

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

OFFICE OF DISCIPLINARY COUNSEL	:	No. 52 DB 2015
Petitioner	:	
	:	
v.	:	Attorney Registration No. 26643
	:	
JACK M. BERNARD	:	
Respondent	:	(Philadelphia)

PUBLIC REPRIMAND

Jack M. Bernard, 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. We note that you agreed to a Public Reprimand by a Joint Petition in Support of Discipline on Consent.

Mr. Bernard, you are being reprimanded today for your conduct in a matter concerning your IOLTA accounts. Between April 1, 2010 and May 28, 2010, your PNC Bank IOLTA account was "out of trust" in amounts ranging from -\$518.55 to -\$22,858.55. This IOLTA account is known as your old IOLTA account. At various times between April 1, 2010 and May 28, 2010, you were required to hold inviolate in your old IOLTA account funds in regard to your clients, Marie Jasper, St. Peters Church, the Byeon Family, Frank Russo, Ricardo Carter, and Sunk Hung. At various times between April 1, 2010 and May 28, 2010, you misappropriated funds belonging to Ms. Jasper, St. Peters Church, the Byeon Family, Mr. Russo, Mr. Carter and Mr. Hung.

Between August 16, 2010 and November 30, 2010, your PNC Bank IOLTA account, known as your new IOLTA account, was "out of trust" in amounts ranging from -\$1,575.40 to -\$9,025.40. During this time frame you were required to hold inviolate in your new IOLTA account funds in regard to Mr. Russo, Mr. Hung, Magic Allen p/n/g De-Vanir Sincere Wynn, Waleed Shakir, Jiwon Kang and Benjamin Harris. You misappropriated funds belonging to these clients.

In or around April 2010, you disbursed to St. Peters Church funds in the amount due and owing. In or around May 2010 and December 2010, you disbursed to Mr. Carter funds in the amount due and owing to him. In June 2010, you forwarded \$34,898.45 to the Commonwealth of Pennsylvania on behalf of Ms. Jasper. In or around November 2010, you disbursed to Mr. Shakir, Mr. Kang and Mr. Harris funds in the amount due and owing to those clients. In December 2011, you repaid \$5,000 to a medical provider in the Allen matter. In April 2012, you repaid Mr. Hong \$3,000, which had previously been withheld for payment to a medical provider.

Your conduct in this matter has violated the following Rule of Professional Conduct:

1. Former RPC 1.15(b) – A lawyer shall hold all Rule 1.15 Funds and property separate from the lawyer's own property. Such property shall be identified and appropriately safeguarded.

Your misconduct, while serious, did not involve misrepresentation or deception. You admit that you were negligent, and the misappropriation was due to your lack of attention and/or bookkeeping errors.

We note that in a law career that has lasted nearly 40 years, you have no record of professional discipline. You acknowledged your misconduct and have cooperated with Office of Disciplinary Counsel, as evidenced by your consent to receiving this Public Reprimand. We further note that you have consented to probation for a period of one year subject to the following conditions: Take the Bridge the Gap course through an accredited provider; take a CLE course in trust accounting; and, at least 10 days prior to the expiration of the period of probation, provide Certificates of Attendance for the Bridge the Gap Course and the trust account course to the Secretary to the Board.

Mr. Bernard, 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.padisiplinaryboard.org.

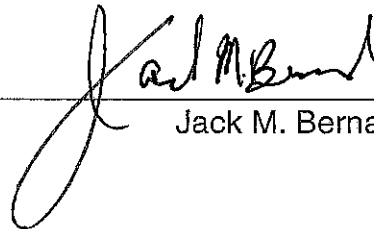


Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on June 11, 2015.

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 June 11, 2015.



Jack M. Bernard