

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 1822 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 18 DB 2012
v.	:	
	:	Attorney Registration No. 39916
WILLIAM THOMAS ROSHKO,	:	
Respondent	:	(Bucks County)

**ORDER**

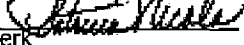
**PER CURIAM:**

**AND NOW**, this 22<sup>nd</sup> day of October, 2012, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated August 21, 2012, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), Pa.R.D.E., and it is

ORDERED that William Thomas Roshko is suspended on consent from the Bar of this Commonwealth for a period of two years retroactive to July 2, 2012, and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

Mr. Justice McCaffery dissents.

A True Copy Patricia Nicola  
As Of 10/22/2012

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

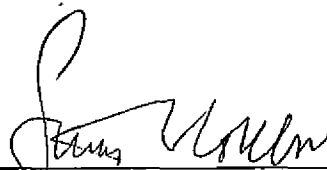
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	:	No. 18 DB 2012
v.	:	
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WILLIAM THOMAS ROSHKO	:	
Respondent	:	(Bucks County)

RECOMMENDATION OF THREE-MEMBER PANEL  
OF THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members Stewart L. Cohen, Gerald Lawrence, and R. Burke McLemore, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on June 25, 2012.

The Panel approves the Joint Petition consenting to a two year suspension retroactive to the date Respondent voluntarily assumed retired status and recommends to the Supreme Court of Pennsylvania that the attached Petition be Granted.

The Panel further recommends that any necessary expenses incurred in the investigation and prosecution of this matter shall be paid by the respondent-attorney as a condition to the grant of the Petition.

  
\_\_\_\_\_  
Stewart L. Cohen, Panel Chair  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

Date: 8/21/2012

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

OFFICE OF DISCIPLINARY COUNSEL,	:	No.1822 DD3
Petitioner	:	
	:	Board File No. C2-11-868
v.	:	
	:	Attorney Reg. No. 39916
WILLIAM T. ROSHKO,	:	
Respondent	:	( Bucks County)

**JOINT PETITION IN SUPPORT  
OF DISCIPLINE ON CONSENT  
PURSUANT TO Pa.R.D.E. 215 (d)**

Petitioner, the Office of Disciplinary Counsel (hereinafter, "ODC") by Paul J. Killion, Chief Disciplinary Counsel, and Ramona Mariani, Disciplinary Counsel, and Respondent, William T. Roshko (hereinafter, "Respondent"), respectfully petition the Disciplinary Board in support of discipline on consent, pursuant to Pennsylvania Rule of Disciplinary Enforcement ("Pa.R.D.E.") 215(d), and in support thereof state:

1. ODC, whose principal office is situated at 601 Commonwealth Avenue, Suite 2700, P.O. Box 62485, Harrisburg, Pennsylvania, 17106 is invested, pursuant to Pa.R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Enforcement Rules.

2. Respondent, William T. Roshko, was born on March 20, 1956, and was admitted to practice law in the Commonwealth on December 1, 1983. Respondent is on active status, but has recently requested a transfer to retired status. He is not currently practicing law. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court.

**FILED**

JUN 25 2012

Office of the Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

3. Respondent's affidavit stating, *inter alia*, his consent to the recommended discipline is attached hereto as Exhibit A.

**SPECIFIC FACTUAL ALLEGATIONS ADMITTED**

4. On October 14, 2002, Respondent pled guilty to seventeen counts of violating Pennsylvania's election code, codified at 25 Pa. C.S.A. 3514(M).

5. Section 3514 provides that:

Any person who shall falsely make any nomination certificate or who shall willfully deface or destroy any nomination petition, nomination certificate or nomination paper, or any part thereof, or any letter of withdrawal, or who shall file any nomination petition, nomination certificate or nomination paper or letter of withdrawal knowing the same, or any part thereof, to be falsely made, or who shall suppress any nomination petition, nomination certificate or nomination paper, or any part thereof, which has been duly filed, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand (\$1,000) dollars, or to undergo an imprisonment of not more than on (1) year, or both, in the discretion of the court.

6. The guilty plea arose as a result of 17 nominating petitions Respondent signed as circulator and filed in connection with his attempted run for several elected positions in Bucks County, Pennsylvania. The positions included District Attorney (Republican), District Justice (Republican), District Justice (Democrat), Judge of the Court of Common Pleas (Republican) and Judge of the Court of Common Pleas (Democrat).

7. The Information filed by the Attorney General of Pennsylvania stated, relative to the charges to which Respondent pled guilty, that:

The Defendant did file any nomination petition, nomination certificate or nomination paper knowing the same, or any part thereof, to be falsely made, to wit: Defendant filed 17 nomination petitions: 3 for District Attorney (Republican), 1 for District Justice (Republican) and 1 for District Justice (Democrat), with the Bucks County Board of Elections; and 6 for Judge of Court of Common Pleas (Republican) and 6 for Judge of Court of Common Pleas (Democrat) with the Pennsylvania Department of State, Bureau of Commissions, Elections and Legislation, knowing that said 17 petitions, or any parts thereof, were falsely made in that they contained forged signatures of

electors, and/or forged signatures of fictitious individuals, and/or false statements made by Defendant in signing affidavits of circulator.

8. As a result of his guilty plea, the Honorable Ward Clark sentenced Respondent to twenty-three months of probation and costs.

9. The crimes to which Respondent pled guilty are punishable by imprisonment for up to one year. These are “serious crimes” as defined by former Rule 214(i) Pa.R.D.E., which was in effect at the time of Respondent’s criminal conduct and conviction.

10. ODC has no record of receiving notice from either Respondent or the Bucks County Prothonotary regarding Respondent’s guilty plea.

11. Respondent believes that he did send notice to ODC’s Philadelphia Office.

12. Respondent has cooperated with ODC throughout this process and has expressed his willingness to accept discipline for whatever term ODC determines is appropriate.

13. Respondent had no history of discipline in Pennsylvania prior to his criminal conviction, and has had no history of discipline after his criminal conviction.

**SPECIFIC RULES OF PROFESSIONAL CONDUCT AND  
RULES OF DISCIPLINARY ENFORCEMENT VIOLATED**

14. Respondent violated the following RPC and Pa.R.D.E.:
- a. **RPC 8.4(b)**, which states that it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.
  - b. **Pa.R.D.E. 203(b)(1)**, which states that the following shall also be grounds for discipline: conviction of a crime.

**SPECIFIC RECOMMENDATION FOR DISCIPLINE OF A TWO-YEAR  
RETROACTIVE LICENSE SUSPENSION**

Considering all of the facts and circumstances, a two-year license suspension is the appropriate level of discipline. There are a number of disciplinary cases involving criminal convictions for fraud and/or forgery. *See Office of Disciplinary Counsel v. Fisher*, 24 DB 2011 (2004 (suspending respondent convicted on one count of insurance fraud, one count of forgery and one count of criminal conspiracy for one year and one day); *Office of Disciplinary Counsel v. Levine*, 35 DB 2022 (2005) (five year license suspension where respondent forged a judge's signature on a settlement order and attempted to conceal his misconduct in a subsequent court motion); *Office of Disciplinary Counsel v. Grigsby*, 425 A.2d 730 (Pa. 1981) (disbarring respondent who had an extensive history of discipline for filing a false sworn application for a driver's license and a false sworn pleading in connection with a garnishment proceeding).

In *Office of Disciplinary Counsel v. Murphy*, 188 DB 2010, the Disciplinary Board recently recommended a five-year license suspension with one member dissenting in favor of disbarment. Like the instant case, *Murphy* involved the criminal prosecution for violations of election laws.

Specifically, Murphy conspired with another to forge nomination petitions for his 2009 campaign for re-election as a magisterial district judge. As a result, Murphy was convicted on 64 counts of forgery, perjury and related offenses.

Respondent's case is readily distinguishable from that of *Murphy* on several grounds. First, the misconduct in *Murphy* was aggravated by the act that Murphy was a District Justice at the time. Second, Murphy was convicted of forgery and conspiring with another to forge documents. Respondent here vehemently denies that he personally engaged in forgery, or pled guilty to forgery. Instead, he acknowledges having made a false statement when he signed the nominating petitions as "circulator." Finally, Respondent has cooperated with ODC in a way that Murphy did not. In light of the time that has passed since his criminal conviction, ODC did not seek a temporary license suspension. Regardless, Respondent has indicated that he has voluntarily taken steps to assume retired status pending the resolution of this disciplinary case. Murphy contested the disciplinary case every step of the way. In contrast, Respondent has accepted responsibility, as evidenced by his entering into this Consent Petition.

Almost ten years have passed since Respondent's criminal conviction. During that time, there have been no disciplinary complaints received against Respondent. While he has maintained his license to practice law, Respondent has not practiced in a number of years. Pending the outcome of this matter, Respondent has decided to voluntarily assume inactive status. With respect to his reporting obligation, Respondent believes that he met it and contends that he did write to ODC after his guilty plea. Respondent also points out that his case received a fair amount of publicity and that the prosecutors, judges and court personnel all knew he

was a lawyer. Whether or not Respondent actually made the report is not a point that ODC can or would concede in the absence of any documentation. Nonetheless, ODC agrees that in light of Respondent's cooperation the issue of whether or not a report was made should not be considered an aggravating factor and no additional rule violation has been charged.


WHEREFORE, Joint Petitioners respectfully pray that your Honorable Board:

- a. Approve this Petition; and
- b. File a recommendation for a two year license suspension retroactive to the date Respondent voluntarily assumed retired status and this Petition with the Supreme Court of Pennsylvania.

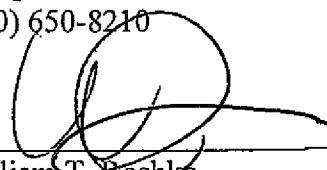
Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL  
PAUL J. KILLION,  
Attorney Reg. No. 20955,  
Chief Disciplinary Counsel

Date: 6/21/12

By:   
RAMONA MARIANI,  
Disciplinary Counsel  
Attorney Registration Number 78466  
Suite 170, 820 Adams Avenue  
Trooper, PA 19403  
(610) 650-8210

Date: 6-14-12

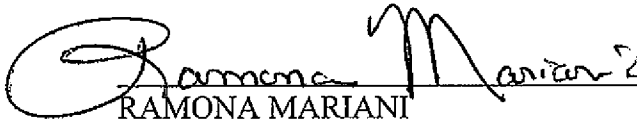
  
William T. Koshko,  
Respondent


**VERIFICATION**

The statements contained in the foregoing *Joint Petition In Support of Discipline on Consent Pursuant to P.A.R.D.E. 215(d)* 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.A. §4904, relating to unsworn falsification to authorities.

6/21/12  
Date

6-14-12  
Date

  
RAMONA MARIANI  
Disciplinary Counsel

  
William T. Roshko  
Respondent

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

OFFICE OF DISCIPLINARY COUNSEL,	:	No.1822 DD3
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	:	Board File No. C2-11-868
v.	:	
	:	Attorney Reg. No. 39916
WILLIAM T. ROSHKO,	:	
Respondent	:	( Bucks County)


**AFFIDAVIT**

William T. Roshko, hereby tenders this affidavit in support of the Joint Petition in Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d), and further states as follows:

1. He freely and voluntarily consents to the proposed discipline; he is not being subjected to coercion or duress; he is fully aware of the implications of submitting the consent; and he has not consulted with counsel in connection with the decision to consent to discipline.


2. He is aware that there is presently pending a proceeding involving allegations that he has been guilty of misconduct as set forth in the Consent Petition.

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


—  —  
Exhibit "A" —

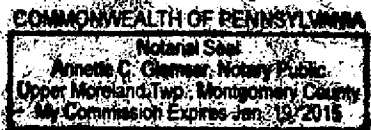
4. He consents because he knows that if charges continued to be prosecuted in the pending proceeding, he could not successfully defend against them.

Signed this 14<sup>th</sup> day of JUNE, 2012.

  
William T. Roshko  
Attorney Registration No. 39916

Sworn to and subscribed  
Before me this 14<sup>th</sup> day  
of JUNE, 2012.

  
Notary Public



**BEFORE THE DISCIPLINARY BOARD OF THE  
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WILLIAM T. ROSHKO,	:	
Respondent	:	( Bucks County)

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 204 Pa. Code §89.2e (relating to service upon counsel).

First Class Mail Service, as follows:

William T. Roshko, Esquire  
104 Buttercup Blvd.  
Warrington, PA 18976

Dated: \_\_\_\_\_

6/22/12

  
\_\_\_\_\_  
RAMONA MARIANI,

Disciplinary Counsel  
Office of Disciplinary Counsel  
Suite 170, 820 Adams Avenue  
Trooper, PA 19403  
(610) 650-8210  
Attorney Reg. No. 78466