

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2657 Disciplinary Docket No. 3
	:	
Petitioner	:	No. 104 DB 2019
	:	
v.	:	Attorney Registration No. 94715
	:	
STEPHANIE JULIA BROWN,	:	(Out of State)
	:	
Respondent	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 21<sup>st</sup> day of October, 2019, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board, the Joint Petition in Support of Discipline on Consent is granted, and Stephanie Julia Brown is suspended on consent from the Bar of this Commonwealth for a period of one year and one day. She shall comply with all the provision of Pa.R.D.E. 217 and pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 10/21/2019

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 104 DB 2019
Petitioner	:	
	:	
v.	:	Attorney Reg. No. 94715
	:	
STEPHANIE JULIA BROWN,	:	
Respondent	:	(Out of State)

JOINT PETITION IN SUPPORT OF  
DISCIPLINE ON CONSENT  
PURSUANT TO Pa.R.D.E. 215(d)

Petitioner, the Office of Disciplinary Counsel (hereinafter, "ODC") by Paul J. Killion, Chief Disciplinary Counsel, and Mark Gilson, Disciplinary Counsel and Stephanie Julia Brown (hereinafter "Respondent"), respectfully petition the Disciplinary Board in support of discipline on consent, pursuant to Pennsylvania Rule of Disciplinary Enforcement ("Pa.R.D.E.") 215(d), and in support thereof state:

1. Petitioner, whose principal office is situated at Office of Chief Disciplinary Counsel, Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, Pennsylvania 17106, is invested, pursuant to Pa.R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Enforcement Rules.

FILED 09/09/2019 The Disciplinary Board of the Supreme Court of Pennsylvania
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2. Respondent Stephanie Julia Brown, was born on December 12, 1967, and was admitted to practice law in the Commonwealth on April 29, 2005.

3. Respondent's current registration address is 884 Hampton Way, Williamstown, New Jersey 08094.

4. By Order dated March 13, 2019, effective April 12, 2019, the Pennsylvania Supreme Court administratively suspended Respondent for non-compliance with her continuing legal education requirements.

5. Respondent remains administratively suspended.

6. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

**SPECIFIC FACTUAL ALLEGATIONS ADMITTED**

**I. The Aroche Petition**

7. On June 20, 2016, Respondent filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court, Eastern District of Pennsylvania on behalf of her client, Ms. Ashalisette Aroche, under caption: *In re: Ashalisette Aroche*, Docket No. 16-14382 ("the Aroche petition").

8. Respondent failed to have the debtor, Ms. Aroche, sign the petition, schedules, statement of financial affairs, statement of intention, and verification of creditor matrix.

9. On July 25, 2016, Respondent failed to appear for the initial meeting with the Chapter 7 Trustee, Ms. Lynn E. Feldman, and Ms. Aroche's creditors.

10. On August 8, 2016, Respondent failed to appear for the rescheduled meeting with Trustee Feldman and Ms. Aroche's creditors.

11. Respondent failed to inform Ms. Aroche that Respondent could not attend the August 8<sup>th</sup> meeting, resulting in Ms. Aroche taking a day off from work and travelling to attend the meeting.

12. Respondent failed to file a response to a motion from a secured creditor to foreclose on Ms. Aroche's residence, resulting in the court issuing an order dated August 19, 2016, granting the motion.

13. On September 27, 2016, U.S. Trustee David P. Adams filed a motion to:

- a. compel an accounting for all fees paid to Respondent by Ms. Aroche;
- b. deny all fees paid to Respondent by Ms. Aroche; and
- c. compel disgorgement of all fees paid to Respondent by Ms. Aroche.

14. Respondent failed to appear for a hearing scheduled by the court on November 3, 2016, to address Trustee Adams' motion.

15. By Order dated November 7, 2016, United States Bankruptcy Judge Richard E. Fehling:

- a. denied all fees and expenses requested by Respondent in the Aroche Petition;
- b. required Respondent to disgorge to Ms. Aroche \$1,600 in fees within 10 days;
- c. required Respondent to pay an outstanding filing fee installment payment of \$90 within 10 days;
- d. required Respondent to file a certification of compliance with the court's order within 14 days; and
- e. scheduled a sanctions hearing for December 15, 2016, to address Respondent's conduct and compliance with the court's order.

16. Respondent failed to timely make the required payments or file the certification of compliance with the court's order.

17. By Order dated November 16, 2016, Judge Fehling rescheduled the creditor's meeting with the Trustee and Ms. Aroche's creditors for December 15, 2016, and ordered Respondent to attend.

18. Respondent failed to appear on December 15, 2016, for the sanctions hearing or the rescheduled creditors meeting.

19. Respondent attributes her failure to attend the sanctions hearing and creditors meeting on December 15, 2016, to her treatment in an alcohol abuse rehabilitation program.

20. By Order dated December 22, 2016, Judge Fehling:

- a. sanctioned Respondent \$250 for failing to comply with the court's orders;
- b. reinstated the court's order denying and disgorging fees;
- c. renewed the court's order that Respondent file a certification of compliance with the court's order; and
- d. rescheduled the sanctions hearing for January 5, 2017.

21. Respondent failed to timely make the required payments, pay the \$250 sanction or file the certification of compliance with the court's order.

22. Respondent failed to appear for the January 5, 2017, sanctions hearing.

23. By Order dated January 5, 2017, Judge Fehling terminated Respondent's CM-ECF electronic filing privileges as a sanction for her conduct.

24. By Order dated February 8, 2017, Judge Fehling rescheduled the sanctions hearing for February 23, 2017, to further address Respondent's misconduct.

25. Respondent failed to appear for the February 23, 2017, sanctions hearing.

26. Respondent explains that her failure to attend the February 23, 2017, hearing was due to her estranged husband denying

Respondent access to the marital home, and her work materials, laptop computer, clothes and car.

27. On February 23, 2017, Judge Fehling rescheduled the sanctions hearing to March 23, 2017.

28. Respondent failed to appear for the March 23, 2017, sanctions hearing.

29. By Order dated August 2, 2017, Judge Fehling rescheduled the sanctions hearing to August 31, 2017.

30. Respondent failed to appear for the August 31, 2017, sanctions hearing.

31. By Order dated September 7, 2017, Judge Fehling rescheduled the sanctions hearing to September 28, 2017.

32. Respondent failed to appear for the September 28, 2017, sanctions hearing.

33. By Order dated October 10, 2017, Judge Fehling adjudged Respondent to be in civil contempt for her failure to comply with the court's orders.

34. By Order dated November 29, 2017, Judge Fehling rescheduled the sanctions hearing to January 25, 2018.

35. Respondent failed to appear for the January 25, 2018, sanctions hearing.

36. By Order dated January 29, 2018, Judge Fehling authorized the United States Marshall Services ("U.S. Marshall") to take Respondent into custody and bring her forthwith before the court.

37. On January 30, 2018, Respondent was arrested by the U.S. Marshall and brought before the court for a contempt hearing.

38. Following the contempt hearing, and by Order dated January 31, 2019, Judge Fehling required Respondent to:

- a. repay and disgorge fees to Ms. Aroche in the amount of \$1,600;
- b. pay a sanction in the amount of \$250; and
- c. file a certification of compliance with the court's order on or before February 9, 2018.

39. On February 25, 2018, Respondent filed a certification of compliance with the court that she had repaid and disgorged fees to Ms. Aroche in the amount of \$1,600.

40. Respondent failed to timely pay the \$250 sanction.

41. Respondent avers that she paid Ms. Aroche in full some months prior to the hearing on January 30, 2018, by driving from her home in New Jersey to Ms. Aroche's home in Harrisburg, Pennsylvania to deliver the money to Ms. Aroche and offer her a personal apology.

42. Respondent further explains that she has been unemployed for a substantial period of time and unable to pay the court-imposed \$250 sanction; however, she is mindful of and fully intends to meet her obligation.

43. Respondent attributed her failure to competently and professionally handle the Aroche petition to her alcoholism, and



personal difficulties involving marital, domestic violence and child custody issues she experienced during this time period.

44. Respondent accepts full responsibility for her conduct, and has expressed remorse for her actions in this matter.

## II. The Schweichler Petition

45. On July 18, 2016, Respondent filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court, Eastern District of Pennsylvania on behalf of her client, Ms. Terri Lee Schweichler, under caption: *In re: Terri Lee Schweichler*, Docket No. 16-14382 ("the *Schweichler* petition").

46. Respondent failed to have the debtor, Ms. Schweichler, sign the petition, schedules, statement of financial affairs, statement of intention, and verification of creditor matrix.

47. Ms. Schweichler resided in Richeyville, Pennsylvania in Washington County.

48. Based on Ms. Schweichler's residence, the proper district to file her bankruptcy petition was the United States Bankruptcy Court for the Western District of Pennsylvania ("the Western District").

49. Respondent failed to file the *Schweichler* petition in the proper district.

50. Respondent failed to file a motion to transfer the *Schweichler* petition to the Western District.

51. On July 28, 2016, the court issued a rule to show cause to Respondent as to why the *Schweichler* petition should not be dismissed for having been filed in the wrong district.

52. On that same day, Respondent attempted to file a "Motion to Transfer Case to Another Division" ("transfer motion"), but failed to include a motion and, instead, filed only a certificate of service.

53. On July 29, 2016, Respondent was sent a "Notice of Inaccurate Filing" by the court.

54. On the same day, Respondent attempted to file two separate transfer motions in the *Schweichler* petition, but again failed to include the motions, incorrectly filed only certificates of service, and on one of the defective transfer motions, Respondent incorrectly listed the debtor (Ms. Schweichler) as "Deanna Heck."

55. On August 10, 2016, Respondent filed another transfer motion, but failed to properly notice her motion for a hearing.

56. On August 22, 2016, the court held a hearing to address the issue and ordered the *Schweichler* petition transferred to the Western District.

57. Respondent attributed her failure to competently and professionally handle the *Schweichler* petition to her alcoholism, and personal difficulties involving marital, domestic violence and child custody issues she experienced during this time period.

58. Respondent accepts full responsibility for her conduct, and has expressed remorse for her actions in this matter.

### **III. The Manescu Petition**

59. On July 19, 2016, Respondent filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court, Eastern District of Pennsylvania on behalf of her client, Ms. Lisa Stephanie Manescu, under caption: *In re: Lisa Stephanie Manescu*, Docket No. 16-15115 ("the *Manescu* petition").

60. Respondent failed to have the debtor, Ms. Manescu, sign the petition, schedules, statement of financial affairs, statement of intention, and verification of creditor matrix.

61. Respondent failed to file the required certificate of credit counseling ("certificate") with the *Manescu* petition.

62. By Order dated July 20, 2016, Respondent was directed to file the required certificate by July 26, 2016.

63. Respondent failed to timely file the certificate.

64. On July 29, 2016, the *Manescu* petition was dismissed due to Respondent's failure to file the certificate.

65. On that same day, and approximately two hours after the *Manescu* petition was dismissed, Respondent filed the certificate.

66. On August 11, 2016, Respondent filed a motion to vacate the dismissal of the *Manescu* petition ("motion to vacate").

67. Respondent failed to use the proper form for her motion to vacate, or sign the motion.

68. On August 12, 2016, Respondent's motion to vacate was rejected by the court as an inaccurate filing.

69. On August 22, 2016, Respondent filed a second motion to vacate.

70. On September 16, 2016, Respondent filed a third, amended motion to vacate

71. By Order dated September 20, 2016, Respondent's second and third motions to vacate were dismissed without prejudice by the court for lack of effective notice.

72. On September 30, 2016, Respondent filed a fourth motion to vacate.

73. By Order dated September 27, 2016, Respondent's fourth motion to vacate was dismissed for lack of effective notice.

74. On October 13, 2016, Trustee Adams filed a motion to deny and disgorge all fees paid by Ms. Manescu.

75. A hearing to address Trustee Adams' motion was scheduled by the court for November 3, 2016.

76. Respondent failed to appear for the hearing.

77. By Order dated November 7, 2016, Judge Fehling:

a. denied all fees and expenses requested by Respondent in the *Manescu* Petition;

b. required Respondent to disgorge to Ms. Manescu \$1,300 in fees within 10 days;

- c. required Respondent to reimburse Ms. Manescu's travelling expenses in the amount of \$30 within 10 days;
- d. required Respondent to pay the outstanding filing fee in the amount of \$276 within 10 days;
- e. required Respondent to file a certification of compliance with the court's order within 14 days; and
- f. scheduled a sanctions hearing for December 15, 2016, to address Respondent's conduct and compliance with the court's order.

78. By Order dated November 14, 2016, the court scheduled a meeting with the Trustee and Ms. Manescu's creditors for December 8, 2016.

79. Respondent failed to attend the meeting.

80. Respondent failed to attend the sanctions hearing on December 15, 2016.

81. For sake of brevity, paragraphs 20 —23 relating to the *Aroche* petition are incorporated by reference to describe the same procedural history and factual averments from December 22, 2016 through January 5, 2017 for the *Manescu* petition.

82. On February 16, 2017, Gregory J. Pavlovitz, Esquire entered his appearance and replaced Respondent as counsel of record in the *Manescu* petition.

83. For sake of brevity, paragraphs 29 —37 relating to the Aroche petition are incorporated by reference to describe the same procedural history and factual averments from August 2, 2017 through January 30, 2018 for the *Manescu* petition.

84. Following the January 30, 2018, contempt hearing, and by Order dated January 31, 2019, Judge Fehling required Respondent to:

- a. repay and disgorge fees to Ms. Manescu in the amount of \$1,330;
- b. pay a sanction in the amount of \$250; and
- c. pay \$276 in outstanding filing fees for the *Manescu* petition.

85. The court furthered ordered that payments be structured as follows:

- a. monthly payments of \$500 with the first payment due February 28, 2018, and subsequent payments due on the last day of each month.

86. Respondent made partial payments of \$200 on March 5, 2018, and \$100 on March 26, 2018.

87 Respondent has failed to make any additional required payments.

88. Respondent attributes her failure to make the required payments to her having been unemployed.

89. Respondent attributed her failure to competently and professionally handle the *Manescu* petition to her alcoholism, and

personal difficulties involving marital, domestic violence and child custody issues she experienced during this time period.

90. Respondent accepts full responsibility for her conduct, and has expressed remorse for her actions in this matter.

#### IV. The Heck Petition

91. On July 22, 2016, Respondent filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court, Eastern District of Pennsylvania on behalf of her client, Ms. Deanna Heck, under caption: *In re: Deanna Heck*, Docket No. 16-15182 ("the Heck petition").

92. Ms. Heck resided in Lock Haven, Pennsylvania in Lycoming County.

93. Based on Ms. Heck's residence, the proper district to file her bankruptcy petition was the United States Bankruptcy Court for the Middle District of Pennsylvania ("the Middle District").

94. Respondent failed to file the Heck petition in the proper district.

95. Respondent failed to file a motion to transfer the Heck petition to the Middle district.

96. On July 27, 2016, the court issued a rule to show cause to Respondent as to why the Heck petition should not be dismissed for having been filed in the wrong district.

On July 28, 2016, Respondent electronically filed a "Motion to transfer Case to Another Division," and a "Motion to transfer Case

to Another Division," and a "Motion to Change Venue/Inter-district Transfer" ("transfer motions").

98. Respondent failed to attach the correct pdf documents to her electronic court filings.

99. On July 29, 2016, Respondent was sent a "Notice of Inaccurate Filing" by the court for attaching the wrong pdf documents to her transfer motions.

100. Respondent failed to file accurate or correct transfer motions for the *Heck* petition.

101. On August 1 and August 3, 2016, Respondent filed modified and corrected motions to transfer the *Heck* petition to the Middle District.

102. By Order dated August 3, 2016, the *Heck* petition was transferred to the Middle District.

#### **V. The Henderson Petition**

103. On August 16, 2016, Respondent filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court, Eastern District of Pennsylvania on behalf of her client, Mr. Russell Rajuan Henderson, under caption: *In re: Russell Rujuan Henderson*, Docket No. 16-15847 ("the *Henderson* petition").

104. Respondent failed to file the required certificate of credit counseling ("certificate") with the *Henderson* petition.

105. By Order dated August 22, 2016, Respondent was directed to file the required certificate by August 25, 2016.



106. Respondent filed the certificate on August 25, 2016.

107. Mr. Henderson provided Respondent with the necessary funds to pay the filing fee.

108. Respondent filed an application to pay the filing fee in installments.

109. By Order dated August 22, 2016, Respondent's application was granted, and three equal installment payments were scheduled to be paid on September 21, October 21, and November 21, 2016, respectively.

110. Respondent failed to timely pay the October 21 and November 21, 2016, payments as required.

111. On December 19, 2016:

- a. notice was issued to Respondent to show cause why the *Henderson* petition should not be dismissed for Respondent's failure to pay the filing fee; and
- b. a hearing was scheduled for January 11, 2017 to address the rule to show cause.

112. Respondent failed to appear for the hearing.

113. By Order dated January 11, 2017, the *Henderson* petition was dismissed due to Respondent's failure to pay the filing fee.

114. On February 15, 2017, Michael J. McCrystal, Esquire:

- a. entered his appearance to replace Respondent as counsel of record in the *Henderson* petition; and

b. filed a motion to reopen the *Henderson* petition ("the motion") alleging Mr. Henderson had prepaid the entire filing fee to Respondent, but Respondent failed to remit the filing fee to the court.

115. On March 15, 2017, the motion was granted and the *Henderson* petition was reopened.

116. By Order dated September 28, 2017, the debtor, Mr. Henderson, was discharged.

117. Respondent acknowledged she filed an application to pay the filing fee in installments, and maintained the funds had been received but there was a clerical error in the filing.

#### **VI. The Hadlow Petition**

118. On September 8, 2016, Respondent filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court, Eastern District of Pennsylvania on behalf of her client, Ms. Kathy L. Hadlow, under caption: *In re: Kathy L. Hadlow*, Docket No. 16-16333 ("the *Hadlow* petition").

119. Ms. Hadlow resided in Harrisburg, Pennsylvania in Dauphin County.

120. Based on Ms. Hadlow's residence, the proper district to file her bankruptcy petition was the United States Bankruptcy Court for the Middle District of Pennsylvania ("the Middle District").

121. Respondent failed to file the *Hadlow* petition in the proper district.

122. Respondent failed to file a motion to transfer the *Heck* petition to the Middle District.

123. On September 29, 2016, a rule to show cause was issued to Respondent why the *Hadlow* petition should not be dismissed.

124. A hearing on the rule to show cause was scheduled for September 29, 2016.

125. On September 27, 2016, Respondent filed a "Motion to Transfer Case to Another Division."

126. By Order dated September 29, 2016, the *Hadlow* petition was transferred to the Middle District.

#### **VII. The Douglas-Downing Petition**

127. On December 6, 2016, Respondent filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court, Eastern District of Pennsylvania on behalf of her client, Ms. Wendy Douglas-Downing, under caption: *In re: Wendy Douglas-Downing*, Docket No. 16-18430 ("the *Douglas-Downing* petition").

128. Respondent failed to file or submit with the *Douglas-Downing* petition all of the documents required by Federal Rule of Bankruptcy Procedure 1007 ("required documents").

129. By Order dated December 6, 2016, Respondent was notified the *Douglas-Downing* petition would be dismissed without further notice if the required documents were not filed.

130. Respondent failed to file the required documents.

131. Ms. Douglas-Downing resided in East Stroudsburg, Pennsylvania in Monroe County.

132. Based on Ms. Douglas-Downing's residence, the proper district to file her bankruptcy petition was the United States Bankruptcy Court for the Middle District of Pennsylvania ("the Middle District").

133. Respondent failed to file the *Douglas-Downing* petition in the proper district.

134. By Order dated January 7, 2017, the *Douglas-Downing* petition was transferred to the Middle District.

**VIII. Respondent's failure to respond to ODC's DB-7 Request for Statement of Respondent's Position Letter**

135. On November 9, 2018, ODC sent Respondent, via certified mail, return receipt requested, a DB-7 Request for Statement of Respondent's Position ("DB-7 letter") in regards to ODC complaint nos. C1-15-582 and C1-17-218 to Respondent's attorney registration mailing address: 884 Hampton Way, Williamstown, New Jersey 08094.

136. ODC received a signed, green return receipt card indicating the DB-7 letter had been delivered to Respondent's residence.

137. Respondent does not recall having received the DB-7 letter, which she attributed to "suffering from an unknown meningioma (sic) brain tumor causing seizures and memory loss," and her attending an in-patient rehabilitation facility for treatment of alcoholism during this time period.

138. Respondent failed to answer the DB-7 letter within the 30 day period as required by D.Bd Rules § 87.7(b)(2).

139. On December 12, 2018, ODC sent Respondent, via certified mail, return receipt requested, and first-class mail, postage prepaid, another copy of the DB-7 letter, and requested Respondent provide an answer on or before December 26, 2018.

140. On December 18, 2018, Respondent called and spoke to Disciplinary Counsel Mark Gilson, acknowledged receipt of the DB-7 letter, and requested an additional 60 days in which to answer the DB-7 letter.

141. Respondent's request for a 60 day extension to answer was granted, and Respondent was informed she had to answer the DB-7 letter on or before February 19, 2019.

142. Respondent failed to answer the DB-7 letter.

#### **IX. Respondent's conviction of a crime**

143. On or about January 22, 2019, Respondent was arrested in Gloucester County, New Jersey, and charged with operating a motor vehicle during a period of license suspension-2<sup>nd</sup> offense/DUI related, in violation of New Jersey Statute Annotated ("NJSA") 2C:40-26B, as well as several other related motor vehicle violations (DUI, driving while license suspended (2 counts)).

144. Under NJSA 2C:40-26B, the offense of operating a motor vehicle during a period of license suspension-2<sup>nd</sup> offense/DUI related is a fourth degree crime, and is punishable by a mandatory

minimum sentence of 180 days incarceration pursuant to NJSA 2C:40-26C.

145. On or about March 15, 2019, Respondent plead guilty in the Superior Court of New Jersey, Gloucester County, before Judge Christine Allen-Jackson to the above-referenced charges in criminal case captioned: *State of New Jersey v. Stephanie J. Brown*, Accusation No. 19-03-00176-A.

146. Respondent failed to report her conviction for a crime to ODC within the 20 day time period required by Pa.R.D.E. 214(a).

147. On or about May 10, 2019, Respondent was sentenced by Judge Allen-Jackson to a period of 180 days incarceration, and required to pay fines and costs imposed by the court.

**VIOLATIONS OF THE RULES OF PROFESSIONAL CONDUCT**  
**AND THE RULES OF DISCIPLINARY ENFORCEMENT**

148. By her conduct as set forth in paragraphs 7 through 147, Respondent violated the following Rules:

- a. RPC 1.1, which states that a lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation;
- b. RPC 1.3, which states that a lawyer shall act with reasonable diligence and promptness in representing a client;

- c. RPC 1.15(e), which states, in pertinent part, that except as stated in this Rule or otherwise permitted by law or by agreement with the client or third person, a lawyer shall promptly deliver to the client or third person any property, including but not limited to Rule 1.15 Funds, that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding the property;
- d. RPC 1.16(a)(1), which states that a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if the representation will result in a violation of the Rules of Professional Conduct or other law;
- e. RPC 8.4(d) which states that it is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice;
- f. Pa.R.D.E. 203(b)(1), which states that conviction of a crime shall be grounds for discipline; and
- g. Pa.R.D.E. 203(b)(7), which states that the failure by a respondent-attorney without good cause shown to respond to a DB-7 Request for Statement of

Respondent's Position under Disciplinary Rule § 87.7(b) shall be grounds for discipline.

**JOINT RECOMMENDATION FOR DISCIPLINE OF  
A ONE YEAR AND ONE DAY SUSPENSION**

Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent is a suspension of one year and one day. Respondent asserts that she is being treated for alcoholism, and her ability to practice law was affected by her addiction to alcohol. Although she has not produced an expert report or evidence meeting the standard of *Braun* mitigation, ODC has confirmed that Respondent has received treatment for alcoholism.<sup>1</sup> Respondent's alcoholism and fitness to practice can be fully explored by another hearing committee in the event Respondent files a petition for reinstatement from a suspension of one year and one day.

Respondent consents to the discipline being imposed upon her by the Supreme Court of Pennsylvania. Attached to this Petition as Exhibit A is Respondent's executed Affidavit required by Pa.R.D.E. 215(d)(1) through (4). In support of the Joint Petition, the parties respectfully submit the following mitigating circumstances are present:

- a) Respondent has admitted the factual allegations in the Petition for Discipline;

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<sup>1</sup> See *Office of Disciplinary Counsel v. Braun*, 520 PA. 157, 553 A2d 894 (1989).



- b) Respondent accepts responsibility for her wrongdoing and is remorseful;
- c) Respondent apologized to Ms. Aroche;
- d) During the relevant time period, Respondent suffered personal difficulties, including poor health, marital, domestic violence and child custody issues; and
- e) Respondent has no history of discipline.

The parties believe, and therefore aver, that their recommendation for a suspension of one year and one day is consistent with the range of sanctions imposed in similar cases involving lack of competence, lack of diligence, contemptuous conduct and failure to respond to ODC's inquiries.

In *Office of Disciplinary Counsel v. Michael Elias Stosic*, 65 DB 2015 (D.Bd. Rpt. 6/23/16) (S.Ct. Order 9/14/16), respondent was suspended for one year and one day for failing to provide competent representation and communicate in five client matters, and being adjudged in contempt on three occasions for failing to attend court proceedings.

In *Office of Disciplinary Counsel v. Kevin Mark Wray*, 19 DB 2017 (S.Ct. Order 7/6/17), the Supreme Court accepted the joint petition for respondent's one year and one day suspension on consent for failing to provide competent representation and

communicate in six client matters, and being adjudged in contempt for failing to appear for court proceedings.

In *Office of Disciplinary Counsel v. Robert B. MacIntyre*, 104 DB 2018 (S.Ct. Order 11/2/18), the Supreme Court granted the joint consent petition for respondent's one year and one day suspension for failing to communicate and act with diligence in two client matters, being adjudged in contempt for failing to appear for a contempt hearing and failing to respond to a DB-7 letter.

In *Office of Disciplinary Counsel v. Michael P. Halcovage*, 93 DB 2017 (S.Ct. Order 1/5/18), the Supreme Court accepted the joint petition for respondent's one year and one day suspension on consent for neglect of a client matter, failure to respond to court orders, and failure to respond to ODC's inquirie.

In *Office of Disciplinary Counsel v. Michael J. Viscuso*, 108 DB 2016 (S.Ct. Order 4/27/17), the Supreme Court granted the joint consent petition for respondent's one year and one day suspension for failing to satisfy a client's settlement obligation, failing to communicate, and failing to respond to DB-7 letter.

In *Office of Disciplinary Counsel v. Perry Lynn Flaugh*, 112 DB 2015 (D. Bd. Rpt. 6/15/16) (S.Ct. Order 8/12/16), respondent was suspended one year and one day for lack of diligence and communication in representing client over a period of eight years, abandonment of client, mishandling of client's funds, and misrepresentation to ODC.

A suspension of one year and one day requires Respondent to prove her fitness at a reinstatement hearing to return to the practice of law, addresses the seriousness of the misconduct, protects the public, meets the goals of the disciplinary system, and should deter Respondent from the commission of future misconduct.

WHEREFORE, Petitioner and Respondent respectfully request, pursuant to Rules 215(e) and 215(g)(2), that a three-member panel of the Disciplinary Board:

- a) Review and approve this Joint Petition in Support of Discipline; and
- b) File a recommendation for a suspension of one year and one day and this Petition with the Supreme Court of Pennsylvania.

Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

Paul J. Killion  
Chief Disciplinary Counsel  
Attorney Reg. No. 20955

9/9/19

Date

By:



Mark Gilson, Esquire  
Disciplinary Counsel  
Attorney Reg. No. 46400  
District I Office  
1601 Market Street, Suite 3320  
Philadelphia, PA 19103  
(215) 560-6296

8.23.19  
Date

By:

S. Fran Esquire

Stephanie Julia Brown  
Respondent  
Attorney Reg. No. 94715

RECEIVED

SEP - 6 2019

DISTRICT I OFFICE OF  
DISCIPLINARY COUNSEL

# **EXHIBIT**

**A**

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

<b>OFFICE OF DISCIPLINARY COUNSEL,</b>	:	<b>No. 104 DB 2019</b>
<b>Petitioner</b>	:	
	:	
<b>v.</b>	:	<b>Attorney Reg. No. 94715</b>
	:	
<b>STEPHANIE JULIA BROWN,</b>	:	
<b>Respondent</b>	:	<b>(Out of State)</b>

**RESPONDENT'S AFFIDAVIT UNDER RULE 215(d) OF THE  
PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT**

I, Stephanie Julia Brown, Respondent in the above-captioned matter, hereby consent to the imposition of a suspension of one year and one day, as jointly recommended by the Petitioner, Office of Disciplinary Counsel, and myself, in a Joint Petition in Support of Discipline on Consent and further state:

1. My consent is freely and voluntarily rendered; I am not being subjected to coercion or duress; I am fully aware of the implications of submitting the consent;

2. I am aware there is presently an investigation into allegations that I have been guilty of misconduct as set forth in the Joint Petition;

3. I acknowledge that the material facts set forth in the Joint Petition are true;

4. I consent because I know that if the charges against me were prosecuted I could not successfully defend against them; and

5. I acknowledge that I am fully aware of my right to consult and employ counsel to represent me in the instant proceeding. I have not retained, consulted and acted upon the advice of counsel in connection with this decision to execute the within Joint Petition.



Stephanie Julia Brown  
Respondent  
Attorney Reg. No. 94715

Sworn to and Subscribed  
before me this            day  
of                                    , 2019.

  
\_\_\_\_\_  
Notary Public

**JOHN V. DESANT**  
**NOTARY PUBLIC OF NEW JERSEY**  
**My Commission Expires Oct. 5th 2019**

2390116

VERIFICATION

The statements contained in the foregoing Joint Petition In Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d) are true and correct to the best of my knowledge, information and belief and are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

9/9/19

\_\_\_\_\_  
Date



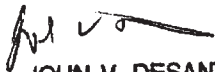
\_\_\_\_\_  
Mark Gilson, Esquire  
Disciplinary Counsel  
Attorney Reg. No. 46400  
District I Office  
1601 Market Street, Suite 3320  
Philadelphia, PA 19103  
(215) 560-6296

9.3.19

\_\_\_\_\_  
Date



\_\_\_\_\_  
Stephanie Julia Brown  
Respondent  
Attorney Reg. No. 94715



JOHN V. DESANT  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Oct. 5th 2019

2390116



BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 104 DB 2019  
Petitioner :  
 :  
v. : Attorney Reg. No. 94715  
 :  
STEPHANIE JULIA BROWN, :  
Respondent : (Out of State)

ORDER

PER CURIAM:

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2019, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated \_\_\_\_\_, 2019, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), and it is

ORDERED that Stephanie Julia Brown is suspended on consent from the Bar of this Commonwealth for a period of one year and one day, and she shall comply with all the provisions of Pa.R.D.E. 217.

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 104 DB 2019  
Petitioner :  
 :  
v. : Attorney Reg. No. 94715  
 :  
STEPHANIE JULIA BROWN, :  
Respondent : (Out of State)

CERTIFICATE OF SERVICE


I hereby certify that I am this day serving the foregoing documents upon the persons and in the manner indicated below which service satisfied the requirements of Pa.R.A.P. 121 as follows:

Service by First-Class Mail

Stephanie Julia Brown, Jail No. 54808  
Salem County Correctional Facility  
125 Cemetery Road  
Woodstown, New Jersey 08090

9/9/19

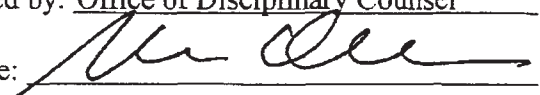
Date

  
Mark Gilson, Esquire  
Disciplinary Counsel  
Attorney Reg. No. 46400  
District I Office  
1601 Market Street, Suite 3320  
Philadelphia, PA 19103  
(215) 560-6296

**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Office of Disciplinary Counsel

Signature: 

Name: Mark F. Gilson, Disciplinary Counsel

Attorney No.: 46400