IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of	:	No. 2068 Disciplinary Docket No. 3
	:	
BRIAN JOSEPH SALISBURY	:	No. 73 DB 2014
	:	
PETITION FOR REINSTATEMENT	:	Attorney Registration No. 209535
	:	
	:	(Fayette County)

ORDER

PER CURIAM

AND NOW, this 18th day of November, 2025, the Petition for Reinstatement is granted. Petitioner is directed to pay the expenses incurred by the Board in the investigation and processing of the Petition for Reinstatement. *See* Pa.R.D.E. 208(g).

A True Copy Nicole Traini
As Of 11/18/2025

Attest: Nicole Traini
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

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BRIAN JOSEPH SALISBURY	:
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PETITION FOR REINSTATEMENT	: (Fayette County)

REPORT AND RECOMMENDATIONS OF
THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 218(c)(5) of the Pennsylvania Rules of Disciplinary Enforcement, The Disciplinary Board of the Supreme Court of Pennsylvania submits its findings and recommendations to your Honorable Court with respect to the above captioned Petition for Reinstatement.

I. FINDINGS OF FACT

The Board makes the following factual findings:

1. Petitioner, Brian Joseph Salisbury, was born in 1978 and was admitted to the practice of law in the Commonwealth in 2008. Petitioner is subject

to the jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

2. Petitioner grew up in Fayette County. While in high school, Petitioner began using marijuana on an almost daily basis and drinking alcohol. N.T. 222. In college, he suffered a medical problem and was prescribed Percocet for the pain. N.T. 223.
3. Petitioner found that the Percocet helped him concentrate and he continued to take pain pills throughout college. By his junior year in college, Petitioner was taking the pain pills daily and was physically dependent on them. N.T. 223-25.
4. Petitioner continued to take Percocet pills daily while in law school. N.T. 227-28. At that time, Petitioner was introduced to OxyContin, a more powerful opioid than Percocet. N.T. 228-29.
5. Following his admission to the bar in 2008, Petitioner set up a solo practice in Fayette County and did some part-time work for other local attorneys to help build his practice. N.T. 216-18. In 2010, Petitioner took a job with a law firm in Duncansville, Pennsylvania, but eventually moved back to Fayette County and resumed a solo practice. N.T. 219-21.
6. During his law practice, Petitioner increased his daily OxyContin use from one pill a day to three or four pills a day. At the same time, the price

of OxyContin also increased. Eventually, Petitioner turned to heroin as a less expensive alternative to OxyContin. N.T. 230, 232.

7. Petitioner knew that what he was doing was destructive, was unethical and was illegal, but he was unable to stop. N.T. 230-32.

8. By 2013, Petitioner was a "full-blown" heroin addict. N.T. 235. Petitioner used the money he made from his law practice to purchase heroin. Petitioner's friend who was an addict introduced him to an individual who needed legal help on a criminal matter. After learning that the client sold heroin, Petitioner began obtaining heroin from his client. N.T. 235-36.

The Misconduct and Disbarment on Consent

9. Petitioner's client who supplied him with drugs was arrested and the client's girlfriend called Petitioner on July 25, 2013, and asked him to bring drugs to the holding cell in the booking center in Fayette County. N.T. 238. Petitioner agreed to do so. N.T. 239.

10. Petitioner packaged up some drugs for his client and put them in his hat. He then used his status as an attorney to gain entry into the holding cell. N.T. 240, 241.

11. As Petitioner gave his client the package of drugs, Uniontown police officers who had been watching him came into the holding cell and arrested Petitioner. N.T. 241-42.

12. After he was arrested, Petitioner recognized that he was going to lose his law license. N.T. 247. He wound down his law practice and "tr[ied]

[his] best to clean up anything that needed to be cleaned up." N.T. 249. He reached out to clients to determine if they wanted their files. N.T. 321. If potential clients called, Petitioner did not take their cases if it was something he could not do in the short term, as he "didn't know when the final hammer was going to ultimately come down on me." N.T. 249.

13. In April 2014, Petitioner signed a counseled guilty plea agreement wherein he agreed to plead guilty to possession with intent to deliver heroin (one count) and possession of a controlled substance (three counts). He also agreed to give up his law license.[1] Pet. Exhibit E.
14. On May 14, 2014, Petitioner submitted a verified statement of resignation to the Board, which was filed with the Court on May 16, 2014. N.T. 251.
15. On May 28, 2014, Petitioner was sentenced by Fayette County Common Pleas Judge Gerald R. Solomon to a period of incarceration of no less than eleven and one-half months and no greater than twenty-three months, with credit for time served from August 16, 2013 to August 26, 2013, for inpatient treatment. Petitioner was permitted to serve his time in a three-quarter house instead of the county jail. The sentence included a probation period of two years, with the court specifying that if Petitioner failed to comply with the Next Step Recovery Program, it

[1] Although Petitioner agreed to this condition as part of the plea agreement, we note that the Supreme Court of Pennsylvania has the exclusive authority to regulate attorney conduct.

would constitute a violation of parole. N.T. 53-56, 251-52; Pet. Exhibit E.

16. An order was entered on May 28, 2014, immediately paroling Petitioner to the Next Step Recovery Program. N.T. 252; Pet. Exhibit E.

17. By Order dated July 3, 2014, the Court accepted Petitioner's resignation and disbarred Petitioner on consent, effective August 2, 2014.

Post-Disbarment Conduct

18. Following the effective date of his disbarment on consent, Petitioner failed to comply with provisions of Pa.R.D.E. 217 by not providing copies of notices required to be sent to clients. Petitioner acknowledged his obligation to comply with the rules and testified at the hearing that he had wound down his practice after his arrest, clients weren't seeking him out, and he had no open files by the time of his disbarment. N.T. 319-22.

19. During cross-examination, Office of Disciplinary Counsel ("ODC") questioned Petitioner if he knew clients had contacted their office seeking files from him. N.T. 322. Petitioner credibly answered that he was unaware, had not received any mail concerning that issue, and was not intentionally ignoring requests from former clients. N.T. 322-23. ODC did not provide any evidence that Petitioner's clients had contacted their office.

20. Following the effective date of Petitioner's disbarment on consent, he failed to file a verified statement required by Pa.R.D.E. 217(e)(1). Petitioner testified that after he signed the voluntary resignation, he believed that was the last thing he needed to do for turning in his license. N.T. 259. Petitioner was not thinking he had such an obligation. He further explained he was in a "dark place" at that time and had no awareness of a mailing from the Board regarding post-disbarment obligations under the rules, nor did he believe he would practice law in the future. N.T. 259-60.

21. By his own admission, as set forth in his Reinstatement Questionnaire and through his own testimony at the hearing, Petitioner never filed the required statement. N.T. 260; Pet. Exhibit A.

22. While Petitioner was able to remain clean from drugs at the time he signed his guilty plea and resignation from the bar, he resumed using drugs almost immediately upon arriving at the three quarter house in May 2014, as heroin was accessible from individuals at the facility. N.T. 252-53, 256.

23. After serving eleven and a half months in the three quarter house, Petitioner was released and was required to complete his remaining time on parole, followed by two years of probation. N.T. 262.

24. While out on parole, Petitioner used heroin in a Rite Aid parking lot in Westmoreland County. He overdosed and paramedics used Narcan to

revive him, then transported him to the hospital, where Petitioner refused treatment and was released. N.T. 263.

25. Because the overdose was considered a parole violation, Petitioner was resentenced in September 2015 to the remaining balance of his parole and immediately taken to the county jail. N.T. 263, 265. After serving eight months in county corrections, Petitioner was re-paroled for the remainder of his sentence. N.T. 267; Pet. Exhibit E.

26. Petitioner received additional charges in Westmoreland County for drug paraphernalia and disorderly conduct as a result of the overdose incident. N.T. 266. In October 2015, Petitioner pled guilty to disorderly conduct with payment of a fine. N.T. 268; ODC-8.

27. On October 24, 2017, when Petitioner was still on probation, he was arrested for DUI and possession of drug paraphernalia following an incident where he used drugs, began to drive his car, and hit garbage cans. N.T. 269, 270.

28. On May 31, 2019, Petitioner pled guilty to the charges in the 2017 incident and was sentenced on July 16, 2019, to undergo imprisonment at the Fayette County Prison for not less than seventy-two hours and no more than six months and was given credit for time served at Greenbrier Inpatient Rehabilitation, making him eligible for immediate parole, which was granted by the court. The terms of Petitioner's probation of one year included his payment of fines, costs, and fees and the requirement

that he abide by all of the terms and conditions of probation. N.T. 271-272; ODC-4.

29. On March 5, 2020, in the Court of Common Pleas of Fayette County, the court entered three orders:

   a. an order finding that Petitioner had violated the terms and conditions of his parole by failing to refrain from the use of contraband and illegal substances. The court revoked Petitioner's parole concluding that it had not been effective in accomplishing Petitioner's rehabilitation. Petitioner was directed to serve the remaining balance of his unserved sentence, or until further order of court, receiving credit for six days;

   b. an order determining that Petitioner violated the terms and conditions of probation by his failure to refrain from the use of controlled and illegal substances and revoked Petitioner's probation as the court concluded it no longer remained an effective tool to accomplish rehabilitation; and

   c. a Re-Sentence Order directing, *inter alia*, that Petitioner undergo imprisonment at a state correctional institution for a period of not less than twelve months nor more than thirty-six months, giving him credit for five days. The court recommended that Petitioner be considered for admission to the State Drug Treatment

Program as he needed rehabilitative treatment not available in Fayette County.

ODC-5.

30. Due to the COVID-19 pandemic, Petitioner was never transferred to a state correctional institute and remained in the county jail. N.T. 278.

31. On July 2, 2020, the Fayette County Court entered a second Re-Sentence Order directing that Petitioner undergo probation for a period of twenty-four months, with twelve months of Restrictive Condition on House Arrest with Electronic Monitoring. Petitioner was given credit for time served from March 1, 2020 to the date of the order to be applied to the electronic monitoring portion of the sentence. Petitioner was referred to the Adult Drug Court Program and directed to follow all recommendations made by the treatment team. It was ordered that Petitioner remain incarcerated until July 7, 2020, when he was to be released to Angels Light Rehabilitation Center. ODC-6.

32. Petitioner failed to notify ODC of his 2019 criminal conviction and the revocation of his parole and resentencing which occurred in 2020. N.T. 279.

33. Petitioner was not aware he was required to report his conduct as a disbarred attorney and explained that he was still in active addiction at the time. N.T. 279-80. There is no evidence that Petitioner intentionally ignored his obligation under the rules.

34. While in jail, Petitioner continued to use drugs "every chance [he] could," as drugs were prevalent in the jail facility. N.T. 280.

Rehabilitation

35. Petitioner has been sober since July 3, 2020. N.T. 280. Petitioner received the court order releasing him to Angels Light while he was in jail and he decided he had better not have drugs in his system or he might get sent back to jail. N.T. 281. Petitioner acknowledged that at that time, his focus was on staying out of jail, not actual recovery. *Id.*

36. In July 2020, Petitioner was transported from the Fayette County jail and spent 30 days at Angels Light Addiction Recovery Services. After completing the 30 day inpatient period, Petitioner was sent to Another Way halfway house. N.T. 284-85.

37. During his time at Another Way, Petitioner's attitude toward recovery changed, as he realized he could not recover independently from his drug addiction and needed help. N.T. 287-89. Petitioner availed himself of 12-step recovery programs and found therapeutic value in talking with other addicts. N.T. 289-92.

38. After successfully completing the program at Another Way in early January 2021, Petitioner started outpatient treatment at the Fayette County Drug and Alcohol Commission. There, he was diagnosed with opioid dependence in remission and met with a therapist. N.T. 316-17.

39. Petitioner continues to participate in Narcotics Anonymous ("NA") and has a home group meeting every Sunday where he is in charge of preparing the meeting room. He also attends other NA meetings in the area once or twice per week and has been invited to speak at meetings and at a halfway house. N.T. 293, 294, 328, 329.

40. Petitioner has a sponsor relationship with Kristopher Miller and talks with him on a daily basis. These talks focus on how to get through each day. N.T. 294, 327-28.

41. Petitioner has a consistent morning routine to help ground him and he reads recovery literature focusing on each of the 12 steps. N.T. 327, 328.

42. Petitioner has remained actively involved in the recovery community to help others with addiction. N.T. 298-99. Petitioner gives rides to other people in NA and is available to talk if people need help. He signed up to be a volunteer for Lawyers Concerned for Lawyers. N.T. 299. He keeps in contact with Drug Court staff and has offered his services to speak to people in that program. N.T. 17.

43. Petitioner has been gainfully employed since his time at Another Way halfway house. He did construction and performed delivery work for local businesses. N.T. 295, 297.

44. About six months after completing Another Way, Petitioner was asked to work at that facility. He accepted the offer and began working at

Another Way in July 2021. N.T. 296. Petitioner was employed as a behavioral technician and was responsible for supervising medication administration, ensuring client safety, and handling confidential information. N.T. 131.

45. Petitioner filed for bankruptcy in 2021 after experiencing financial difficulties. N.T. 307-08.

46. In May 2022, Petitioner began working at the law firm of Davis & Davis in Uniontown after reconnecting with James Davis and Samuel Davis when he delivered water to their office. N.T. 295, 297. He started as a runner for the firm and worked his way up to paralegal duties. N.T. 32.

47. Petitioner provided notice of employment to the Board pursuant to Pa.R.D.E. 217(j). Pet. Exhibit B.

48. In October 2022, facing challenges with work/life balance, Petitioner made the decision to end his employment at Another Way to focus exclusively on full-time employment at Davis & Davis, where he is currently employed. N.T. 297-99.

49. Petitioner and his girlfriend had a child in January 2023 but their relationship ended in August 2023. N.T. 301. While there were some custody issues initially, they currently co-parent in an amicable manner. N.T. 302.

50. Petitioner began considering reinstatement to the practice of law in October 2022. N.T. 299. Petitioner completed Continuing Legal

Education courses necessary to apply for reinstatement. Questionnaire, No. 13 (a), attachment. He kept apprised of the current law by reviewing *The Pennsylvania Lawyer* and *PBA Quarterly* during his disbarment. Questionnaire, No. 13(b). Petitioner also conducted legal research through his clerk position at David & Davis. Questionnaire, No. 13(c).

51. If reinstated, Petitioner has an offer of employment as an associate at Davis & Davis and plans to concentrate his practice in the areas of family law, personal injury, and criminal law. Questionnaire, No. 14(b).

The Petition for Reinstatement Proceeding

52. On March 20, 2024, Petitioner filed a Petition for Reinstatement and accompanying Reinstatement Questionnaire.

53. In the Questionnaire, Petitioner disclosed his post-disbarment criminal conduct and his 2021 bankruptcy. After ODC completed its investigation, Petitioner learned he had a civil judgment from Discover Bank filed in Fayette County. He contacted his legal counsel and was informed that it was discharged under the bankruptcy and is not a valid judgment. N.T. 309-10.

54. Petitioner owes court fees resulting from criminal convictions. Petitioner did not report these on his Questionnaire as civil judgments because he was unaware that they had been docketed as such, and he currently makes payments towards the fees as his limited income allows to the criminal Clerk of Courts. N.T. 311, 313, 324, 330-31. Petitioner disclosed

the debts based on the dockets of criminal convictions that he provided with his Questionnaire. N.T. 311.

55. Petitioner received a traffic violation for driving without a license on November 27, 2019. At the time the violation came before the court for adjudication, he had been in jail for the DUI for three months. He pled guilty and was sentenced to time served. Petitioner did not disclose this traffic violation on his Questionnaire as he believed traffic summary offenses did not need to be disclosed. Petitioner acknowledged that traffic violations should be disclosed if a jail sentence is imposed. N.T. 314-16.

56. ODC filed a response to the Petition for Reinstatement on May 16, 2024, wherein it detailed Petitioner's criminal conduct post-disbarment and stated its opposition to reinstatement.

57. Following a prehearing conference on September 4, 2024, the District IV Hearing Committee held a reinstatement hearing on November 6 and 7, 2024.

58. Petitioner credibly testified on his own behalf and offered the testimony of ten witnesses, as well as fifteen exhibits, which were admitted into evidence. ODC offered twelve exhibits, which were admitted into evidence.

59. Petitioner accepted full responsibility for bringing drugs into the holding cell for his client. He recognized that he was wrong and that he wrongly

used his position as an attorney to access the holding cell. N.T. 242, 243.

60. Petitioner fully acknowledged that he hurt people by his actions and caused embarrassment to his family and fellow lawyers who had helped him over the years. N.T. 244-45. He also fully acknowledged that his criminal actions brought disrepute and disgrace to the legal profession and the Fayette County community. N.T. 245, 246.

61. Petitioner exhibited genuine remorse when he testified that he is "truly, truly sorry." N.T. 317. "I messed up so badly ... I'm so remorseful for it." N.T. 318. He made the promise at his hearing that "if given the second chance, I will use it with humility. I will use it with grace, and I will promote the interest of our profession every step of the way." N.T. 318.

62. Petitioner presented witness testimony.

63. Kyle Rogers is a senior behavioral technician at Another Way halfway house and a certified recovery specialist through the Pennsylvania Department of Drug and Alcohol Programming. N.T. 77-90. Mr. Rogers testified as an expert in recovery for Petitioner.

64. Mr. Rogers testified that he first met Petitioner in July 2020 at Angels Light Addiction Recovery Services, where Petitioner was receiving addiction treatment services. N.T. 105. In August 2020, Petitioner was admitted to Another Way halfway house. N.T. 108. At the time Mr. Rogers met Petitioner, he showed some early recognition of his situation

but had not yet committed to addressing it. Mr. Rogers observed that Petitioner accepted he had a problem, crafted a strategy to address it, which included treatment, seeking support and engaging in recovery programs, and executed on the plan. N.T. 118-24.

65. Mr. Rogers testified that Petitioner successfully completed the Another Way program on January 6, 2021, and never had any behavioral issues or problems during the program. N.T. 124, 129. Mr. Rogers testified that "Brian was doing everything Brian was supposed to do" and described Petitioner as a "model client." N.T. 124, 129-30.

66. About six months after Petitioner completed Another Way, recognizing Petitioner's progress and dedication, Mr. Rogers invited him to work at Another Way and Petitioner accepted the job offer. N.T. 130. Petitioner worked as a behavioral technician and supervised client medication, ensured the facility's safety, and had access to confidential information. N.T. 131.

67. Mr. Rogers testified that in his professional opinion, Petitioner has exhibited behaviors indicative of his desire to maintain sobriety and long-term ability to do so. N.T. 135. Mr. Rogers based his opinion on several factors, including Petitioner's commitment to change, progression through the stages of change, active engagement, and support system. N.T. 135-138.

68. Mr. Rogers observed that Petitioner has maintained his sobriety and dedication to recovery through different significant milestones in life, such as becoming a new father. N.T. 138.

69. Petitioner presented numerous character witnesses from his community who credibly testified in support of reinstatement and indicated that Petitioner has the necessary character qualifications to resume legal practice.

70. Kathryn Roebuck is the Specialty Court Director for the Fayette County courts and worked within the Drug Court program. She met Petitioner in June 2020 when he was incarcerated waiting for his revocation hearing and she was asked to evaluate him for Drug Court. N.T. 13.

71. Ms. Roebuck testified that when Petitioner first started the program he was honest but appeared hesitant. She observed his "aha" moment where Petitioner "really shared during our court process and our status reviews the struggles he went through and what has really helped him. And for me, that – when I saw him take control of his own treatment and recovery and – that's where I saw the most progress with him." N.T. 15-16.

72. Ms. Roebuck observed that Petitioner became a very positive participant in the program and was open to sharing and reaching out to others who might have been struggling in the program. N.T. 17. She testified that Petitioner continues to engage by stopping by her office regularly to

check in, offering his availability to support others, and providing brochures for NA meetings. *Id.*

73. Ms. Roebuck testified to her opinion that Petitioner has a strong, honest character and is capable of maintaining ethical standards if he is reinstated. N.T. 18.

74. James T. Davis, Esquire is an attorney at Davis & Davis in Uniontown, Fayette County and is Petitioner's employer. Mr. Davis has been a member of the Pennsylvania bar since 1976. Mr. Davis testified that he first met Petitioner when Petitioner was a college student and took a course taught by Mr. Davis. N.T. 27. Although Mr. Davis did not keep in touch with Petitioner in the years that followed, he was aware that Petitioner became a lawyer and heard about the criminal problems Petitioner had. N.T. 28-30.

75. During his disbarment, Petitioner approached Mr. Davis and his brother, Samuel Davis, Esquire, about employment with the firm. After much discussion, Mr. Davis and his brother hired Petitioner as a clerk. N.T. 30. Mr. Davis warned Petitioner that "we're taking a risk having someone who, you know had this notoriety and bad publicity as lawyer. We're taking – bringing you into the firm, so we've got to be sure that we're not going to have any problems and you're going to be clean and sober and committed." N.T. 31. Petitioner started at the "bottom" doing deliveries

and filings and worked his way up to a paralegal performing research and drafting pleadings. N.T. 30-32.

76. Mr. Davis supervises Petitioner and has been impressed with his work. He testified that Petitioner has done "excellent" work. N.T. 33. He indicated that his firm would employ Petitioner as an associate if he is reinstated. N.T. 33-34. Mr. Davis has observed Petitioner to be trustworthy and he would have no hesitation in allowing Petitioner to represent clients or access office funds. N.T. 35-36, 37-38. Mr. Davis observed that Petitioner has been "clean and sober" in the time that he has worked for the law firm. N.T. 41.

77. Samuel J. Davis, Esquire has been a member of the Pennsylvania bar since 1976. N.T. 59. Mr. Davis has known Petitioner since Petitioner was a practicing lawyer as they worked on a case together. N.T. 60. Mr. Davis later represented Petitioner in several of his criminal matters. N.T. 61, 64. Mr. Davis testified that as to those matters, Petitioner was remorseful and embarrassed when he came to Mr. Davis for legal help. N.T. 63.

78. Mr. Davis testified that he and his brother decided to employ Petitioner at their firm because they were convinced that he was on the right path and they believed in second chances. N.T. 66. Mr. Davis is extremely pleased with Petitioner's work product and work ethic. *Id.* He finds Petitioner to be honest, reliable and "absolutely trustworthy," and

believes Petitioner should be reinstated to practice. N.T. 67, 69. He stated that other local attorneys were "cheering" Petitioner and saw his successful efforts at "redemption." N.T. 68.

79. Judge Gerald R. Solomon is a retired Fayette County Court of Common Pleas judge who was involved with the Drug Court Program. Judge Solomon knew Petitioner as a practicing lawyer and then as a criminal defendant when Judge Solomon took his guilty plea and sentenced him in 2014, and later as a participant in the Drug Court. N.T. 52. Judge Solomon testified that as to the Drug Court program, Petitioner was a "shining example" and "dedicated himself to the program." N.T. 56. Judge Solomon believes Petitioner is morally qualified to resume practice and has become a better person since his involvement in the criminal system, and a dependable person. N.T. 57-58.

80. Michael Aubele, Esquire was admitted to the practice of law in the Commonwealth in 2014 and is the Fayette County District Attorney. N.T. 162, 163. He worked as an associate at Davis & Davis prior to becoming District Attorney and met Petitioner through Petitioner's employment as a law clerk at the firm. N.T. 164. Mr. Aubele was aware of Petitioner's criminal history and disbarment as "it was very public when these things were going on. I was very aware of it. We have a very small bar here, so we all talk." N.T. 166-67.

81. Mr. Aubele noted Petitioner's transformation and stated that "it's really something that we all – you know, we all are very proud of him." N.T. 169.

82. Mr. Aubele testified that Petitioner "has the highest character. He is fit to practice law. I think he understands what – what this profession means, and I know that he – of course you know, he had his problems in the past. I do believe he is past that ... I would like nothing more than to have Brian in court against me representing a client." N.T. 170.

83. Brent Peck, Esquire was admitted to the bar in Pennsylvania in 1992 and has a law practice based in Fayette County. N.T. 146. Mr. Peck was previously suspended from the practice of law related to his addiction and was reinstated in 2009. He has been sober for more than 20 years. N.T. 148. Mr. Peck is a long-time volunteer for Lawyers Concerned for Lawyers and the Lawyer's Assistance Committee and has acted as a sobriety monitor. N.T. 149.

84. Mr. Peck first met Petitioner around 2009 or 2010 when Petitioner was practicing law in Fayette County and their paths would cross. N.T. 149-50. Mr. Peck and Petitioner reconnected in 2022 and have had many discussions about staying clean and sober and what it takes to not use any mind or mood-altering substances one day at a time under any and all conditions. N.T. 153, 155. Mr. Peck observed that Petitioner is using all of the resources available to him to stay sober, including a sponsor

and meetings, and that he has put himself in a position to be capable of practicing law again. N.T. 155-56. Mr. Peck is willing to work with Petitioner if he is reinstated and believes Petitioner would be an asset to the legal profession. N.T. 161.

85. Sheryl R. Heid, Esquire was admitted to practice in the Commonwealth in 1990 and has a law practice in Fayette County. N.T. 171. She met Petitioner in 2009 and hired him to work for her part-time while he also maintained a solo practice. N.T. 172. Ms. Heid testified that Petitioner was compassionate with clients and a zealous advocate in court. N.T. 173. She believes Petitioner is honest, caring, and very competent and holds the practice of law in high esteem. N.T. 178.

86. Ms. Heid testified to Petitioner's remorse and readiness to return to the profession. She stated that he has worked at jobs that were very humbling doing manual labor and as a clerk and observed that he has built himself back up and established the foundation he needs to be able to come back to the profession. Ms. Heid observed that Petitioner has admitted his wrongdoing and expressed remorse. She believes with certainty that he has the necessary character and skill to be reinstated. N.T. 179, 181.

87. Patrick C. McDaniel, Esquire has a law practice in Uniontown, Fayette County, and has been a member of the bar in Pennsylvania since 1984. N.T. 197. He represented Petitioner in his DUI case. N.T. 203. Mr.

McDaniel testified that Petitioner is honest and has the support of his community moving forward. N.T. 209. Mr. McDaniel is very impressed with how far Petitioner has come and believes Petitioner has the qualities necessary to resume the practice of law. N.T. 209, 210. Mr. McDaniel testified that "everybody is on [Petitioner's] side and rooting for him big time." N.T. 208. Mr. McDaniel plans to refer clients to Petitioner if he is reinstated. N.T. 210.

88. Kristopher Miller runs a construction company in Fayette County and grew up with Petitioner. N.T. 182. Mr. Miller is a recovering drug addict and is Petitioner's sobriety sponsor. N.T. 182, 185.

89. Mr. Miller testified that his relationship with Petitioner is marked by daily, meaningful interactions that have become an integral part of each other's lives. They discuss challenges, recovery principles, and accountability. Mr. Miller has seen Petitioner face significant stressors in his life, such as a difficult breakup with the mother of his child and parenting challenges, yet Petitioner has maintained his sobriety through meetings, support systems and a commitment to bettering himself. N.T. 186-190.

90. Mr. Miller has observed that Petitioner has a good foundation with family, friends and people in the legal community supporting him. N.T. 195. He believes Petitioner would be a responsible attorney if reinstated. N.T. 194.

91. ODC presented no witnesses to contradict Petitioner's witnesses.

92. Petitioner submitted letters in support of his reinstatement from many members of his community. Exhibit Pet. Exhibit M.

93. Richard E. Bower, Esquire intended to testify at the hearing but was ill and provided a letter instead. Mr. Bower has known Petitioner since Petitioner began practicing law. Mr. Bower was the District Attorney of Fayette County at the time that Petitioner violated his probation a second time and pushed for jail time for Petitioner. Mr. Bower stated that since Petitioner's participation in Drug Court, "I must admit I am very proud of him. He has cleaned up his act." Mr. Bower shared that Petitioner came to see him and was "very humble and told me he regretted his lifestyle. He also admitted that he was wrong in regard to all of his conduct that led to his disbarment." Further, "[t]hat day, Brian thanked me for wanting him put in jail. He realized that he would never have changed If I had not been so adamant that he be incarcerated." Mr. Bower stated that Petitioner has become an example in the community for others seeking to overcome addiction. Pet. Exhibit M.

94. Reverend Terry Sanders, the Director and CEO of Genesis House Ministries Drug and Alcohol Treatment Facility in Uniontown, Fayette County, provided a letter attesting to the hard work Petitioner has applied to recovery in his personal and professional life and recommending that Petitioner be reinstated. Pet. Exhibit M.

The Proceedings Below

95. On January 20, 2025, Petitioner filed a post-hearing brief to the Committee in support of his reinstatement from disbarment. Petitioner detailed the evidence supporting his contention that he met his burden by clear and convincing evidence that he is fit to resume practice.

96. On February 7, 2025, ODC filed a post-hearing brief and requested that the Committee recommend to the Board that the Petition for Reinstatement be denied. ODC contended that Petitioner failed to establish sufficient rehabilitation efforts to warrant his reinstatement, lacked accountability, violated the rules while disbarred, and the public nature of his actions since disbarment contradicted his claim that his resumption of the practice of law would not be detrimental to the integrity and standing of the bar.

97. By Report filed on March 4, 2025, the Committee recommended that Petitioner's reinstatement be denied, based on its conclusion that Petitioner failed to prove that a sufficient period of time has passed since his misconduct, he lacks the moral qualifications, competency and learning in the law required for admission to practice, and he failed to provide clear and convincing evidence that his resumption of the practice of law in the Commonwealth will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest.

98. Petitioner filed a brief on exceptions on March 26, 2025, and requested oral argument before the Board.

99. ODC filed a brief opposing exceptions on April 16, 2025.

100. Oral argument was held before a three-member panel of the Board on July 17, 2025.

101. The Board adjudicated this matter at the meeting on July 22, 2025.

II. CONCLUSIONS OF LAW

1. The misconduct for which Petitioner was disbarred is not so egregious as to preclude consideration of his Petition for Reinstatement. *Office of Disciplinary Counsel v. Keller*, 506 A.2d 872 (Pa. 1986).
2. Petitioner met his burden of proof by clear and convincing evidence that a sufficient period of time has passed since the misconduct, during which he engaged in rehabilitation. *In the Matter of Jerome J. Verlin*, 731 A.2d 600 (Pa. 1999).
3. Petitioner met his burden of proof by clear and convincing evidence that he has the moral qualifications, competency and learning in the law required for admission to practice law in the Commonwealth of Pennsylvania, and that his resumption of the practice of law within the Commonwealth will be neither detrimental to the integrity and standing

of the bar or the administration of justice nor subversive of the public interest. Pa.R.D.E. 218(c)(3).

III. DISCUSSION

Petitioner seeks readmission to the practice of law in Pennsylvania following his disbarment on consent by Order of the Supreme Court of Pennsylvania on July 3, 2014. The Committee has recommended that Petitioner's reinstatement request be denied. Upon our independent review and for the reasons that follow, we conclude that Petitioner met his reinstatement burden and recommend to the Court that the Petition for Reinstatement be granted.

When a disbarred attorney seeks reinstatement, the Board and the Court must first examine whether the magnitude of the breach of trust committed by the attorney is so egregious that it precludes further consideration of the petition for reinstatement. *Office of Disciplinary Counsel v. John Keller*, 506 A.2d 872 (Pa. 1986). Petitioner's disbarment on consent arose from his criminal conviction in 2014 of possession with intent to deliver heroin (one count) and possession of a controlled substance (three counts). The underlying facts show that after Petitioner's client was arrested, the client's girlfriend called and asked Petitioner to bring drugs to the holding center where the client was detained. Petitioner agreed and hid the drugs in his hat. He used his status as an attorney to gain entrance to the holding cell to provide the drugs to his client, whereupon he was arrested.

The misconduct that led to Petitioner's disbarment eleven years ago is serious. However, consistent with the decisional law, we conclude, as did the Committee below, that Petitioner's misconduct was not so egregious that it should prohibit his reinstatement. There are numerous examples where the *Keller* threshold question has been met in cases where a petitioner was disbarred based on criminal misconduct arguably more serious than that committed by Petitioner. *See In the Matter of Sandra Couch Collins*, Nos. 141 DB 1996 & 37 DB 1998 (D. Bd. Rpt. 3/14/2022) (S. Ct. Order 5/4/2022) (attorney disbarred on consent following convictions for burglary, criminal trespass, interference with custody of children, concealment of whereabouts of a child, harassment, stalking, escape, and disorderly conduct related to kidnapping daughter during child custody dispute; conduct not so egregious to bar reinstatement); *In the Matter of Philip G. Gentile*, No. 54 DB 2007 (D. Bd. Rpt. 2/20/2018) (S. Ct. Order 3/16/2018) (attorney disbarred following convictions for grand larceny, cocaine possession, and passing bad checks; conduct not so egregious to preclude reinstatement); *In the Matter of Robert Eric Hall*, No. 171 DB 2006 (D. Bd. Rpt. 2/19/2015) (S. Ct. Order 3/17/2015) (attorney disbarred following conviction for homicide by vehicle, DUI and reckless driving; conduct not so egregious as to preclude reinstatement). Surveying the precedent, we find Petitioner's misconduct is not so offensive as to forever bar his reinstatement under *Keller*.

The Board's inquiry does not end with the determination of the *Keller* threshold issue. We next consider whether Petitioner has established by clear and convincing evidence that he has the moral qualifications, competency and learning in the law required for admission to practice law in Pennsylvania and that his readmission would not have a detrimental impact on the integrity and standing of the bar, the administration of justice nor be subversive of the public interest. Pa.R.D.E. 218(c)(3). "Inevitably, meeting the requirements of [R]ule 218(c)(3)[i] will involve the petitioner's coming to terms with the conduct which caused his disbarment. In other words, the petitioner must demonstrate not only that he understands the nature of his wrongdoing, but also he must convince this court that he is not predisposed to commit future ethical infractions." *In the Matter of Robert W. Costigan*, 664 A.2d 518, 520 (Pa. 1995). Expanding on that concept, Petitioner must prove that his post-disbarment conduct and efforts at rehabilitation during his period of disbarment were sufficient to dissipate the detrimental impact of his serious misconduct on the public trust. *In the Matter of Jerome J. Verlin*, 731 A.2d 600, 602 (Pa. 1999).

The Board's resolution of the linchpin issue of whether rehabilitation is sufficient to meet a petitioner's burden of proof depends on the facts and circumstances of the matter and requires the Board to view the record in its totality and closely examine the petitioner's period of removal from the practice of law.

The record evidence reflects that Petitioner has a history of drug use and abuse that began in high school with marijuana and escalated in college and law school to Percocet pain pills and OxyContin. During his practice of law Petitioner began using heroin as a less expensive alternative to OxyContin and at the time of his criminal conduct, he was dependent on drugs and using heroin on a daily basis. Following his arrest, Petitioner took responsibility for his criminal conduct by entering a guilty plea, reporting his conviction to ODC, and voluntarily resigning from the bar and accepting disbarment. Samuel Davis, Esquire, who represented Petitioner on the criminal charges that led to his disbarment, observed Petitioner's remorse and embarrassment for his actions when Petitioner first came to him for legal representation. Petitioner acknowledged that he failed to comply with his disbarment order by failing to notify his clients and neglecting to file a compliance statement under Pa.R.D.E. 217. The record established that Petitioner wound down his law practice in anticipation of disbarment and had no open files at the time he was disbarred. Further, he was unaware of his obligations as he believed that filing his resignation statement was all he needed to do and he was still using drugs at the time. Petitioner credibly explained the circumstances of his noncompliance. There is no evidence to show that Petitioner's failure to comply with Rule 217 was intentional or that it should prevent his reinstatement.

For the first six years of his disbarment until approximately July 2020, Petitioner continued to use drugs, even while incarcerated, and was unable to stop completely. Petitioner's drug use and occasional overdoses kept him entangled with the criminal justice system and in and out of jail. In September 2015, he violated his parole due to a drug overdose and was resentenced and placed in the county jail. In 2017, Petitioner was arrested for DUI and possession of drug paraphernalia, to which he pled guilty in July 2019. In March 2020, Petitioner was found to have violated parole and probation and was resentenced to time in a state correctional facility where drug and alcohol treatment was available. However, due to the COVID-19 pandemic, Petitioner remained in the county jail and never served his time at the state facility. During this period he continued to use drugs, which were accessible during his incarceration. Petitioner was later ordered into the Fayette County Drug Court Program in July 2020. Petitioner forthrightly admitted that he never notified ODC of his 2019 criminal conviction and 2020 parole/probation violations and resentencing as he was unaware of the need to do so as a disbarred attorney and was still in active addiction at the time. We find Petitioner's explanations credible and conclude that his failure to report his post-disbarment criminal matters should not prevent his reinstatement. We further note that Petitioner disclosed his post-disbarment criminal history on his Petition for Reinstatement.

Petitioner's current period of sobriety began on July 3, 2020, when the court ordered that he be placed in the Drug Court Program and released from the county jail to Angels Light inpatient program. While Petitioner's admitted impetus to stay clean from drugs was to ensure he did not end up back in jail, Petitioner came to the realization during his placement at Angels Light and his later treatment at Another Way that he needed help to stay sober and he accepted that help. He committed himself to recovery programs and completed them without incident as a "model client." During his time at Another Way, Petitioner participated in 12-step recovery and found therapeutic value in talking with other addicts. He progressed through the program and demonstrated positive behavioral changes. After successfully completing Another Way in January 2021, Petitioner began outpatient treatment at the Fayette County Drug and Alcohol Commission.

The record establishes that Petitioner's recovery efforts following his inpatient and outpatient treatment were not short-term. Post-release from Another Way, Petitioner stayed committed to his addiction recovery and actively engaged in efforts to maintain sobriety. He has demonstrated an unwavering commitment to his recovery, which is grounded in his personal daily rituals and daily talks with his sponsor that are supportive and share the challenges of recovery and accountability. Petitioner attends weekly Sunday 12-step NA meetings with his home group and attends additional NA meetings once or twice per week in his area. Petitioner reads and reviews 12-step recovery literature throughout the year for continued reflection and personal growth. He performs community outreach by making himself available to talk with other addicts through the Fayette County Drug Court Program and Lawyers Concerned for Lawyers. He offers his services to others in the recovery community, gives people rides to recovery meetings, and has given talks at meetings and halfway houses.

Petitioner has been steadily employed since completing his time at Another Way. In addition to being invited back to work at Another Way as a behavioral technician, where he was entrusted to supervise medication, ensure client safety, and handle confidential information, he worked construction and made deliveries. It was while making a delivery to the Davis & Davis law firm that Petitioner reconnected with James Davis and Samuel Davis and eventually obtained employment in May 2022 as a clerk for the firm. With the impending birth of his first child and a need to maintain balance in his life, Petitioner gave up his job at Another Way and focused solely on full-time employment at Davis & Davis. At the firm, Petitioner regained professional stability by working his way up from a runner to full-time paralegal duties. James Davis and Samuel Davis each confirmed that Petitioner's work product and work ethic is excellent and they intend to offer him a position as an associate attorney if he is reinstated. While disbarred, Petitioner kept apprised of current law through CLE courses, reviewing legal journals, and his paralegal work at the law firm. Petitioner has considered his re-entry to the practice of law and if reinstated, plans to accept a position with the firm and focus his practice on family law, personal injury, and criminal law.

At the time of his reinstatement hearing in November 2024, Petitioner had been sober without relapse for four years and four months. This is significant as Petitioner has weathered challenges in his personal and financial life during the time period of his sobriety. Petitioner experienced financial difficulties and filed for bankruptcy in 2021. And, Petitioner candidly admitted that he has not paid off the court costs entered against him but is actively making payments. He further admitted that it will likely take him a while to pay off these costs due to his current financial situation but he intends to pay them off. In his personal life, Petitioner's son was born in January 2023. Petitioner's relationship with his son's mother ended in August 2023 and he dealt with custody issues for a time but currently co-parents in a cooperative manner.

Throughout his candid and forthright hearing testimony, Petitioner held himself accountable for his criminal actions and expressed his remorse and shame for his misconduct. Petitioner repeatedly expressed remorse for the hurt he inflicted on others in his life and the disrepute and disgrace his wrongdoing brought to the legal profession.

Petitioner presented expert testimony to demonstrate his rehabilitation and recovery through Kyle Rogers, a certified recovery specialist with the Pennsylvania Department of Drug and Alcohol Programming and a senior behavioral technician at

Another Way. Mr. Rogers detailed Petitioner's positive progression through treatment, explaining that Petitioner was a "model client" who began the recovery process by thinking about change and developing strategies for recovery, including therapy, attending meetings, and working with professionals. N.T. 124. Eventually, Petitioner was in the active stage of recovery as he executed his recovery plan and "was doing everything [he] was supposed to do." N.T. 120-124, 129-130. Mr. Rogers shared his expert opinion that Petitioner has demonstrated the behavioral changes and structure necessary to maintain long-term sobriety, as Petitioner embraced recovery beyond abstinence, continues to engage with his recovery community, attends meetings, and has regular contact with his sponsor. Mr. Rogers also noted that Petitioner has not relapsed to drug use despite major life changes. Mr. Rogers credibly opined that Petitioner possesses the mindset, habits, and infrastructure needed to maintain long-term sobriety.

There is abundant evidence of record that Petitioner's community was aware of his serious misconduct and drug addiction, has observed the positive changes in Petitioner's life over the past four and half years, and supports his return to the practice of law. Petitioner presented testimony from numerous colleagues, professionals, and members of the legal and recovery communities in Fayette County. These witnesses offered consistent and credible support for Petitioner's reinstatement, attesting to his transformation from a drug addict to a sober, responsible individual who is committed to recovery. They also attested to Petitioner's current ethical conduct and professional competence.

These witnesses included Judge Gerald Solomon, a retired judge who sentenced Petitioner in his 2014 conviction, oversaw Petitioner's involvement in Drug Court, and observed Petitioner as a "shining example" of the program; Kathryn Roebuck, Specialty Court Director for Fayette County, who met Petitioner when he was incarcerated and observed his complete turnaround to an involved member of the recovery community; James Davis, an attorney who currently employs Petitioner, trusts him and plans to hire him as an associate; Samuel Davis, an attorney who previously represented Petitioner in several of his criminal matters and who currently employs him, and who lauded his dependability and legal skills; Brent Peck, an attorney who has been sober for 20 years and is very familiar with the recovery community, and who observed Petitioner's full commitment to recovery and ability to return to practice; Michael Aubele, the current District Attorney of Fayette County, who strongly endorsed Petitioner's reinstatement based on his transformation and looks forward to having Petitioner as an advocate in the courtroom again; Sheryl Heid, an attorney who previously employed Petitioner and who described him as a compassionate, honest and zealous advocate who is trustworthy and ready to move back into the law; Patrick McDaniel, an attorney who represented Petitioner on his DUI, and who noted the "complete change" in Petitioner following his participation in inpatient treatment, halfway house residence, and drug court supervision; and Kristopher Miller, Petitioner's longtime friend and current sobriety sponsor, who confirmed Petitioner's deep and personal engagement in recovery, shared their daily communications rooted in accountability and honesty, and noted Petitioner's ability to deal with stress in his life without relapse.

In addition to the credible testimony of these many witnesses, Petitioner submitted character letters from community members who support his reinstatement. We note the letter from Richard Bower, a former Fayette County District Attorney. Mr. Bower recounted his role in Petitioner's incarceration and shared that Petitioner later sought out Mr. Bower to thank him for putting him in jail, as he would not have changed otherwise. This cumulative, uncontroverted evidence reflects a broad and sincere belief in the Fayette County community that Petitioner is rehabilitated and amply demonstrates that Petitioner's resumption of the practice of law will not harm the integrity of the legal profession nor hurt the public. On the contrary, community members are "proud" of Petitioner's positive transformation, are "cheering" and "rooting" for him, and have zero concerns that his resumption of the practice of law will cause harm to their community. N.T. 68, 169, 208.

Having thoroughly reviewed the record, we address the Committee's recommendation to deny reinstatement. The Committee's review of the record evidence led it to make three conclusions that informed its recommendation. First, it concluded Petitioner failed to establish that he has engaged in a sufficient period of rehabilitation since his misconduct. The Committee noted that Petitioner seeks reinstatement less than five years after the last resentence order of the Fayette County Court in July 2020 and less than five years from the date of Petitioner's current sobriety on July 3, 2020. The Committee found Petitioner did not provide expert testimony to substantiate his recovery and rehabilitation efforts since July 3, 2020, and found Petitioner's evidence of his rehabilitation efforts lacking.

Based on our review of the record, we disagree with the Committee's findings on these points. Initially, we note there is no requirement for a petitioner to present expert testimony on rehabilitation at a reinstatement hearing. But in fact, Petitioner provided expert testimony from Kyle Rogers that directly addressed Petitioner's rehabilitation and recovery efforts. Mr. Rogers testified to Petitioner's positive progression through the 12-step program, obtaining a sponsor, and attending NA meetings. Mr. Rogers opined that Petitioner has exhibited behaviors that indicate he has made the changes necessary to maintain his sobriety. This testimony is compelling that Petitioner is rehabilitated and in recovery from his drug addiction. The record also contradicts the Committee's finding that "Petitioner does not regularly participate in a formal 12-Step Program, which would provide stability and accountability." HC Report p. 9. As set forth above, Petitioner participates in NA, a 12-step program. He attends his home NA meeting every Sunday and in addition attends one or two other NA meetings each week. The Committee took issue that Petitioner does not have a lawyer as a sponsor nor does he sponsor anyone, which in their view somehow diminishes his recovery efforts. The record demonstrates that Petitioner has a very meaningful and important relationship with his sponsor, with whom he communicates on a daily basis to discuss recovery and accountability. The fact that the sponsor is not a lawyer is of no moment. The record also shows that Petitioner has had many discussions about sobriety with Brent Peck, a lawyer in Fayette County who is a former addict and who himself was suspended and reinstated.

While Mr. Peck is not Petitioner's formal sponsor, he is available as a resource to Petitioner.

Next, the Committee determined that Petitioner failed to prove he has the moral qualifications, competency and learning in the law for admission to practice. The Committee found that while Petitioner has legal competency, he lacks the professional and moral qualifications necessary for the legal profession due to his violation of the ethical rules while disbarred and lack of accountability for those failures. Here, the Committee refers to Petitioner's failure to comply with post-disbarment obligations under Pa.R.D.E. 214 and 217 and his outstanding court costs.

We conclude that the Committee's findings are unsupported by the evidence. The record evidence established that Petitioner admitted he failed to provide the requisite notices to his clients, did not file a verified statement with the Board, and failed to notify ODC of his 2019 conviction, parole revocation, and resentencing in 2020. Petitioner credibly explained the circumstances of each of these failures. Although the Committee described Petitioner as appearing "defensive and at times combative" (HC Report p. 10) during cross-examination on his failure to notify clients of his disbarment, we find that he was forthright and honest in his testimony and did not shy away from answering ODC's questions. In short, he did not refuse to take accountability for any of his post-disbarment actions. Petitioner explained that he was still in the throes of his drug use during much of the period in question. As to his clients, he testified that he wound down his practice in anticipation of losing his law license and did not believe there were any open files. Although ODC asked if Petitioner knew that clients contacted their office looking for files, it did not offer any evidence on that point. With regard to filing the verified statement and notifying ODC of his post-disbarment criminal conduct, Petitioner candidly admitted that he was unaware of his obligations to take those actions and was not thinking that he would ever practice law again. And, with regard to the outstanding court costs, we find the Committee failed to credit Petitioner's testimony that he is making payments as his income allows. None of these issues raise doubts as to Petitioner's moral qualifications for reinstatement.

Last, the Committee concluded that Petitioner failed to prove that his resumption of practice will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. The Committee based this conclusion on its finding that Petitioner's criminal misconduct was widely known in his community, yet he did not provide "any" testimony regarding the public perception that reflects whether reinstatement would not be detrimental to the integrity of the bar. HC Report p. 11. The Committee's finding is curious in light of the robust, uncontradicted character testimony presented by Petitioner from a retired Fayette County Common Pleas judge, a current Fayette County District Attorney, numerous long-time members of the Fayette County bar, including two attorneys who currently employ Petitioner as a paralegal, and other Fayette County community members, who credibly testified that Petitioner is rehabilitated from his underlying misconduct and they have no concerns that his reinstatement will harm their community. Indeed, the Committee itself observed that Petitioner offered "compelling" testimony from ten credible witnesses, including "distinguished" members of the legal community. HC Report p. 8. It is unclear the type of testimony the Committee needed to hear in order to conclude that Petitioner's resumption of the practice of law will not be detrimental to the integrity of the legal profession.

There is no set period deemed sufficient for reinstatement after disbarment, beyond the five years a petitioner must wait after the effective date of the order of disbarment. *See* Pa.R.D.E. 218(b). While Petitioner has been disbarred on consent since July 3, 2014, and has not practiced law in more than eleven years, he continued to have contact with the criminal justice system during the first years of his disbarment due to his drug use. His last criminal offense occurred in 2017 and he was last resentenced and placed in the Drug Court Program in July 2020, approximately five years ago. Thus, the five year period since July 2020 is critical to our analysis of Petitioner's reinstatement request. Upon this record, the Board concludes that Petitioner met his burden by clear and convincing evidence that the five year period since his last encounter with the criminal justice system has been a time of meaningful rehabilitation during which he achieved and maintained sobriety sufficient to dissipate the serious impact of his misconduct on the public trust. We further conclude Petitioner has rebuilt his life and is fit to practice law. His genuine, corroborated and undisputed expressions of remorse and accountability and evidence of rehabilitation, moral qualifications, competency, learning in the law and professional stability for the future demonstrate that he is not predisposed to commit future ethical misconduct and his reinstatement will not be detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. For all of the above reasons, we recommend Petitioner's reinstatement to the bar.

IV. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Petitioner, Brian Joseph Salisbury, be reinstated to the practice of law.

The Board further recommends that, pursuant to Rule 218(f), Pa.R.D.E., Petitioner be directed to pay the necessary expenses incurred in the investigation and processing of the Petition for Reinstatement.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

By: Bryan S. Neft
Bryan S. Neft, Member

Date: 9.8.2025