

IN THE SUPREME COURT OF PENNSYLVANIA

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| In the Matter of | : | No. 2846 Disciplinary Docket No. 3 |
| | : | |
| SCOTT MICHAEL JOCKEN | : | No. 162 DB 2021 |
| | : | |
| PETITION FOR REINSTATEMENT | : | Attorney Registration No. 312642 |
| | : | |
| | : | (Cumberland County) |

ORDER

PER CURIAM

AND NOW, this 8th day of December, 2025, the Petition for Reinstatement is granted. Petitioner is directed 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 12/08/2025

Attest: Nicole Traini
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

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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. FINDINGS OF FACT

The Board makes the following factual findings:

1. Petitioner, Scott Michael Jocken, was born in 1984 and was admitted to practice law in the Commonwealth of Pennsylvania in 2011.

2. During high school, college and law school, and into his legal career, Jocken struggled with alcohol use and was drinking "heavily" by the time he was employed at his first legal job after admission to the bar. N.T. 116-119.
3. During the time frame 2012 through 2013, Jocken addressed his alcohol use through rehabilitation programs, outpatient counseling, and limited participation in Alcoholics Anonymous ("AA"). N.T.120-121.
4. Starting in 2013 and for about five years, Jocken attempted to manage increasing stress in his life on his own without rehabilitative assistance. He relapsed into alcohol use in 2018 or 2019. N.T. 122-124, 126.

The Misconduct

5. In January of 2020, Jocken began employment as an associate attorney at the law firm of Mooney & Associates in the firm's Gettysburg office. N.T. 124. At this time, Jocken's alcohol use increased, as he faced marital and financial issues and work stress. He also began gambling online. N.T. 124-126.
6. While employed at the Mooney firm, Jocken made 40 unauthorized charges totaling \$18,559.79 on the Mooney firm's credit card between December 12, 2020, and March 3, 2021. ODC-1, Exhibit D (Joint Petition in Support of Discipline on Consent) ("JP") at 5. There were no client funds associated with the credit card. N.T. 128.
7. Jocken explained that he gambled while he was drunk. He would reach a daily limit on his debit card and would use the firm credit card to transfer money to his PayPal account to load back into the online gambling app. N.T. 127.

8. After the initial discovery of the unauthorized card use by the Mooney firm in or around January of 2021, Jocken agreed to cease the improper usage, but thereafter incurred more unauthorized charges. ODC-1, Exhibit D (JP) at 6, 9.
9. The Mooney firm terminated Jocken's employment in March of 2021 and chose not to pursue criminal charges. Jocken was unable to fulfill an agreement to pay the Mooney firm a lump sum and the balance by payment plan due to personal financial issues. Ultimately, the law firm filed a claim with its insurer which reimbursed the firm \$15,713.53, the balance owed \$16,213.50 minus the \$500.00 deductible. In April of 2021, Jocken paid the insurer \$12,000.00 in settlement of its subrogation claims against him. ODC-1, Exhibit D (JP) at 14-16
10. By order of the Court dated January 6, 2022, Jocken was suspended from the practice of law on consent for a period of one year and one day. ODC-1, Exhibit D.

Post-Suspension Activities

11. Jocken stopped drinking alcohol on March 17, 2021, the day he was terminated from the Mooney law firm. N.T. 128.
12. Jocken received a DB-7 letter of inquiry from Office of Disciplinary Counsel ("ODC") in April of 2021 and filed a timely response, wherein he accepted full responsibility for his professional misconduct. N.T. 130.
13. Jocken's rehabilitation efforts began in April of 2021 when he contacted Lawyers Concerned for Lawyers ("LCL") for assistance with his alcohol-related issues and began attending AA meetings. N.T. 131.

14. Through LCL, Jocken was connected with Michael Sedor, Esquire, who became his sobriety monitor and encouraged his attendance at AA. N.T. 131, 176-177. Jocken currently talks to Mr. Sedor at least once a week, sees him regularly at AA meetings, and meets with him in-person twice a month outside of meetings. N.T. 132-133.
15. Through AA, Jocken met Steve Sheffer, who agreed to be Jocken's sponsor and has served in that role since May of 2021. N.T. 73, 131-132. Jocken currently talks to Mr. Sheffer at least once a week and sees him on average once a week. N.T. 132.
16. Jocken started an outpatient treatment program at Mazzitti and Sullivan Counseling in May of 2021 and was successfully discharged in September of 2021. N.T. 133; P-9.
17. Following his termination from the Mooney firm, Jocken was employed at Amazon for approximately one month in June of 2021 but left for medical reasons and was in the hospital with heart issues from approximately July of 2021 to August of 2021. N.T. 88-89, 135, 136.
18. For a short period of time in late 2021 through mid-January 2022, when he was dealing with his disciplinary issues, Jocken experienced embarrassment, shame and distress over his situation. N.T. 137-138. He stopped attending AA and ceased regular communication with Mr. Sedor but resumed attendance in mid-January 2022 on Mr. Sheffer's urging. N.T. 137-139.

19. In February of 2022, Jocken resumed work through employment at a Walmart fulfillment center and remained employed there through August of 2023. N.T. 143-144.
20. Although Jocken was sober and working through his recovery at AA, he was still gambling and did not recognize it as problematic, but eventually realized he was substituting one compulsion for another. N.T. 140.
21. On June 10, 2023, Jocken voluntarily enrolled in Pennsylvania Self-Exclusion Program, effective through June of 2026. Enrollment in this program precluded his participation in any form of gambling at land-based and internet-based casinos. Jocken has not gambled since self-exclusion on June 10, 2023. N.T. 145; P-7.
22. Jocken began attending weekly Gamblers Anonymous ("GA") meetings in August of 2024 and in January of 2025, he began counseling with Kelsey Kinney, a certified gambling counselor. N.T. 19-21, 141.
23. Jocken is currently employed full-time as a law clerk with the law firm Page, Wolfberg & Wirth, LLC ("PWW") in Mechanicsburg, Pennsylvania. N.T. 31-32. Jocken began his employment in November of 2023 and has worked consistently for the firm since that time. He filed a Notice of Engagement with the Disciplinary Board and complied with Pa.R.D.E. 217(j). N.T. 34; ODC-1, Exhibit A.
24. Jocken has kept current in the legal field through his employment at PWW, which includes performing legal research and drafting documents. His firm has stated confidence in his work abilities and a willingness to continue to aid in his rehabilitation. N.T. 11-12, 53, 146, 158, 169.

25. During his suspension, Jocken completed 63 Continuing Legal Education ("CLE") credits. N.T. 155; P-5.
26. During his suspension, Jocken has not engaged in the unauthorized practice of law or held himself out as eligible to practice in Pennsylvania.
27. Jocken disclosed his outstanding credit card and IRS debts for which he has entered a payment plan and intends to take care of "as quickly as possible." N.T. 162-163.
28. Jocken filed a timely Statement of Compliance pursuant to Pa.R.D.E. 217(e) and has complied with all other requirements pertaining to formerly admitted attorneys.
- ODC-1

The Reinstatement Proceeding at 162 DB 2021

29. Jocken filed a Petition for Reinstatement on September 26, 2024.
30. ODC filed a response to Petition on December 23, 2024, and reserved the right to take a final position following the reinstatement hearing.
31. Following a prehearing conference on March 7, 2025, a Hearing Committee ("Committee") conducted a reinstatement hearing on May 13, 2025.
32. Jocken testified on his own behalf, called eight witnesses, and submitted 13 exhibits, which were admitted into evidence. ODC did not present any witnesses and introduced one exhibit, Jocken's Petition for Reinstatement.
33. In support of his reinstatement Jocken offered credible testimony as to his rehabilitation from his underlying misconduct.

34. Jocken credibly accepted responsibility for his actions and demonstrated understanding of the severity of his misconduct, acknowledging that he "stole money" from his former employer "to fund my gambling when I was drunk." N.T. 127, 166, 173.
35. Jocken credibly testified that he was "ashamed" of what he did and expressed remorse, in pertinent part, "I didn't get a chance to say how sorry I am about everything that happened...I didn't realize how many people I hurt...I lost my license and rightfully so...I affected the profession, which I didn't understand at the time. I burned my former employer ...I hurt my family...And I'm sorry for putting all you folks in this room today. It's embarrassing." N.T. 172-173.
36. Jocken testified that recovery is "not something that I did, it's something that I'm going to do for the rest of my life." N.T. 147. Jocken is committed to continuing his rehabilitation through involvement in addiction recovery programs like AA and GA, and counseling with Kelsey Kinney. N.T. 147, 148. He believes he is a better person because of his recovery. *Id.*
37. Jocken currently sponsors two individuals in AA and volunteers with LCL as a peer support resource. He indicated his strong desire to "give back." N.T. 152, 154-55.
38. If reinstated, Jocken's objective is to continue employment with PWW as an associate attorney. The firm provides ongoing flexibility for Jocken to attend AA meetings and has restored Jocken's sense of professional direction. NT 145-46.
39. Jocken also shared his desire to be more involved in his children's lives. N.T. 152.

40. Jocken presented eight witnesses in support of his reinstatement. The witnesses offered credible testimony as follows:

- a. Douglas Wolfberg, Esquire, is the founding partner of PWW and has been Jocken's employer since November of 2023. Mr. Wolfberg was familiar with the basis for Jocken's suspension. N.T. 50. Mr. Wolfberg credibly testified that Jocken expressed remorse to him for the misconduct and Mr. Wolfberg believes Jocken is currently competent to practice law. N.T. 51. The firm remains committed to supporting Jocken's ongoing and future recovery. N.T. 53. Mr. Wolfberg further offered his opinion that Jocken would "reflect well and bring honor to the bar" and "his work will be continually outstanding." N.T. 52. Mr. Wolfberg has no concerns about any future misconduct by Jocken, based on the contrition that Jocken has expressed and his desire to live a better life. N.T. 55.
- b. Ryan Stark, Esquire, is the managing partner of PWW and has been Jocken's employer and supervisor since November of 2023. Mr. Stark supports Jocken's qualifications for readmission ("I think he exhibits the hallmarks that you want in a good lawyer") and testified to his favorable opinion on Jocken's skill level. N.T. 33-34, 38-39, 42. He said that Jocken came to PWW with "a lot of humility" and testified that Jocken had transitioned himself into a place where he was ready to take on the responsibility of his work at the firm. N.T. 41.
- c. Michael Sedor, Esquire, has been Jocken's sobriety monitor since April of 2021. He explained the gradual, meaningful changes he has observed in

Jocken. Mr. Sedor's advocacy for Jocken was grounded in his personal observations. He confirmed that he has no reservations regarding Jocken's reinstatement to the practice of law in the Commonwealth of Pennsylvania. N.T. 176, 180-182, 188.

- d. Steve Sheffer is Jocken's AA sponsor and has been involved in Jocken's recovery process since May of 2021. N.T. 66-67. He confirmed that Jocken is in the recovery program and successful in his endeavors to complete all 12 steps and is currently on step 8 of the 12-step program. N.T. 71-73, 78. Mr. Sheffer offered his unconditional support for the reinstatement of Jocken's license. N.T. 83.
- e. John Catalano is Jocken's AA and GA friend who has known Jocken throughout the recovery process and through rehabilitation meetings. N.T. 59-61. He affirmed Jocken's steps and progress in recovery and Jocken's personal accountability for his actions. N.T. 61-62. Mr. Catalano credibly opined that Jocken's recovery is genuine and likely to continue. N.T. 63-64.
- f. Diane Jocken is Jocken's mother. Ms. Jocken credibly provided an overview of her observations of Jocken through the years, highlighting the distinct and positive changes in Jocken's behavior, mindset, and emotional stability during his recovery. N.T. 102-108.
- g. Kimberly Paone is Jocken's wife and the mother of their two children. She and Jocken are currently separated. N.T. 85, 86. Ms. Paone confirmed her observations of Jocken's recovery as a "180 degree turnaround" in his

demeanor and character over the past few years and his desire to be active and engaged in the lives of his children. N.T. 90, 92, 93-94.

h. Kelsey Kinney is a certified gambling counselor and testified as an expert witness. N.T. 13-14. Ms. Kinney's work with Jocken began in January of 2025 with weekly appointments that continued up to the time of the reinstatement hearing in May of 2025. N.T. 19-21. Ms. Kinney testified that Jocken is very engaged in treatment, noted no current risk factors for relapse, and described Jocken as remorseful and accountable. N.T. 21-23.

41. Jocken introduced into evidence a letter from George W. Swartz, II, Esquire, a partner at the Mooney law firm, Jocken's former employer and the victim of his misconduct. Mr. Swartz confirmed Jocken's strong legal abilities, confirmed Jocken's personal expressions of remorse to the firm, and stated that the firm supports Jocken's reinstatement to the practice of law. N.T. 152-154; P-6.

42. On June 19, 2025, Jocken filed a post-hearing brief to the Committee in support of his reinstatement.

43. On June 24, 2025, ODC submitted a letter to the Committee in lieu of a brief, stating that ODC believed Jocken had met his burden of proof and therefore did not oppose Jocken's reinstatement.

44. By Report filed on September 26, 2025, the Committee concluded that Jocken met his reinstatement burden and recommended that the Petition for Reinstatement be granted.¹

¹ Committee Chair Jonathan W. Hugg filed a concurring statement sharing his view that Jocken's

45. The parties did not file exceptions to the Committee's Report and recommendation.

46. The Board adjudicated this matter at the meeting on October 24, 2025.

II. CONCLUSIONS OF LAW

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

2. Petitioner met his burden of proof by clear and convincing evidence that his 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.

III. DISCUSSION

Jocken seeks readmission to the practice of law following his suspension for a period of one year and one day on consent, ordered by the Supreme Court of Pennsylvania on January 6, 2022.

Pursuant to Rule 218(a)(4), Pa.R.D.E., an attorney who is suspended for a period exceeding one year may not resume the practice of law until reinstated by the Court. To gain reinstatement, Jocken must prove by evidence that is clear and

reinstatement presentation was "the strongest and most convincing application and presentation I have seen in my years of service on hearing committees." Hearing Committee Report, p. 16.

convincing, that he is morally qualified, competent and learned in the law and that his resumption of the practice of law will not be detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. Pa.R.D.E. 218(c)(3). A reinstatement proceeding is a "searching inquiry into a lawyer's present professional and moral fitness to resume the practice of law. The object of concern is not solely the transgressions which gave rise to the lawyer's suspension or disbarment, but rather, the nature and extent of the rehabilitative efforts he has made since the time the sanction was imposed and the degree of success achieved in the rehabilitative process." *Philadelphia News, Inc. v. Disciplinary Board of the Supreme Court of Pennsylvania*, 363 A.2d 779, 780-781 (Pa. 1976).

Jocken's underlying misconduct involved his unauthorized use of his law firm's credit card to help fund his gambling habit. The record evidence demonstrated that Jocken had issues with alcohol use and gambling during the time frame of the misconduct, which ultimately led to the loss of not only his employment but his ability to practice law. Jocken candidly testified to the circumstances leading to these events. He accepted full responsibility for his misconduct and expressed sincere shame, embarrassment and remorse. Jocken's testimony demonstrated humility and a high level of self-awareness.

It has been more than three years since Jocken was suspended and over four years since the original misconduct. The record evidence demonstrates that since the time of his misconduct in 2021 and during his suspension, which was imposed on January 6, 2022, Jocken has persevered to rehabilitate himself in all aspects of his life.

Of fundamental significance, Jocken has been sober from alcohol since March 17, 2021, a period of more than four years. He has been gambling-free since June of 2023, more than two years. Jocken is committed to recovery from alcohol and gambling and has amply demonstrated that dedication through attendance at regular AA and GA meetings, regular and frequent talks and in-person meetings with his AA sponsor and sobriety monitor and others involved in recovery, and regular counseling with his certified gambling counselor. Jocken intends to continue his participation in these rehabilitative programs as he understands that recovery is a lifelong journey. For Jocken, he believes he is a better person because of his involvement in recovery programs. To that end, Jocken serves as a sponsor to two individuals in AA and volunteers with LCL as a way to "give back."

Following his termination from the Mooney law firm, brief employment at Amazon, and a hospitalization, Jocken obtained nonlegal employment at Walmart for approximately 18 months before commencing work as a law clerk at PWW in November of 2023. Jocken has thrived at PWW, finding a supportive environment that has helped restore his sense of professional direction. Jocken's attorney supervisors at PWW support his reinstatement and confirmed that Jocken is morally qualified, legally skilled, and would be a benefit, not a detriment, to the bar. In addition to the research and drafting work performed at PWW, Jocken kept apprised of current law through CLE courses and amassed 63 credits prior to his reinstatement hearing. If reinstated, Jocken plans to work as an associate at PWW. In his personal life, Jocken has a newfound desire to be active and engaged in his children's lives.

Eight witnesses testified in support of Jocken's reinstatement. These witnesses constituted a cross-section of Jocken's life, as he presented two attorneys who are his current employers, an attorney who is his sobriety monitor, his AA sponsor, a friend from GA and AA, his certified gambling counselor, his mother, and his wife with whom he shares two children and from whom he is currently separated. Several witnesses confirmed Jocken's active commitment to recovery and engagement with GA and AA. His AA sponsor and sobriety monitor each credibly confirmed that Jocken is working through the recovery steps and they have no reservations regarding his return to practice. Jocken's gambling counselor, who testified as an expert witness, gave her opinion that there are no current risk factors for Jocken and that he is remorseful and accountable. Jocken's mother and estranged wife offered their credible observations as to the distinct, positive changes in Jocken in the past several years.

Each witness shared their view that Jocken is qualified to resume practice, and no witness expressed any degree of hesitation recommending Jocken's reinstatement. Each witness's unique interactions and observations of Jocken remained consistent and bolstered the evidence that Jocken is of good moral character and is fit to practice law in the Commonwealth of Pennsylvania. We also credit the letter from the Mooney law firm in support of Jocken's reinstatement, which confirmed Jocken's sincere expressions of remorse and regret for his misconduct and his strong legal abilities.

The record evidence established that Jocken has spent his suspension period engaged in genuine and successful rehabilitation. The Committee found Jocken's testimony very compelling and forthright when he explained his past transgressions and

desire to change his life and move forward in a positive way, both professionally and personally. We agree. Over his more than three years of suspension, Jocken demonstrated growth and positive change through his commitment to addiction recovery and professional and personal betterment. On this record, we conclude Jocken met the requirements of Rule 218(c)(3), Pa.R.D.E., by presenting clear and convincing evidence to show his moral qualifications, competency and learning in the law. Further, Jocken demonstrated via his own testimony, documentary evidence, and the testimony of his character witnesses, that his likelihood of repeating his prior misconduct is negligible and reinstatement will not harm the public or be detrimental to the integrity of the profession.

IV. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Petitioner, Scott Michael Jocken, 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: /s/ Celeste L. Dee
Celeste L. Dee, Member

Date: 11/14/2025