

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

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 66 DB 2019
Petitioner	:	
	:	File No. C2-17-58
v.	:	
	:	Attorney Registration No. 59288
WILLIAM PAUL MARSHALL	:	
Respondent	:	(Montgomery County)

O R D E R

AND NOW, this 25th day of April, 2019, 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 WILLIAM PAUL MARSHALL of Montgomery County 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.

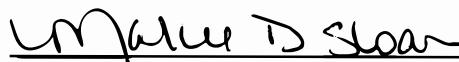
Costs shall be paid by the Respondent.

BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD
Attest:



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

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PUBLIC REPRIMAND

William Paul Marshall, 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. Marshall, this matter concerns your long-standing mishandling and misuse of your IOLTA account. The record establishes that from the time of your admission to practice in 1990 until approximately 2017, you have routinely violated the record-keeping and fiduciary rules. You admitted that your IOLTA account was the only account you had for your business through April 2017, and that you deposited all items into that account, made withdrawals from that account for personal and business expenses and paid personal and business expenses from that account. You further acknowledged that you commingled or improperly deposited funds into the IOLTA account that were not client funds to begin with. You failed to maintain the necessary required records and failed to perform reconciliations.

After meeting with Office of Disciplinary Counsel, you recognized that you were not handling entrusted client funds in full accordance with the rules. You expressed remorse for your misconduct and took remedial steps, including opening an operating account, placing only client funds into your IOLTA account and maintaining a client ledger book.

As a result of your conduct, you have violated the following Rules of Professional Conduct ("RPC"):

1. RPC 1.15(b) - A lawyer shall hold all Rule 1.15 Funds and property separate from the lawyer's own property.
2. RPC 1.15(c) - Complete records of the receipt, maintenance and disposition of Rule 1.15 Funds and property shall be preserved for a period of five years after termination of the client-lawyer or Fiduciary relationship or after distribution or disposition of the property, whichever is later. A lawyer shall maintain books and records for each Trust Account and for any other account in which Fiduciary Funds are held pursuant to Rule 1.15(l). A regular trial balance of the individual client trust ledgers shall be maintained.
3. RPC 1.15(h) – A lawyer shall not deposit the lawyer's own funds in a Trust Account except for the sole purpose of paying service charges on that account, and only in an amount necessary for that purpose.
4. RPC 1.15(i) – A lawyer shall deposit into a Trust Account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred, unless the client gives informed

consent, confirmed in writing, to the handling of fees and expenses in a different manner.


5. RPC 1.15(j) – At all times while a lawyer holds Rule 1.15 Funds, the lawyer shall also maintain another account that is not used to hold such funds.

It is my duty to reprimand you for your misconduct. We note that you have practiced law since 1990 and have one prior incident of discipline, consisting of a Private Reprimand in 2014. Your prior discipline aggravates the instant matter and was a factor in determining the imposition of today's reprimand. Please be aware that any subsequent violations on your part can only result in further discipline and perhaps more severe sanctions. We sincerely hope that you will conduct yourself in such a manner that future disciplinary action will be unnecessary.

Mr. Marshall, 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 September 12, 2019.

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 Board offices located at the 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania, on September 12, 2019.



William Paul Marshall