

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

OFFICE OF DISCIPLINARY COUNSEL	:	No. 125 DB 2015
Petitioner	:	
	:	
v.	:	Attorney Registration No. 44335
	:	
DANIEL SILVERMAN	:	
Respondent	:	(Philadelphia)

PUBLIC REPRIMAND

Daniel Silverman, 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. Silverman, you are being reprimanded today in connection with your representation of Demetrius Fiorentino in a PCRA Petition in the Chester County Court of Common Pleas. You entered your appearance on behalf of your client on September 23, 2009, and on November 18, 2009, you filed an Amended PCRA Petition. PCRA hearings were held before Judge Phyllis R. Streitl on seven different dates between July 8, 2011 and October 15, 2012. During the course of the PCRA hearings, the judge admonished you on numerous occasions as to your argumentative and unpleasant behavior with the witnesses and your unprofessional behavior with the court and opposing counsel. During the course of your client's hearings, you disregarded Judge Streitl's instructions and engaged in conduct that was intended to disrupt the tribunal.

There were times when Judge Streitel was forced to adjourn early due to your unprofessional conduct and direct that you leave the courtroom, and she had to hold sidebar conferences to remind you about proper courtroom behavior. In her Opinion, Judge Streitel concluded that your “attitude, actions and allegations toward the court, opposing counsel and the witnesses were extremely unprofessional and unethical at times.” Your unprofessional conduct unnecessarily expended the Court's limited time and resources and needlessly delayed the resolution of your client's PCRA matter.

We note the following mitigating circumstances:

- a. You have expressed recognition of your wrongdoing and have cooperated with Office of Disciplinary Counsel;
- b. You have a history of service to the bar and the community; and
- c. You were admitted to practice in 1985 and have no record of discipline.

Your conduct in this matter has violated the following Rules of Professional Conduct:

1. RPC 3.5(d) – A lawyer shall not engage in conduct intended to disrupt a tribunal.
2. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

Mr. Silverman, 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 July 11, 2016.

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 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania, on July 11, 2016.



Daniel Silverman