

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : No. 254 Disciplinary Docket No. 3
: :
SANDRA COUCH COLLINS : Nos. 141 DB 1996 and 37 DB 1998
: :
PETITION FOR REINSTATEMENT : Attorney Registration No. 68169
: :
: (Philadelphia)

ORDER

PER CURIAM

AND NOW, this 4th day of May, 2022, the Petition for Reinstatement is granted. Petitioner is ordered to pay the expenses incurred by the Board in the investigation and processing of the Petition for Reinstatement. See Pa.R.D.E. 218(f).

A True Copy Nicole Traini
As Of 05/04/2022

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

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PETITION FOR REINSTATEMENT : (Philadelphia)

REPORT AND RECOMMENDATIONS OF
THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 218(c)(5) of the Pennsylvania Rules of Disciplinary Enforcement, The Disciplinary Board of the Supreme Court of Pennsylvania submits its findings and recommendations to your Honorable Court with respect to the above captioned Petition for Reinstatement.

I. HISTORY OF PROCEEDINGS

By Order dated November 22, 1999, retroactive to Petitioner's temporary suspension ordered on November 13, 1996, the Supreme Court of Pennsylvania accepted Petitioner's verified statement of resignation and disbarred her on consent. On March 15, 2021, Petitioner filed a Petition for Reinstatement. Office of Disciplinary Counsel ("ODC") filed a response on April 16, 2021 and raised specific concerns

regarding Petitioner's finances, ability to support herself, and plans to practice law if reinstated that ODC intended to explore at the reinstatement hearing.

Following a prehearing conference on June 15, 2021, a District I Hearing Committee ("Committee") held a reinstatement hearing on July 13, 2021. Petitioner presented two witnesses and testified on her own behalf. Petitioner offered three exhibits, which were admitted into evidence. ODC did not call any witnesses and did not offer any exhibits.

On August 23, 2021, Petitioner filed a post-hearing brief requesting that the Committee recommend to the Board that her Petition for Reinstatement be granted. ODC filed a responsive letter brief on September 8, 2021 and stated that it found no impediment to Petitioner's reinstatement.

The Board adjudicated this matter at the meeting on January 21, 2022.

II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner is Sandra Couch Collins, born in 1953 and admitted to the bar of the Commonwealth of Pennsylvania in 1993. Petitioner's registered address is 316 Walnut Dale Road, Shippensburg, PA 17257. Petitioner is subject to the jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

2. Following her admission, Petitioner worked as an attorney in Philadelphia from approximately June 1993 through 1994. Her work included criminal defense cases that she obtained through personal referral or through court

appointment. These cases were typically low-level misdemeanors, protection from abuse matters, and minor drug charges. Petitioner also performed volunteer work for the Volunteers for the Indigent Program. N.T. 23, 147-148.

3. Petitioner's daughter, Victoria Couch, was born on November 29, 1989. N.T. 21.

4. Petitioner was involved in a contested custody battle with the father of her daughter from approximately 1991 to 1995. Stipulations ¶¶ 7-95.

5. During the custody dispute, Petitioner engaged in actions that included taking her daughter away from the child's father, failing to appear for multiple court appearances, disobeying court orders, and filing lawsuits against police officers and judges. Stipulations ¶¶ 7-95.

6. As a direct result of Petitioner's actions in the custody dispute, she was found guilty following a jury trial of Default in Required Appearance - Misdemeanor (CCP Huntingdon County, Case no. 295 C.A. 1995); found guilty following a jury trial of Burglary, Criminal Trespass, Interference with Custody of Children, and Concealment of Whereabouts of a Child (CCP Centre County, Case no. 95-1095); and pled guilty to Harassment and Stalking, Escape, and Disorderly Conduct (CCP Centre County, Case No. 97-910)). See dockets attached to Petition for Reinstatement.

7. Petitioner spent approximately ten months in jail, from May 14, 1997 to March 12, 1998. See dockets attached to Petition for Reinstatement, Stipulation ¶ 100.

8. As a result of the above convictions, Petitioner resigned her law license on or about October 20, 1999. The Supreme Court of Pennsylvania accepted her resignation and disbarred Petitioner on consent on November 22, 1999, retroactive to November 13, 1996.

9. Petitioner's misconduct did not impact any clients she had at the time. N.T. 141.

10. Petitioner acknowledged her wrongdoing, held herself solely accountable for her actions, and expressed genuine shame and remorse. N.T. 47, 121, 123, 124.

11. Petitioner testified that she "made a very, very bad, very wrong decision. I dug a hole for myself, basically. I wasn't using my legal brain. I basically let my emotions take over. And it was wrong. As a young attorney I knew better. And when I reflect on everything I did, I'm just aghast. And I shamed myself. I just got myself down to rock bottom." N.T. 24-25.

12. While incarcerated, Petitioner received counseling to understand her wrongdoing and to learn how to reenter the job market, become self-sufficient, make good decisions, and have a balanced life. N.T. 29, 30; Reinstatement Questionnaire No. 20.

13. After Petitioner was released from prison, she lived in a homeless shelter for several months before finding a steady job and a place to live. N.T. 26, 48.

14. In 1998, Petitioner hired an attorney who worked for several years to

get Petitioner supervised visitation with her daughter. Upon successfully achieving supervised visitation, for years Petitioner drove five and a half hours round trip for the opportunity to visit her daughter. When Petitioner's daughter turned 14, Petitioner was permitted unsupervised weekend visits. N.T. 28 - 29, 30, 31.

15. Petitioner has paid all child support owed from when her daughter was a minor. N.T. 30.

16. Following her release from incarceration and during her disbarment, Petitioner worked for multiple employers and often held down several jobs at one time. N.T. 27-28.

17. In or around 1999, Petitioner worked for the Pennsylvania Convention Center for \$10 an hour. She was forced to leave that job based upon her criminal background. Reinstatement Questionnaire No. 11. N.T.

18. From 1999 to 2007, Petitioner worked as a salesperson for Macy's for \$9 an hour, plus bonuses. She left that job for employment at US Airways. N.T. 33; Reinstatement Questionnaire No. 11.

19. From 2007 to 2008, Petitioner worked for US Airways for \$11 an hour. One of Petitioner's responsibilities at US Airways was as a chaperone for unaccompanied minors. N.T. 33; Reinstatement Questionnaire No. 11.

20. After her job at US Airways, Petitioner left the workforce to care for some elderly members of her family. N.T. 34-35.

21. Since 2017, Petitioner has worked for Hershey Entertainment and Resorts for \$12 an hour, plus bonuses. N.T. 40; Reinstatement Questionnaire No.

11.

22. In May 2021, Petitioner took a second, part-time job at a dairy lab.

N.T. 41.

23. Petitioner described herself as frugal and testified that the income she received from her jobs through the years was sufficient to be self-sustaining.

N.T. 33-34, 35. Petitioner testified she has no mortgage or car payments. N.T. 44.

24. Petitioner began receiving Social Security disability in 2013 and now receives regular Social Security. N.T. 57-58, 61. Petitioner also received two separate inheritances over the years that she used to supplement her income. N.T.

118.

25. Through the years, Petitioner paid for her daughter's back-to-school clothes and music lessons. Petitioner provided financial support for her daughter while she attended college and graduate school. This took the form of buying her daughter a used car and giving her money to pay for rent, utilities, or other necessities. N.T. 31-32, 37-38, 39-40; Reinstatement Questionnaire No. 20.

26. While disbarred, Petitioner participated in volunteer activities and provided charitable donations. This included purchasing and distributing winter coats to young people in need for the past 12 years and paying for health care for abandoned cats and dogs. N.T. 43 - 44; Reinstatement Questionnaire No. 20.

27. Petitioner testified that she donates the winter coats because she remembered her time spent in a homeless shelter and not having too much to wear, and wants to give children some confidence by providing them with new

coats. N.T. 124-125.

28. Petitioner completed her Continuing Legal Education requirements, including Bridge the Gap and more than 12 ethics hours. N.T. 45; Reinstatement Questionnaire No. 19(a). To maintain knowledge in the law, Petitioner reads the Legal Intelligencer and the SCOTUS blog, and has taken classes through the Jenkins Law Library. N.T. 125, 126.

29. If reinstated, Petitioner would like to work with the Prison Society and take court-appointed misdemeanor matters. N.T. 46-47; Reinstatement Questionnaire No. 18.

30. If reinstated, Petitioner has the opportunity to work for John Groninger, Jr., Esquire handling contract reviews for his business. Mr. Groninger is aware of Petitioner's misconduct and incarceration because she informed him long ago. N.T. 46-47, 80.

31. During her disbarment, Petitioner has not engaged in the practice of law and has not been involved in any unlawful activity. N.T. 122.

32. Petitioner expressed remorse for her actions, demonstrated that she understood the nature of her wrongdoing and the impact of her misconduct on her victims, particularly her daughter, and displayed confidence that she was not predisposed to commit future ethical infractions. N.T. 47; Reinstatement Questionnaire No. 20.

33. Petitioner testified that she waited a long time to apply for reinstatement because she wanted to retain legal representation for the

reinstatement process and she was never in a position financially or family-wise to do so until now. N.T. 117.

34. Petitioner's testimony was credible.

35. Petitioner offered the testimony of two character witnesses.

36. John Groninger, Jr., Esquire has been a licensed Pennsylvania attorney since 1977 and has known Petitioner for more than 40 years. N.T. 153, 157.

37. Mr. Groninger was aware of Petitioner's disbarment and incarceration because she informed him early on and he expressed surprise she had not applied for reinstatement years ago. N. T. 158-159, 160, 162-163.

38. Mr. Groninger testified that Petitioner feels horrible for her actions and regrets how she handled things. They have talked a number of times about Petitioner's past conduct and she has expressed to Mr. Groninger that she cannot believe she did it. N.T. 182.

39. Mr. Groninger considers Petitioner to be sharp, smart, and hardworking. N.T. 160.

40. Mr. Groninger's legal practice is focused primarily on running his own business and he testified that he has a lot of work and would like Petitioner to review contract revisions, leases, and similar documents for him. N.T. 160, 164 - 165, 177. Mr. Groninger plans to email the assignments to Petitioner and pay her hourly. N.T. 185, 186.

41. Mr. Groninger has full confidence that Petitioner would do a good,

reputable job if reinstated. N.T. 166.

42. Mr. Groninger testified that Petitioner has an excellent reputation as an honest person among the people they know in common. N.T. 187.

43. Mr. Groninger's testimony was credible.

44. Victoria Couch is Petitioner's daughter. Ms. Couch is a Pennsylvania State University graduate currently pursuing a Ph.D. in education at UCLA. N.T. 192.

45. Ms. Couch has few memories of her mother and father together, and hazy memories of the custody issues. N.T. 193. She recalls visitation with her mother increasing when she was 10 or 11, and looking forward to those visits. She fondly recalls traveling with her mother when she was a teenager. N.T. 194 - 195. Ms. Couch testified that her mother has been very supportive of her educational aspirations. N.T. 195 -198.

46. Ms. Couch testified that Petitioner was also attentive to her financial needs, and would regularly send money and words of encouragement. N.T. 198-199.

47. Ms. Couch testified that Petitioner has a "charitable spirit" and is a community-oriented person. N.T. 206- 207.

48. Ms. Couch testified that Petitioner always kept alive her interest in studying law. Petitioner would read law books and take professional development courses. N.T. 201.

49. Ms. Couch supports Petitioner's request for reinstatement based on

Petitioner's continued interest in the law during her disbarment, the fact that Petitioner has paid a penalty over several decades, and Ms. Couch's belief that it is time to reassess Petitioner's ability to practice. N.T. 201-202,209.

50. ODC does not oppose Petitioner's reinstatement. See Post-Hearing Letter Brief of ODC at page 3.

III. CONCLUSIONS OF LAW

1. The misconduct for which Petitioner was disbarred is not so egregious as to preclude consideration of her Petition for Reinstatement. ***Office of Disciplinary Counsel v. John Keller***, 506 A.2d 872 (Pa. 1986).

2. Petitioner met her burden of proof by clear and convincing evidence that a sufficient period of time has passed since the misconduct, during which she engaged in qualitative rehabilitation. ***In the Matter of Jerome J. Verlin***, 731 A.2d 600 (Pa., 1999).

3. Petitioner met her burden of proof by clear and convincing evidence that she has the moral qualifications, competency and learning in the law required for admission to practice law in the Commonwealth of Pennsylvania. Rule 218(c)(3), Pa.R.D.E.

4. Petitioner met her burden of proof by clear and convincing evidence that her resumption of the practice of law in the Commonwealth of Pennsylvania will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. Rule 218(c)(3), Pa.R.D.E.

IV. DISCUSSION

Petitioner seeks readmission to the practice of law in Pennsylvania following her disbarment on consent by Order of the Supreme Court of Pennsylvania on November 22, 1999, retroactive to November 13, 1996, the date of Petitioner's temporary suspension from the practice of law. Petitioner's disbarment arose from her criminal convictions for the crimes of default in required appearance, burglary, criminal trespass, interference with custody of children, concealment of whereabouts of a child, harassment and stalking, escape, and disorderly conduct. For the reasons that follow, we conclude that Petitioner met her reinstatement burden and recommend to the Court that the Petition for Reinstatement be granted.

When a disbarred attorney seeks reinstatement, the Board and the Court must examine whether the magnitude of the breach of trust committed by the attorney is so egregious as to preclude further reconsideration of the petition for reinstatement. ***Office of Disciplinary Counsel v. John Keller***, 506 A.2d 872 (Pa. 1986).

There is no doubt that the misconduct that led to Petitioner's disbarment 25 years ago was extremely serious. She committed multiple crimes as a result of her actions during a highly contentious child custody dispute when she attempted to prevent her child's father from exercising his lawful physical custody. The nature of Petitioner's criminal activity never involved her clients or the practice of law and was connected solely to her personal circumstances.

Upon consideration of Petitioner's misconduct, we conclude her acts are not so egregious as to prevent the possibility of reinstatement. The Supreme Court's

precedent makes clear that Petitioner's misconduct does not bar reinstatement. There are numerous examples where the **Keller** threshold question has been met in cases where a petitioner was disbarred based on a criminal conviction. See, **In the Matter of Cory Adam Leshner**, No. 159 DB 2013 (D. Bd. Rpt. 11/20/2020) (S. Ct. Order 12/16/2020) (attorney disbarred on consent following conviction for conspiracy to commit wire fraud; was a co-conspirator in the Scarfo organized crime family before, during, and after law school; conduct not so egregious to bar reinstatement); **In the Matter of Philip G. Gentile**, No. 54 DB 2008 (D. Bd. Order 2/20/2018) (S. Ct. Order 3/16/2018) (attorney disbarred following convictions for grand larceny, cocaine possession, and passing bad checks; conduct not so egregious to preclude reinstatement); **In the Matter of Grahame P. Richards, Jr.**, No. 43 DB 1996 (D. Bd. Rpt. 8/23/2016) (9/21/2016) (attorney disbarred on consent for convictions for forgery, theft by unlawful taking, and theft by deception arising out of his misappropriation of more than one million dollars in client funds; conduct not so egregious to preclude reinstatement).

Having concluded that Petitioner met the **Keller** threshold standard, we next consider whether Petitioner has met her burden of proving by clear and convincing evidence that her current resumption of the practice of law would not be detrimental to the profession, the courts, or the public. **In the Matter of William James Perrone**, 777 A.2d 413, 414, 416 (Pa. 2001). To that end, Petitioner must demonstrate that a sufficient period of time has passed since her misconduct, during which she engaged in qualitative rehabilitation efforts that were sufficient to dissipate the detrimental impact of her conduct on the public trust. **In the Matter of Jerome J. Verlin**, 731 A.2d 600, 602 (Pa. 1999).

Petitioner is 69 years of age and has been disbarred from the practice of law since 1996, a period of 25 years. During her disbarment, Petitioner did not engage in any other unlawful activity. She fulfilled the terms of her criminal sentence by serving time in jail. While in jail, Petitioner received counseling. Following her release from jail, she lived in a homeless shelter for a period of several months until she was able to find employment and secure a permanent living arrangement. Petitioner's employment history demonstrated that she worked steadily and consistently during her disbarment at a variety of low-income jobs, often holding down several jobs at one time, for employers such as Macy's, US Airways, and Hershey Entertainment Resorts, where she is currently employed. Petitioner also spent part of her disbarment caring for elderly relatives.

Petitioner lived frugally during these years. She earned enough to be self-sustaining, has no mortgage or car payments, and supplemented her income with Social Security and inheritances she received from two family members. She paid all child support owed from when her daughter was a minor. It is clear from the record that Petitioner placed a high priority on financially supporting her daughter's needs. Petitioner spent her income in the early years of her disbarment on attorney fees in order to get supervised visitation with her daughter and reestablish a relationship with her child. Having achieved that goal, Petitioner expended money for some years traveling to the supervised visits, which required a five and a half hour round trip. In addition to paying child support, Petitioner contributed to her daughter's expenses through the years by paying for such things as music lessons and clothing, and she later contributed to her daughter's college and post-graduate expenses.

Petitioner contributed as she was able to charitable causes that were important to her, such as buying new coats for children in need for the past twelve years and paying for health care for abandoned animals. As to the clothing contributions, Petitioner's memories of living in a homeless shelter and not having many clothes informed her desire to provide new coats to children in need in order to give them confidence in themselves.

Throughout her candid and forthright testimony, Petitioner repeatedly expressed her remorse and shame for her misconduct, and held herself solely accountable for her criminal actions. She described herself as "aghast" at her actions, noting her she allowed her emotional reaction to the custody events to overcome her obligations and responsibilities as an attorney and how she "hit rock bottom." Petitioner comprehends the damage that her conduct inflicted on the victims of her crimes, in particular upon her daughter. It is apparent from the record that Petitioner made a concerted effort through the years to establish a close relationship with her daughter and they enjoy a meaningful bond.

The credible testimony of Mr. Groninger and Ms. Couch confirms Petitioner's remorse and rehabilitation and underscores the support she enjoys as she seeks reinstatement. Mr. Groninger shared that he has discussed Petitioner's misconduct with her and is aware that she feels sincere remorse and regret for her actions. He described Petitioner as smart and hard-working and he demonstrated his confidence in Petitioner by offering her employment reviewing contracts and other documents for his business upon her reinstatement. Mr. Groninger credibly testified that Petitioner has an

excellent reputation for honesty among the people they know in common. Ms. Couch credibly relayed the many ways Petitioner has supported and encouraged her through her life. She testified that Petitioner maintained an interest in the law throughout disbarment, has paid a penalty for her misconduct, and believes Petitioner's ability to return to practice should be reassessed at this time.

As to the question of Petitioner's competence and learning in the law, we consider that Petitioner has not practiced law in a quarter century and had limited experience in the legal profession prior to her disbarment, as she only worked for a short period of time following her bar admission in 1993. Despite this minimal contact with the legal profession and her extended absence from the law, Petitioner established that she is competent and learned in the law. As to the lengthy period removed from practice, Petitioner acknowledged that she could have sought reinstatement earlier and candidly explained her reason for not doing so, which was simply that she wanted to retain legal representation to help her through the process and could not afford to do so until now. While disbarred, Petitioner maintained her currency by fulfilling her Continuing Legal Education requirements for reinstatement, reviewing legal periodicals such as *The Legal Intelligencer*, and taking classes through the Jenkins Law Library. Petitioner shared her plans for reentering the legal profession if reinstated and intends to handle contract review for Attorney Groninger. She also expressed her interest in criminal defense work and perhaps assisting with cases through the Prison Society.

While Petitioner's breach of trust was great, the record demonstrates that the lengthy passage of time has been one of qualitative rehabilitation that has dissipated

the impact of Petitioner's original misconduct on the public trust. At this time, Petitioner's reinstatement would not adversely affect the public's perception of the legal profession. See, ***In the Matter of Jay Ira Bomze***, No. 149 DB 2012 (D. Bd. Rpt. 11/21/2017) (S. Ct. Order 12/26/2017) (reinstatement granted from 15 year period of disbarment that resulted from healthcare fraud conviction; demonstrated rehabilitation through, *inter alia*, steady and productive work history, contribution to charitable endeavors, genuine remorse, evidence of good character); ***In the Matter of Robert S. Teti***, No. 30 DB 1999 (D. Bd. Rpt. 12/13/2012) (S. Ct. Order 2/27/2013) (reinstatement granted from 13 year disbarment period that resulted from conviction for failure to make required disposition of funds; demonstrated rehabilitation through, *inter alia*, steady employment, sincere expressions of remorse and regret, good reputation in the community).

Upon this record, the Board concludes that Petitioner is fit to practice law. Petitioner has met her reinstatement burden by clear and convincing evidence that she is morally qualified, competent and learned in the law, and that her reinstatement will not be detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. For all of the above reasons, we recommend Petitioner's reinstatement to the Court.

V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Petitioner, Sandra Couch Collins, be reinstated to the practice of law.

The Board further recommends that, pursuant to Rule 218(f), Pa.R.D.E., Petitioner be directed to pay the necessary expenses incurred in the investigation and processing of the Petition for Reinstatement.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA



By: _____
Hon. Eugene F. Scanlon, Jr., Member

Date: 3/14/22