



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

November 2024 Newsletter



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From the Chair

As Thanksgiving approaches, we are reminded that we have much to be grateful for and proud of as members of Pennsylvania's legal profession. We also must acknowledge the responsibilities we have to our communities and those facing herculean obstacles and inequities.

Last month, Chief Justice Debra Todd once again issued an [open letter](#) to the bar, honoring the National Celebration of Pro Bono and emphasizing the ongoing need for pro bono legal services in our Commonwealth's communities. Chief Justice Todd once more highlighted PA's crucial role in the nationwide efforts toward a more equal access to justice.



Furthering access, the PA Courts also recently held its first annual statewide behavioral health summit. In a gathering of over five hundred attendees, the summit focused on rising mental and behavioral health challenges as well as a call-to-action in understanding the needs of court users. On behalf of the Disciplinary Board, I would like to congratulate Justice Kevin Dougherty and his team on a truly superb event and thank all involved for their commitment to the state's justice system.

In this season of gratitude, keep in mind all that we owe to our families, neighbors, and communities.

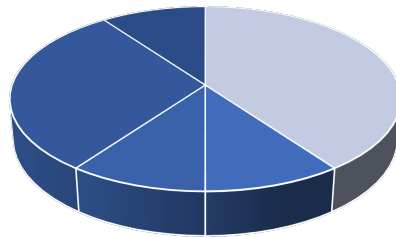
Happy and blessed Thanksgiving to you and your families.

Stay well,

John C. Rafferty, Jr.
Board Chair

Discipline Imposed

October 2024



- Informal Admonition - 4
- Private Reprimand - 0
- Public Reprimand - 0
- Public Censure - 0
- Disability Inactive - 1
- Temporary Suspension - 1
- Suspension - 3
- Disbarment - 1

Disability Inactive
[Gregg Robert Durlofsky](#)

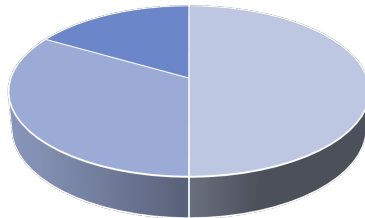
Temporary Suspension
[Adam J. Rodgers](#)

Suspension
[Todd Andrew Goodman](#)
[Laura Testa Musi](#)
[Gary Scott Silver](#)

Disbarment
[Michael J. O'Neill](#)

Reinstatements

October 2024



- From Inactive - 3
- From Retired - 2
- From Administrative Suspension - 1
- From Disability Inactive - 0
- From Suspension - 0
- From Disbarment - 0
- Reinstatement Denied - 0

From Inactive
[Catherine Chase Brazitis](#)
[Alexander William Ficken](#)
[Thomas Anthony Kruza, III](#)

From Retired
[John Elliott Churchville](#)
[Laura Testa Musi](#)

From Administrative Suspension
[Lisa Melanie Claire](#)

Note: The above-listed granted reinstatement matters reflect only those granted by Supreme Court Order. An attorney listed as reinstatement granted, but whose current license status does

not reflect reinstatement, has yet to submit the fees necessary to finalize reinstatement.

Disciplinary Board News

Disciplinary Board Releases 2024-2025 Annual Attorney Registration Demographic and Succession Planning Data

The Disciplinary Board has released the aggregate results of demographic and succession planning data collected during the 2024-2025 Annual Attorney Registration process.

Read more about this year's [demographic results](#) and [succession planning results](#) on the Board's website.

End-of-Year Retirement?

Retirement tends to be a common end-of-year event. If you are considering an end to your law practice in Pennsylvania, what should you do about your license? One thing is for sure - **do NOT do nothing!** Your retirement from the practice of law only affects your license status if you effect a change. If you simply choose to not complete your annual registration or your CLE requirement, you will receive late penalties and ultimately be administratively suspended. Instead, pursue one of the following options:

- **Continue maintaining active status.** If you would like to maintain your ability to practice law, you should complete all requirements of an actively-licensed attorney (annual registration, CLE, etc.).
- **Assume inactive status.** While inactive status still requires annual registration, assuming such status automatically defers your CLE requirement. If you are unsure of your need to practice law in the future, consider maintaining inactive status. Please see the Board's ["Reinstatement" webpage](#) for information about reinstatement from inactive status.
- **Assume retired status.** If you believe that your need to practice law in Pennsylvania has concluded, assuming retired status will end your annual requirements (annual registration, CLE, etc.). Please see the Board's ["Reinstatement" page](#) for information about reinstatement from retired status.
- **Assume emeritus status.** After assuming retired status, an attorney may request to assume emeritus status. Emeritus status allows a retired attorney to provide pro bono services to eligible Legal Aid Organizations. For more information, please see the [FAQs](#) regarding emeritus status and the Board's ["Pro Bono" page](#).

Visit the Board's ["Forms" page](#) to find appropriate forms to request the above status changes and, as always, make sure that your [contact information](#) is always up to date.

IF YOU ARE CONSIDERING RETIREMENT, WHAT SHOULD YOU DO ABOUT YOUR LICENSE?



Rules

Supreme Court Adopts Amendments to Advertising and Solicitation Rules

By [Order](#) dated October 15, 2024, the Supreme Court of Pennsylvania adopted a [series of amendments](#) to the Pennsylvania Rules of Professional Conduct regarding communications about a lawyer's services. The changes made are far too extensive to list in this space, but the following are highlights.

[Rule 7.1. Communications Concerning a Lawyer's Services](#)

The amendment does not change the language of Rule 7.1 but adds a significant amount of language to the Comments to the rule.

- Comment 2 is amended to specify that a statement is misleading if it creates a substantial likelihood that a reasonable person would believe the lawyer's communication requires that person to take further action when, in fact, no action is required.
- Comment 5 addresses firm names, letterhead, and professional designations. A law firm name may be misleading if it implies a connection with a government agency, with a deceased or retired lawyer who was not a former member of the firm, with a lawyer not associated with the firm, with a nonlawyer, or with a public or charitable legal services organization. Firm names associated with a geographical identification must include a disclaimer that they are not a public entity.
- Comment 6 provides for law firms with offices in multiple jurisdictions and requires identification of jurisdictional limitations.
- Comment 7 states that lawyers may not hold themselves out as practicing together in one firm when they are not.
- Comment 8 sets limits on the use of the name of a lawyer holding public office.
- Comment 9 specifies that Rules 7.1 through 7.3 apply to a communication about a lawyer's nonlegal services.

[Rule 7.2. Communications Concerning a Lawyer's Services: Specific Rules](#)

The amendment renames Rule 7.2 from "Advertising" to "Communications Concerning a Lawyer's Services: Specific Rules". Substantive amendments include:

- Subsection (b), requiring that copy or recording of an advertisement be kept for two years, is repealed.
- New Subsection (c) allows a lawyer to communicate the fact that the lawyer does or does not practice in particular fields of law but retains the ban on claiming to be a specialist except in five enumerated exceptions.
- New Subsection (k) states that any communication made under this Rule must include the name and contact information of at least one lawyer or law firm responsible for its content.

Extensive revisions to the Comments on Rule 7.2 further clarify the requirements.

[Rule 7.3. Solicitation of Clients](#)

A new Subsection (a) adds a definition: “‘Solicitation’ or ‘solicit’ denotes a communication initiated by or on behalf of a lawyer or law firm that is directed to a specific person the lawyer knows or reasonably should know needs legal services in a particular matter and that offers to provide, or reasonably can be understood as offering to provide, legal services for that matter.”

A new Subsection (e) clarifies that the rule does not prohibit communications authorized by law or ordered by a court or other tribunal.

A new Subsection (f) allows a lawyer to participate with a prepaid or group legal service plan operated by an organization not owned or directed by the lawyer that uses live person-to-person contact to enroll members or sell subscriptions. A new Comment 10 expands on the nature of an organization under which a lawyer may practice set forth in Subsection (f).

A new Comment 9 to the rule states that a notice to potential members of a class in class action litigation is a form of communications authorized by law or ordered by a court or tribunal.

Rule 7.4 (Communication of Fields of Practice and Specialization), **Rule 7.5** (Firm Names and Letterheads), and **Rule 7.7** (Lawyer Referral Service) are removed and reserved as much of their content is addressed under the other rules.

The amendments take effect in thirty days, or on November 14, 2024.

Supreme Court Amends Sexual Conduct Rule

By [Order](#) dated October 9, 2024, the Supreme Court of Pennsylvania amended [Rule 1.8\(j\) of the Pennsylvania Rules of Professional Conduct](#), which addresses conflicts of interest related to sexual relations with a client, to clarify what conduct constitutes “sexual relations”.

The amendment adds a sentence to the rule, stating, “‘Sexual relations’ includes, but is not limited to, communications of a sexual nature.”

Comment 17 to the rule is amended to further define the nature of such communications. “For purposes of this Rule, ‘communications of a sexual nature’ means requesting or transmitting any content, images, audio, video, or messages that contain sexually explicit material or that are intended to arouse or gratify the sexual desire of the sender or recipient.” However, “Communications that contain sexually explicit content but are related to the client’s legal matter and are made in furtherance of the representation are not ‘communications of a sexual nature’ for the purposes of this Rule.”

This amendment takes effect thirty days after the date of the Order, on November 9, 2024.

Upcoming Public Proceedings

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

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

November		
November 19 November 20	Richard J. McCague	Disciplinary Hearing
December		
December 11 at 1:00 pm	Patrick C. Carey John P. Senich, Jr.	Public Reprimand
December 16	John A. Gallagher	Reinstatement Hearing
December 18	Richard P. Joseph	Disciplinary Hearing
January		
January 7	Ryan D. Breen	Reinstatement Hearing
January 14 January 15	William E. Vinsko, Jr.	Disciplinary Hearing
January 31	John M. Kerr	Disciplinary Hearing
February		
February 12 February 13	David Tevis Shulick	Reinstatement Hearing
February 27 February 28	Alexander Geoffrey Tuttle	Disciplinary Hearing
April		
April 14 April 15	Daryl Alan Yount	Disciplinary Hearing
April 21 April 22 April 23 April 24 April 25	Paul Jude Winterhalter	Disciplinary Hearing

Articles of Interest

Lawyer Suspended After Eight-Year Deception of Clients

By [Order](#) dated October 16, 2024, the Supreme Court of Pennsylvania suspended Philadelphia attorney Gary Scott Silver for four years, based on a report by the Disciplinary Board finding that

Silver failed to file a civil action within the statute of limitations and then led his clients to believe the action was pending for eight years.

The disciplinary action against Silver arose from a case he took on behalf of the parents of a young man who died by suicide in prison. Silver agreed to file a civil rights action on the parents' behalf. He failed to provide them with a written fee agreement or to disclose that he did not carry professional liability insurance. Over the following two years, he worked with another attorney who drafted pleadings for the lawsuit, but he failed to file the action within the time allowed by the statute of limitations. Silver realized he had missed the statute of limitations, but he did not inform the clients. Instead, he repeatedly assured them that the matter was moving forward.

After eight years, the clients contacted another lawyer who discovered that no action had ever been filed and notified the clients. In his disciplinary hearing, Silver admitted that he never told the clients he had failed to file their case because he did not want to face the consequences of his "error". He had previously been suspended and knew he would face disciplinary action. He told the disciplinary Hearing Committee, "I knew this day was coming."

The Disciplinary Board found that Silver's conduct violated several Rules of Professional Conduct, including those involving competence, diligence, communication, false statement, and a conflict of interest. The Board also found that he had violated the Rules of Disciplinary Enforcement in his response to the disciplinary inquiry.

In determining the discipline to be imposed, the Board found an aggravating factor in Silver's extensive disciplinary history, including a prior suspension. The Board found the aggravation significant because the prior discipline seemed to have motivated Silver to further misconduct rather than reform. The Board also found aggravation in several civil actions against Silver for misconduct, his evasive and dismissive conduct toward the disciplinary inquiry, the length and repetitive nature of his misconduct, and his testimony that he would not have admitted or revealed his misconduct had he not been caught. The Board found mitigating factors in character testimony that Silver was a competent attorney in criminal matters and in his expression of remorse and regret. The Hearing Committee recommended a suspension for thirty months, but after reviewing the case law, the Board urged the Supreme Court to suspend Silver for four years. The Supreme Court agreed with the Board's conclusion and imposed a four-year suspension.

Lawyer Who Claimed "Heightened State" from Cocaine in Hearing Suspended

By [Order](#) dated November 6, 2024, the Supreme Court of Pennsylvania suspended a lawyer who appeared for a hearing under the influence of cocaine and argued in his disciplinary hearing that cocaine "increases your awareness" and put him in a "heightened state" of mental awareness.

Nathaniel Strasser of Erie County was an Assistant Public Defender with the Erie County Public Defender's Office. He appeared at a preliminary hearing on behalf of a client charged with DUI: Controlled Substance. On his advice, the client waived the preliminary hearing. A state police trooper who was present as the affiant noticed that Strasser was "very hyperactive, fidgety" and "put his sunglasses on and kept his sunglasses on during the duration" of the time he was in the judge's office. The trooper, a Drug Recognition Expert for the Pennsylvania State Police, approached Strasser in the parking lot after the hearing and noted that his pupils were dilated in addition to other physical signs of drug use. Strasser refused to submit to field sobriety testing or blood analysis, upon which the trooper informed Strasser that he could not let him drive. The Chief Public Defender arranged for Strasser's transportation to the Magisterial District Court office and insisted he take a drug test. Strasser tested positive for cocaine. The Public Defender's office

subsequently terminated his employment.

The Office of Disciplinary Counsel filed a Petition for Discipline. Strasser appeared representing himself at the disciplinary hearing. He did not offer evidence on his own behalf, but he cross-examined the state trooper who was a witness for Disciplinary Counsel. The Disciplinary Board found, "Respondent's cross-examination of Trooper Weber focused on the idea that cocaine enhanced Respondent's performance as an attorney." He argued that "cocaine has a positive effect on one's cognitive abilities in low doses...my mental awareness was at a heightened state, not a lower state." The trooper countered, "Yeah, you had severe focus, but you were - - it appeared that you were focusing on a hundred things and couldn't quite figure out what was important at the time."

After the Hearing Committee made a preliminary finding that Disciplinary Counsel had proven a violation of the Rules of Professional Conduct, Strasser testified in the phase of evidence as to the discipline to be imposed. He admitted to the occasional use of drugs but denied that he was addicted or that he needed any kind of therapy. The Hearing Committee concluded that he failed to accept responsibility or express remorse for his conduct in appearing at a hearing under the influence of cocaine.

Subsequently, Strasser contacted an attorney who filed a Motion to Present Additional Testimony which was denied. He filed a brief with the Hearing Committee stating that Strasser "is in fact an addict" with a "history of substance abuse" and requesting that he be placed on substance abuse probation for a period of two years. The Hearing Committee filed a report finding that Strasser violated the Rules of Professional Conduct and recommended that he be suspended for a period of one year and one day.

The Disciplinary Board found that Strasser's conduct violated [Rule 1.16\(a\)\(2\)](#), representing a client when the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client, and [Rule 8.4\(c\)](#), criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness. It further found that his lack of remorse or recognition of wrongdoing were aggravating factors. His lack of prior discipline was viewed as a mitigating factor. The Board concluded that Strasser is not eligible for substance abuse probation, as he denied having a substance abuse problem. The Board recommended a suspension for one year and one day which will require Strasser to petition for reinstatement and prove his fitness by clear and convincing evidence before resuming the practice of law. The Board expressed the view that this sanction will "[impress] upon Respondent the gravity of his actions and [serve] as a deterrent to future unethical behavior."

The Supreme Court accepted the Board's recommendation and suspended Strasser for one year and one day.

So You're Telling Me There's a Chance? New Jersey Reopens Permanent Disbarments

For the last forty-five years, attorneys active in the field of professional regulation have known that New Jersey had a particularly harsh rule regarding disbarment. Unlike forty-one states and the District of Columbia, disbarment in New Jersey was permanent. An attorney disbarred in the state was never permitted to apply for reinstatement.

By an [Order](#) adopted October 15, 2024, the Supreme Court of New Jersey adopted amendments to [Rule 1:20-21A](#) ("Readmission After Disbarment") of the Rules Governing the Courts of the State of New Jersey, allowing disbarred attorneys to petition for readmission after five years of disbarment.

The leeway granted by the rule amendment is not limitless. The option of permanent disbarment still exists for attorneys disciplined after the effective date of the rule. It is a ticket good for one ride only; a second disbarment will be permanent.

In all other disbarment cases, the attorney may file a petition for readmission and publish notice of their intent to apply for readmission forty days prior to the expiration of five years from the effective date of the disbarment. The disbarred attorney must meet a long list of conditions and prerequisites. They must pass the New Jersey Bar Exam and the Multistate Professional Responsibility Examination and complete all continuing legal education requirements in effect. They must reach full compliance with the terms and conditions of all prior disciplinary orders, temporary suspension orders, and fee arbitration determinations as well as reimburse or make arrangements to repay the New Jersey Lawyers' Fund for Client Protection for any sums awarded due to the lawyer's misconduct. They must prove current good character, rehabilitation, and fitness to practice law. They cannot have engaged in the unlicensed practice of law in any jurisdiction after disbarment.

Special conditions apply if the lawyer's misconduct was related to physical or mental conditions or substance abuse. If the disbarment was reciprocal, the lawyer must show that they were readmitted in the jurisdiction of the original discipline unless they prove that good cause exists for not seeking readmission. The lawyer must provide a notice of intent to seek readmission to all grievants whose complaints were involved in the disbarment or who received payments from the Lawyers' Fund for Client Protection due to the lawyer's conduct.

If an application for readmission is denied, the disbarred former attorney must wait two years before filing another application.

In a [press release](#), the New Jersey Courts System states, "The Court acted on the recommendations of a committee created under the direction of a 2022 Supreme Court opinion...The opinion reaffirmed the longstanding practice that attorneys who knowingly misappropriate funds should be disbarred, but also raised the question of whether and how to create a rigorous system that can determine if a lawyer disbarred for those reasons deserves a second chance years later."

Chief Justice Stuart Rabner commented, "Going forward, New Jersey's legal system will have a robust and fair review process that not only protects the public but also affords disbarred attorneys, who have taken appropriate steps, a chance to practice law again after five years."

The amendments to the rules are effective immediately.

"Spoiled Rotten Diva" Beaver Sparks Legal Fight

[Nibi the beaver](#) is quite the princess of her realm. Nibi was discovered abandoned and alone on a Massachusetts highway, just one week old. Two years ago, she was taken to the Newhouse Wildlife Rescue in Chelmsford, Massachusetts where she was nurtured and raised by the staff. Because there were no other beavers in the rescue center, the staff had to choose between keeping her alone in a cage or allowing her to interact with the staff. Since beavers are intensely social animals, the center elected to let her out to interact with people for grooming, bottle feeding, and playing with sticks. She has thrived under this regimen, and the center's founder, Jane Newhouse, calls her "spoiled rotten" and a "diva" beloved by staff and visitors alike.

However, Nibi's future has become the subject of a controversy that has spilled over into legal

action and a public relations war. MassWildlife, the state's division of fisheries and wildlife, decreed that, like all wild animals taken into the center's care, she should be prepared for release back into the wild. The center retained legal counsel and obtained a [temporary restraining order](#) blocking her release. The center argued that, despite its best efforts to prepare Nibi for life in the wild, she has become completely dependent on human care. Newhouse argued that releasing her to rely on herself in the wild would be cruel at this point. An ecology expert opined that, if Nibi is released in October, she would be ill-prepared for the winter and likely experience starvation and hypothermia. The center is seeking to have Nibi deemed an educational tool so the law would not require her release.

The matter has attracted widespread public attention as well as the attention of several legislators and Massachusetts Governor Maura Healey.

The temporary restraining order keeps Nibi in the facility pending a court hearing on the matter. A spokesperson for MassWildlife told the [Associated Press](#) that the state division is "committed to protecting the well-being of all wildlife, including Nibi the beaver" and that agency officials plan to "work with Newhouse Wildlife Rescue on the best steps forward".

Attorney Well-Being

Managing Stress This Holiday Season

Originally published in the December 2023 edition of Attorney News

For many, the holiday season is a time for great joy, celebration, and closeness with loved ones. However, with high expectations, emotional triggers, difficult family dynamics, financial burden, and a seeming scarcity of time, the season can also beget a troubling abundance of stress. [Lawyers Concerned for Lawyers of Pennsylvania](#) (LCL) explains, "It is common to feel the pressure of overwhelming stress, depression, and loneliness during this time of year."

A 2022 poll conducted by the American Psychiatric Association (APA) [revealed](#) that nearly a third of Americans reported anticipating feeling more stressed that holiday season than even the year prior. APA President Rebecca W. Brendel, M.D., J.D. explained, "This is a busy time of year for many people, and it's common to put a lot of expectations on ourselves during the holidays."

However, the APA [offers](#) a few methods for coping with elevated stress throughout the holiday season:

- **Practice mindfulness and meditation.** Anyone can take simple, practical steps toward protecting his or her own mental health and well-being. [Mindfulness](#) and [grounding techniques](#) help to reconnect to a feeling of stability and awareness.
- **Prevent burnout and say "no" when needed.** It's OK to say "no" to events and activities that cause undue stress. Focus on goal feelings for the season rather than a perfunctory checklist of undertakings. The APA offers a commonplace example: "It might be nice to make your grandmother's cookie recipe from scratch for every holiday, but if that's stressful for you, buy cookies at the store and celebrate." Additionally, avoiding individuals or circumstances that have repeatedly produced mistreatment is not only ok—it's healthy.
- **Take breaks.** Treat the holiday season as a marathon or, better yet, a relay. Take breaks and accept help from those around you.
- **Get fresh air and sunlight.** Even small doses of fresh air and sunlight help to relax and calm. Myriad studies have correlated mental health benefits with spending time in nature.
- **Keep any regularly-scheduled therapy sessions.** For those who attend therapy, keep

scheduled appointments. Sessions not only boost comforting structure and routine but also can address difficult emotions tied to the season or challenging personal interactions that may arise.

- **Honor grief and loss.** The winter holidays often are tied to strong memories, and many may struggle as they mourn a lost loved one (or even an experience of the past). Many psychiatrists recommend honoring cherished memories and celebrating those who have been lost rather than suppressing feelings of grief.
- **Budget and avoid overspending.** It is no surprise that financial burden is one of the most common stressors and is often exacerbated during the holiday season. Take time to budget for gift giving, holiday meals, and special events. Focus on presence and affection and consider incorporating homemade gifts or “Secret Santa” in holiday giving.

The Mayo Clinic Health System also [suggests](#) that maintaining healthy routines (e.g., sleep, movement, and nutrition) and being realistic with yourself and others can support your mental health and well-being during this season of cheer (and sometimes drear).

The Disciplinary Board would like to remind all PA lawyers that, even during the holidays, LCL is available to support the legal community through their free and confidential services. Their confidential helpline is open twenty-four hours a day, seven days a week at (888) 999-1941.

HOW CAN STRESS BE BEST MANAGED THROUGHOUT THE HOLIDAY SEASON?



Save the Date: 2025 Institute for Well-Being in Law Conference

The [Institute for Well-Being in Law](#) will hold its annual Well-Being Conference on Tuesday, January 21st and Wednesday, January 22nd. Registration and schedule soon to come!

— Save the —
DATE



Institute For
Well-Being In Law
Well-Being Conference | January 21-22, 2025

Explore the Disciplinary Board's Lawyer Well-Being Webpage

The Disciplinary Board's "[Lawyer Well-Being](https://padisciplinaryboard.org/for-attorneys/well-being)" webpage connects Pennsylvania attorneys with pertinent resources, [articles](#), events, and CLE opportunities to better understand and support their mental health and well-being. To access the Board's "Lawyer Well-Being" page, visit padisciplinaryboard.org/for-attorneys/well-being.

LAWYER WELL-BEING

Connect to available resources to better understand and support mental health and well-being, particularly as they relate to the legal profession.

padisciplinaryboard.org/for-attorneys/well-being



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania



Digital resources
Informative articles
Upcoming events
CLE opportunities

Lawyers Concerned for Lawyers is a confidential and safe resource for Pennsylvania attorneys and their family members who may be struggling with their mental health or substance use. Since 1988, LCL has confidentially assisted and supported thousands of individuals who have faced a myriad of challenges (including grief, stress, anxiety, depression, eating disorders, gambling problems, problematic alcohol or prescription drug use, etc.), helping them navigate through dark and difficult times. If you or someone you know is struggling, please call us. You may save a life.



There is help, and there is hope.



LAWYERS CONCERNED FOR LAWYERS
PENNSYLVANIA

lclpa.org | 1-888-999-1941

**Evaluation by a
healthcare professional
Information and literature
Peer and staff support
Assistance with interventions
Recovery meetings
Online resources and CLE**

Lawyers Concerned for Lawyers is a confidential assistance program for the Pennsylvania legal community and their family members. LCL may not report information about a subject attorney back to the Disciplinary Board.

Confidential 24/7 Helpline: 1-888-999-1941

Last year, the Supreme Court of Pennsylvania adopted amendments to the Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.) relating to confidentiality of proceedings, providing for three exceptions to the requirement of confidentiality under [Pa.R.D.E. 402\(d\)](#). Included in these exceptions is the allowance for Disciplinary Counsel to make a referral of an attorney to [Lawyers Concerned for Lawyers of Pennsylvania](#) (LCL) and share information as part of the referral. *However*, it is crucial to note that LCL may *not* report information about a subject attorney back to the Disciplinary Board. LCL is a **confidential** assistance program for the Pennsylvania legal community and their family members.

Around the Court



Chief Justice Todd Authors Letter to Bar Honoring 2024 National Celebration of Pro Bono

Chief Justice Debra Todd has published her yearly [open letter](#) to Pennsylvania attorneys honoring the 2024 [National Celebration of Pro Bono](#) and encouraging support of pro bono legal work across the Commonwealth.

First instituted under the sponsorship of the American Bar Association by Philadelphia lawyer Sharon Browning, the annual observance “draw[s] attention to the need for pro bono participation [and thanks] those who give their time year-round”. This year’s celebration, held throughout the week of October 20th-26th, highlighted the persistent need for pro bono legal services in our

unique and diverse local communities through its theme of “Making Justice a Reality in Our Communities”.

In her letter, Chief Justice Todd reminds all members of PA’s legal community of their “professional responsibility” and “ethical commitment” to perform pro bono service under [Rule of Professional Conduct 6.1](#):

A lawyer should render public interest legal service. A lawyer may discharge this responsibility by providing professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations, by service in activities for improving the law, the legal system or the legal profession, and by financial support for organizations that provide legal services to persons of limited means.

Read Chief Justice Todd’s full letter [here](#).

Pennsylvania Courts Host First Annual Behavioral Health Summit

Last month, Pennsylvania Courts hosted the first annual statewide behavioral health summit. This event brought together over five hundred court officials, health professionals, and other stakeholders to collaborate on bettering court responses to behavioral health challenges.

Spearheaded by Justice Kevin Dougherty, the summit highlights the collective “call to action” bringing together our county, judicial and advocacy partners all focused on using their experience and expertise to change and save lives, while expanding solutions in the courts to better respond to court users with behavioral health needs.” Justice Dougherty explains, “We all have a responsibility to be the change that vulnerable Pennsylvanians need. The judiciary is proud to stand with its partners to meet these challenges head on, in support of those justice involved individuals who need it most.”

The summit was held in partnership with the Pennsylvania Commission on Crime and Delinquency and affords all parties the opportunity to explore a cooperative plan for addressing the deepening national behavioral health crisis and the needs of court users.

Established by the Pennsylvania Supreme Court in May of this year, the Office of Behavioral Health “provid[es] technical assistance to judicial districts in establishing programs, assess[es] the quality of behavioral health programs and services, conduct[s] training and education, and collaborat[es] with interested stakeholders and government officials to effect systemic change.”

Learn more about the Office of Behavioral Health [here](#) on the Unified Judicial System’s website.

Pennsylvania Courts Releases New Infographic on Protection from Abuse Filings

In honor of October’s Domestic Violence Awareness Month, Pennsylvania Courts released a new infographic on protection from abuse (PFA) filings across the Commonwealth which increased 3% in 2023 from the previous year. A PFA is a “civil court order to help protect victims of domestic violence, providing relief from abuse by an intimate partner, family or household member”. In addition to having no contact with the victim (and the victim’s children), a PFA can order an abuser to surrender any weapons and leave the home where the victim lives.

For more information on recognizing signs of abuse, seeking a protection order, and victim

assistance, visit the Unified Judicial System's website [here](#).

A closer look at statewide PFA filings



What is a PFA?

A protection from abuse (PFA) order is a civil court order that helps protect victims of domestic violence, providing relief from abuse by an intimate partner, family or household member.

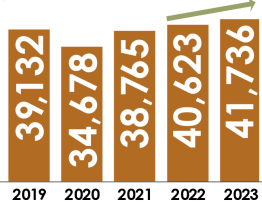
In 2023:

41,736
88%

new petitions requesting relief under the PFA Act (Title 23, Ch. 61) were filed
of temporary PFAs filed (valid until a final hearing) were granted

PFAs filed

The number of PFAs filed **increased** by 3% from 2022 to 2023.



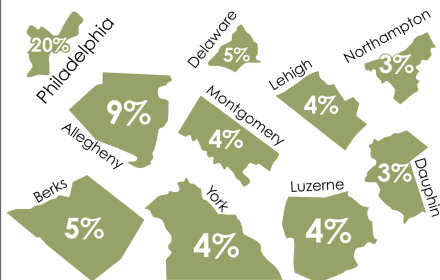
A PFA can order an abuser to:



- Have **no** contact with the victim or victim's children including: no texting, no calling, no communication via social media
- Relinquish any weapons
- Leave the home where the victim lives



Top 10 counties with highest number of new PFA cases in 2023:



Percentages given reflect the percent of total state filings.

PFA case outcomes:

	processed cases	% of total
Plaintiff did not appear in court	10,808	(26%)
Withdrawn by plaintiff	8,728	(21%)
Final order granted	7,438	(18%)
Agreement reached between parties	6,903	(17%)
Temporary order dismissed/denied	5,266	(13%)
Final order denied	2,186	(5%)
Case transferred/other dispositions	357	(1%)

Total # of PFA cases disposed in 2023: **41,686**

Learn more at <http://www.pacourts.us/learn/protection-orders>

Additional data, including county-level data, is available at <http://www.pacourts.us/news-and-statistics/research-and-statistics/>.

This data does not include Protection from Sexual Violence or Intimidation (PSVI) filings.



From the Pennsylvania Bar Association



Thank You!

As the leaves change and fall, the season of gratitude arrives. We wanted to take a moment to those a part of the legal community and all the work that they do to empower growth, connection, and success for other lawyers throughout the Commonwealth.

Committee/Section Day

The Pennsylvania Bar Association Committee/Section Day is scheduled for Thursday, November 21st at the [Red Lion Hotel Harrisburg East](#). A free buffet luncheon will be served for the members of all committees and sections that attend the meeting.

Approximately forty committees and sections have scheduled to meet. Click [here](#) to view the full list of meetings taking place. Scheduled meetings are noted in alphabetical order under each time slot; if a committee or section is not listed, it signifies that they are not scheduled to meet. Committee/Section meeting room assignments will be posted at the PBA registration desk in the hotel lobby.

Registration is required to attend any of the meetings whether in-person or by teleconference (where offered). The deadline for registration is Friday, November 15th. Click [here](#) to register for in-person attendance, or click [here](#) to register for meetings by teleconference.

Ample parking is available on site.

Paralegal Membership Now Available

Paralegals can now join the PBA as Affiliate Members! From now until the end of the year, paralegals who join will receive membership benefits not just for the rest of 2024 but for all of 2025 at no additional cost! This is a great opportunity for paralegals to enhance their professional development, access member benefits and services, and become a part of PBA's dynamic statewide legal community! [Learn more and apply](#) today.

PBA thanks you for your support!

Please note that the Disciplinary Board of the Supreme Court of Pennsylvania and the Pennsylvania Bar Association (PBA) are separate organizations. For more information about PBA, visit pabar.org or follow on Facebook, Instagram, and LinkedIn.

We Want To Hear From You...

We are always on the lookout for stories of interest relating to legal ethics, new issues in the practice of law, lawyer wellness, and funny or just plain weird stories about the legal profession. If you come across something you think might be enlightening, educational, or entertaining to our readers or social media followers, [pass it along](#). If you are our original source, there may be a hat tip in it for you.

Resources

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Disciplinary Board of the Supreme Court of Pennsylvania,
601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106