

IN THE SUPREME COURT OF PENNSYLVANIA

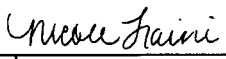
OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2986 Disciplinary Docket No. 3
	:	
	:	
Petitioner	:	No. 160 DB 2022
	:	
v.	:	
	:	Attorney Registration No. 324652
	:	
JEFFREY MICHAEL CHILDS,	:	
	:	(Allegheny County)
Respondent	:	

ORDER

PER CURIAM

AND NOW, this 28th day of June, 2023, 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 Jeffrey Michael Childs is suspended on consent from the Bar of this Commonwealth for a period of two years. Respondent shall comply with 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 Nicole Traini
As Of 06/28/2023

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,:

Petitioner :

: No. 160 DB 2022

v.

JEFFREY MICHAEL CHILDS,

: Attorney Registration No. 324652

Respondent

: (Allegheny County)

JOINT PETITION IN SUPPORT OF DISCIPLINE
ON CONSENT UNDER RULE 215(d), Pa.R.D.E.

Petitioner, Office of Disciplinary Counsel, by Thomas J. Farrell, Chief Disciplinary Counsel, and Susan N. Dobbins, Disciplinary Counsel, and Respondent, Jeffrey Michael Childs, file this Joint Petition In Support Of Discipline On Consent Under Rule 215(d), Pa.R.D.E. and respectfully represent as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P. O. Box 62485, Harrisburg, Pennsylvania 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of

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05/18/2023

The Disciplinary Board of the
Supreme Court of Pennsylvania

Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

2. Respondent, Jeffrey Michael Childs, was born in 1988. He was admitted to practice law in the Commonwealth of Pennsylvania on October 11, 2017. Respondent's attorney registration mailing address is 5202 Duncan Street, Pittsburgh, PA 15201.

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

SPECIFIC FACTUAL ADMISSIONS

The Fisher Matter

4. On January 29, 2016, Attorney Joseph J. Nypaver (hereinafter, Attorney Nypaver) on behalf of Helen and William Fisher (hereinafter, the Fishers) filed a Complaint in Civil Action against Erie Insurance Exchange (hereinafter, Erie) at case number 2016-00298 in the Court of Common Pleas of Blair County, Pennsylvania.

5. Respondent, as an attorney employed by the law firm of Robb Leonard Mulvihill, LLP, had been counsel in this matter on behalf of Erie since at least January, 2020.

6. During the Fishers' lawsuit, discovery disputes arose that were the subject of an appeal to the Superior Court.

7. By Order dated July 27, 2021, the Honorable Jackie Atherton Bernard (hereinafter, Judge Bernard) ordered, among other things, that in-camera review of requested discovery matters would be taken under advisement and given consideration in light of the recent ruling on the appeal by the Superior Court. An Order addressing the process for in-camera review would be issued separately.

8. On October 13, 2021, Judge Bernard issued a Memorandum and Order which indicated, among other things, that:

(a) Defendant (Erie) shall submit to this Court for in-camera review the information responsive to Plaintiffs' Request for Production of Documents #16 within twenty (20) days from the date of this Order along with the privilege log for purposes of the Court in performing an in-camera review of the contested documents; and

(b) To the extent that any discovery remained outstanding that was included in the Opinion and Order of October 19, 2018 and was not part of the appeal, the Defendant had twenty (20) days

from the date of this Order to answer or supplement its prior answers to Plaintiffs' discovery requests as directed by the prior opinion.

9. Thereafter, Respondent failed to submit to Judge Bernard for in-camera review the information and documentation as directed by the Order dated October 13, 2021.

10. On November 1, 2021, a Praecipe for Appearance on behalf of Erie was filed by Attorney Leeann Fulena (hereinafter, Attorney Fulena) and Respondent, as attorneys with the law firm of Robb Leonard Mulvihill LLP, along with a certificate of service in the Fishers' civil action.

11. By email dated December 2, 2021, Vickie Wertz, Judge Bernard's judicial law clerk, sent Attorney Nypaver and Attorney Fulena an email indicating that she was checking to make sure that they had received the attached Memorandum Order since the Orders directed materials to be submitted to Chambers for in-camera review, but none had been received.

12. By email dated December 2, 2021, Attorney Fulena forwarded Ms. Wertz's email to Respondent and asked him if the materials were sent out.

13. Respondent replied to Attorney Fulena's email and informed her that "Yes, I will call the Court and re-send if necessary."

14. Respondent's representation to Attorney Fulena was false.

15. Thereafter, Respondent still did not send the materials to Judge Bernard.

16. On December 3, 2021, Attorney Nypaver filed Plaintiffs' Motion for Sanctions against Erie for failing to provide discovery documents.

17. Shortly thereafter, Attorney Fulena questioned Respondent about the Motion for Sanctions.

18. Respondent informed Attorney Fulena that he had sent the documents that were referred to in Attorney Nypaver's Motion for Sanctions.

19. Respondent's representation to Attorney Fulena was false.

20. Thereafter, a hearing on the Motion for Sanctions was scheduled for December 27, 2021.

21. During the December 27, 2021 hearing, Respondent told Judge Bernard that he had not sent the requested documents to Attorney Nypaver.

22. By Order dated December 27, 2021, Judge Bernard, ordered, *inter alia*, that:

(a) The Court would deny the Motion for Sanctions at this point;

(b) Although the Court believed there was a meritorious argument made on many points relative to dilatory conduct in providing answers and responses to the Court's inquiry, as well as the Court's Order, the Court would provide an opportunity for Erie to comply with the prior orders of discovery;

(c) Those documents must be provided forthwith in compliance with the Court's Order for the in-camera review and all other aspects of discovery to Attorney Nypaver; and

(d) The Court was accepting Respondent's representations that these documents would be mailed or made available in some fashion to the Court and to Attorney Nypaver on or before December 31, 2021.

23. Thereafter, Respondent failed to comply with the Court's Order dated December 27, 2021.

24. On January 13, 2022, Attorney Nypaver filed Plaintiffs' Second Motion for Sanctions against Erie for continuing to fail to provide discovery documents as ordered.

25. On January 24, 2022, Judge Bernard issued a Memorandum Opinion in regard to the Fishers' civil action against Erie.

26. On January 24, 2022, Judge Bernard also issued an Order in response to the Plaintiffs' Second Motion for Sanctions which directed, *inter alia*, that:

(a) Plaintiffs' Second Motion for Sanctions was granted;

(b) Judgment was entered in favor of the Plaintiffs and against Erie on the Breach of contract action in the amount of the policy limits of \$100,000.00;

(c) Any claims Defendant had raised of attorney-client privilege were hereby waived;

(d) Judgment was entered in favor of the Plaintiffs and against Erie on the Bad Faith Claim with the amount of damages to be decided at trial which shall be limited to a determination of the appropriate amount of damages;

(e) Erie shall pay all reasonable attorney's fees incurred by Plaintiffs' Counsel relative to the Motion for Sanctions, the hearing on the Motion for Sanctions and the preparation/filing of the Second Motion for Sanctions; and

(f) Attorney Nypaver shall provide billing statements for the services and the Court would issue an Order directing payment of the specific amount.

27. On about January 24, 2022, Respondent told Attorney Fulena and a representative of Erie that:

(a) Judge Bernard's Memorandum was not accurate;

(b) He had previously sent the documents to Judge Bernard as ordered; and

(c) He would file a Motion for Reconsideration.

28. On that date, Respondent provided Attorney Fulena and the representative of Erie with copies of letters dated October 5, 2021 and December 28, 2021, purportedly authored by Attorney Fulena and directed to Judge Bernard in which she stated she was forwarding a copy of the Erie claim file for an in-camera review pursuant to her recent Court Order.

29. Respondent falsified the letters dated October 5, 2021 and December 28, 2021 that he provided to Attorney Fulena and the representative of Erie.

30. Respondent's representations to Attorney Fulena and the representative of Erie that he had previously sent the documents to Judge Bernard were false.

31. Respondent failed to provide his client, Erie, with information that accurately represented the status of the pending claims and litigation in these matters.

32. On January 27, 2022, Respondent admitted to Attorney Fulena, Attorney Robert Loch (hereinafter, Attorney Loch), and Attorney Bruce Rende (hereinafter, Attorney Rende) of Respondent's law firm, Robb Leonard Mulvihill, LLP, that he had falsified the letters dated October 5, 2021 and December 28, 2021 from Attorney Fulena to Judge Bernard.

33. On January 27, 2022, Robb Leonard Mulvihill LLP terminated Respondent's employment with their firm.

34. By Order dated January 28, 2022, Judge Bernard ordered that Erie pay Attorney Nypaver the sum of \$1,600 for fees and expenses incurred.

35. The January 28, 2022 Order was issued for attorney's fees and expenses that the Fishers had incurred in having Attorney Nypaver draft and file Plaintiffs' Motion for Sanctions and Plaintiffs' Second Motion for Sanctions.

The Sheeder Matter

36. On November 16, 2020, a Complaint-Contract was filed by Attorney Joseph J. Nypaver on behalf of Christopher S. and Vicki L. Sheeder (hereinafter the Sheeders) et al. against Erie Insurance Exchange (hereinafter, Erie) in the Court of Common Pleas of Bedford County, Pennsylvania at docket number 2020-00957.

37. On December 10, 2020, Respondent entered his appearance on behalf of Erie in the civil action.

38. On April 12, 2021, Attorney Nypaver filed Plaintiffs' Motion to Compel Compliance on behalf of the Sheeders which indicated, among other things, that Erie had failed to respond to requests for discovery.

39. By Order of Court dated July 28, 2021, the Honorable Travis W. Livengood (hereinafter, Judge Livengood) ordered, upon consideration of the Plaintiffs' Motion to Compel, that:

(a) Plaintiffs' Motion to Compel is granted as to the Request for Production for discovery pertaining to the breach of contract claim in Count 1 of Plaintiffs' complaint. Defendant shall produce said discovery within 10 days of receipt of this Order of Court; and

(b) Plaintiffs' Motion to Compel is denied as to the Request for Production for discovery pertaining to the bad faith claim in Count II of Plaintiffs' Complaint until the resolution of Defendant's pending Motion to Sever and Stay.

40. By Order of Court dated September 28, 2021, Judge Livengood further ordered that:

(a) Defendant's Motion to Sever and Stay bad faith claim is denied;

(b) The remainder of Plaintiffs' prior Motion to Compel is granted as to the Request for Discovery pertaining to the bad faith claim in Count II of the Plaintiffs' complaint; and

(c) Defendant shall produce the discovery requested in said Motion to Compel within 30 days.

41. Respondent failed to comply with the September 28, 2021 Court Order directing Defendant to produce the requested discovery.

42. On November 1, 2021, Attorney Nypaver filed Plaintiffs' Motion for Sanctions against Erie.

43. By Order of Court dated November 3, 2021, a hearing on Plaintiffs' Motion for Sanctions was scheduled for December 21, 2021.

44. After a hearing, Judge Livengood issued an Order dated December 21, 2021 providing, *inter alia*, that:

(a) Plaintiffs' Motion for Sanctions is granted;

(b) The Defendant shall file full and complete verified responses to the Request for Production with seven (7) days from the date of this Order;

(c) It was further ordered that the Defendant shall pay all attorney fees to Plaintiffs' counsel relative to the Request for Production and related motions within seven (7) days of receipt of an itemized statement of attorney's fees for Plaintiffs' counsel; and

(d) Further, upon failure of timely compliance with this Order by Erie, Plaintiffs' counsel may file a Praecipe entering Judgment for the breach of contract in the amount of \$100,000.00 and a finding of liability for the bad faith claim against Erie, limiting the bad faith trial to the assessment of damages.

45. Shortly thereafter, in response to inquiries from Attorney Fulena regarding the entry of the December 21, 2021 Order, Respondent informed Attorney Fulena that he would file a Motion for Reconsideration of the Order because he had already sent the discovery materials to Attorney Nypaver.

46. Thereafter, Respondent failed to file a Motion for Reconsideration, nor did he provide responses to the Request for Production as directed in the Order.

47. Respondent's representation to Attorney Fulena that he had already sent the discovery materials to Attorney Nypaver was false.

48. On January 13, 2022, Attorney Nypaver filed a Praecipe for Entry of Judgment on behalf of the Sheeders in the amount of \$100,000.00 for the breach of contract claim against Erie and further, a finding of liability in favor of the Plaintiffs and against the Defendant for the bad faith claim, limiting the bad faith trial to the assessment of damages.

49. On January 27, 2022, during a meeting with Attorneys Fulena, Loch, and Rende, when questioned about the Praeceptum for Entry of Judgment in the Sheeder matter, Respondent informed them that he had filed a Motion for Reconsideration.

50. Respondent's representation to Attorneys Fulena, Loch and Rende was false.

51. On January 27, 2022, during a subsequent phone conversation that Respondent had with Attorneys Loch and Rende, Respondent:

(a) Admitted that he had not filed the Motion for Reconsideration; and

(b) Was fired from the law firm of Robb Leonard Mulvihill, LLP.

The Welch Matter

52. On June 24, 2020, Attorney Timothy D. McNair, on behalf of David G. Welch d/b/a Welch's Auto and Marine Service, filed a Complaint-Contract against Erie Insurance Exchange (hereinafter, Erie) in the Court of Common Pleas of Erie County, Pennsylvania at case number 11265-2020.

53. On July 9, 2020, Attorney Loch of the law firm of Robb Leonard Mulvihill, LLP entered his appearance on behalf of Erie.

54. On March 18, 2021, Respondent entered his appearance on behalf of Erie.

55. On April 22, 2021, Attorney McNair filed Notice of Service of Plaintiff's Request for Admissions Addressed to Defendant, Erie.

56. On April 22, 2021, Attorney McNair filed Notice of Service of Plaintiff's Interrogatories and Request for Production of Documents Addressed to Defendant, Erie.

57. On May 24, 2021, Erie filed Notice of Service of Answers to Plaintiff's Request for Admissions.

58. On June 30, 2021, Erie filed Notice of Service of Answers, Responses and Objections to Interrogatories and Request for Production of Documents.

59. On August 3, 2021, Attorney McNair, on behalf of Plaintiff, filed a Motion to Compel Discovery Responses.

60. By Order dated August 11, 2021, the Honorable John J. Mead (Hereinafter, Judge Mead) ordered that:

(a) The Motion to Compel Discovery Responses was hereby granted;

(b) Defendant shall within 14 days of the date of this Order, provide full and complete responses, without objection, to Plaintiff's discovery requests;

(c) In the event that Defendant claims that the requests implicate a recognized privilege, it may so state but provide a privilege log describing generally the nature of the information withheld and the basis for withholding it;

(d) Failure to provide an adequate privilege log may result in a waiver of any privilege asserted; and

(e) Defendant may not object to any discovery request on the basis that the request seeks disclosure of mental impressions, conclusions or opinions respecting the value or merit of a claim or defense held by or recorded by any employee of Defendant other than its attorneys.

61. Shortly thereafter, Attorney Loch questioned Respondent about the August 11, 2021 Order.

62. Respondent informed Attorney Loch that "it was being taken care of", or words to similar effect.

63. Thereafter, Respondent created a letter dated August 11, 2021, wherein he purportedly informed Attorney McNair, among other things, that he had enclosed Defendant's Responses to discovery that were previously forwarded on May 21, 2021.

64. Respondent did not send the August 11, 2021, letter to Attorney McNair nor had he forwarded discovery responses on May 21, 2021.

65. On September 20, 2021, Attorney McNair filed a Motion for Sanctions on behalf of Plaintiff.

66. Shortly thereafter, Attorney Loch questioned Respondent about the Motion for Sanctions.

67. Respondent informed Attorney Loch that he had served opposing counsel with the discovery documents that they had requested.

68. Respondent's representation to Attorney Loch was false.

69. By Order dated October 4, 2021, Judge Mead ordered that upon consideration of the Motion for Sanctions, Erie was directed to file a response within 7 days.

70. On October 15, 2021, Attorney McNair filed on behalf of Plaintiff another Motion for Sanctions against Erie for failing to comply with discovery requests and the Court's orders.

71. Attorney Loch questioned Respondent about the October 15, 2021 Motion for Sanctions.

72. Respondent again informed Attorney Loch that the Motion for Sanctions was frivolous because he had already provided the documents to Attorney McNair.

73. Respondent also informed Attorney Loch that he would file a Response to the Motion for Sanctions.

74. Respondent's representation to Attorney Loch that he had already provided the documents to Attorney McNair was false.

75. Thereafter, Respondent failed to file a Response to the Motion for Sanctions.

76. On October 20, 2021, Judge Mead ordered that, upon consideration of the foregoing Motion for Sanctions, a Rule was hereby entered against Erie to show cause, if any it may have, why sanctions should not be imposed.

77. Thereafter, a hearing on the Motion for Sanctions was rescheduled for January 21, 2022.

78. After hearing on January 21, 2022, Judge Mead issued an Order which held, among other things, that:

(a) Upon consideration of the foregoing Motion for Sanctions, following a hearing on this date, it is ordered for the reasons set forth on the record that the motion is granted, and defense counsel shall comply with this Court's August 11, 2021, Order by January 28, 2022; and

(b) Defense counsel shall also pay attorney's fees in the amount \$550.

79. Shortly thereafter, Attorney Loch questioned Respondent about the hearing that was held on January 21, 2022.

80. Respondent told Attorney Loch that the Motion for Sanctions had been denied by the Court.

81. Respondent's representation to Attorney Loch that the Motion for Sanctions had been denied was false.

82. On or about January 27, 2022, Respondent provided Attorney Loch with a purported Order dated January 21, 2022 which ordered, among other things, that the motion was granted, and defense counsel was to comply with the Court's August 11, 2021 Order by January 28, 2022.

83. Respondent redacted, or caused to be redacted, a portion of the actual January 21, 2022 Order that stated, "defense counsel shall pay attorney's fees in the amount of \$550".

84. On January 27, 2022, Respondent met with Attorneys Rende, Loch, and Fulena about the Welch matter.

85. Respondent was questioned about altering and redacting a portion of the January 21, 2022 Order from Judge Mead in which attorney's fees were granted to defense counsel in the amount of \$550.00 and providing the altered Order to Attorney Loch.

86. Respondent was also questioned about not sending the documents to Attorney McNair despite Respondent's prior representation that he had done so.

87. Respondent admitted that he had not sent the documents to Attorney McNair as he previously had told Attorney Loch.

88. Respondent also admitted that he did not file a response to the Motion for Sanctions as he previously indicated.

89. On May 25, 2022, a DB7 Request for Respondent's Statement of Position was sent to Respondent by email and Respondent confirmed receipt of same by return email.

90. Respondent failed to respond to the DB7 Request for Respondent's Statement of Position.

91. On July 27, 2022, a reminder letter about the DB7 Request for Respondent's Statement of Position was sent to Respondent by email but Respondent did not confirm receipt although Office of Disciplinary Counsel obtained a "delivered" receipt.

92. Respondent never responded to the DB7 Request for Respondent's Statement of Position.

SPECIFIC RULE VIOLATIONS

93. By his conduct, as set forth in paragraphs 4 through 92, Respondent admits that he violated the following Rules of Professional Conduct and Rules of Disciplinary Enforcement:

(a) Rule of Professional Conduct 1.1 – 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) Rule of Professional Conduct 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client.

(c) Rule of Professional Conduct 1.4(a)(3) – A lawyer shall keep the client reasonably informed about the status of the matter.

(d) Rule of Professional Conduct 1.4(b) – A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

(e) Rule of Professional Conduct 3.2 – A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.

(f) Rule of Professional Conduct 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.

(g) Rule of Professional Conduct 4.1 – In the course of representing a client a lawyer shall not knowingly make a false

statement of material fact or law to a third person or fail to disclose a material fact to a third person when disclosure is necessary to avoid aiding and abetting a criminal or fraudulent act by a client, unless disclosure is prohibited by Rule 1.6.

(h) Rule of Professional Conduct 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

(i) Rule of Professional Conduct 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

(j) Rule 203(b)(7), Pa.R.D.E. - The following shall also be grounds for discipline - Failure by a respondent-attorney without good cause to respond to Disciplinary Counsel's request or supplemental request under Disciplinary Board Rules, § 87.7(b) for a statement of the respondent-attorney's position.

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

94. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a two-year suspension. Attached hereto as Exhibit A is Respondent's executed Affidavit, as required by Rule 215(d), Pa.R.D.E. stating that he consents to

the recommended discipline and including the mandatory acknowledgements contained in Rule 215(d)(1)-(4), Pa.R.D.E.

95. Respondent was placed on Administrative Suspension by Order of the Supreme Court of Pennsylvania dated March 22, 2023, effective April 21, 2023, for his failure to comply with his Pennsylvania Continuing Legal Education Requirements.

96. The mitigating factors in this case are:

(a) Respondent has admitted his misconduct;

(b) Since admitting his misconduct, Respondent has cooperated with Disciplinary Counsel in the prosecution of the within matter;

(c) Respondent has no prior discipline of record;

(d) Respondent consents to a two-year suspension for his misconduct;

(e) Respondent, through the filing of this joint petition, expresses great regret and accepts full responsibility for his actions;

(f) While Respondent's misconduct involved cases in three separate counties, his representation was of one single client in those matters;

(g) Respondent has voluntarily not been practicing law since the end of January 2022 when his employment with the law firm of Robb Leonard Mulvihill, LLP was terminated; and

(h) Since January 2022, Respondent has sought treatment for mental health and addiction issues which may have been a factor in his misconduct and, as of the date of filing this petition, Respondent continues to address these issues.

97. In support of Petitioner and Respondent's joint recommendation, it is respectfully submitted that the proposed discipline is within the range of discipline found in similar cases:

(a) In ***Office of Disciplinary Counsel v. Susan Bell Bolno***, No. 162 DB 2000 (2003), the Pennsylvania Supreme Court imposed a two-year suspension based on Bolno's neglect of four client matters over a period of seven years. To conceal her neglect, Bolno made numerous misrepresentations to her clients and third parties. She also fabricated letters in furtherance of her deceptive claims.

(b) In ***Office of Disciplinary Counsel v. Peter Richard Henninger, Jr.***, No. 43 DB 2021 (2021), Henninger received on consent a two-year suspension for his misconduct in handling a

personal injury matter. Henninger violated Rules of Professional Conduct 1.1, 1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.4(b), 1.15(b), 1.15(h), 3.2, 8.1(a), 8.4(c), and 8.4(d). Although the case is fact specific, Henninger also used deceit to conceal his neglect of the client's matter.

98. In the within matter, Respondent's conduct clearly falls within the realm of public discipline and specifically a suspension. Consequently, considering the factors articulated herein, it is recommended that Respondent receive a two-year suspension for his violation of Rules of Professional Conduct 1.1, 1.3, 1.4(a)(3), 1.4(b), 3.2, 3.3(a)(1), 4.1, 8.4(c) and 8.4(d), and Rule 203(b)(7), Pa.R.D.E. A suspension of this duration effectively serves to protect the public and to reflect the gravity of the misconduct in which Respondent engaged.

99. The parties agree that if the proposed consent discipline is approved by the Board and the Court, the two (2) year suspension will not be retroactive or concurrent to Respondent's current administrative suspension.

WHEREFORE, Petitioner and Respondent respectfully request that:

- (a) Pursuant to Rule 215(e) and 215(g), Pa.R.D.E., a three-member Panel of the Disciplinary Board review and approve the above Joint

Petition in Support of Discipline on Consent and file a recommendation with the Supreme Court of Pennsylvania that Respondent receive a two (2) year suspension; and

(b) Pursuant to Rule 215(i) Pa.R.D.E., a three-member Panel of the Disciplinary Board enter an order for Respondent to pay the necessary expenses incurred in the investigation and prosecution of this matter, and that all expenses be paid by Respondent within thirty (30) days after the notice of taxed expenses is sent to Respondent.

Respectfully and jointly submitted,

OFFICE OF DISCIPLINARY COUNSEL

THOMAS J. FARRELL
CHIEF DISCIPLINARY COUNSEL

By *Susan N. Dobbins*
Susan N. Dobbins
Disciplinary Counsel

By *Jeffrey Michael Childs*
Jeffrey Michael Childs
Respondent

BEFORE THE DISCIPLINARY
BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,:

Petitioner :

: No. 160 DB 2022

v.

JEFFREY MICHAEL CHILDS,

: Attorney Registration No. 324652

Respondent

: (Allegheny County)

VERIFICATION

The statements contained in the foregoing Joint Petition in Support of Discipline on Consent Under Rule 215(d), Pa.R.D.E. 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. §4904, relating to unsworn falsification to authorities.

05/18/2023

Date

Susan N. Dobbins

Susan N. Dobbins
Disciplinary Counsel

5/18/23

Date

Jeffrey Michael Childs

Jeffrey Michael Childs
Respondent

BEFORE THE
DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,:

Petitioner :

: No. 160 DB 2022

v.

JEFFREY MICHAEL CHILDS,

: Attorney Registration No. 324652

Respondent

: (Allegheny County)

AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

Respondent, Jeffrey Michael Childs, hereby states that he consents to a two-year suspension, as jointly recommended by Petitioner, Office of Disciplinary Counsel, and Respondent, in the Joint Petition in Support Of Discipline On Consent, and further states that:

1. He is an attorney admitted in the Commonwealth of Pennsylvania, (currently under administrative suspension) having been admitted to the bar on October 11, 2017.

2. He desires to submit a Joint Petition in Support of Discipline on Consent Pursuant to Rule 215(d), Pa.R.D.E.

3. His consent 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 affidavit.


4. He is aware that there is a pending proceeding involving allegations that he has been guilty of misconduct, as set forth in the Joint Petition in Support of Discipline on consent Pursuant to Rule 215(d), Pa.R.D.E., to which this affidavit is attached.

5. He acknowledges that the material facts set forth in the Joint Petition are true.

6. He consents because he knows that if the matter pending against him is prosecuted, he could not successfully defend against the charges.

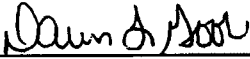
7. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has not retained, consulted or acted upon the advice of counsel in connection with his decision to execute the within Joint Petition.

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



Jeffrey Michael Childs
Respondent

Sworn to and subscribed
before me this 18th day of May, 2023.



Notary Public

Commonwealth of Pennsylvania - Notary Seal
Dawn L. Goob, Notary Public
Allegheny County
My commission expires September 23, 2023
Commission number 1060305
Member, Pennsylvania Association of Notaries

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,:

Petitioner :

: No. 160 DB 2022

v. :

JEFFREY MICHAEL CHILDS, :

: Attorney Registration No. 324652

Respondent :

: (Allegheny County)


CERTIFICATE OF SERVICE

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

By Personal Service as follows:

Jeffrey Michael Childs, Esquire
5202 Duncan Street
Pittsburgh, PA 15201
(Respondent)

Dated: May 18, 2023


Susan N. Dobbins, Reg. No. 52108
Disciplinary Counsel
Office of Disciplinary Counsel
District IV Office
Suite 1300, Frick Building
437 Grant Street
Pittsburgh, PA 15219
(412) 565-3173

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: Susan N. Dobbins

Signature: *Susan N. Dobbins*

Name: Susan N. Dobbins

Attorney No. (if applicable): 52108