BEFORE THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL

No. 196 DB 2015

Petitioner

File No. C1-15-47

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BRUCE WOLF

Attorney Registration No. 35079

Respondent

(Philadelphia)

PUBLIC REPRIMAND

Bruce Wolf, you stand before the Disciplinary Board, your professional peers and members of the public for the imposition of a Public Reprimand. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of this Commonwealth. Yet as repugnant as this task may be, it has been deemed necessary that you receive this public discipline.

Mr. Wolf, in August 2012, you were court-appointed to represented Daniel Soler in his criminal matter in the Court of Common Pleas of Philadelphia County. Mr. Soler was found guilty and sentenced to prison. In July 2014, you filed a notice of Appeal to the Superior Court on behalf of your client. By Order dated July 22, 2014, the lower court ordered that you file a concise statement of matters complained of on appeal by August 12, 2014. Although you received this order, you failed to file the concise statement as ordered by the Court.

Mr. Soler sent you several letters requesting a status update and documents but you failed to respond to these inquiries. Mr. Soler also contacted Judge Glenn Bronson by letter. On two different occasions, Judge Bronson forwarded these letters to you and instructed you to respond to Mr. Soler, but again, you failed to communicate with your client.

Your misconduct in this matter escalated. You failed to take remedial action on behalf of your client to preserve his appeal. Judge Bronson contacted you by letter dated October 14, 2014, instructing you to advise Mr. Soler within a week what steps you were taking on behalf of your client. You were instructed by the Judge to advise him in writing when you had advised Mr. Soler. You received this letter but failed to advise your client of the steps you were taking to protect his interests. Office of Disciplinary Counsel became involved in the matter, at which time you advised Disciplinary Counsel that you would send Mr. Soler a letter by January 12, 2015 and you would copy Disciplinary Counsel. However, you failed to send your client a letter.

On January 12, 2015, you filed an application for remand wherein you admitted that you failed to file a concise statement and that your failure to do so was considered to be ineffective assistance of counsel. You requested an opportunity to correct this ineffectiveness. By Order dated February 10, 2015, the court granted your application and remanded the matter to the trial court for a period of 60 days, and ordered that you be permitted to file with the trial court a concise statement. The existing briefing schedule was vacated. On July 9, 2015, after receiving two extensions to file a brief on behalf of Mr. Soler, you filed the brief.

You were served by Office of Disciplinary Counsel with a DB-7 Request for Statement of your position. Thereafter, you failed to respond to the allegations or show good cause for why you did not respond.

Your conduct in this matter has violated the following Rules of Professional Conduct and Rule of Disciplinary Enforcement:

 RPC 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client.

- RPC 1.4(a)(3) A lawyer shall keep the client reasonably informed about the status of the matter.
- RPC 1.4(a)(4) A lawyer shall promptly comply with reasonable requests for information.
- RPC 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.
- RPC 8.4(c) It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.
- 6. RPC 8.4(d) It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
- 7. Pa.R.D.E. 203(b)(7) Failure by a respondent-attorney without good cause to respond to Disciplinary Counsel's request or supplemental request for a statement of the respondent-attorney's position.

We note that you have a record of professional discipline consisting of an Informal Admonition administered in 2014 for failing to promptly act on behalf of a client and communicate with a client. Unfortunately, this admonition did not have an impact, as you continued to engage in the same type of misconduct in the instant matter.

Mr. Wolf, your conduct in this matter is now fully public. This Public Reprimand is a matter of public record.

As you stand before the Board today, we remind you that you have a continuing obligation to abide by the Rules of Professional Conduct and Rules of Disciplinary Enforcement. This Public Reprimand is proof that Pennsylvania lawyers will not be permitted to engage in conduct that falls below professional standards. Be mindful that any future dereliction will subject you to disciplinary action.

This Public Reprimand shall be posted on the Disciplinary Board's website at www.padisciplinaryboard.org.

Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on April 14, 2016.

ACKNOWLEDGMENT

The undersigned, Respondent in the above proceeding, herewith acknowledges that the above Public Reprimand was administered in his presence and in the presence of the designated panel of The Disciplinary Board at the District I Office located at 1601 Market Street, Suite 3320, Philadelphia, PA on April 14, 2016.

Bruce Wolf