

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

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 52 DB 2017
Petitioner	:	
	:	File No. C1-14-451 & C1-16-116
v.	:	
	:	Attorney Registration No. 72289
JAMES T. MARSH	:	
Respondent	:	(Philadelphia)

O R D E R

AND NOW, this 24th day of April, 2017, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

ORDERED that the said JAMES T. MARSH of Philadelphia be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(b) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.

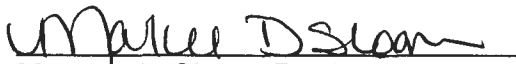
Costs shall be paid by the Respondent.

BY THE BOARD:



Chair

TRUE COPY FROM RECORD
Attest:


Marcee D. Sloan, Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

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PUBLIC REPRIMAND

James T. Marsh, 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. Marsh, you are being reprimanded today in connection with your misconduct in two matters.

In the first matter, in March 2014, the Honorable Genece Brinkley of the Court of Common Pleas of Philadelphia, found you guilty of direct criminal contempt. On May 27, 2014, Judge Brinkley fined you \$500.00. Your criminal conviction involved your representation of Chal Kennedy in a criminal proceeding. On the day of jury selection, you made misrepresentations to Judge Brinkley and the assistant district attorney in that your client was on active duty and permitted to wear his military uniform during his trial. In fact, Mr. Kennedy was not on active duty. Because the selected jurors witnessed Mr. Kennedy in his uniform, Judge Brinkley had to dismiss all of the jurors and select a new jury, which caused a substantial delay in the course of the trial.

In the second matter, you engaged in misleading and dishonest conduct when you forwarded to Daniel Contreras, III, a former client, a civil complaint, which had not been filed with the court, in an attempt to deceive Mr. Contreras into believing that you had initiated a civil action against him for unpaid fees. You continued to engage in misleading and dishonest conduct when you forwarded to Mr. Contreras a “Writ of Execution” and a “Notice” in regard to the complaint you had purportedly filed against Mr. Contreras, in an attempt to deceive Mr. Contreras into believing that a judgment had been entered against him.

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

1. RPC 3.3(a)(1) – A lawyer shall not knowingly make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.
2. RPC 4.1(a) – In the course of representing a client a lawyer shall not knowingly make a false statement of material fact or law to a third person.
3. RPC 8.4(b) – 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.
4. RPC 8.4(c) - It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
5. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

Mr. Marsh, we note that you do not have any prior discipline. However, it is appropriate that you receive this public discipline because you have made excuses for your misconduct and downplayed its significance.

Mr. Marsh, 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. 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.



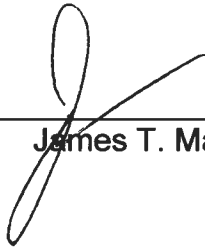
Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on October 4, 2017.

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 1601 Market Street,
Suite 3320, Philadelphia, Pennsylvania, on October 4, 2017.



James T. Marsh