# BEFORE THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,

: No. 108 DB 2019

Petitioner

File No. C3-17-700

٧.

KEVIN TANRIBILIR

Attorney Registration No. 78615

Respondent

(Luzerne County)

### ORDER

AND NOW, this 9<sup>TH</sup> day of July, 2019, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

ORDERED that the said KEVIN TANRIBILIR of Luzerne County be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(b) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.

Costs shall be paid by the Respondent.

BY THE BOARD:

Andrew J. Trevelise

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Andrew J. Trevelise, Esq., Board Chair

TRUE COPY FROM RECORD Attest:

Marcee D. Sloan, Board Prothonotary

The Disciplinary Board of the Supreme Court of Pennsylvania

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**KEVIN TANRIBILIR** 

Respondent

(Luzerne County)

#### **PUBLIC REPRIMAND**

Kevin Tanribilir, you stand before the Disciplinary Board, your professional peers and members of the public for the imposition of a Public Reprimand. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of this Commonwealth. Yet as repugnant as this task may be, it has been deemed necessary that you receive this public discipline.

Mr. Tanribilir, you are being reprimanded for your conduct in three bankruptcy matters. Therein, you failed to exercise diligence, competence and due care by filing bankruptcy verifications, signed by you under penalty of perjury, that expressly attested that all of the information contained in the filed documents was complete and accurate, without confirming with each client-debtor that they had reviewed actual prepared documents. In one instance, your lack of diligence subjected your clients to possible revocation of their discharge for failing to accurately identify certain proceeds that were assets of the bankruptcy estate. You failed to promptly address the omission and did not take corrective steps until after the issues were discovered by the Chapter 7 Trustee.

As a result of your misconduct, you were the subject of the Chapter 7 Trustee's motion for sanctions and disgorgement of fees for, among other things, your lack of diligence. In connection with the sanctions motion, you appeared at the evidentiary hearing unprepared, and failed to provide forthright testimony regarding the client matters at issue. The Bankruptcy Court sanctioned you, which included a fine and the requirement that you write a ten page memorandum of law explaining the Bankruptcy Rules regarding verifications. Despite the sanctions, you continued to deny that you engaged in any misconduct.

As a result of your conduct, you have violated the following Rules of Professional Conduct ("RPC"):

- 1. RPC 1.1 A lawyer shall provide competent representation to a client.
- RPC 1.3 A lawyer shall act with reasonable diligence and promptness in representing a client.
- 3. RPC 3.3(a)(1) A lawyer shall not knowingly make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.
- RPC 8.4(c) It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

It is my duty to reprimand you for your misconduct. We note that you have no history of discipline since your admission to practice law in 1996.

Please be aware that any subsequent violations on your part can only result in further discipline and perhaps more severe sanctions. We sincerely hope that you will conduct yourself in such a manner that future disciplinary action will be unnecessary.

Mr. Tanribilir, your conduct in this matter is now fully public. This Public Reprimand is a matter of public record.

As you stand before the Board today, we remind you that you have a continuing obligation to abide by the Rules of Professional Conduct and Rules of Disciplinary Enforcement. This Public Reprimand is proof that Pennsylvania lawyers will not be permitted to engage in conduct that falls below professional standards. Be mindful that any future dereliction will subject you to disciplinary action.

This Public Reprimand shall be posted on the Disciplinary Board's website at www.padisciplinaryboard.org

Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on September 10, 2019.

### **ACKNOWLEDGMENT**

The undersigned, Respondent in the above proceeding, herewith acknowledges that the above Public Reprimand was administered in his presence and in the presence of the designated panel of The Disciplinary Board at the Board offices located at the 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania, on September 10, 2019.

Kevin Tanribilir