

## CHAPTER 93. ORGANIZATION AND ADMINISTRATION

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### Subchapter A. PRELIMINARY PROVISIONS

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#### § 93.1. Disciplinary districts.

Enforcement Rule 202(a) provides that disciplinary jurisdiction in this Commonwealth shall be divided into the following districts.

- (1) District I. The County of Philadelphia.
- (2) District II. The Counties of Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton and Schuylkill.
- (3) District III. The Counties of Adams, Bradford, Cameron, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lackawanna, Lebanon, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming and York.
- (4) District IV. The Counties of Allegheny, Armstrong, Beaver, Bedford, Butler, Blair, Cambria, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington and Westmoreland.

#### § 93.2. Venue.

Enforcement Rule 202(b) provides that the disciplinary district which shall have jurisdiction over a person subject to the Enforcement Rules shall be any district in which the person maintains an office or the district in which the conduct under investigation occurred.

#### § 93.3. Statements “under penalty.”

Any form prepared by the Administrative Office, the Executive Office or the Office of Disciplinary Counsel for use under these rules, and which is intended to elicit facts upon the basis of which a public officer or employee performs in

an official capacity, may pursuant to 18 Pa.C.S. § 4904(b) (relating to statements “under penalty”) contain a statement to the effect that false statements made therein are punishable.

**Source**

The provisions of this § 93.3 amended April 18, 2019, effective in 30 days from date of publication, 49 Pa.B. 5552. Immediately preceding text appears at serial pages (358101) to (358102).

**Subchapter B. THE DISCIPLINARY BOARD**

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**§ 93.21. The Disciplinary Board.**

Enforcement Rule 205(a) and (b) provide that the Supreme Court shall appoint a board to be known as “The Disciplinary Board of the Supreme Court of Pennsylvania” which shall be composed of ten members of the bar of this Commonwealth and two non-lawyer electors; that the regular term of members of the Board shall be for six years, unless otherwise specified by order of the Court; and that no member shall serve for more than one term.

**Source**

The provisions of this § 93.21 amended through October 9, 1981, effective October 10, 1981, 11 Pa.B. 3500; amended March 1, 1991, effective March 2, 1991, 21 Pa.B. 827; amended May 29, 2009, effective May 30, 2009, 39 Pa.B. 2687; amended January 6, 2010, effective February 5, 2010, 40 Pa.B. 700; amended December 18, 2019, effective in 30 days from date of publication, 50 Pa.B. 651. Immediately preceding text appears at serial page (397900).

**§ 93.22. Quorum and manner of acting.**

(a) *General rule.* Enforcement Rule 205(b) provides that seven members of the Board shall constitute a quorum and that, except when acting under § 93.23(a)(5), (7), (8), (9) and (16) (relating to powers and duties), the Board shall act only with the concurrence of not less than the lesser of:

1. seven members, or
2. a majority of the members in office who are not disqualified from participating in the matter or proceeding.

(b) *Determination of quorum.* Enforcement Rule 205(b) further provides that the presence of members who are disqualified from participating in one or more matters to be considered at a meeting shall nonetheless be counted for purposes of determining the existence of a quorum for the consideration of all matters on the agenda.

**Source**

The provisions of this § 93.22 amended through October 9, 1981, effective October 10, 1981, 11 Pa.B. 3500; amended April 13, 1990, effective April 14, 1990, 20 Pa.B. 2009; amended March 1, 1991, effective March 2, 1991, 21 Pa.B. 827; amended August 7, 2020, effective 30 days after publication, 50 Pa.B. 4014. Immediately preceding text appears at serial pages (400492) and (397901).

**§ 93.23. Powers and duties.**

(a) *General rule.* Enforcement Rule 205(c) provides that the Board shall have the power and duty:

(1) To consider the conduct of any person subject to the Enforcement Rules after investigation by Disciplinary Counsel pursuant to Enforcement Rule 207(b)(1). Complaints filed directly with the Board shall be forwarded to Chief Disciplinary Counsel for assignment to a district office.

**Official Note:** In order to avoid the commingling of prosecutorial and adjudicative functions, which would be a violation of due process, *see Lyness v. Com. of Pa., State Board of Medicine*, 529 Pa. 535, 605 A.2d 1204 (1992), the Office of Disciplinary Counsel is charged with the duty of investigating and prosecuting all disciplinary matters subject to adjudication by the Board. *See* Enforcement Rule 208(a)(1), (a)(2)(iv). Under Enforcement Rule 208(d)(1), Board Members appointed in a matter to review Disciplinary Counsel's charging decisions or recommended disposition are precluded from further participation in that matter.

(2) To appoint an Executive Director, a Chief Disciplinary Counsel, Legal Counsel and such staff as may from time to time be required to properly perform the functions prescribed in the Enforcement Rules.

(3) To appoint not less than 18 hearing committee members within each disciplinary district.

(4) To assign special masters pursuant to Enforcement Rule 206(d).

(5) To assign formal charges or the conduct of an investigatory hearing to a hearing committee or special master, and to assign a reinstatement petition to a hearing committee.

(6) To review the conclusions of hearing committees and special masters with respect to formal charges or petitions for reinstatement, and to prepare and forward its own findings and recommendations, together with the record of the proceeding before the hearing committee or special master, to the Supreme Court.

(7) To assign:

(i) hearing committee members to review and approve or modify recommendations by Disciplinary Counsel for dismissals, informal admonitions, private reprimands, public reprimands and institution of formal charges;

(ii) senior or experienced hearing committee members to hear and determine attacks on the validity of subpoenas issued pursuant to § 91.2 (relating to subpoenas and investigations), as provided in § 91.3(a)(2) (relating to determination of validity of subpoenas); or

(iii) senior or experienced hearing committee members to consider a petition for reinstatement to active status from retired or inactive status, or administrative suspension, under § 89.273(b) (relating to procedures for reinstatement).

(8) To review, through a designated panel of three members, and approve or modify a determination by a reviewing hearing committee member that a matter should be concluded by dismissal, private informal admonition, private reprimand, public reprimand or the institution of formal charges before a hearing committee.

- (9) To review, through a designated panel of three members, and approve or reject a joint petition in support of discipline on consent filed with the Board pursuant to Enforcement Rule 215(d).
- (10) To review, through a single member designated by the Board Chair, and approve or reject a certification filed by Disciplinary Counsel under Enforcement Rule 218(d)(2)(ii) indicating that Disciplinary Counsel has determined that there is no impediment to reinstatement of the petitioner, and to issue the report and recommendation required by subdivision (d) of Enforcement Rule 218.
- (11) To administer, by the Board or through a designated panel of three members selected by the Board Chair, private reprimands or public reprimands to attorneys for misconduct.
- (12) To adopt rules of procedure not inconsistent with the Enforcement Rules. Such rules may provide for the delegation to the Board Chair or the Vice-Chair of the power to act for the Board on administrative and procedural matters.
- (13) To cause testimony relating to the conduct of formerly admitted attorneys to be perpetuated.
- (14) To petition the Court under § 91.74 (relating to petition by Board for determination of professional competency) to determine whether an attorney is incapacitated from continuing the practice of law by reason of mental infirmity or illness or because of addiction to drugs or intoxicants, and to retain counsel other than Disciplinary Counsel to represent the Board in such proceedings when the Board considers such separate representation to be appropriate.
- (15) To recommend the temporary suspension of a respondent-attorney pursuant to Enforcement Rule 208(f)(5) (relating to emergency temporary suspension orders and related relief).
- (16) To decide, through the Board Chair, the Vice-Chair, or a designated lawyer-member of the Board, an interlocutory appeal to the Board when such appeal is permitted by the Enforcement Rules, these rules, or other law.
- (17) To authorize the use of electronic means to conduct prehearing conferences and post-hearing proceedings before a hearing committee, special master or the Board, but all adjudicatory proceedings shall be conducted in person unless warranted by extraordinary circumstances. Witness testimony may be presented via advanced communication technology (ACT) upon motion for cause shown. All proceedings shall be conducted in accordance with Board Rules, Enforcement Rules and the decisional law of the Court and the Board.
- (18) To establish, assess and collect:
- (i) the necessary expenses incurred in the investigation and prosecution of a proceeding that results in the imposition of discipline, or the investigation and processing of a petition for reinstatement and in any proceeding resulting therefrom;
  - (ii) late payment penalties under Enforcement Rule 219(f)(1) for failure to timely complete annual registration; and
  - (iii) administrative fees for status changes where a petition for reinstatement is not required.
- (19) To assess and collect reinstatement filing fees, administrative fees based on the imposition of a type of discipline or transfer to disability inactive status under Enforcement Rule 301(e), and penalties on unpaid taxed expenses and administrative fees.

(20) To establish, charge and collect a collection fee for any payment under paragraphs (18) and (19) that has been returned to the Board unpaid.

(21) To exercise the powers and perform the duties vested in and imposed upon the Board by law.

(b) *Consultations with local bar associations.* Enforcement Rule 205(d) provides that the Board shall, to the extent it deems feasible, consult with officers of local bar associations in the counties affected concerning any appointment which it is authorized to make under the Enforcement Rules.

#### Source

The provisions of this § 93.23 amended July 8, 1983, effective July 9, 1983, 13 Pa.B. 2138; amended March 10, 1989, effective March 11, 1989, 19 Pa.B. 952; amended April 13, 1990, effective April 14, 1990, 20 Pa.B. 2009; amended December 7, 1990, effective December 8, 1990, 20 Pa.B. 6041; amended June 11, 1993, effective June 12, 1993, 23 Pa.B. 2729; amended July 29, 1994, effective July 30, 1994, 24 Pa.B. 3706; amended February 3, 1995, effective February 4, 1995, 25 Pa.B. 375; amended March 11, 2005, effective March 12, 2005, 35 Pa.B. 1656; amended April 5, 2011, effective April 6, 2011, 41 Pa.B. 4202; amended August 10, 2012, effective August 11, 2012, 42 Pa.B. 5156; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended August 7, 2020, effective 30 days after publication, 50 Pa.B. 4014; amended November 4, 2022, effective 30 days after publication, 52 Pa.B. 6841; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (411867) to (411869).

### § 93.24. Officers.

*Chair and Vice-Chair.* Enforcement Rule 205(a) provides that the Supreme Court shall designate the Board Chair and the Board Vice-Chair. In case of the vacancy in office, absence, disability or other unavailability of the Board Chair, the Board Vice-Chair shall exercise the powers and perform the duties of the Board Chair.

#### Source

The provisions of this § 93.24 amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1607; amended through March 6, 1981, effective March 7, 1981, 11 Pa.B. 782; amended April 25, 1997, effective April 26, 1997, 27 Pa.B. 2037; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial page (411869).

### § 93.25. Official Seal.

The official seal of the Board shall be in the form and style as follows:



**§ 93.26. Meetings of the Board.**

(a) *Call and notice.* Meetings shall be held upon the call in writing of the Chair or of any two members of the Board at any place designated in the call or at any other place designated for such purpose by resolution of the Board or in the absence of such resolution as designated by the Chair. Notice of special meetings shall be given in person or by telephone, mail, or electronic mail to each member of the Board (at the address furnished to the Executive Office for that purpose) at least 24 hours prior to the time fixed for the special meeting. Notice of a special meeting may be waived in writing and shall be waived by attendance at the meeting.

(b) *Organization.* The Chair shall preside at meetings of the Board. In the absence of the Chair one of the following persons in the order stated shall preside:

- (1) The Vice-Chair;
- (2) An acting chair selected by the Board for such purpose.

**Source**

The provisions of this § 93.26 amended March 11, 2005, effective March 12, 2005, 35 Pa.B. 1656; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (411869) to (411870).

**§ 93.27. Conference telephone meetings.**

One or more members of the Board may participate in a meeting of the Board by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this section shall constitute presence in person at such meeting.

**Source**

The provisions of this § 93.27 amended February 12, 2021, effective 30 days after publication, 51 Pa.B. 781. Immediately preceding text appears at serial page (402466).

**§ 93.28. Agenda.**

An agenda for each meeting of the Board shall be prepared by the Executive Office with the approval of the Chair.

**Source**

The provisions of this § 93.28 amended March 11, 2005, effective March 12, 2005, 35 Pa.B. 1656; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552. Immediately preceding text appears at serial page (363184).

**§ 93.29. Panels.**

(a) *General rule.* The Board Chair may designate panels of at least three Board members for the purpose of hearing oral argument in formal proceedings.

(b) *Organization.* The first-named member of each panel shall be the chair thereof. Except as otherwise provided by these rules, meetings and proceedings of a panel of the Board shall be governed insofar as applicable by the provisions of these rules governing meetings and proceedings of the Board.

(c) *Quorum.* A majority of the members of a panel of the Board shall constitute a quorum of the panel.

**Source**

The provisions of this § 93.29 amended March 11, 2005, effective immediately, 35 Pa.B. 1656. Immediately preceding text appears at serial page (203550).

**§ 93.30. Prohibitions during term of membership.**

During the term of Board membership, a member shall not:

- (a) represent a respondent or petitioner in any disciplinary proceeding under the Enforcement Rules or these rules;
- (b) testify as an expert witness in any disciplinary proceeding under the Enforcement Rules or these rules;
- (c) serve as an expert witness in a legal professional liability dispute, absent exigent circumstances and prior Board approval; or
- (d) serve as an expert witness on ethics in litigation or trial in any state or federal court or before any other tribunal.

**Source**

The provisions of this § 93.30 added November 10, 2023, effective in 30 days from date of publication, 53 Pa.B. 6997.

**Subchapter C. EXECUTIVE OFFICE**

Sec.

- 93.51. Executive Office.
- 93.52. Communications and filings generally.
- 93.53. Dockets.
- 93.54. Powers and duties of Executive Office.

**§ 93.51. Executive Office.**

There shall be an Executive Office, which shall be the office of the Executive Director, Legal Counsel, Board Prothonotary, Attorney Registration, and all other staff of the Board who are not assigned to the Office of Disciplinary Counsel, and shall be maintained at the location specified in § 85.6 (relating to location of Executive Office). Non-legal staff shall be supervised by the Executive Director who shall, either personally, by deputy, or by other duly authorized staff of the Board, or by duly authorized agent, exercise the powers and perform the duties vested in and imposed upon the Executive Office by these rules.

**Source**

The provisions of this § 93.51 amended April 18, 2019, effective in 30 days from date of publication, 49 Pa.B. 5552. Immediately preceding text appears at serial page (363185).

**§ 93.52. Communications and filings generally.**

- (a) *General rule.* Except as otherwise provided in this section, all pleadings shall be addressed to the Board Prothonotary. All other communications and submittals should be addressed to the Board at the Executive Office unless otherwise specially directed. All communication and filings should clearly designate the docket number, or similar identifying symbols, if any, employed by the Board, and should set forth a short title. All communications shall include the address of the person communicating, the party such person represents, and how response should be sent to such person if not by first class mail.



(b) *Pleadings.* All pleadings and other documents filed pursuant to any provision of Chapter 89 (relating to formal proceedings) shall comply with the applicable provisions of such Chapter. Electronic filing may be accomplished by accessing the electronic filing system available on the Disciplinary Board website.

(c) *Incomplete documents.* In any proceeding when upon inspection the Board Prothonotary or Executive Office is of the opinion that a submittal or pleading tendered for filing does not comply with this Subpart such Office may decline to accept the document for filing and may return it unfiled, or such Office may accept it for filing and advise the person tendering it of the deficiency and require that the deficiency be corrected.

(d) *Disposition of complaints.*

(1) Except as otherwise provided in this subsection all complaints received by the Executive Office against attorneys shall be transmitted forthwith to the Office of Disciplinary Counsel. Thereafter correspondence concerning the complaint, the investigation thereof, and informal proceedings relating thereto should be addressed to the Office of Disciplinary Counsel.

(2) Complaints received by the Executive Office against Disciplinary Counsel involving alleged violations of the Disciplinary Rules or the Enforcement Rules shall be submitted directly to the Board and assigned to a reviewing member of the Board for disposition, as provided by Enforcement Rule 209(b).

(3) Complaints received by the Executive Office or the Office of Disciplinary Counsel against members of the Board involving alleged violations of Chapter 81 (relating to rules of professional conduct) or the Enforcement Rules shall, as provided by Enforcement Rule 209(b), be handled in the same manner as other complaints, except that if action is required by the Board, the Executive Office shall notify the Supreme Court which shall appoint an Ad Hoc Disciplinary Board comprised of five former members of the Board who shall discharge the functions of the Board and have all the powers of the Board with respect to that one matter only.

#### Source

The provisions of this § 93.52 amended January 15, 1988, effective April 1, 1988, 18 Pa.B. 242; amended August 5, 2005, effective immediately, 35 Pa.B. 4301; amended April 18, 2019, effective in 30 days from date of publication, 49 Pa.B. 5552; amended November 12, 2021, effective in 30 days from date of publication, 51 Pa.B. 7050. Immediately preceding text appears at serial pages (397905) to (397906).

### § 93.53. Dockets.

(a) *General rule.* The Executive Office shall maintain such dockets of matters considered by the Board as may be directed by the Board.

(b) *Numbering.* Except as otherwise ordered by the Board, matters submitted to the Board for action shall be assigned a docket number consisting of the letters “DB” and the calendar year in which the matter is docketed, which shall be preceded by the serial number of the matter in such calendar year, e.g.: 1 DB 2001.



(c) *Petitions for reinstatement.* Petitions for reinstatement shall be docketed to the same number as assigned to the original disciplinary proceedings. If there is no such original docket number, a new number shall be assigned to the petition for reinstatement.

**Source**

The provisions of this § 93.53 amended July 13, 2001, effective immediately, 31 Pa.B. 3731; amended April 18, 2019, effective in 30 days from date of publication, 49 Pa.B. 5552. Immediately preceding text appears at serial page (363186).

**§ 93.54. Powers and duties of Executive Office.**

The Executive Office shall have the power and duty:

(1) To maintain permanent records of all matters processed by the Board and the disposition thereof. This paragraph shall not be construed to require the permanent retention of correspondence, transcripts, briefs and other similar documents which underlie the final disposition of a matter by the Board, but shall include the findings of any hearing committee or special master and the action and any related opinion or opinions of the Board with respect thereto, and any other information which these rules expressly require to be made a matter of record. Correspondence, transcripts, briefs and other similar docu-



ments which underlie the final disposition of a matter by the Board shall be retained for ten years following such disposition.

(2) To assemble signed vouchers for the expenses specified in § 93.111 (relating to determination of reimbursable expenses) incurred in:

(i) the investigation and prosecution of disciplinary proceedings for purposes of the taxation of expenses pursuant to § 89.205(b) (relating to informal admonition or private reprimand following formal hearing) and § 89.209 (relating to expenses of formal proceedings); and

(ii) the investigation and processing of petitions for reinstatement for purposes of the imposition of expenses on respondent-attorneys pursuant to § 89.278 (relating to expenses of reinstatement proceedings).

(3) To exercise the powers and perform the duties expressly vested in the Executive Office by these rules.

#### Source

The provisions of this § 93.54 amended April 8, 1983, effective April 9, 1983, 13 Pa.B. 1244; amended April 13, 2009, effective April 14, 2009, 20 Pa.B. 2009; amended April 25, 1997, effective April 26, 1997, 27 Pa.B. 2037; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552. Immediately preceding text appears at serial pages (363186) to (363187).

### Subchapter D. OFFICE OF DISCIPLINARY COUNSEL

Sec.

93.61. Office of Disciplinary Counsel.

93.62. Practice of law by Disciplinary Counsel prohibited.

93.63. Powers and duties of Office of Disciplinary Counsel.

#### § 93.61. Office of Disciplinary Counsel.

(a) *General rule.* There shall be an Office of Disciplinary Counsel, which shall be the office of the Chief Disciplinary Counsel and the following staff of the Board:

(1) Disciplinary Counsel;

(2) Investigators; and

(3) Such other staff of the Board as may be designated by the Board Chair.

(b) *Powers and duties.* The Office of Disciplinary Counsel shall be supervised by the Chief Disciplinary Counsel who shall, either personally, by Disciplinary Counsel, or by other duly authorized staff of the Board, or by duly authorized agent, exercise the powers and perform the duties vested in and imposed upon the Office of Disciplinary Counsel by these rules.

(c) *Location.* The principal office and district offices of the Office of Disciplinary Counsel shall be maintained at the locations specified in § 85.5 (relating to location of office of disciplinary counsel).

#### Source

The provisions of this § 93.61 amended March 11, 2005, effective March 12, 2005, 35 Pa.B. 1656; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552. Immediately preceding text appears at serial page (363187).

**§ 93.62. Practice of law by Disciplinary Counsel prohibited.**

Enforcement Rule 207(a) provides that Disciplinary Counsel shall not be permitted to engage in private practice, except that the Board may agree to a reasonable period of transition after appointment.

**§ 93.63. Powers and duties of Office of Disciplinary Counsel.**

(a) *General rule.* The Office of Disciplinary Counsel shall have the power and duty (pursuant to Enforcement Rule 207(b)):

(1) To investigate all matters involving alleged misconduct called to its attention whether by complaint or otherwise except, unless as otherwise directed by the Supreme Court or the Board, complaints against Disciplinary Counsel and members of the Board.

(2) To dispose of any matter that is governed by Enforcement Rules 214 (Attorneys convicted of crimes), 215 (Discipline on Consent), and 216 (Reciprocal discipline) in accordance with the substantive and procedural provisions of those rules, and to dispose of all other matters involving alleged misconduct by dismissal or (subject to review by a hearing committee member) by recommendation for informal admonition, private or public reprimand, or the prosecution of formal charges before a hearing committee or special master.

(3) To request the appointment of a special master, where appropriate, and to prosecute all disciplinary proceedings before hearing committees, the Board and the Supreme Court.

(4) To appear at hearings conducted with respect to petitions for reinstatement by formerly admitted attorneys, to cross-examine witnesses testifying in support of the petition and to marshal available evidence, if any, in opposition thereto.

(5) To maintain, through the Executive Office, permanent records of all matters processed by the Office of Disciplinary Counsel and the disposition thereof. This paragraph shall not be construed to require the permanent retention of correspondence, memoranda, transcripts and other similar documents which underlie the final disposition of a matter by the Office of Disciplinary Counsel and such materials may be retained or disposed of by the Office of Disciplinary Counsel in its discretion.

(6) To exercise the powers and perform the duties expressly vested in and imposed upon staff counsel or the Office of Disciplinary Counsel by these rules or by law.

(b) *Party status of Disciplinary Counsel.* Enforcement Rule 207(c) provides that Disciplinary Counsel:

(1) Shall be a party to all proceedings and other matters before the Board or the Supreme Court under the Enforcement Rules.

(2) May urge in the Supreme Court a position inconsistent with any recommendation of the Board where in the judgment of Disciplinary Counsel a different disposition of the matter is warranted by the law or the facts.

(3) May within the time and in the manner prescribed by Title 210 (relating to the Pennsylvania Rules of Appellate Procedure) obtain in the Supreme Court judicial review of any final determination of the Board, except a determination to conclude a matter by dismissal, informal admonition, private reprimand, or public reprimand.

(4) May within the time and in the manner prescribed by Title 210 (relating to the Pennsylvania Rules of Appellate Procedure) petition the Supreme Court for allowance of an appeal from any final determination of the Board to conclude a matter by dismissal, informal admonition, private reprimand, or public reprimand.

#### Source

The provisions of this § 93.63 amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1607; amended July 8, 1983, effective July 9, 1983, 13 Pa.B. 2138; amended March 10, 1989, effective March 11, 1989, 19 Pa.B. 952; amended October 13, 1989, effective October 14, 1989, 19 Pa.B. 4448; amended April 13, 2009, effective April 14, 2009, 20 Pa.B. 2009; amended March 11, 2005, effective March 12, 2005, 35 Pa.B. 1656; amended August 10, 2012, effective August 11, 2012, 42 Pa.B. 5156; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (397908) to (397909).

### Subchapter E. HEARING COMMITTEES AND SPECIAL MASTERS

#### HEARING COMMITTEES

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| 93.81. | Hearing committees.  |
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#### SPECIAL MASTERS

- 93.91. Special masters.

#### HEARING COMMITTEES

#### § 93.81. Hearing committees.

(a) *General rule.* Enforcement Rule 205(c)(3) provides that the Board shall appoint not less than 18 hearing committee members within each disciplinary

district, and that each person appointed as a hearing committee member for a district shall be a member of the bar of this Commonwealth who maintains an office for the practice of law within the district.

(b) (Rescinded.)

(c) *Terms.* Enforcement Rule 206(a) provides that when a hearing committee is required to handle a matter, the Board shall appoint a hearing committee consisting of three hearing committee members from the appropriate disciplinary district. Under exigent circumstances, the Board has the discretion to appoint a hearing committee member or members from outside the appropriate disciplinary district, or to require that a matter be transferred to another disciplinary district. At least one of the members of the hearing committee shall be a senior hearing committee member, and another member shall be either a senior hearing committee member or an experienced hearing committee member; the terms of hearing committee members shall be three years; no member shall serve for more than two consecutive three-year terms; a hearing committee member who has served two consecutive three-year terms may be reappointed after the expiration of one year; and the terms of members shall commence on July 1. A hearing committee member whose term has expired may continue to serve until the conclusion of any matter commenced before the member prior to the expiration of such term, if so requested in writing by the Executive Office.

#### Source

The provisions of this § 93.81 amended March 6, 1981, effective March 7, 1981, 11 Pa.B. 782; amended July 29, 1994, effective July 30, 1994, 24 Pa.B. 3706; amended March 11, 2005, effective March 12, 2005, 35 Pa.B. 1656; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552. Immediately preceding text appears at serial pages (363189) to (363190).

### § 93.82. Quorum and manner of acting.

Enforcement Rule 206(a) provides that a hearing committee shall act only with the concurrence of a majority of its members and that two members shall constitute a quorum, except that a single senior or experienced hearing committee member may act for the committee when the committee is sitting as an investigatory hearing committee under § 91.2(a)(1) (relating to subpoenas and investigations) or when conducting a prehearing conference.

#### Source

The provisions of this § 93.82 amended October 9, 1981, effective October 10, 1981, 11 Pa.B. 3500; amended June 11, 1993, effective June 12, 1993, 23 Pa.B. 2729; amended July 29, 1994, effective July 30, 1994, 24 Pa.B. 3706; amended March 11, 2005, effective March 12, 2005, 35 Pa.B. 1656. Immediately preceding text appears at serial pages (203555) to (203556).

### § 93.83. Powers and duties.

(a) *General rule.* Enforcement Rule 206(b) provides that each hearing committee shall have the power and duty:

- (1) To conduct investigatory hearings and hearings into formal charges of misconduct upon assignment by the Executive Office.
- (2) To submit their conclusions set forth as prescribed by these rules, together with the record of the hearing, to the Board.
- (b) *Other duties.* A hearing committee shall also conduct reinstatement hearings and perform such other duties as may be imposed by or pursuant to these rules.

**Source**

The provisions of this § 93.83 amended July 8, 1983, effective July 9, 1983, 13 Pa.B. 2138; amended November 14 and 17, 1989 and December 6 and 20, 1989, 20 Pa.B. 2009; amended June 11, 1993, effective immediately, 23 Pa.B. 2729; amended March 11, 2005, effective immediately, 35 Pa.B. 1656; amended April 18, 2019, effective in 30 days from date of publication, 49 Pa.B. 5552. Immediately preceding text appears at serial pages (363190) to (363191).

**§ 93.84. Officers.**

Enforcement Rule 206(a) provides that the Board shall designate the chair of each hearing committee, who shall be a senior hearing committee member. In the case of the absence or disability of the chair of a hearing committee, the committee shall select an acting chair. The chair of a hearing committee shall be the presiding officer at all hearings held by the committee and, unless otherwise directed by the committee with respect to particular questions or issues, shall make all rulings on admissibility of evidence and other procedural matters arising in connection with formal proceedings.

**Source**

The provisions of this § 93.84 amended March 11, 2005, effective immediately, 35 Pa.B. 1656. Immediately preceding text appears at serial pages (203556) to (203557).

**§ 93.85. Meetings of hearing committees.**

Except as otherwise provided by these rules, meetings and proceedings of a hearing committee shall be governed insofar as applicable by the provisions of these rules governing meetings and proceedings of the Board.

**§ 93.86. Disqualification of reviewing member to sit on hearing in same matter.**

Enforcement Rule 205(c)(5) provides that a hearing committee member who has passed upon Disciplinary Counsel's recommended disposition of a matter shall be ineligible to serve on a hearing committee that considers the matter.

**Source**

The provisions of this § 93.86 amended November 14 and 17, 1989 and December 6 and 20, 1989, 20 Pa.B. 2009; amended March 11, 2005, effective immediately, 35 Pa.B. 1656. Immediately preceding text appears at serial page (203557).



**§ 93.87. Replacement of unavailable members.**

Enforcement Rule 206(c) provides that if a member of a hearing committee becomes disqualified or otherwise unavailable to serve with respect to any particular matter, the Executive Office shall designate a replacement.

**Source**

The provisions of this § 93.87 amended March 11, 2005, effective immediately, 35 Pa.B. 1656; amended April 18, 2019, effective in 30 days from date of publication, 49 Pa.B. 5552. Immediately preceding text appears at serial page (363192).

**SPECIAL MASTERS****§ 93.91. Special masters.**

(a) *Assignment.* Enforcement Rule 206(d) provides that a special master instead of a hearing committee may be assigned by the Board to conduct an investigatory hearing or formal proceeding.

(b) *Powers and duties.* Enforcement Rule 206(e) provides that a special master shall have the power and duty:

- (1) To conduct investigatory hearings and hearings into formal charges of misconduct upon assignment by the Board.
- (2) To submit his or her conclusions set forth as prescribed by these rules to the Board.

**Source**

The provisions of this § 93.91 adopted November 14 and 17, 1989 and December 6 and 20, 1989, 20 Pa.B. 2009; amended March 13, 1991, effective November 16, 1991, 21 Pa.B. 5325; amended June 11, 1993, effective immediately, 23 Pa.B. 2729; amended April 18, 2019, effective in 30 days from date of publication, 49 Pa.B. 5552. Immediately preceding text appears at serial page (363192).

**Subchapter F. CONFIDENTIALITY**

Sec.

- 93.101. Complaints confidential.
- 93.102. Access to disciplinary information and confidentiality.
- 93.103. Identity of reviewing hearing committee member.
- 93.104. Access by judicial system agencies to confidential information.
- 93.105. Protected information.
- 93.106. Protective orders.
- 93.107. Broadcasting and other recording of proceedings. Public access to public proceedings.
- 93.108. Restoration of confidentiality.

**§ 93.101. Complaints confidential.**

Enforcement Rule 209(a) provides that complaints submitted to the Executive Office or to the Office of Disciplinary Counsel shall be confidential. Unless and until formal charges are filed and the complainant is designated as a witness at the prehearing conference, or Disciplinary Counsel determines that the complaint contains exculpatory material, the complaint shall not be provided to the respondent-attorney. At or after the prehearing conference, the senior or experienced hearing committee member may enter a protective order on cause shown to prohibit disclosure of the complaint or parts of it to the public.

**Source**

The provisions of this § 93.101 amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended April 29, 2022, effective 30 days after publication, 52 Pa.B. 2581. Immediately preceding text appears at serial page (397913).

**§ 93.102. Access to disciplinary information and confidentiality.**

(a) *General rule.* Enforcement Rule 402(a) provides that, except as provided in subsections (b) and (d) and § 93.104 (relating to access by judicial system agencies to confidential information) and § 93.108 (relating to restoration of confidentiality), all proceedings under these rules shall be open to the public after:

- (1) the filing of an answer to a petition for discipline;
- (2) the time to file an answer to a petition for discipline has expired without an answer being filed;
- (3) the filing and service of a petition for reinstatement;
- (4) the Board has entered an Order determining a public reprimand; or
- (5) after the expiration of any order restricting access to disciplinary information.

(b) *Certain informal proceedings.* Enforcement Rule 402(b) provides that, notwithstanding subsection (a), an informal proceeding under these rules in which it is determined that private discipline should be imposed but that subsequently results in the filing of formal charges shall not be open to the public until or unless the Supreme Court enters its order for the imposition of public discipline.

(c) *Exceptions to initial confidentiality.* Enforcement Rule 402(c) provides that, until the proceedings are open under subsection (a) or (b), all proceedings involving allegations of misconduct by or disability of an attorney shall be kept confidential unless:

- (1) the respondent-attorney requests that the matter be public, or waives confidentiality for a particular purpose specified in writing,
- (2) the investigation is predicated upon a conviction of the respondent-attorney for a crime or reciprocal discipline,
- (3) an order of temporary suspension from the practice of law is entered by the Court pursuant to Enforcement Rule 208(f) (relating to emergency temporary suspension orders and related relief) or Enforcement Rule 214(d) (relating to temporary suspension based on a criminal proceeding), in which case the proceedings and filings related to the petition, the order, and any petition to dissolve, amend or modify shall be public,
- (4) in matters involving alleged disability, the Supreme Court enters its order transferring the respondent-attorney to disability inactive status pursuant to Chapter 91 Subchapter D (relating to disability), or

(5) there is a need to notify another person or organization, including the Lawyers Fund for Client Security, in order to protect the public, the administration of justice, or the legal profession.

(d) *Permitted uses of otherwise confidential information.* Enforcement Rules 402(d)(2), (3), (4), (5) and (6) provide that the provisions of subsections (a) and (b) of this section shall not be construed to:

(1) Require Disciplinary Counsel to refrain from reporting to law enforcement authorities the commission or suspected commission of any criminal offense or information relating to a criminal offense.

**Official Note:** The Note to Enforcement Rule 402 provides that subsection (d)(1) is based on 18 Pa.C.S. § 5108 (relating to compounding) and that otherwise Disciplinary Counsel may be in the anomalous position of violating Rule 8.4 of the Pennsylvania Rules of Professional Conduct.

(2) Prevent the Pennsylvania Lawyers Fund for Client Security from utilizing information obtained during an investigation to pursue subrogated claims.

(3) Prevent Disciplinary Counsel or the Board from notifying the complainant of the disposition of a complaint, including the type of discipline imposed and any condition attached to the discipline.

(4) Prevent the Board from exercising its discretion to provide public access to a complaint or portions thereof, as the interests of justice may require. The affected parties shall be notified in advance of the intent to disclose otherwise confidential material.

(5) Prevent Disciplinary Counsel from making an informal referral of an attorney to Lawyers Concerned for Lawyers of Pennsylvania, Inc. (LCL-PA), if Disciplinary Counsel believes that the attorney may benefit from the services of LCL-PA. Disciplinary Counsel may share with LCL-PA information deemed confidential under these Enforcement Rules as part of the referral. LCL-PA shall not report information about the subject attorney to Disciplinary Counsel or to any staff of the Office of Disciplinary Counsel. The fact that a referral was made and its outcome shall not be relevant for any purpose and may not be considered or disclosed by Disciplinary Counsel in any proceeding under these Rules.

**Note:** Subsection (d)(5) of this rule is intended to facilitate mental health and substance use referrals to Pennsylvania's approved lawyers' assistance program while preserving the confidentiality that is essential to that program's success. See Pennsylvania Rules of Professional Conduct, Rule 8.3(c) and Comment (7).

(e) *Waiver.* Any respondent-attorney may in writing waive the benefits, in whole or in part, of this subchapter.

(f) *National Lawyer Regulatory Data Bank.* Enforcement Rule 402(i) provides that the Board shall transmit notice of all public discipline imposed by the Supreme Court, transfers to or from disability inactive status, and reinstatements to the National Lawyer Regulatory Data Bank maintained by the American Bar Association.

(g) *Requests for documents.* Requests for copies of documents relating to disciplinary proceedings that are available to the public under this subchapter must be in writing and directed to the Executive Office. A copying fee, which shall be the same as the copying fee charged to respondent-attorneys, must be prepaid at the time a request is made.

(h) *Transcripts and exhibits.* The Board will not make available to the public copies of transcripts or exhibits introduced as evidence in a proceeding.

**Official Note:** Nothing in this Rule shall preclude any individual from obtaining copies of transcripts or exhibits through the official reporter designated by the Executive Office.

**Source**

The provisions of this § 93.102 amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1607; amended March 10, 1989, effective March 11, 1989, 19 Pa.B. 952; amended February 24, 2006, effective February 25, 2006, 36 Pa.B. 929; amended April 18, 2008, effective April 19, 2008, 38 Pa.B. 1812; amended May 29, 2009, effective May 30, 2009, 39 Pa.B. 2687; amended August 10, 2012, effective August 11, 2012, 42 Pa.B. 5156; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended April 29, 2022, effective 30 days after publication, 52 Pa.B. 2581; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (410155) to (410157).

**§ 93.103. Identity of reviewing hearing committee member.**

The identity of the hearing committee member acting under § 87.32 (relating to action by reviewing hearing committee) shall not be a part of the record in a formal proceeding under these rules and shall not be available to the respondent-attorney or the public.

**Source**

The provisions of this § 93.103 amended March 11, 2005, effective March 12, 2005, 35 Pa.B. 1656; amended February 24, 2006, effective February 25, 2006, 36 Pa.B. 929. Immediately preceding text appears at serial pages (309943) to (309944).

**§ 93.104. Access by judicial system agencies to confidential information.**

(a) *General rule.* Enforcement Rule 402(d)(1) provides that the provisions of § 93.102(a) and (b) (relating to access to disciplinary information and confidentiality) shall not be construed to deny access to relevant information at any point during a proceeding under these rules to:

- (1) authorized agencies investigating the qualifications of judicial candidates;
- (2) the Judicial Conduct Board with respect to an investigation it is conducting;
- (3) other jurisdictions investigating qualifications for admission to practice;
- (4) law enforcement agencies investigating qualifications for government employment;
- (5) lawyer disciplinary enforcement agencies in other jurisdictions investigating misconduct by the respondent-attorney; or
- (6) the Pennsylvania Lawyers Fund for Client Security Board investigating a claim for reimbursement arising from conduct by the respondent-attorney.

(b) *Notice to respondent-attorney.* Enforcement Rule 402(g) provides that, except as provided in subsection (c), if nonpublic information is requested pursuant to subsection (a) and the respondent-attorney has not signed an applicable waiver of confidentiality, the respondent-attorney shall be notified in writing at the last known address of the respondent-attorney of what information has been requested and by whom, together with a copy of the information proposed to be released to the requesting agency or board. The notice shall advise the respondent-attorney that the information will be released 20 days after mailing of the notice unless the respondent-attorney objects to the disclosure. If the respondent-attorney timely objects to the disclosure, the information shall remain confidential unless the requesting agency or board obtains an order of the Supreme Court requiring its release or the respondent-attorney withdraws the objection.

(c) *Exception to required notice to respondent-attorney.* Enforcement Rule 402(h) provides that, if an agency or board requesting the release of information under subsection (a) other than the Judicial Conduct Board and the Pennsylvania Lawyers Fund for Client Security Board has not obtained an applicable waiver of confidentiality from the respondent-attorney, and the agency or board requests that the information be released without giving notice to the respondent-attorney, the requesting agency or board shall certify that:

- (1) the request is made in furtherance of an ongoing investigation into misconduct by the respondent-attorney;
- (2) the information is essential to that investigation; and
- (3) disclosure of the existence of the investigation to the respondent-attorney would seriously prejudice the investigation.

(d) *Restrictions on available information.* The fact that:

- (1) a complaint has been filed shall not be deemed relevant for the purposes of this section if the complaint was dismissed;
- (2) a complaint is pending but undisposed of shall not be deemed relevant for the purposes of this section unless otherwise determined in a specific case by the Office of Disciplinary Counsel with the concurrence of the Chair or Vice-Chair of the Board;
- (3) an informal admonition has been administered to a respondent-attorney under any circumstances other than following a formal proceeding shall not be disclosed at any time to an agency specified in subsection (a)(3) or (4); and
- (4) an informal admonition was administered more than four years or private reprimand was administered more than six years before the request for access is made shall not be deemed relevant if no other grievances or complaints resulting in the imposition of discipline were filed against the respondent-attorney during such four or six year period, respectively.

#### Source

The provisions of this § 93.104 amended May 18, 1979, effective May 19, 1979, 9 Pa.B. 1607; amended February 24, 2006, effective February 25, 2006, 36 Pa.B. 929; amended May 29, 2009, effective May 30, 2009, 39 Pa.B. 2687; amended May 22, 2015, effective May 23, 2015, with respect to informal admonitions administered on or after May 23, 2015, 45 Pa.B. 2457; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (410157) to (410158).

### § 93.105. Protected information.

Enforcement Rule 402(e) provides that this subchapter shall not be construed to provide public access to:

- (1) the work product of the Board, Disciplinary Counsel, hearing committee members, or special masters;
- (2) deliberations of a hearing committee, special master, the Board or the Supreme Court;
- (3) information subject to a protective order issued under § 93.106 (relating to protective orders); or
- (4) a complaint submitted to the Board or Disciplinary Counsel.

#### Source

The provisions of this § 93.105 adopted February 24, 2006, effective February 25, 2006, 36 Pa.B. 929; amended April 29, 2022, effective 30 days after publication, 52 Pa.B. 2581. Immediately preceding text appears at serial page (397916).

### § 93.106. Protective orders.

(a) *General rule.* Enforcement Rule 402 (f) provides that the Board may, upon application of any person and for good cause shown, issue a protective

order prohibiting the disclosure of specific information otherwise privileged or confidential, and the Board may direct that proceedings be conducted so as to implement the order, including requiring that a hearing be conducted in such a way as to preserve the confidentiality of the information that is the subject of a protective order.

(b) Applications at conferences and hearings. Upon application of any person during a conference or hearing under Chapter 89 Subchapter C (relating to hearing procedures) and for good cause shown, the senior or experienced hearing committee member conducting the conference or the hearing committee or special master conducting the hearing may issue a protective order prohibiting the disclosure of specific information otherwise privileged or confidential, and may direct that a hearing be conducted in such a way as to preserve the confidentiality of the information that is the subject of the protective order. Upon the submission of an application for a protective order, the conference or hearing shall be recessed for the conduct of an in camera meeting of the parties with the hearing committee member, hearing committee or special master for consideration of the application. The ruling on the application for a protective order may be appealed to the Board. An appeal to the Board may stay the conduct of hearings in the matter at the discretion of the hearing committee.

**Official Note:** A party seeking a protective order is encouraged to apply for the order at the prehearing conference to allow time for a potential appeal to the Board.

**Source**

The provisions of this § 93.106 adopted February 24, 2006, effective February 25, 2006, 36 Pa.B. 929.

**§ 93.107. Broadcasting and other recording of proceedings. Public access to public proceedings.**

(a) Enforcement Rule 402(j)(1) provides that this subchapter does not permit broadcasting, televising, recording or taking photographs during a proceeding under these rules, except that a hearing committee, a special master, the Board or the Supreme Court when conducting a proceeding may authorize the use of electronic or photographic means for the presentation of evidence, for the perpetuation of a record or for other purposes of judicial administration.

(b) Enforcement Rule 402(j)(2) provides that public access to a public proceeding before a hearing committee, special master or the Board shall consist of or be supplemented by livestream technology, which access shall cease upon the conclusion of the proceeding. The official record of the proceeding shall be the record generated by the court reporter, as applicable.

(c) Enforcement Rule 402(j)(3) provides that a request for in-person access to a public proceeding other than by the parties, their attorneys and reasonably necessary staff shall be made to the Board at least 30 days in advance of the scheduled proceeding.

**Source**

The provisions of this § 93.107 adopted February 24, 2006, effective February 25, 2006, 36 Pa.B. 929; amended November 4, 2022, effective 30 days after publication, 52 Pa.B. 6841. Immediately preceding text appears at serial page (410159).

**§ 93.108. Restoration of confidentiality.**

(a) Enforcement Rule 402(k) provides that if a formal proceeding results in the imposition of private discipline or dismissal of all the charges, the proceeding shall cease to be open to the public when the decision to impose private discipline or dismiss the charges becomes final, unless the respondent-attorney requests that the record of the proceeding remain open to the public.

(b) Notwithstanding the restoration of confidentiality under subsection (a), Disciplinary Counsel shall notify the complainant in writing of the disposition in conformance with the provisions of § 87.51(a)(1) (relating to notification of disposition of complaint) of these Rules.

**Official Note:** The Note to Enforcement Rule 402(k) explains that, although a formal proceeding that becomes open to the public under § 93.102 (access to disciplinary information and confidentiality) will subsequently be closed if it results in the imposition of private discipline or dismissal of all the charges, the closing of the proceeding cannot change the fact that the proceeding was open to the public for a period or time. Thus, this section makes clear that the respondent-attorney may request that the record of the proceeding remain open to demonstrate that the charges were dismissed or only private discipline was imposed.

**Source**

This § 93.108 adopted April 18, 2008, effective April 19, 2008, 38 Pa.B. 1812; amended April 29, 2022, effective 30 days after publication, 52 Pa.B. 2581. Immediately preceding text appears at serial page (397917).

**Subchapter G. FINANCIAL MATTERS****TAXATION OF COSTS**

- Sec.  
93.111. Determination of reimbursable expenses.  
93.112. Failure to pay taxed expenses.

**EXPENSES GENERALLY**

- 93.121. Expenses.  
93.122. Audit.  
93.123. Fiscal year.



**ANNUAL REGISTRATION AND ASSESSMENT. ADMINISTRATIVE  
SUSPENSION. ADMINISTRATIVE CHANGES IN STATUS.**

- 93.141. Annual registration.
- 93.142. Filing of annual registration form.
- 93.143. Issue of certificate as evidence of compliance.
- 93.144. Administrative suspension.
- 93.145. Administrative change to active status.
- 93.146. Administrative change to inactive or retired status.
- 93.147. Public notice of administrative suspension.
- 93.148. [Reserved].
- 93.149. [Reserved].

**TAXATION OF COSTS**

**Source**

The provisions of these §§ 93.111 and 93.112 adopted April 8, 1983, effective April 9, 1983, 13 Pa.B. 1244, unless otherwise noted.

**§ 93.111. Determination of reimbursable expenses.**

(a) *General rule.* Enforcement Rule 208(g)(2) provides that expenses taxable by the Board pursuant to § 89.205(b) (relating to informal admonition, private reprimand or public reprimand following formal hearing) shall be prescribed by these rules. See also § 89.209 (relating to expenses of formal proceedings) and § 89.278 (relating to expenses of reinstatement proceedings).

(b) *Enumeration of expenses.* Taxable expenses under these rules shall include, but not be limited to, the following:

- (1) court reporter fees and transcript costs;
- (2) the fees and expenses of expert and other witnesses;
- (3) the cost of serving subpoenas, pleadings and briefs;
- (4) the charges by banks and other institutions for production of statements, checks and other records in response to subpoenas or otherwise;
- (5) the cost of reproducing documents introduced or offered as evidence at hearings;
- (6) the cost of reproducing pleadings and briefs; and
- (7) the cost of publishing notices in the legal journal and a newspaper of general circulation as required by Enforcement Rule 217(f) (relating to publication of a notice of suspension, disbarment, temporary suspension, administrative suspension or transfer to disability inactive status) or § 89.274(b) (relating to publication of a notice of reinstatement hearing).

(c) *Administrative fee.* Enforcement Rule 208(g)(3) provides that in addition to the payment of any expenses under Enforcement Rule 208(g)(1) or (g)(2), a respondent-attorney shall pay upon the final order of discipline an administrative fee, pursuant to the schedule set forth in the rule.

(d) *Assessed Penalties on Unpaid Taxed Expenses and Administrative Fees.*

(1) Failure to pay taxed expenses within thirty days of the assessment becoming final in accordance with subdivisions (g)(1) and (g)(2) of Enforcement Rule 208 and subdivision (f)(3) of Enforcement Rule 218, and/or failure to pay administrative fees assessed in accordance with subdivision (g)(3) of Enforcement Rule 208 within thirty days of notice transmitted to the respondent-attorney shall result in the assessment of a penalty, levied monthly at the rate of 0.8% of the unpaid principal balance, or such other rate as established by the Supreme Court of Pennsylvania, from time to time.

(2) Monthly penalties shall not be retroactively assessed against unpaid balances existing prior to the enactment of the rule; monthly penalties shall be assessed against these unpaid balances prospectively, starting 30 days after the effective date of the rule.

(3) The Disciplinary Board for good cause shown, may reduce the penalty or waive it in its entirety.

(4) The Board shall charge a collection fee for any payment that has been returned to the Board unpaid.

**Source**

The provisions of this § 93.111 adopted April 8, 1983, effective April 9, 1983, 13 Pa.B. 1244; amended July 8, 1988, effective July 9, 1988, 18 Pa.B. 3036; amended December 1, 2006, effective December 2, 2006, 36 Pa.B. 7233; amended August 10, 2012, effective August 11, 2012, 42 Pa.B. 5156; amended January 30, 2015, effective March 2, 2015, 45 Pa.B. 544; amended June 2, 2017, effective June 3, 2017, 47 Pa.B. 3075; amended February 1, 2019, effective 30 days after publication, 49 Pa.B. 443; amended May 3, 2019, effective May 4, 2019, 49 Pa.B. 2216; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended May 8, 2020, effective 30 days after publication, 50 Pa.B. 2388; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (411875) and (401579).

**§ 93.112. Failure to pay taxed expenses.**

(a) *Action by Board.* Enforcement Rule 208(g)(4) provides that where the respondent-attorney fails to pay taxed expenses and administrative fees within 30 days after the date of the entry of the order taxing such expenses in cases other than a suspension that is not stayed in its entirety or disbarment, the Board shall:

(1) Transmit by certified mail, return receipt requested, to the attorney who fails to pay any taxed expenses under § 89.205(b) (relating to taxation of expenses), or § 89.209 (relating to expenses of formal proceedings), addressed to the last known address of the attorney, a notice stating:

(i) that unless the attorney shall pay all such expenses within 30 days after the date of the notice, such failure to pay will be deemed a request to be administratively suspended, and at the end of such period the name of the attorney will be certified to the Supreme Court, which will enter an order administratively suspending the attorney; and

(ii) that upon entry of the order of administrative suspension, the attorney shall comply with Chapter 91 Subchapter E (relating to formerly admitted attorneys).

A copy of Enforcement Rule 217 (relating to formerly admitted attorneys) shall be enclosed with the notice.

(2) Certify to the Supreme Court the name of the attorney who has failed to comply with the notice issued pursuant to paragraph (a)(1) of this section within the 30-day period provided therein.

(b) *Action by Supreme Court.* Enforcement Rule 219(g) provides that upon certification to the Supreme Court of the name of any attorney pursuant to paragraph (a)(2) of this section, the Court shall enter an order administratively suspending the attorney.

**Source**

The provisions of this § 93.112 adopted April 8, 1983, effective April 9, 1983, 13 Pa.B. 1244; amended October 12, 1984, effective October 13, 1984, 14 Pa.B. 3749; amended May 19, 2006, effective May 20, 2006, 36 Pa.B. 2368; amended August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; amended June 2, 2017, effective June 3, 2017, 47 Pa.B. 3075; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (401579) to (401580).

**EXPENSES GENERALLY**

**§ 93.121. Expenses.**

*General.* Enforcement Rule 401 provides that the salaries of Disciplinary Board employees, their expenses, administrative costs, expenses of the members of the Board and of hearing committees, and expenses and compensation, if any, of special masters shall be paid by the Board out of the funds collected under the provisions of § 93.141 et seq. (relating to annual registration and assessment, administrative suspension, administrative changes in status.) and §§ 89.205(b), 89.209, and 89.278 (relating to costs and fees).

**Source**

The provisions of this § 93.121 amended April 13, 1990, effective April 14, 1990, 20 Pa.B. 2009; amended November 15, 1991, effective November 16, 1991, 21 Pa.B. 5325; amended November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (401580) and (410985).

**§ 93.122. Audit.**

Enforcement Rule 401 provides that the Board shall annually obtain an independent audit by a certified public accountant of the funds entrusted to it and their disposition and shall file a copy of such audit with the Supreme Court.

**§ 93.123. Fiscal Year.**

The fiscal year of the Board shall commence July 1 of each year.

**ANNUAL REGISTRATION AND ASSESSMENT. ADMINISTRATIVE  
SUSPENSION. ADMINISTRATIVE CHANGES IN STATUS.**

**§ 93.141. Annual registration.**

(a) *Annual registration period.* Enforcement Rule 219(a) provides that the annual registration period shall run from July 1 to June 30. On or before May 15 of each year, the Attorney Registration Office shall transmit an electronic notice to register and pay the annual assessment by July 1. Failure to receive notice shall not excuse the filing of the annual registration form and payment of the annual assessment.

(b) *Attorneys required to register.* Enforcement Rule 219(a)(1) provides that attorneys on the following license statuses are required to register annually:

- (1) Active status.
- (2) Attorneys holding the following limited licenses:
  - (i) Foreign legal consultant;

- (ii) Limited In-House Corporate Counsel;
- (iii) Attorney participant in defender or legal services programs; and
- (iv) Attorney spouse of an active-duty service member.
- (3) Inactive status.
- (c) *Exemptions.* Enforcement Rule 219(a)(2) provides that attorneys on the following license statuses shall be exempt from annual registration:
  - (1) Judge status;
  - (2) Retired status;
  - (3) Emeritus status, except that such attorneys shall be governed by the renewal provisions of Enforcement Rule 403(g); and
  - (4) Military attorney status.
- (d) *Annual assessment.* Enforcement Rule 219(b) provides that all attorneys required to register shall pay an annual assessment as set forth in that rule. Payment of the annual assessment shall be made by credit or debit card or by check or money order drawn on a U.S. financial institution in U.S. dollars using a printable, mail-in voucher. Payment shall not be made using an IOLTA, trust, escrow, or other fiduciary account. The annual assessment is apportioned among the Board, the Pennsylvania Lawyers Fund for Client Security, and the Pennsylvania Interest on Lawyers Trust Accounts Board as directed by the Court.
- (e) *Financial hardship waiver.* Enforcement Rule 219(b) provides that an attorney may apply to the Board for a waiver of the annual assessment on the basis of financial hardship by submitting a waiver application and required documentation to the Attorney Registration Office by July 1. Financial hardship shall be determined by reference to the federal poverty guidelines.

**Note:** The grant of a waiver under this subdivision (e) shall include waiver of the total annual assessment, which includes the amounts apportioned to the Pennsylvania Lawyers Fund for Client Security and the Pennsylvania Interest on Lawyers Trust Accounts Board.

#### Source

The provisions of this § 93.141 amended through May 4, 1984, effective May 5, 1984, with respect to assessment years commencing July 1, 1984 and thereafter, 14 Pa.B. 1547; amended October 13, 1989, effective October 14, 1989, 19 Pa.B. 4448; amended November 15, 1991, effective November 16, 1991, with respect to assessment years commencing July 1, 1991 and thereafter, 21 Pa.B. 5325; amended April 12, 2002, effective April 13, 2002, 32 Pa.B. 1838; amended August 5, 2005, effective September 1, 2005, 35 Pa.B. 4301; amended May 29, 2009, effective May 30, 2009, 39 Pa.B. 2687; amended August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; amended August 5, 2011, effective August 6, 2011, 41 Pa.B. 4202; amended November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended October 28, 2016, effective October 29, 2016, 46 Pa.B. 6814, corrected at 46 Pa.B. 7250; amended May 5, 2017, effective May 6, 2017, 47 Pa.B. 2539; amended November 9, 2018, effective 30 days after publication, 48 Pa.B. 7111; amended May 3, 2019, effective May 4, 2019, 49 Pa.B. 2215; amended February 12, 2021, effective 30 days after publication, 51 Pa.B. 781; amended August 12, 2022, effective 30 days after publication, 52 Pa.B. 4915; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (410985) to (410986).

### § 93.142. Filing of annual registration form.

- (a) *Filing of annual registration form.* Enforcement Rule 219(c) provides that on or before July 1 of each year all attorneys required by the rule to register shall electronically file with the Attorney Registration Office a registration form. Upon an attorney's written request and for good cause shown, the Attorney Registration Office shall grant an exemption from the electronic filing requirement and provide a paper registration form to the attorney for filing.
- (1) The attorney shall provide the following information on the form:

(i) The attorney's current license status in this Commonwealth and all other state, federal, and foreign courts and jurisdictions in which the attorney is or has ever been licensed to practice law.

(ii) The attorney's contact information, which shall specify information accessible to the public. Upon an attorney's written request and for good cause shown, the contact information will not be accessible to the public.

(iii) The financial accounts and information identified in § 91.180(b) (relating to reporting of fiduciary and operating accounts on annual registration form).

(iv) A statement that:

(A) the attorney is familiar and in compliance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct regarding the handling of funds and other property of clients and others and the maintenance of IOLTA accounts;

(B) the attorney's Trust Accounts comply with Enforcement Rule 221(h) regarding the mandatory reporting of overdrafts on fiduciary accounts; and

(C) the attorney has reported all of the financial accounts and information identified in Enforcement Rule 221(q).

(v) A statement that any action brought against the attorney by the Pennsylvania Lawyers Fund for Client Security for the recovery of monies paid by the Fund as a result of claims against the attorney may be brought in the Court of Common Pleas of Allegheny, Dauphin or Philadelphia County.

(vi) Whether the attorney is covered by professional liability insurance on the date of registration in the minimum amounts set forth in Rule of Professional Conduct 1.4(c); a covered attorney shall identify the insurance carrier.

(vii) Such other information as the Board may from time to time direct.

(2) Enforcement Rule 219(e) provides that the annual registration requirement is not satisfied if the registration form is incomplete, if the payment is incomplete, or if payment of the annual assessment has been returned to the Board unpaid. If the annual registration form, voucher or payment is incomplete or if a payment of the annual assessment has been returned to the Board unpaid, the annual assessment shall not be deemed to have been paid until a collection fee of \$25 shall also have been paid. Registration is deemed complete upon receipt of the completed registration form, satisfactory payment of the annual assessment, and payment of any penalties or fees assessed under Enforcement Rule 219(f).

(3) Every attorney who has filed the form shall notify the Attorney Registration Office in writing of any change in the information previously submitted relating to license status in other jurisdictions, contact information, and professional liability insurance, within 30 days after such change, which notice shall be sent by mail or facsimile transmission, provided, however, that any change in the information required by Enforcement Rule 221(q) (relating to financial account information) that occurs after the filing of the form need only be reported on the next regular annual registration form due July 1. Failure to timely register and file the next annual registration form shall not excuse the requirement of reporting changes in financial account information on an annual basis on or before July 1, and failure to make such a report shall constitute a violation of Enforcement Rule 219.

(4) Submission of the annual registration form through electronic means signifies the attorney's intent to sign the form. By submitting the form electronically, the attorney certifies that the electronic filing is true and correct.

**Source**

The provisions of this § 93.142 amended through May 4, 1984, effective May 5, 1984, 14 Pa.B. 1547; amended March 1, 1991, effective March 2, 1991, 21 Pa.B. 827; amended September 11, 1992, effective September 12, 1992, with respect to assessment years commencing on and after July 1, 1992 and thereafter, 22 Pa.B. 4624; amended June 11, 1993, subsection (b)(1)(ii) is effective with respect to assessment years commencing on and after July 1, 1993 and thereafter, 23 Pa.B. 2729; amended November 3, 1995, effective November 4, 1995, 25 Pa.B. 4696; amended April 4, 1997, effective April 5, 1997, amendments to subsection (b) are applicable to 1997-1998 assessment year, 27 Pa.B. 1643; amended July 30, 1999, effective July 31, 1999, 29 Pa.B. 4053; amended August 5, 2005, effective August 6, 2005, 35 Pa.B. 4301; amended April 18, 2008, effective April 19, 2008, 38 Pa.B. 1812; amended August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; amended August 5, 2011, effective August 6, 2011, 41 Pa.B. 4202; amended November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended January 30, 2015, effective March 2, 2015, relating to filing of annual form by attorneys shall be applicable beginning with the 2015-2016 assessment year, 45 Pa.B. 544; amended October 28, 2016, effective October 29, 2016, 46 Pa.B. 6814, corrected at 46 Pa.B. 7250; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended January 31, 2020, effective 30 days after publication, 50 Pa.B. 647; amended January 31, 2020, effective 30 days after publication, 50 Pa.B. 648; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (410986) and (400495) to (400497).

**§ 93.143. Issue of certificate as evidence of compliance.**

Enforcement Rule 219(d) provides that the Attorney Registration Office shall issue a license card or certificate to attorneys on active status and to attorneys holding limited licenses under § 93.141(b)(2) as acknowledgement of an attorney's completion of registration and payment of the required annual assessment.

**Source**

The provisions of this § 93.143 amended March 6, 1981, effective March 7, 1981, 11 Pa.B. 782; amended August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (400497) to (400498).

**§ 93.144. Administrative suspension.**

(a) *Failure to comply with annual registration.* Subdivisions (f) and (g)(1) of Enforcement Rule 219 provide that when any attorney fails to complete the registration required by §§ 93.141 and 93.142 by July 16, the Attorney Registration Office shall:

- (1) automatically assess against the attorney a \$200 late payment penalty established by the Board that cannot be waived;
- (2) automatically add to the delinquent account of any attorney who has failed to complete registration by August 1, a second \$200 late payment penalty established by the Board that cannot be waived; and
- (3) after August 1, certify to the Supreme Court the name of every attorney who has failed to comply with the registration and payment requirements of §§ 93.141 and 93.142 of these rules.

For purposes of assessing the late payment penalties prescribed by this section, registration shall not be deemed to be complete until the Attorney Registration Office receives a completed annual registration form and satisfactory payment of the annual assessment and of all outstanding collection fees and late payment penalties. If payment of the delinquency has been returned to the Board unpaid, a collection fee, as established by the Board under § 93.142(a)(2) of these rules,



shall be added to the attorney's delinquent account and registration shall not be deemed to be complete until the delinquent account has been paid in full.

(b) *Failure to comply with Pennsylvania Rules of Continuing Legal Education requirements.* Pursuant to Enforcement Rule 219(g)(2), and as set forth in Pa.R.C.L.E. 111(b), the Pennsylvania Continuing Legal Education Board shall report to the Court the name of every attorney who has failed to comply with the Pennsylvania Rules for Continuing Legal Education.

(c) *Failure to comply with Enforcement Rule 208(g) (relating to costs and fees).* Pursuant to Enforcement Rule 219(g)(3), the Board shall certify to the Court the name of every attorney who has failed to pay taxed expenses and administrative fees in cases other than a suspension that is not stayed in its entirety or disbarment.

(d) *Action by the Supreme Court.* Upon receipt of certification of the name of any attorney pursuant to paragraph (a), (b), or (c) of this section, the Supreme Court shall enter an order administratively suspending the attorney and directing that the attorney comply with the provisions of Enforcement Rule 217 (relating to formerly admitted attorneys).

(e) *Action by the Attorney Registration Office.* Upon the Supreme Court's entry of an order of administrative suspension as provided in paragraph (d) of this section, the Attorney Registration Office shall transmit by certified mail, addressed to the last known mailing address of the attorney, or by electronic means, the order of administrative suspension and a notice that the attorney shall comply with Enforcement Rule 217 (relating to formerly admitted attorneys).

#### Source

The provisions of this § 93.144 amended through July 8, 1983, effective July 9, 1983, with respect to assessment years commencing July 1, 1983 and thereafter, 13 Pa.B. 2138; amended May 19, 2006, effective May 20, 2006, 36 Pa.B. 2368; amended August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; amended November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended May 3, 2019, effective May 4, 2019, 49 Pa.B. 2216; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended January 31, 2020, effective 30 days after publication, 50 Pa.B. 648; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial page (400498).

### § 93.145. Administrative change to active status.

(a) *Administrative suspension three years or less.* An attorney who has been administratively suspended pursuant to § 93.144(a) (relating to failure to comply with annual registration), § 93.144(b) (relating to failure to comply with Pennsylvania Rules of Continuing Legal Education requirements), or § 93.144(c) (relating to failure to pay costs under Enforcement Rule 208(g)) for three years or less is not eligible to file the annual registration form electronically. Enforcement Rule 219(h)(1) provides that the procedure for reinstatement is as follows:

(1) The formerly admitted attorney shall submit to the Attorney Registration Office the form required by § 93.142(a) along with payment as applicable of:

- (i) the current annual assessment for active status;
- (ii) the annual assessment that was due in the year in which the attorney was administratively suspended;
- (iii) the late payment penalties required by § 93.144(a)(1) and (2);
- (iv) any unpaid collection fee;
- (v) payment of any outstanding costs and fees under Enforcement Rule 208(g); and
- (vi) an administrative fee of \$300.00.



(2) Upon receipt of the annual registration form, a verified statement showing compliance with Enforcement Rule 217 (relating to formerly admitted attorneys) and compliance during the term of administrative suspension, confirmation of compliance with rules and regulations of the Continuing Legal Education Board, if applicable, and the payments required by paragraph (a)(1) of this section, the Attorney Registration Office shall so certify to the Board Prothonotary and to the Supreme Court; and that unless the formerly admitted attorney is subject to another outstanding order of suspension, temporary suspension or disbarment or the order has been in effect for more than three years, the filing of the certification from the Attorney Registration Office with the Court Prothonotary shall operate as an order reinstating the person to active status.

(3) Where payment of the fees and late payment penalties has been returned to the Board unpaid, the Attorney Registration Office shall immediately return the attorney to administrative suspension, and the arrears shall not be deemed to have been paid until a collection fee, as established by the Board under § 93.142 (a)(2) of these rules, shall also have been paid.

(b) *Inactive Status three years or less.* Enforcement Rule 219(h)(2) provides that the procedure is as follows:

(1) The formerly admitted attorney shall submit to the Attorney Registration Office:

- (i) a form available through that Office;
- (ii) payment of any of the following as applicable:
  - (A) the active annual assessment for the year in which the request for active status is made or the difference between the active annual assessment and the inactive annual assessment previously paid for that year;
  - (B) late payment penalties;
  - (C) any unpaid collection fee.

(c) *Retired status three years or less.* Enforcement Rule 219(h)(3) provides that the procedure is as follows:

(1) The formerly admitted attorney shall submit to the Attorney Registration Office:

- (i) a form available through that Office;
- (ii) the active annual assessment for the year in which the request for active status is made.

(d) The procedures under paragraph (a), (b) and (c) do not apply to:

- (1) a formerly admitted attorney who, on the date of the request for active status, has not been on active status at any time within the preceding three years;
- (2) a formerly admitted attorney who has sold his or her law practice by reason of disability and who has been transferred to inactive status pursuant to Enforcement Rule 301 or 219(i)(1), as required by Rule of Professional Conduct 1.17(f) (relating to the sale of a law practice by reason of disability);
- (3) a formerly admitted attorney who is subject to an outstanding order of disability inactive status, suspension, temporary suspension, or disbarment; or
- (4) a formerly admitted attorney who, on the date of the request for active status, has an outstanding obligation to the Lawyers Fund for Client Security.

#### Source

The provisions of this § 93.145 amended July 8, 1983, effective July 9, 1983, with respect to assessment years commencing July 1, 1983 and thereafter, 13 Pa.B. 2138; amended through October 12, 1984, effective October 13, 1984, 14 Pa.B. 3749; amended September 11, 1992, effective Sep-

tember 12, 1992, with respect to assessment years commencing July 1, 1992 and thereafter, 22 Pa.B. 4624; amended August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; amended November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended October 28, 2016, effective October 29, 2016, 46 Pa.B. 6814, corrected at 46 Pa.B. 7250; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended January 31, 2020, effective 30 days after publication, 50 Pa.B. 648; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial page (400499).

**§ 93.146. Administrative change to inactive or retired status.**

(a) *Active status to inactive status.* Enforcement Rule 219(i)(1) provides that an attorney on active status seeking to assume inactive status during a time outside the annual attorney registration period shall submit a request for inactive status form to the Attorney Registration Office.

(b) *Active or inactive status to retired status.* Enforcement Rule 219(i)(2) provides that an attorney on active or inactive status seeking to assume retired status during a time outside the annual attorney registration period shall submit a request for retired status form to the Attorney Registration Office.

(c) *Administrative suspension to inactive status.* Enforcement Rule 219(i)(3) provides that a formerly admitted attorney seeking to resume inactive status after transfer to administrative suspension from inactive status shall submit to the Attorney Registration Office:

- (1) a form available through the Attorney Registration Office;
- (2) a verified statement that complies with Enforcement Rule 217(e)(1) and also demonstrates continued compliance with Enforcement Rule 217 during the term of administrative suspension; and
- (3) payment of any of the following as applicable:
  - (i) the inactive annual assessment for the year in which the request for inactive status is made;
  - (ii) the inactive annual assessment that was due in the year in which the attorney was administratively suspended;
  - (iii) late payment penalties;
  - (iv) a collection fee;
  - (v) payment of any outstanding costs and fees under Enforcement Rule 208(g);
  - (vi) an administrative fee of \$100.

(d) *Administrative suspension to retired status.* Enforcement Rule 219(i)(4) provides that a formerly admitted attorney seeking retired status after transfer to administrative suspension shall submit to the Attorney Registration Office:

- (1) a form available through the Attorney Registration Office;
- (2) a verified statement that complies with Enforcement Rule 217(e)(1) and also demonstrates continued compliance with Enforcement Rule 217 during the term of administrative suspension;
- (3) payment of any outstanding costs and fees under Enforcement Rule 208(g); and
- (4) an administrative fee of \$100.

A formerly admitted attorney retired under this paragraph (d) who seeks to resume active status where a petition for reinstatement is not required shall pay all outstanding arrears assessed and satisfy all deficiencies in connection with the transfer to administrative suspension.

**Source**

The provisions of this § 93.146 amended July 8, 1983, effective July 9, 1983, with respect to assessment years commencing July 1, 1983, and thereafter, 13 Pa.B. 2138; amended September 11, 1992, effective September 12, 1992, with respect to assessment years commencing July 1, 1992 and thereafter, 22 Pa.B. 4624; amended April 12, 2002, effective April 13, 2003, 32 Pa.B. 1838; amended May 19, 2006, effective May 20, 2006, 36 Pa.B. 2368; amended August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; amended November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended October 28, 2016, effective October 29, 2016, 46 Pa.B. 6814, corrected at 46 Pa.B. 7250; amended May 5, 2017, effective May 6, 2017, 47 Pa.B. 2539; amended September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552; amended November 18, 2019, effective 30 days after publication, 50 Pa.B. 648; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (400500) to (400501).

**§ 93.147. Public notice of administrative suspension.**

Public notice of such administrative suspension shall clearly state that suspension was ordered for failure to file the required annual registration form and pay the required annual assessment, to comply with § 93.112 (relating to failure to pay taxed expenses), or to comply with the Rules and Regulations of the Continuing Legal Education Board.

**Source**

The provisions of this § 93.147 amended July 8, 1983, effective July 9, 1983, with respect to assessment years commencing July 1, 1983 and thereafter, 13 Pa.B. 2138; amended August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; amended November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (358115) to (400502).

**§ 93.148. [Reserved].****Source**

The provisions of this § 93.148 reserved July 8, 1983, effective July 9, 1983, with respect to assessment years commencing July 1, 1983 and thereafter, 13 Pa.B. 2138; adopted and § 93.148 reused November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended October 28, 2016, effective October 29, 2016, 46 Pa.B. 6814, corrected at 46 Pa.B. 7250; amended August 17, 2018, effective 30 days after publication, 48 Pa.B. 4956; amended November 18, 2019, effective 30 days after publication, 50 Pa.B. 648; deleted December 15, 2023, effective 30 days after publication, 53 Pa.B. 7704. Immediately preceding text appears at serial pages (400502) to (400503).

**§ 93.149. [Reserved].****Source**

The provisions of this § 93.148 added August 7, 2009, effective August 8, 2009, 39 Pa.B. 4725; renumbered as § 93.149 and reserved November 2, 2012, effective November 3, 2012, 42 Pa.B. 6864; amended October 28, 2016, effective October 29, 2016, 46 Pa.B. 6814, corrected at 46 Pa.B. 7250; reserved September 27, 2019, effective 30 days after publication, 49 Pa.B. 5552. Immediately preceding text appears at serial pages (393642) to (393643).

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