D. Sloan, Board Prothonotary and Secretary of the NCLDB Board of Directors; Lauren A. Chavey, Communications Coordinator and member of the NCLDB Board of Directors; Laura K. Mohney, Counsel to the Board; Kimberly M. Henderson, Special Counsel; and Dana C. Belella, Assistant Director. Additional attendees representing Pennsylvania included: Laurie Besden, Lawyers Concerned for Lawyers of Pennsylvania and Lieutenant General Christopher Burne, USAF (ret) who each offered presentations during the conference events. Hearing Committee members who participated virtually included: Joseph Bongiovanni, Jenni Chavis, Thomas Chiacchio, Evelyn Devine, Adam Rosenthal, Dawn Tancredi, and Heidi Villari.

Hearing Committees

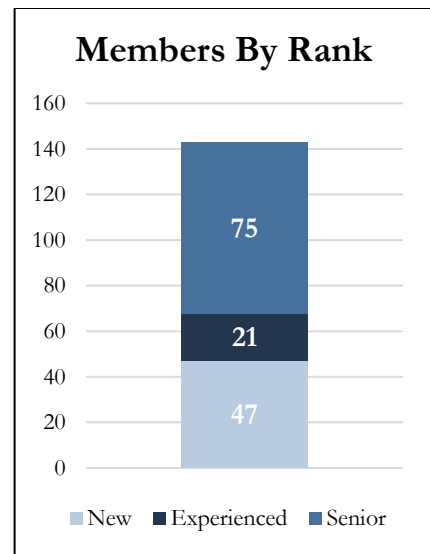
Annually, the Disciplinary Board is tasked with appointing Hearing Committee members in each district. A Hearing Committee member for a district must be a member of the bar of this Commonwealth who maintains an office for the practice of law within that district. At the conclusion of 2023, there were 143 Hearing Committee members throughout Pennsylvania.

2023 Hearing Committee Appointments

District I 5 Appointments 8 Reappointments	District II 7 Appointments 4 Reappointments
District III 11 Appointments 0 Reappointments	District IV 7 Appointments 4 Reappointments



★ Indicates location of Office of Disciplinary Counsel Office



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. 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.

Gender and Race and/or Ethnicity of Hearing Committee Members

	Male	Female	Prefer Not to Answer	TOTAL	%
White or Caucasian	75	40	0	115	79.31%
Black or African American	4	8	0	12	8.28%
Asian	2	2	0	4	2.76%
Hispanic or Latino	0	2	0	2	1.38%
American Indian or Alaskan Native	0	0	0	0	0.00%
Native Hawaiian or Other Pacific Islander	0	0	0	0	0.00%
Other	0	0	0	0	0.00%
Prefer Not to Answer	11	0	0	11	7.59%
TOTAL	92	52	0	144	
%	63.89%	36.11%	0.00%		
*More Than One Race and/or Ethnicity Identified	0	1	0	1	

**The data provided in this row reflects the number of attorneys who identified more than one race and/or ethnicity. The underlying selections for these attorneys are reflected in the respective categories above.*

Gender and Race and/or Ethnicity of All Registered Pennsylvania Attorneys

	Male	Female	Prefer Not to Answer	TOTAL	%
White or Caucasian	36,663	22,722	1	59,386	80.06 %
Black or African American	1,381	2,076	1	3,458	4.66 %
Asian	871	1,105	0	1,976	2.66 %
Hispanic or Latino	675	699	0	1,374	1.85 %
American Indian or Alaskan Native	144	123	0	267	0.36 %
Native Hawaiian or Other Pacific Islander	41	41	0	82	0.11 %
Other	346	271	1	618	0.83 %
Prefer Not to Answer	4,720	2,263	35	7,018	9.46 %
TOTAL	44,841	29,300	38	74,179	
%	60.45 %	39.50 %	0.05 %		
*More Than One Race and/or Ethnicity Identified	487	541	0	1,028	

**The data provided in this row reflects the number of attorneys who identified more than one race and/or ethnicity. The underlying selections for these attorneys are reflected in the respective categories above.*

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	81
Prehearing Conferences Held	27
Disciplinary Hearings Held	18
Reinstatement Hearings Held	8
Hearing Committee Reports Filed	20

On July 26, 2023, the Board held a training session for over one hundred Hearing Committee members. Chief Justice Debra Todd welcomed all attendees and noted the Board's duty to the public and the justice system, highlighting the significance of the undertakings of Hearing Committee Members. The training also included a variety of topics designed to increase the knowledgebase of the Hearing Committee members relative to disciplinary case law, rules, procedures, and attorney well-being.

All prehearing conferences and oral arguments before a Hearing Committee member or panel were conducted virtually via Cisco Webex. In April, the Board transitioned to in-person hearings for all participants regarding disciplinary and reinstatement hearings. 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 was 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

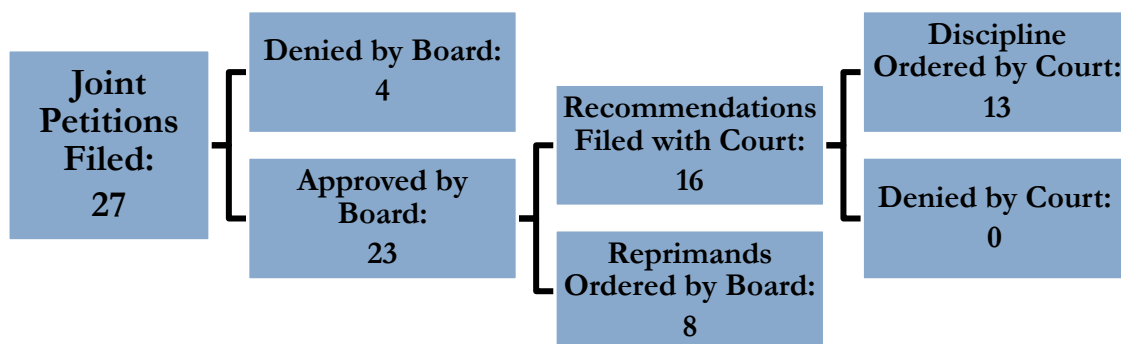
	Filed	Granted	Denied
Petition for Discipline	32	N/A	N/A
Joint Petition for Discipline on Consent	27	<i>Shown Below in "2023 Joint Petitions In-Depth"</i>	
Petition for Emergency Temporary Suspension	3	3	0
Contempt Petitions	2	2	0
¹ Petition for Reinstatement from Discipline	5	1	4
² Certification for Reinstatement from Suspension of One Year or Less	6	5	0
³ Petition for Reinstatement from Inactive Status, Retired Status, or Administrative Suspension of More Than 3 Years	67	82	1

¹One matter granted was filed in 2022. Of the denied matters, two were filed in 2022 and two were filed in 2021. Five matters were still pending as of December 31, 2023.

²One matter was still pending as of December 31, 2023.

³Twenty-one matters granted were filed in 2022, one matter was filed in 2021, and one matter was filed in 2019. Two matters were withdrawn. Eight matters were still pending as of December 31, 2023.

2023 Joint Petitions In-Depth

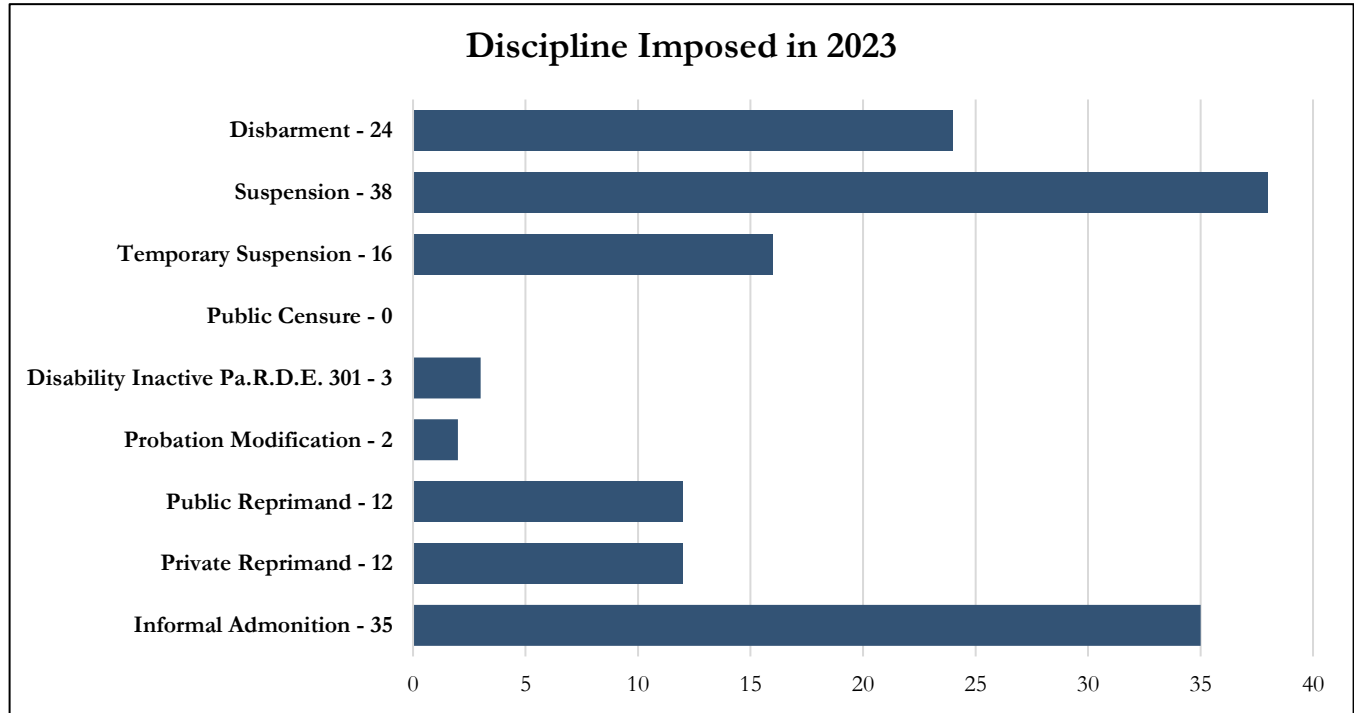


One matter under "Recommendations Filed with Court" was filed in 2022 and three matters were still pending as of December 31, 2023.

Proceedings Held Before Board Member(s)

In 2023, one petition to dissolve temporary suspension hearing, two probation violation hearings, and three oral arguments were held before Board members. In 26 matters, a three-member panel of the Board reviewed Hearing Committee member recommendations in informal proceedings.

Discipline Imposed in 2023



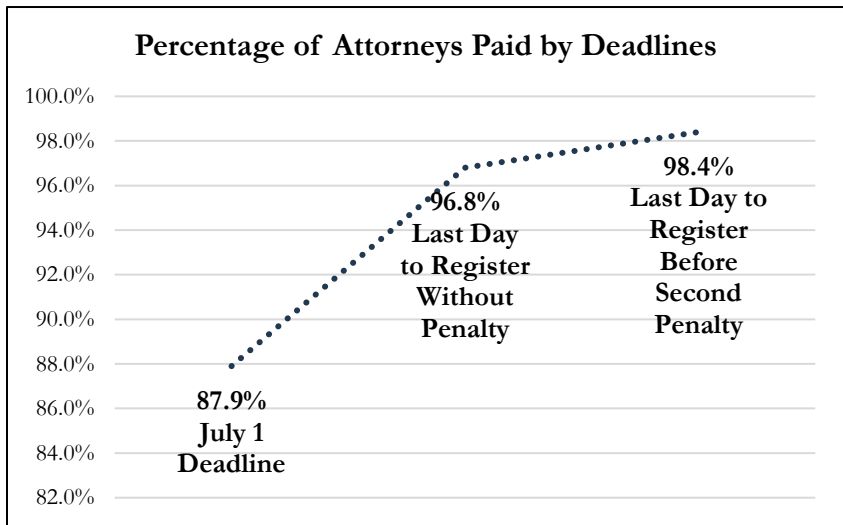
Discipline Statistics – Historical Comparison

	Informal Admonition	Reprimands		Public Censure	Temporary Suspension	Suspension	Disbarment	Total
		Private	Public					
2023	35	12	12	0	16	38	24	137
2022	39	12	21	0	14	28	25	139
2021	45	8	11	0	12	38	18	132
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

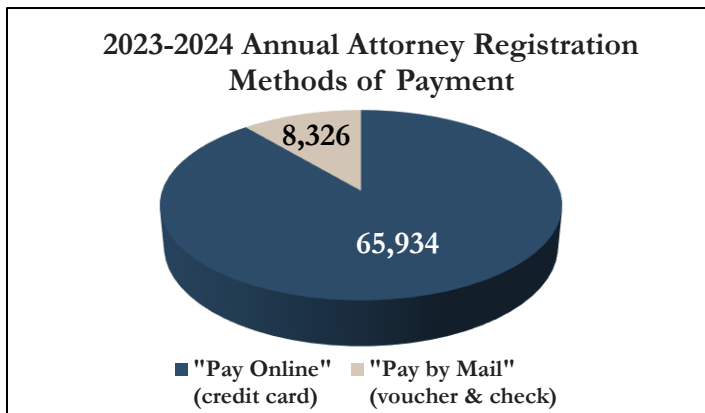
Attorney Registration

2023-2024 Annual Attorney Registration Summary

Annual attorney registration opens on or before May 15 each year with a July 1 deadline. In 2023, annual attorney registration opened on May 1 to over 75,200 attorneys who were eligible and required to complete annual registration. By the July 1 deadline, nearly 88% of attorneys had completed their registration. Prior to the assessment of the first late fee on



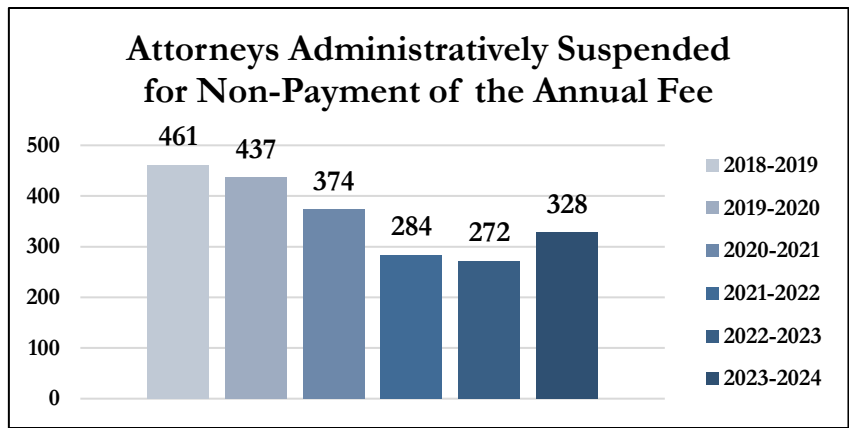
July 17, nearly 97% of attorneys had complied. Prior to the assessment of the second late fee on August 2, over 98% of attorneys had completed the registration process.



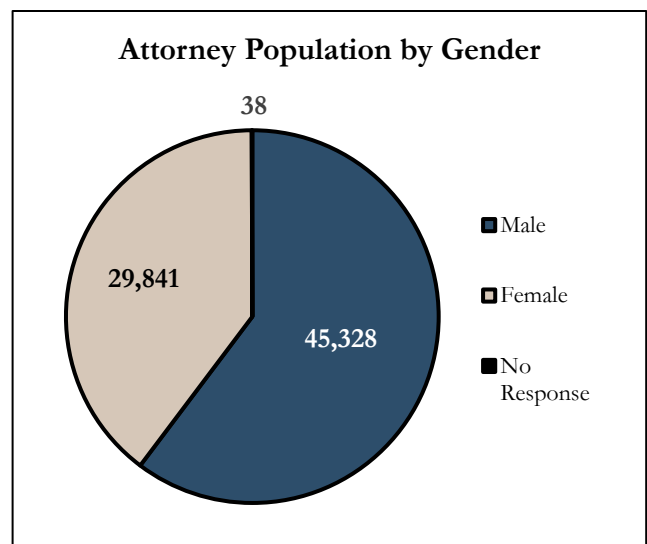
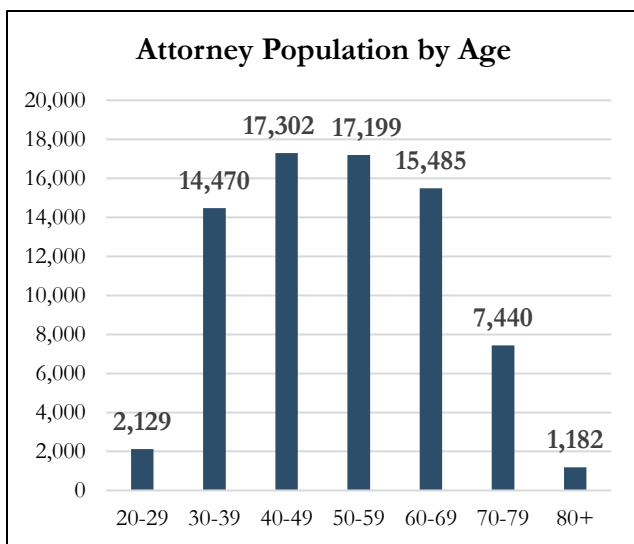
Annual attorney registration is required to be completed electronically pursuant to Pa.R.D.E. 219(c). When registering, attorneys can submit payment online with a credit card or by mail with a check and unique payment voucher. Vouchers continued to be processed in-house by the attorney registration staff. A total of 8,326 vouchers were sorted and processed in 2023.

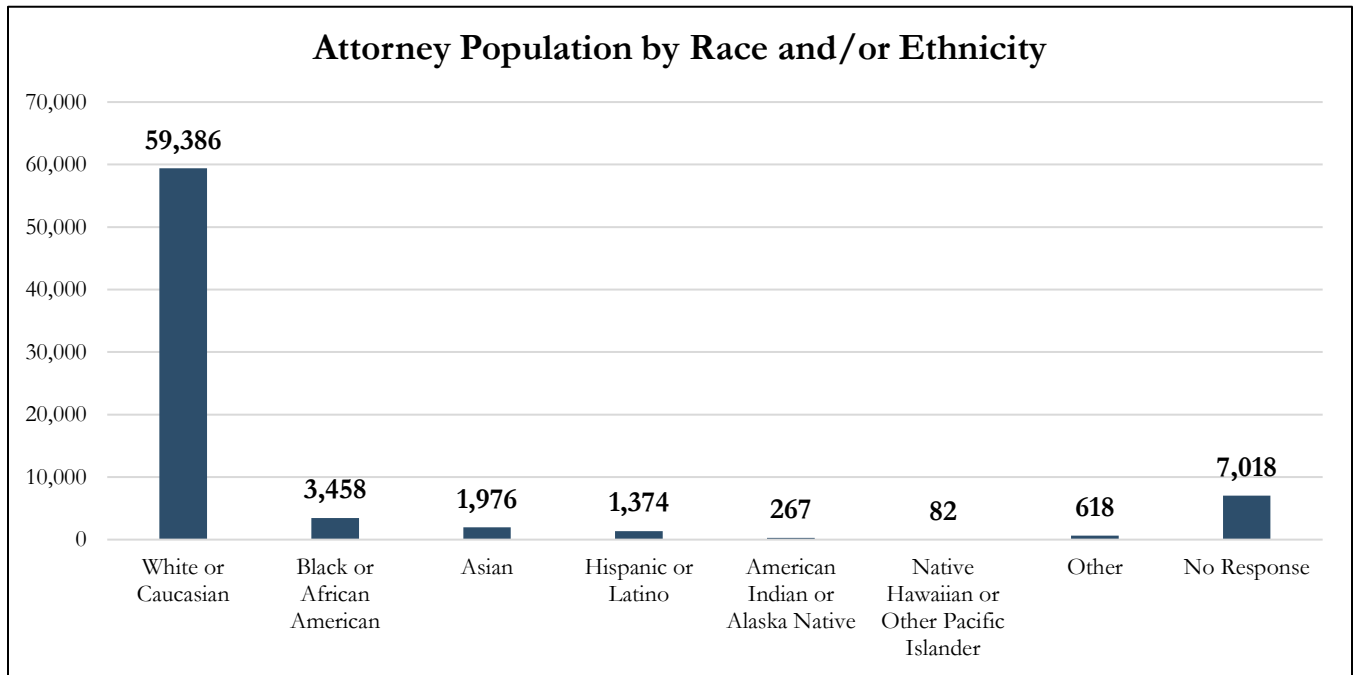
Following the May 9, 2022 Supreme Court Order, the Board created a process that allows attorneys to request a waiver of the annual license fee under the condition of extreme financial hardship. The application, instructions, and FAQs are posted on the Board’s website. Extended only to attorneys filing for active status, a granted waiver will apply to one registration year only. In order to qualify for the waiver, an applicant’s income must be equal to or below the federal poverty guideline. In total, the Board received 20 requests for waiver of the active annual fee in 2023. Of those requests, 18 were approved and 2 requests were denied due to exceeding the federal poverty guidelines.

On August 9, the remaining 1,109 un-registered attorneys were certified to the Supreme Court for administrative suspension. Prior to the effective date of the Order, attorneys have the opportunity to complete their registration and be removed from the list of those to be administratively suspended. On September 8, the effective date of the Order, only 328 attorneys were administratively suspended for continued failure to comply.



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. Attorneys are provided the option to identify more than one race and/or ethnicity. As a result, the representative data below includes all responses provided. 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 (Temporary Licensee), Foreign Legal Consultant, and Attorney Spouse of an Active-Duty Service Member) or Inactive at the time of registration.





Since 2019, attorneys have been required to answer a question regarding succession planning on the annual registration form. 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 2023-2024 registration period are shown below.

Response	Total	%
I have a successor attorney. My successor is an individual.	3,920	5.22 %
I have a successor attorney. My successor is a law firm.	15,097	20.10 %
I do not have a successor because I do not have private clients in PA.	43,068	57.34 %
I do not have a successor and I do have private clients in PA.	13,020	17.34 %
TOTAL	75,105	100.00 %

In the “Opportunities to Provide Pro Bono Service” section of the annual registration form, attorneys are able to select if they would like to get more information on providing pro bono services from the Disciplinary Board, Continuing Legal Education (CLE) Board, and/or IOLTA Board. During the 2023-2024 annual registration cycle:

- 1,410 attorneys requested information on emeritus status from the Disciplinary Board,
- 4,749 attorneys requested information on the CLE Pro Bono Program, and
- 2,467 attorneys requested information on pro bono opportunities through IOLTA-funded organizations.

New Attorney Update

Daily, new attorneys are admitted by the Supreme Court Prothonotary's Office and uploaded into the Attorney Registration database. In 2023, there were 1,914 new attorneys 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 Attorney, Foreign Legal Consultant, Military Attorney, and Attorney Spouse of Active-Duty Military).

Reinstatements

Reinstatements of those on inactive status, retired status, or administrative suspension for three years or less are 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.

2023 Reinstatements – Three Years or Less	
From Inactive	295
From Retired	55
From Administrative Suspension	142
TOTAL	492

Rule Changes

By Order dated July 19, 2023, the Court adopted comprehensive amendments to Pa.R.D.E. 219 relating to attorney registration and assessment, administrative suspension, and administrative status changes. While most amendments were implemented to simplify and increase the readability of Rule 219, one amendment includes a new status change option for attorneys on administrative suspension. Paragraph (i)(4) provides for an attorney on administrative suspension to assume retired status by filing the appropriate paperwork and paying an administrative fee. This simpler way to retire one's license following administrative suspension is intended for those who want to rectify their non-compliance but foresee no future desire to practice law in Pennsylvania. If reinstatement is sought (where a petition for reinstatement is not required), the attorney shall pay all outstanding arrears assessed and satisfy all deficiencies in connection with the prior administrative suspension. In 2023, there were 13 attorneys (10 out-of-state and 3 in Pennsylvania) who assumed retired status under the new rule.

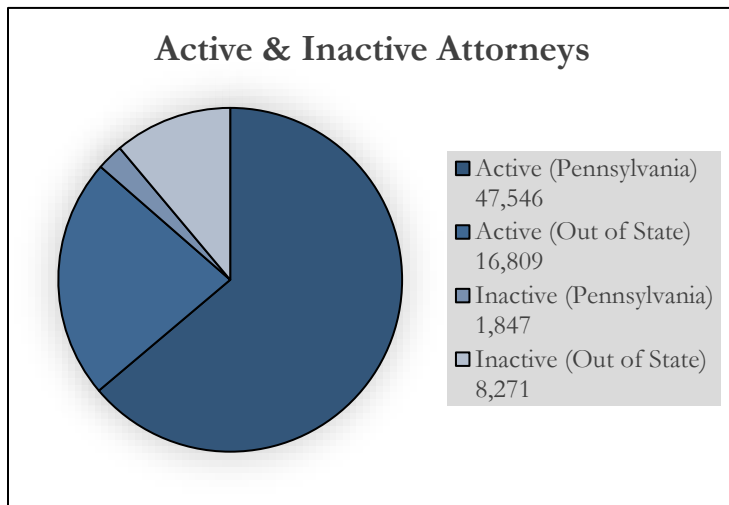
License Status Updates

Since 2018, emeritus status has been an option for retired attorneys who desire to perform pro bono work with legal aid organizations. At the start of 2023, there were 34 attorneys on emeritus status and at year-end, there were 38 emeritus attorneys. The Board will continue to promote emeritus status and, furthermore, pro

bono service for all attorneys through the pro bono page on the Board’s website, the Board’s social media platforms, information provided on the annual registration form, and direct communications with attorneys.

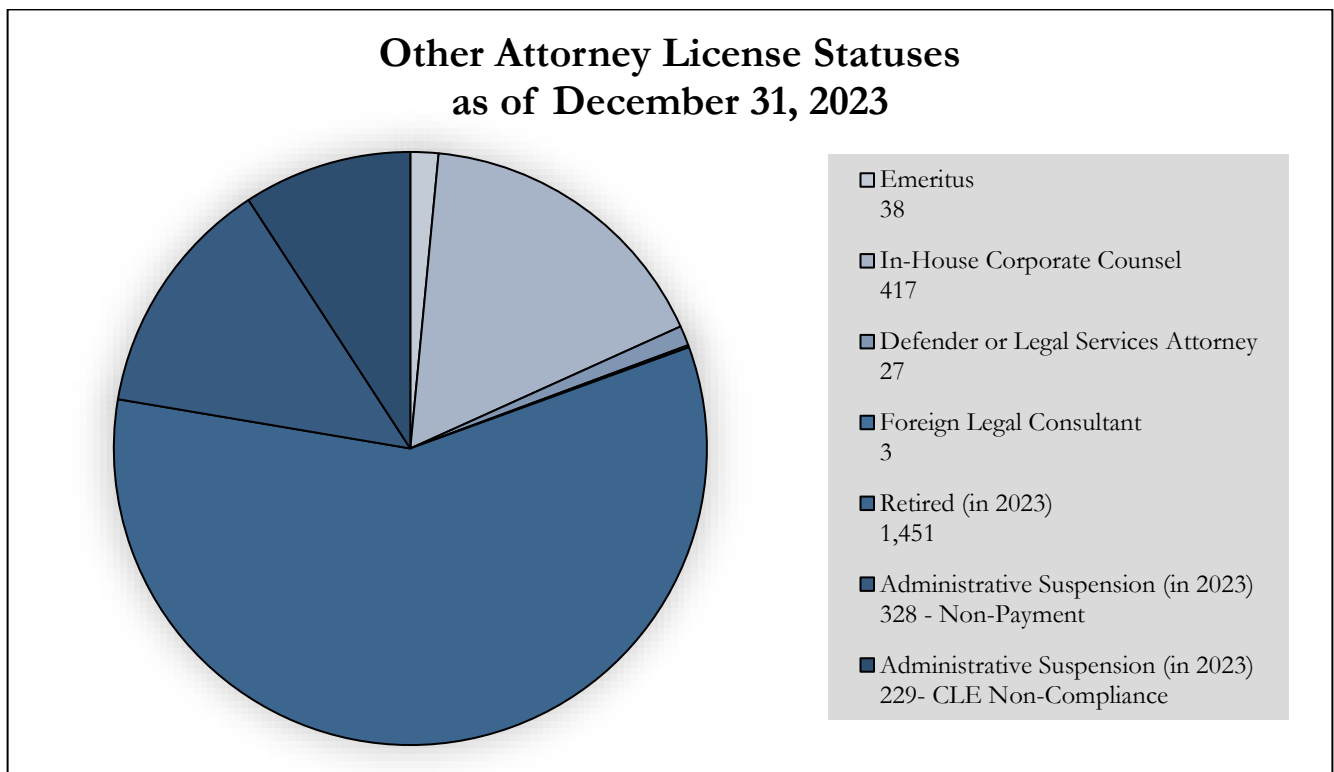
Pa.R.D.E. 404 (regarding permanent resignation) became effective on November 28, 2020. While permanent resignation is an option for attorneys, Attorney Registration staff are certain to discuss with the attorney the finality of the status change and alternative options that exist. In 2023, there were 30 requests granted for permanent resignation.

License Status Statistics



Most Populous Pennsylvania Counties

County	Number of Active Attorneys
Philadelphia	13,748
Allegheny	8,802
Montgomery	5,029
Chester	2,548
Dauphin	2,365
Delaware	2,214
Bucks	1,701



Technology

The Board implemented significant technology innovations in 2023. The innovations allow the Board to be more transparent, provide the public with access to the most accurate and current information, and prepare for future enhancements that will continue to increase transparency and efficiency.

Using Webex videoconferencing, along with the YouTube platform for live-streaming, the Board conducted and live-streamed to the public 23 hearings, 5 oral arguments, and 12 public reprimands. In total, 57 proceedings were live-streamed in 2023, accounting for 200 hours of live-streaming. Additionally, more than 7,300 streams were initiated, accounting for 5,453 cumulative viewing hours of proceedings.

The Board spent considerable time developing its online docket entries. From the Look Up Attorney page, the public can view or print docket entries from current and previous proceedings. In 2023, the next phase of this project was released, which includes links to the documents (petitions, briefs, orders, etc.) tied to many docket entries.

One enhancement to the Board's website was the release of the Lawyer Well-Being page, which connects attorneys and others in the legal profession to mental health and well-being resources. These resources include well-being articles, upcoming events, links to CLE opportunities, and information about Lawyers Concerned for Lawyers of Pennsylvania. While designed for the legal profession, any website visitor may certainly utilize the various crisis helplines and general mental health support offered.

Another noteworthy change to the Board's website was the addition of the Conservatorships page. This page connects clients of attorneys absent due to death or disability with a Court-appointed conservator. The page provides essential details such as the name and office address of absent attorney and the contact information of the conservator. Additionally, the Look Up Attorney page for an absent attorney includes language indicating that a conservator had been appointed, directing the user to the Conservatorships page for more information.

In 2023, more than 2.5 million users visited the Board's website, on which more than 90 news articles on case decisions have been posted. 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.

In addition to the above-referenced items, standard enhancements were made throughout the year to the Board's Case Management System, Attorney Registration System, and Document Management System. In 2023, the Board continued its commitment to increase efficiency in operations by embracing and utilizing technology.

Finance & Budget

Financial Highlights of FYE June 30, 2023

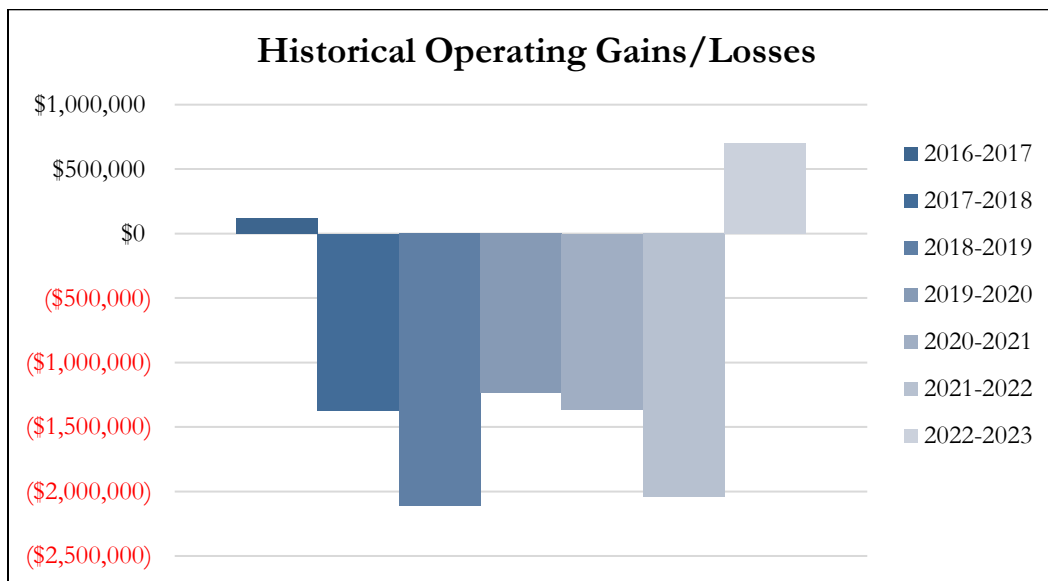
Operating Revenue:	\$14,539,796
Expenses:	<u>(\$13,835,543)</u>
Operating Income:	\$704,253
Non-Operating Revenue:	<u>\$704,798</u>
Change in Net Position:	\$1,409,051
Net Position (June 30, 2023):	<u>(\$3,901,792)</u>
Reserve Funds (IAB):	\$9,026,300

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

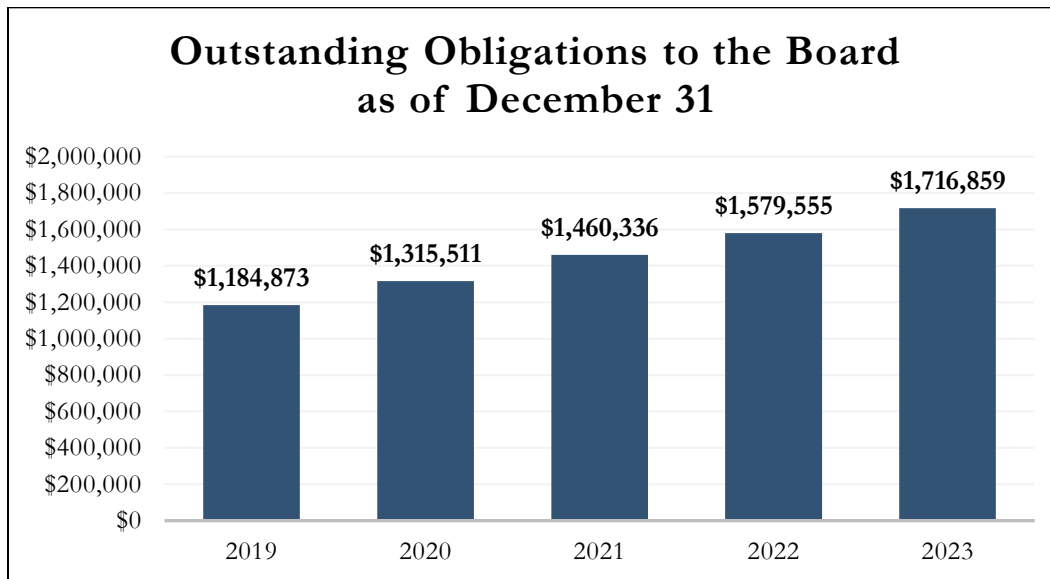
Change in Net Position: Operating Income plus Non-Operating Revenue

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



On November 20, 2023, the Board participated in the annual Lawyer Assessment Committee (LAC) meeting. At that time, the Board submitted a tentative Budget for Fiscal Year 2024-2025, proposing a 0.15% increase in Budgeted Revenues and a 5.4% increase in Budgeted Expenses. The submitted Budget projected that revenues would exceed expenses by \$527,210 or approximately 3.5% of revenues, based on an annual fee allocation to the Disciplinary Board of \$195 per Active Pennsylvania Attorney and \$100 per Inactive Pennsylvania Attorney. The annual fee for Active attorneys for the 2023-2024 registration year is \$275, which is shared as follows: \$195 to the Disciplinary Board, \$50 to the Pennsylvania Lawyers Fund for Client Security, and \$30 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, 2023, there were 603 matters with a total outstanding balance of costs owed to the Disciplinary Board in the amount of \$1,716,859.

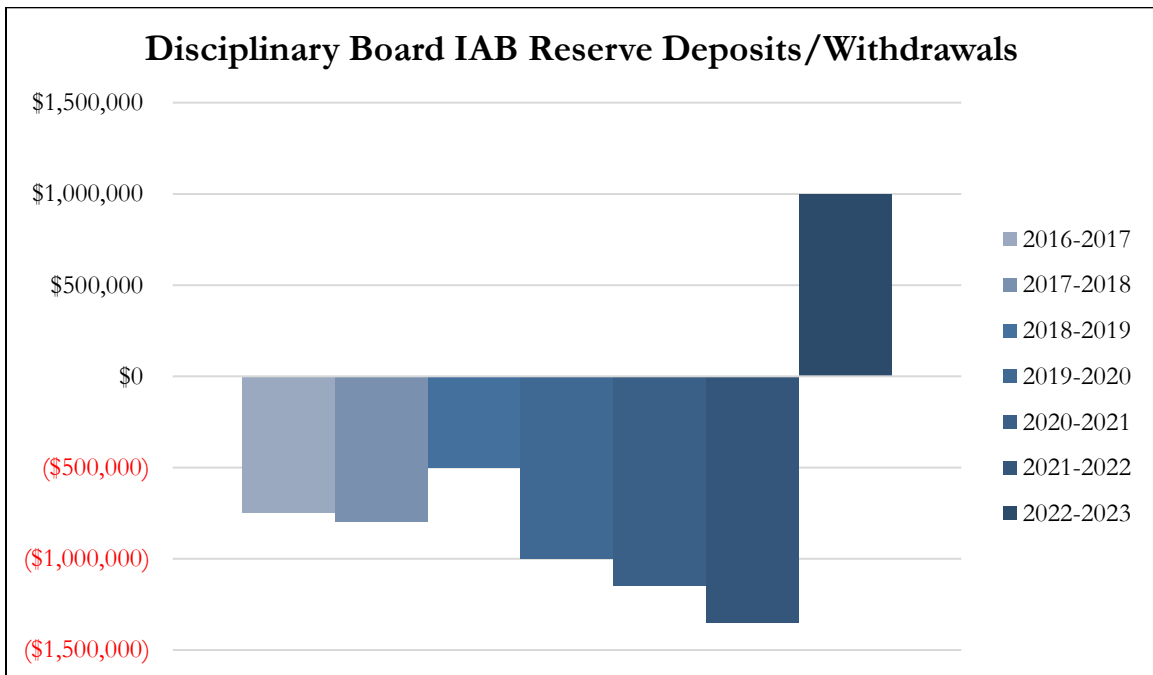
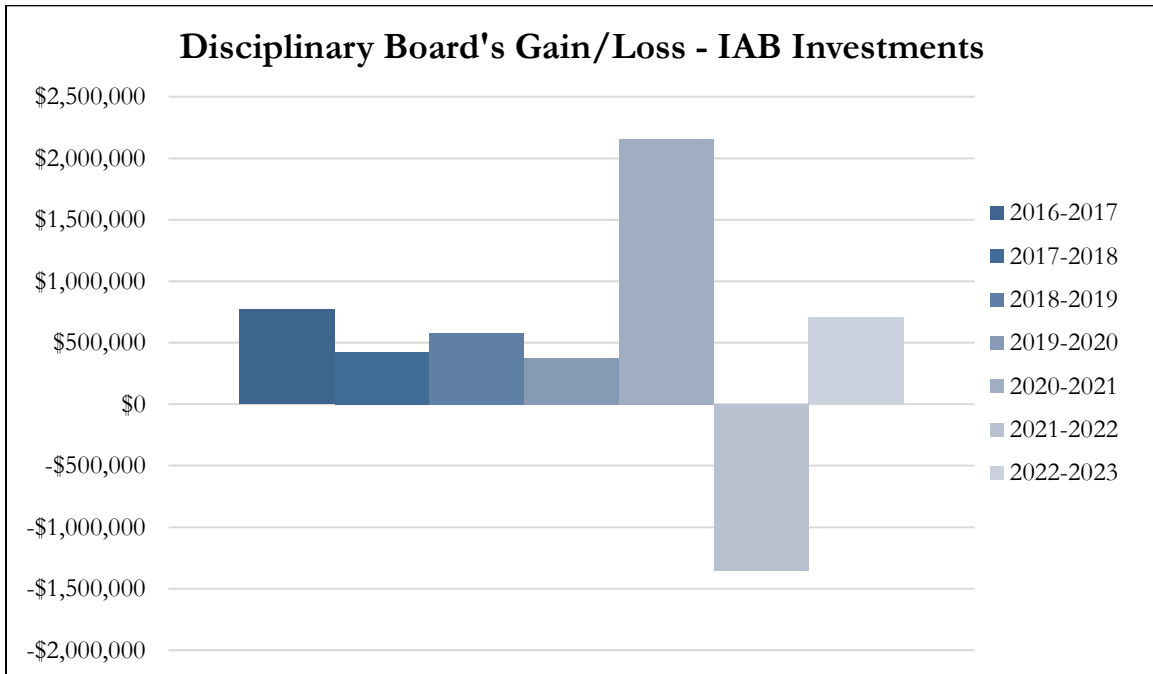


At the direction of the Supreme Court and in an ongoing effort to be an asset to the legal profession, in conjunction with the Pennsylvania Lawyers Fund for Client Security, the Disciplinary Board provides a portion of its revenue to fund Lawyers Concerned for Lawyers (LCL), an organization whose mission 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 5.14%. 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

Disciplinary Counsel participated in 23 disciplinary and reinstatement hearings and five oral arguments before the Disciplinary Board.

Disciplinary Counsel engaged in extensive briefing in two consolidated matters before the Pennsylvania Supreme Court with oral arguments anticipated in March of 2024.

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 2023	4,332
Cases Resolved in 2023	4,258

**A disciplinary matter may consist of multiple complaints filed against one attorney.*

In the course of the investigation and disposition of complaint files, central intake also assists complainants and educates practitioners, where appropriate. They include, but are not limited to the following actions: facilitating the refund of fees to a client (15 instances) as well as return of a file, documentation, or other property from an attorney to his or her client (21 instances); reestablishing communication between a client and his or her attorney (51 instances); facilitating forward movement in a stagnant matter (28 instances); facilitating appropriate updates to required forms, contact information or documents used in the practice of law (22 instances); and educating an attorney short of a letter of education or concern (50 instances).

Education

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

- Disciplinary Counsel served as a reporter on NOBC's Current Developments Committee.
- At the NOBC Annual Meeting, District III Counsel-in-Charge and an Auditor/Investigator participated in a panel discussion regarding tools and resources for reinstatement investigations.

- Disciplinary Counsel presented at a CLE hosted by the Delaware County Bar Association and Delaware County Community College's Paralegal Studies Program regarding Professionalism, Ethics and Civility.
- Disciplinary Counsel served as a panelist at a CLE sponsored by the Dauphin County Bar Association on fees and fee agreements.
- Disciplinary Counsel served as a panelist with respondents' counsel on a PBI program titled "Essential Ethics 2023."
- Disciplinary Counsel addressed professional responsibility issues and the disciplinary process at Temple Law School, Villanova Law School, Duquesne Law School, and Penn State Dickinson Law School. Chief Disciplinary Counsel and Board Chair Lehocky made presentations to the Penn State College Law School, Widener Law School, Temple Law School and the University of Pennsylvania School of Law.
- Disciplinary Counsel presented at Bridge the Gap programs.
- Disciplinary Counsel discussed ethical issues and the attorney disciplinary system with respondents' counsel on a number of webcasts sponsored by the Pennsylvania Bar Institute.
- Chief Disciplinary Counsel, Deputy Chief Disciplinary Counsel and Trial Counsel presented on various aspects of the disciplinary system at the Board's in-person training event for Hearing Committee members in July.
- Chief Disciplinary Counsel presented 15 CLE courses including to the Pennsylvania Department of State; the Bench-Bar Conferences of Westmoreland, Washington, and Fayette; the Association of Professional Responsibility Lawyers; and the National Association of Appellate Court Attorneys.
- Chief Disciplinary Counsel led efforts to create a CLE program, available through PBI, designed to train volunteer lawyers to provide pro bono advice, consultation and representation to financially eligible respondents at the initial stage of a disciplinary investigation.
- Chief Disciplinary Counsel contributed articles to the Disciplinary Board's monthly newsletter.

ODC also 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, attended hearings, and participated in discussions regarding investigations and strategy. Law students from The University of Pennsylvania Carey Law School, and Villanova University Charles Widger School of Law participated.

Training

- Disciplinary Counsel staff attended a meeting in Hershey, PA in May, the first all-staff meeting since 2020. Staff members presented on various topics of interest including: the use of remote technology in disciplinary hearings, consent discipline, offensive collateral estoppel, and the investigation of petitions for reinstatement from discipline. In addition, Laurie Besden, Esquire, the Executive Director of Lawyers Concerned for Lawyers (LCL), provided an update on LCL's life-saving work.
- Senior legal staff contributed to updating ODC's Policy and Procedure Manual for Trial Counsel.

Staffing Changes

2023 New Hires

- Alison Larkin, Paralegal, Districts I and II
- Emily Provencher, Trial Counsel, District II
- Richard Olds, Paralegal, District IV
- J'naia Stinson, Administrative Secretary, Central Intake
- Rebecca Leventopoulos, Disciplinary Counsel, Central Intake

ORGANIZATION INFORMATION

Executive Office Staff & Location

- Executive Director
 - Assistant Director
 - Counsel to the Board
 - Special Counsel
 - Board Prothonotary
 - Attorney Registrar
 - Support Staff (6)
- 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 (6)
 - Disciplinary Counsel (25)
 - Auditors (8)
 - Paralegals (6)
 - Support Staff (15)
- Thomas J. Farrell, Chief Disciplinary Counsel
601 Commonwealth Avenue, Suite 2700
Harrisburg, PA 17120
(717) 783-0990

Office of Disciplinary Counsel

<p>District I</p> <p>1601 Market Street, Suite 3320 Philadelphia, PA 19103 (215) 560-6296</p>	<p>District II</p> <p>820 Adams Avenue, Suite 170 Trooper, PA 19403 (610) 650-8210</p>
<p>District III</p> <p>601 Commonwealth Avenue, Suite 5800 Harrisburg, PA 17120 (717) 772-8572</p>	<p>District IV</p> <p>437 Grant Street, Suite 1300 Pittsburgh, PA 15219 (412) 565-3173</p>

Organizational Chart