

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2737 Disciplinary Docket No. 3
: :
Petitioner : No. 106 DB 2020
: :
v. : Attorney Registration No. 29577
: :
MARK A. HOFFMAN, : (Montgomery County)
: :
Respondent :

ORDER

PER CURIAM

AND NOW, this 17th day of November, 2020, upon consideration of the Verified Statement of Resignation, Mark A. Hoffman is disbarred on consent from the Bar of this Commonwealth. See Pa.R.D.E. 215. Respondent shall comply with all of the provisions 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 11/17/2020

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : 2737 DD No. 3
Petitioner :
 : DB 2020
 :
v. : Board File No. C2-20-336
 :
 : Atty. Registration No. 29577
MARK A. HOFFMAN, :
Respondent : (Montgomery County)

RESIGNATION
UNDER Pa.R.D.E. 215

Mark A. Hoffman hereby tenders his unconditional resignation from the practice of law in the Commonwealth of Pennsylvania in conformity with Pa.R.D.E. 215 ("Enforcement Rules") and further states as follows:

1. He is an attorney admitted in the Commonwealth of Pennsylvania, having been admitted to the bar on or about May 25, 1979. His attorney registration number is 29577.
2. He desires to submit his resignation as a member of said bar.
3. His resignation is freely and voluntarily rendered; he is not being subjected to coercion or duress and he is fully aware of the implications of submitting this resignation.
4. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has not retained, consulted with and acted upon the advice of counsel in connection with his decision to execute the within resignation, despite ample opportunity to do so.
5. He is aware that there are presently pending disciplinary proceedings instituted against him pursuant to Rule 208(a), Pa.R.D.E.

FILED
10/26/2020
The Disciplinary Board of the
Supreme Court of Pennsylvania

6. He acknowledges that on July 24, 2020 the Supreme Court of Pennsylvania entered an Order placing him on temporary suspension, pursuant to a Joint Petition for Temporary Suspension filed July 13, 2020. A true and correct copy of the Order and Joint Petition for Temporary Suspension is attached hereto and marked Exhibit A.

7. He is aware that there is presently pending an investigation into allegations of his serious professional misconduct, including mishandling client funds and taking client money from his IOLTA without authorization.

8. He acknowledges that there is evidence he misappropriated funds held in trust for his own personal use.

9. He submits the within resignation because he knows that he could not successfully defend himself against charges of professional misconduct.

10. He is fully aware that the submission of this Resignation Statement is irrevocable and that he can only apply for reinstatement to the practice of law pursuant to the provisions of Enforcement Rule 218(b) and (c).

11. He is aware that pursuant to Enforcement Rule 215(c) the fact that he has tendered his resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Board Prothonotary.

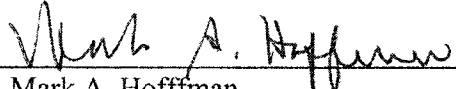
12. Upon entry of the order disbaring him on consent, he will promptly comply with the notice, withdrawal, resignation, trust account, and cease-and-desist provisions of Enforcement Rule 217 (a), (b), (c) and (d).

13. After entry of the order disbaring him on consent, he will file a verified statement of compliance as required by Enforcement Rule 217(e) (1).

14. He is aware that the waiting period for eligibility to apply for reinstatement to the practice of law under Enforcement Rule 218(b) shall not begin until he files the verified statement of compliance required by Enforcement Rule 217(e)(1), and if the order of disbarment contains a provision that makes the disbarment retroactive to an earlier date, then the waiting period will be deemed to have begun on that earlier date.

It is understood that the statements made herein are subject to the penalties of 18 Pa.C.S., Section 4904 (relating to unsworn falsification to authorities).

Signed this 7th day of October, 2020.



Mark A. Hoffman
(Respondent)

WITNESS: Anne Hoffman

Exhibit A

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : No. 2737 Disciplinary Docket No. 3
: :
MARK A. HOFFMAN : Board File No. C2-20-336
: :
: Attorney Registration No. 29577
: :
: (Montgomery County)

ORDER

PER CURIAM

AND NOW, this 24th day of July, 2020, upon consideration of the Joint Petition to Temporarily Suspend an Attorney, the Joint Petition is granted, and Mark A. Hoffman is placed on immediate temporary suspension until further definitive action by this Court. See Pa.R.D.E. 208(f)(1). Respondent shall comply with all the provisions of Pa.R.D.E. 217. Respondent's rights to petition for dissolution or amendment of this Order and to request accelerated disposition of charges underlying this order are specifically preserved. See Pa.R.D.E. 208(f)(4) and (f)(6).

This Order constitutes an imposition of public discipline pertaining to confidentiality. See Pa.R.D.E. 402.

A True Copy Patricia Nicola
As Of 07/24/2020

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : _____ Disciplinary Docket No. ____
MARK A. HOFFMAN :
: Board File No. C2-20-336
:
: Attorney Registration No. 29577
:
: (Montgomery County)

**JOINT PETITION TO TEMPORARILY SUSPEND AN ATTORNEY
PURSUANT TO PA.R.D.E. 208(f)**

Petitioner, the Office of Disciplinary Counsel (“ODC”) by Thomas J. Farrell, Chief Disciplinary Counsel, and Krista K. Beatty, Disciplinary Counsel and Respondent, Mark A. Hoffman (“Respondent”), hereby file this Joint Petition to Temporarily Suspend an Attorney from the practice of law in the Commonwealth of Pennsylvania pursuant to Pennsylvania Rule of Disciplinary Enforcement (Pa.R.D.E.) 208(f), and in support thereof state:

1. ODC, whose principal office is situated at Pennsylvania Judicial Center, 601 Commonwealth Ave., Suite 2700, 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.

2. Respondent was born on October 16, 1949, and was admitted to practice law in the Commonwealth of Pennsylvania on May 25, 1979. Respondent’s attorney registration number is 29577. Respondent is on active status and his registration address is 430 Main Street, Suite A,

Harleysville, PA 19438. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court.

3. On March 6, 2020, the Pennsylvania Lawyers Fund for Client Security received notification that a check and a debit were presented on Respondent's IOLTA account at TD Bank, creating a shortfall in the account.

4. By letter dated April 15, 2020, Respondent admitted to mishandling client funds, including taking client money from his IOLTA without authorization.

5. Respondent admits he has engaged in serious professional misconduct warranting his immediate suspension from the practice of law.

6. Respondent has indicated an interest in entering into Discipline on Consent pursuant to Pa.R.D.E. 215, however, ODC will need to conduct additional investigation prior to preparing an appropriate Joint Petition for Discipline on Consent.

7. Respondent acknowledges that his request to be placed on immediate temporary suspension and all waivers made to expedite that request are made knowingly, intelligently, and voluntarily after given an opportunity to consult with and obtain the advice of counsel. Respondent has elected not to retain counsel in this matter, despite ample opportunity to do so.

8. Respondent and Petitioner believe it is in the best interests of Respondent, the public, the bar and the Court for the Respondent to be immediately suspended at this time under Pa.R.D.E. 208(f)(1), pending further proceedings pursuant to the Pennsylvania Rules of Disciplinary Enforcement.

9. Respondent has no record of discipline.

WHEREFORE, Petitioner and Respondent jointly move your Honorable Court to enter an Order temporarily suspending Respondent from the practice of law until further definitive action by the Court.

Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL
THOMAS J. FARRELL
Chief Disciplinary Counsel

Date: 7/2/20

By: Krista K. Beatty
Krista K. Beatty, Esquire
Disciplinary Counsel
Attorney Reg. No. 75211
District II Office
820 Adams Avenue, Suite 170
Trooper, PA 19403
(610) 650-8210

Date: JUL 02 2020

Mark A. Hoffman
Mark A. Hoffman, Esquire
Respondent
430 Main Street, Suite A
Harleysville, PA 19438
215-256-6586
Attorney Registration No. 29577


IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : _____ Disciplinary Docket No. ____
MARK A. HOFFMAN :
: Board File No. C2-20-336
: Attorney Registration No. 29577
: (Montgomery County)

VERIFICATION

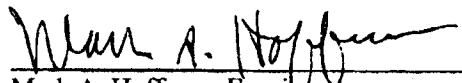
I verify that the statements contained in the foregoing *Joint Petition to Temporarily Suspend an Attorney* pursuant to Pa.R.D.E. 208(f) are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

Date: 7/2/20



Krista K. Beatty, Esquire
Disciplinary Counsel
Attorney Reg. No. 75211

~~_____~~ JUL 02 2020
Date: _____



Mark A. Hoffman, Esquire
Respondent
430 Main Street, Suite A
Harleysville, PA 19438
Attorney Registration No. 29577

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : _____ Disciplinary Docket No. ____
MARK A. HOFFMAN :
: Board File No. C2-20-336
:
:
: Attorney Registration No. 29577
:
: (Montgomery County)

ORDER

PER CURIAM:

AND NOW, this ____ day of _____, 2020, the Joint Petition to Temporarily Suspend an Attorney pursuant to Pa.R.D.E 208(f) is granted and Mark A. Hoffman is placed on temporary suspension, and he shall comply with all the provisions of Pa.R.D.E. 217. This Order constitutes an imposition of public discipline within the meaning of Rule 402, Pa.R.D.E., pertaining to confidentiality.

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : 2737 Disciplinary Docket No. 3
: :
MARK A. HOFFMAN : Board File No. C2-20-336
: :
: Attorney Registration No. 29577
: :
: (Montgomery County)
: :

CERTIFICATE OF SERVICE

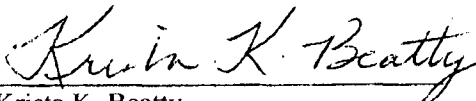
I hereby certify that I am this day serving the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 204 Pa. Code §89.22 (relating to service by a participant).

Email and First Class Mail as follows:

Mark A. Hoffman

PO Box 305
Lederach, PA 19450
mahalaw85@gmail.com

Dated: 7/13/20



Krista K. Beatty
Disciplinary Counsel
Attorney Reg. No. 75211
Office of Disciplinary Counsel
District II Office
820 Adams Avenue, Suite 170
Trooper, PA 19403
(610) 650-8210

CERTIFICATE OF COMPLIANCE

I, Krista K. Beatty, Esquire 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: ODC

Signature: *Krista K. Beatty*

Name: Krista K. Beatty

Attorney No. (if applicable): 75211