

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1575 Disciplinary Docket No. 3
Petitioner. :
v. : No. 28 DB 2010
: Attorney Registration No. 87497
JAIMEE A.M. DAUTRICH, :
Respondent : (Berks County)

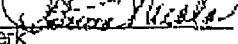
ORDER

PER CURIAM:

AND NOW, this 24th of March, 2011, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated January 11, 2011, 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 Jaimee A.M. Dautrich is suspended on consent from the Bar of this Commonwealth for a period of three years retroactive to March 12, 2010, and she shall comply with all the provisions of Rule 217, Pa.R.D.E.

A True Copy Patricia Nicola
As Of 3/24/2011

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

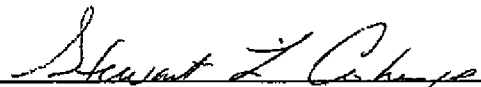
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RECOMMENDATION OF THREE-MEMBER PANEL
OF THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members Stewart L. Cohen, Gerald Lawrence, and Albert Momjian has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on December 23, 2010.

The Panel approves the Petition consenting to a three year suspension retroactive to March 12, 2010 and recommends to the Supreme Court of Pennsylvania that the attached Joint 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: January 11, 2011

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

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 1575 Disciplinary Docket
Petitioner	:	No. 3, Supreme Court
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JAIMEE A.M. DAUTRICH,	:	Attorney Reg. No. 87497
	:	
Respondent	:	(Berks 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, Jaimee A.M. Dautrich (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 Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, 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.

FILED

DEC 23 2010

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

2. Respondent, Jaimee A.M. Dautrich, was born on May 25, 1976, and was admitted to practice law in the Commonwealth on October 30, 2001. Respondent is not currently practicing law, having agreed to a temporary license suspension. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court.

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

SPECIFIC FACTUAL ALLEGATIONS ADMITTED

4. On May 14, 2009, Pennsylvania State Police filed a Criminal Complaint charging Respondent with 4 counts under 35 P.S. §780-113(a)(3) (possession of a controlled substance with intent to deliver) and 2 counts under 35 P.S. §780-113(a)(16) (possession of a controlled substance). The charges stemmed from two separate incidents wherein Respondent was charged with selling cocaine to an undercover informant.

5. On May 22, 2009, Respondent filed an application seeking to have her case considered for the Intermediate Punishment Program.

6. On June 11, 2009, the Berks County District Attorney's Office filed an Information in the Court of Common Pleas of Berks County, Criminal Division, that contained the same charges as those listed in the State Police Criminal Complaint.

7. In January of 2010 Respondent and ODC filed a Joint Petition for Temporary License Suspension as a result of Respondent's pending criminal case.

8. By Order dated March 12, 2010, the Pennsylvania Supreme Court granted the Joint Petition and thereafter referred the matter to the Disciplinary Board pursuant to Rule 214(f)(1), Pa.R.D.E.

9. Respondent was accepted into the Intermediate Punishment Program and entered a plea of guilty to all charges in or around May of 2010.

10. On May 20, 2010, the Court of Common Pleas, Berks County, entered an Intermediate Punishment Order providing, among other things, that Respondent:

- a. be placed on Intermediate Punishment for a period of 4 years under the supervision of the Berks County Probation Office;
- b. be placed on electronic monitoring, in lieu of incarceration for 15 months;
- c. Participate in certain programs, including inpatient treatment, for drugs and alcohol and mental health issues;
- d. Submit to urine surveillance and other testing and pay the costs thereof as directed; and
- e. Pay certain other costs to the County.

11. Respondent is currently in compliance with all applicable terms of the Intermediate Punishment Order.

12. Other than her current temporary suspension, Respondent has no prior record of discipline.

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

13. Respondent violated the following RPCs and Pa.R.D.E.s:

- 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; and

b. Rule 203(b)(1), Pa.R.D.E. [superseded 8-28-09], which states that conviction of a crime which under Enforcement Rule 214 (relating to attorneys convicted of crimes) may result in suspension shall be grounds for discipline; and Rule 203(b)(1), Pa.R.D.E. [effective 8-28-09], which states that conviction of a crime shall be grounds for discipline.

**SPECIFIC RECOMMENDATION FOR DISCIPLINE OF A THREE YEAR
LICENSE SUSPENSION RETROACTIVE TO MARCH 12, 2010**

Precedent establishes that a three year license suspension is the appropriate level of discipline under these circumstances. In addition to imposing probation, the Court of Common Pleas ordered Respondent to seek treatment for her addiction issues. The evidence at this time demonstrates that Respondent is making good faith efforts to comply with the Court Order and is in ongoing therapy and treatment. Respondent is clearly cognizant of and conscientious about her addiction issues as the evidence indicates that she has been honest with her healthcare professionals about her needs and voluntarily submitted to inpatient care earlier this year. Where, as here, the attorney's criminal activity is related to addiction issues for which the attorney seeks treatment, the Court has generally imposed license suspension rather than disbarment.

In *In re Anonymous 22 D.B. 88* (Smith), 14 Pa. D.&C.4th 74 (1991) respondent received a six year jail sentence after being convicted in federal court of possession with the intent to deliver cocaine. At the disciplinary hearing Respondent introduced expert *Braun* testimony establishing a causal connection between his addiction and his crimes. In reliance on the *Braun* testimony, the Disciplinary Board recommended and the Supreme Court imposed a three year suspension. *See also In re Anonymous No. 52 DB 97* (Logue) (1998) (imposing three-year license suspension where attorney pled guilty to one count of possession with intent to distribute cocaine and introduced evidence demonstrating both addiction and depressive disorder); *In re Anonymous No. 5 DB 95*

(Glass) (1997) (substance-addicted attorney suspended for two and one half years as a result of his conviction of possession with intent to distribute cocaine).

Considering the foregoing authorities, it is respectfully submitted that a three-year license suspension retroactive to the date of the temporary license suspension is an appropriate level of discipline. Respondent's commitment to her treatment and sobriety will be carefully considered when and if she submits a Reinstatement Petition.

WHEREFORE, Joint Petitioners respectfully pray that your Honorable Board:

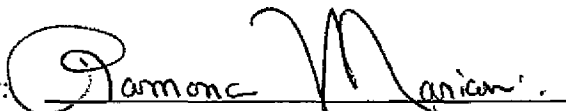
- a. Approve this Petition; and
- b. File a recommendation for a three-year license suspension retroactive to

March 12, 2010, 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

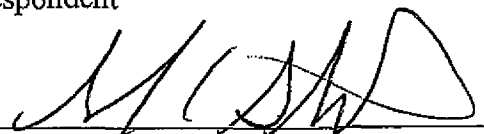
Date: 12/21/10

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

Date: 12/9/2010


JAIMEE A.M. DAUTRICH,
Respondent


Date: 12/10/10


SAMUEL C. STRETTON,
Respondent's Counsel

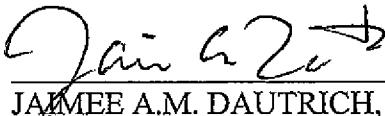
VERIFICATION

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.


12/21/10
Date


RAMONA MARIANI,
Disciplinary Counsel

12-9-2010
Date


JAIMEE A.M. DAUTRICH,
Respondent

12/10/10
Date


SAMUEL C. STRETTON,
Respondent's Counsel

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AFFIDAVIT

Jaimee A.M. Dautrich 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:

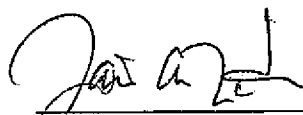
1. She freely and voluntarily consents to the proposed discipline; she is not being subjected to coercion or duress; she is fully aware of the implications of submitting the consent; and she has consulted and followed the advice of counsel in connection with the decision to consent to discipline.

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

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

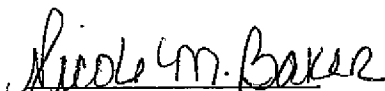
4. She consents because she knows that if charges continued to be prosecuted in the pending proceeding, she could not successfully defend against them.

Signed this 9 day of December, 2010.



Jaimee A.M. Dautrich
Attorney Registration No. 87497

Sworn to and subscribed
Before me this 9 day
of December, 2010.



Nicole M. Baker
Notary Public

~~NOTARIAL SEAL
Nicole M Baker
NOTARY PUBLIC
Twp of South Heidelberg, Berks
My Commission Expires 12/08/2013~~ NMB

NOTARIAL SEAL
Nicole M Baker
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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:

Samuel C. Stretton, Esquire
301 S. High Street
P.O. Box 3231
West Chester, PA 19381
(Respondent's Counsel)

Dated: _____

12/21/11



RAMONA MARIANI,

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