

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : No. 1954 Disciplinary Docket No. 3
: :
ANTHONY M. CRANE : No. 85 DB 2013
: :
PETITION FOR REINSTATEMENT : Attorney Registration No. 82067
: :
: (Philadelphia)

ORDER

PER CURIAM

AND NOW, this 11th day of May, 2022, the Petition for Reinstatement is **GRANTED**. Petitioner is ordered to pay the expenses incurred by the Board in the investigation and processing of the Petition for Reinstatement. See Pa.R.D.E. 218(f).

A True Copy Nicole Traini
As Of 05/11/2022

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

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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. HISTORY OF PROCEEDINGS

By Order dated January 29, 2015, the Supreme Court of Pennsylvania granted the Joint Petition in Support of Discipline on Consent and suspended Petitioner, Anthony M. Crane, for a period of three years, retroactive to August 10, 2013, the effective date of the order placing Petitioner on temporary suspension from the practice of law. By Petition filed on March 29, 2021, Petitioner seeks reinstatement to the bar of the

Commonwealth of Pennsylvania. On June 23, 2021, Office of Disciplinary Counsel (“ODC”) filed a response to the Petition for Reinstatement, set forth its concerns as to Petitioner’s mental health and employment, and reserved the right to raise any objections to reinstatement that might arise at the time of the hearing.

Following a prehearing conference on August 4, 2021, a District I Hearing Committee (“Committee”) held a reinstatement hearing on September 9, 2021. Petitioner appeared pro se, presented two witnesses and testified on his own behalf. Petitioner offered nine exhibits, which were admitted into evidence. ODC did not call any witnesses and offered 29 exhibits, which were admitted into evidence.

On October 20, 2021, Petitioner filed a post-hearing brief with the Committee and requested that the Committee recommend to the Board that his reinstatement be granted. On October 27, 2021, ODC filed a post-hearing letter in lieu of brief and stated that it found no basis to oppose Petitioner’s reinstatement.

By Report dated December 21, 2021, the Committee concluded that Petitioner met his reinstatement burden and recommended that the Petition for Reinstatement be granted. The parties did not take exception to the Committee’s Report and recommendation.

The Board adjudicated this matter at the meeting on January 21, 2022.

II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner is Anthony M. Crane, born in 1970 and admitted to practice law in the Commonwealth of Pennsylvania in 1998. Petitioner's registered address is 4536 Seashore Highway, Bridgeville DE 19933. Petitioner is subject to the jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

2. Petitioner began a solo practice almost immediately after admission to the bar, practicing primarily in Philadelphia Traffic Court and handling felony and misdemeanor cases in the Court of Common Pleas of Philadelphia. 138-139.

3. On June 25, 2012, Petitioner received an Informal Admonition from Chief Disciplinary Counsel for his misconduct in two separate matters. As a condition, he was required to take two hours of Continuing Legal Education (CLE) on the proper handling of fiduciary funds within six months of the administration of the Informal Admonition and provide ODC with proof of compliance. Joint Petition in Support of Discipline on Consent ("JPISODOC") ¶¶ 91, 92, 93, 94.

4. By his own admission, Petitioner did not heed the admonition or comply with the condition. He continued to neglect his clients and did not take the necessary CLE courses. N.T. 20, 135.

5. In 2013, ODC and Petitioner jointly filed a Petition for Temporary Suspension, which the Court granted on July 11, 2013, effective August 10, 2013. JPISODOC ¶ 5.

6. On January 29, 2015, the Court granted the Joint Petition in Support of Discipline on Consent and suspended Petitioner for a period of three years, retroactive to the effective date of the temporary suspension.

7. In the Joint Petition, Petitioner agreed that he was suffering from Major Depression. JPISDOC ¶ 109(c).

Prior Discipline Giving Rise to Suspension

8. Petitioner's suspension stems from neglecting multiple client matters, mishandling his IOLTA account, failing to comply with the condition of his 2012 Informal Admonition, and failing to respond to ODC's DB-7 Request for Statements of his position, as detailed in the JPISDOC ¶¶ 1-112.

- a. In 2011, Petitioner agreed to resolve Raymond Stevenson's traffic matters for a fee of \$1,000. Mr. Stevenson paid Petitioner \$1,000 and Petitioner failed to give Mr. Stevenson a fee agreement.
- b. Petitioner failed to handle the matter and failed to communicate with Mr. Stevenson when he moved the location of his office.
- c. Petitioner failed to return the unearned portion of the fee upon termination of the representation.
- d. In October 2012, Petitioner charged James Sanders \$300 to represent him in a traffic court appellate matter and failed to give

Mr. Sanders a fee agreement. He also failed to disclose that he was not covered by liability insurance.

- e. Petitioner failed to file the necessary motions to open judgment and failed to appear at the hearing on appeal.
- f. Petitioner failed to appear for oral argument on a petition to open Mr. Sanders' matter and never communicated his whereabouts to his client, who was at the courthouse waiting for him.
- g. Upon request by Mr. Sanders for a reimbursement of the unearned fee, Petitioner failed to promptly refund the fee.
- h. In August 2012, Petitioner accepted from Bashkim Xhelo \$200 and agreed to represent him in obtaining a title to a vehicle. He failed to provide Mr. Xhelo a fee agreement and failed to disclose that he was not covered by liability insurance.
- i. For several months, Petitioner failed to communicate with Mr. Xhelo and keep him informed of the status of his case.
- j. On December 4, 2012, Petitioner met with Mr. Xhelo and requested another \$200 from him to do additional work on his case. After a dispute with Mr. Xhelo on how the title was going to be obtained, Mr. Xhelo asked for a full refund.
- k. On January 11, 2013, Petitioner met with Mr. Xhelo and presented him with a release for full settlement of the matter, but failed to explain the paper to Mr. Xhelo so that he could

understand what he was signing and make an informed decision regarding the settlement.

- l. On March 15, 2011, Petitioner agreed to represent Mr. Frank Lampe with respect to a driver's license suspension, unpaid traffic tickets, and an outstanding judgment.
- m. Petitioner accepted various payments from Mr. Lampe in exchange for the legal services; however, he did not provide a fee agreement.
- n. Petitioner failed to communicate with Mr. Lampe and falsely gave him information about the status of his license.
- o. Petitioner failed to pursue the proper appeals, mishandled Mr. Lampe's legal matter, and failed to act with reasonable diligence in handling Mr. Lampe's case.
- p. On December 20, 2012, Petitioner wrote a check to the Superior Court from his IOLTA account which contained insufficient funds to pay the check.
- q. On February 27, 2013, Billy Cruz retained Petitioner to represent him in a DUI matter and made various payments to Petitioner for his services.
- r. Mr. Cruz's case was called to trial on May 24, 2013 and continued because Petitioner failed to show.

- s. Mr. Cruz's case was called again on July 22, 2013 for trial and Petitioner failed to appear. At this point in time, Petitioner was on temporary suspension; however, he failed to advise his clients, the court, and opposing counsel of his inability to practice law.
- t. Petitioner failed to respond to ODC's DB-7 Request for Statement of Position regarding the Lampe, Cruz, and Stevenson matters.

Witness Testimony at Reinstatement Hearing

9. Petitioner presented the testimony of two witnesses.

Anna Hoier, Psy.D.

10. Anna Hoier, Psy.D. testified as a licensed psychologist/neuropsychologist expert and rendered an opinion on Petitioner's current mental health. N.T. 26.

11. Dr. Hoier has been in private practice since 1997. N.T. 27.

12. Dr. Hoier met Petitioner professionally in early 2017 and during their initial meeting, Petitioner discussed his problems with depression. N.T 30 - 31.

13. Dr. Hoier testified that at the initial meeting, she determined that Petitioner exhibited many symptoms of depression, including sleep issues, eating issues, lack of motivation, and problems with concentration, as well as symptoms of Attention Deficit Hyperactivity Disorder (ADHD). N.T. 31 32.

14. Dr. Hoier testified Petitioner revealed multiple difficulties, including tremendous stress due to his wife's multiple prior miscarriages, bile reflux illness, and his severely autistic son, who had many issues. N.T. 34-35.

15. Petitioner's position as the primary supporter and caregiver for his family led Dr. Hoier to conclude that he had "caregiver burnout." N.T. 35.

16. Dr. Hoier has helped Petitioner develop strategies to manage his anxiety and reduce his tendency to be impulsive, which is a product of the ADHD, by using mindfulness therapy, relaxation therapy, and cognitive restructuring to help him recognize and address stressors. N.T. 34-37.

17. Dr. Hoier testified Petitioner remains compliant with treatment and is symptom-free. Dr. Hoier found Petitioner's prior stress, "caregiver burn out" and lack of coping skills are now under management and control. Petitioner's depression is also under control. N.T. 56-57

18. Petitioner sees Dr. Hoier on an as-needed basis and they remain in contact to date. N.T. 37-38.

19. Dr. Hoier opined that Petitioner is competent to practice law and she adopted her written opinions authored in 2020 and 2021. N.T. 40-41, 43; Petitioner's Exhibit 6.

20. Dr. Hoier opined that Petitioner is able to make reasonable choices and is now equipped to look for stressors impacting his mental and emotional state. He now has a professional support system in place, comprised of his primary physician and Dr. Hoier, who are able to assist him in managing stress levels if he should need assistance. N.T. 65-69.

21. Dr. Hoier opined that Petitioner will be able to successfully practice law from a mental health perspective. N.T. 84.

James Rodgers, Esquire

22. James Rodgers has been a licensed Pennsylvania attorney since 2002. N.T. 87.

23. Mr. Rodgers has spent time in and out of public service in courts and has handled private cases. He was a master in the juvenile division in Philadelphia for six or seven years. Since 2006, he has been employed as a judicial law clerk with the Honorable Judge Richard Gordon. N.T. 88.

24. Mr. Rodgers is a longtime friend of Petitioner and has known him for 41 years, having grown up in the same neighborhood. He knows Petitioner's wife, his children, his family, his parents, and his siblings N.T. 87-89; 103.

25. Mr. Rodgers and Petitioner worked together in the same office on occasion early in their legal careers and their paths crossed frequently in traffic court and the Criminal Justice Center. Mr. Rodgers observed Petitioner working as an attorney and thought he handled clients well and was a capable attorney. N.T. 89-90, 93-94, 104.

26. Mr. Rodgers and Petitioner have kept in touch during Petitioner's suspension. N.T. 112.

27. Mr. Rodgers was aware of Petitioner's temporary suspension when it happened in 2013 and later became aware of the consent suspension and the basis of the suspension. N.T. 94, 108-110.

28. Upon learning of the suspension, Mr. Rodgers contacted Petitioner, who told him that he was going through a hard time. N.T. 108, 109. Sometime

later, Petitioner informed Mr. Rodgers of everything that had been happening in his life. N.T. 109.

29. Mr. Rodgers testified that he was aware that the suspension had to do with Petitioner's client neglect, mishandling of funds, and failure to provide fee agreements. N.T. 108-110.

30. Mr. Rodgers testified that he was surprised by Petitioner's suspension and the underlying facts because he was convinced that this was out of character. N.T. 100, 111-112.

31. Mr. Rodgers testified that among the people he knows who know Petitioner, Petitioner has a "high" reputation as being honest with people and having good moral character. N.T. 98-99. Mr. Rodgers further testified that when Petitioner was practicing law, he had a good reputation in the community as a capable attorney. N.T. 101.

32. Mr. Rodgers observed that after his suspension, Petitioner appeared sad and it "looked like it was weighing on him" but recently, Petitioner seems well. N.T. 112.

33. Mr. Rodgers testified he has no reservations about hiring Petitioner as a lawyer if he is reinstated. NT 101-102.

34. Mr. Rodgers has spoken to Petitioner about possibly collaborating on professional work if he is reinstated. NT 117.

35. Mr. Rodgers testified that if Petitioner is able to get his license reinstated, he would help Petitioner by setting up a succession agreement between the two of them. N.T. 117, 118.

36. Mr. Rodgers testified credibly on Petitioner's behalf.

Petitioner's Testimony at the Reinstatement Hearing

37. Petitioner opened the proceeding by admitting to and accepting responsibility for his past misconduct. N.T. 12-15.

38. Petitioner testified to his family circumstances. Petitioner is married with three children and is the sole provider for his family. Of his three children, his oldest son is severely autistic and his other son has a learning disability. Petitioner detailed his history with respect to his wife's acute illness and his own personal challenges in managing her illness along with the responsibility of his children and his law practice, all of which contributed to his depression. N.T. 131.

39. Petitioner testified that in 2008, his wife became very ill, was diagnosed with bile reflux disease and during a cycle of several years, experienced six months of inability to eat. Petitioner's wife became very depressed and was suicidal at times. Her illness lasted over three years, during which time she underwent three surgeries. During the time she was sick, she lost her ability to care for their children. N.T. 131, 132, 169.

40. During the time that Petitioner's wife was critically ill, he moved to Philadelphia to get his wife the treatment that she needed. His autistic son had to switch schools and went through adjustment problems. N.T. 133.

41. Petitioner testified that in March 2012, due to incredible stress and pressure from managing his wife's illness, family, and law practice, he sought treatment from Delaware Social Services Administration. He testified that he could not get out of bed at that point and was in a "vegetative" state. Petitioner was eventually diagnosed with depression. N.T. 134, 136, 170, 173.

42. Although he was receiving treatment and taking medication during the initial years of his suspension, Petitioner was still having difficulties and sought other care. N.T. 135.

43. Petitioner testified that in 2016 he contemplated applying for reinstatement from his suspension; however, he withdrew the petition because he felt that he was not ready and was still suffering from depression. N.T. 140-141.

44. In 2017, Petitioner committed to private sessions with his present psychologist, Dr. Hoier, and was diagnosed with Major Depression, ADHD, stress, and "caregiver burnout syndrome." N.T. 135.

45. Through his treatment with Dr. Hoier, Petitioner has had great success in managing his personal and professional life.

46. After receiving over four years of mental health treatment and learning coping skills, Petitioner is no longer suffering from depression and is "symptom free." N.T. 31, 37-39.

47. Petitioner participates as needed in Lawyers Concerned for Lawyers ("LCL") meetings. N.T. 161, 201.

48. Petitioner has been approved to be a volunteer with LCL so he can help other lawyers. *Id.*

49. Petitioner makes efforts to meditate and use mindfulness on a daily basis and be otherwise healthy and physically active. N.T. 163.

50. Petitioner detailed his employment history during his suspension from the practice of law. N.T. 125-129. While initially he had multiple employers, since 2017 Petitioner has been self-employed installing floors. He described it as hard labor and intense work. However, the work enables him to support his family and allows him flexibility to help with family needs and also to run an autistic support group. N.T. 125, 130.

51. During his period of suspension, Petitioner has not engaged in the practice of law nor has he held himself out as eligible to practice law.

52. Petitioner fulfilled his CLE requirements for readmission to practice by taking 52 credits, exceeding the required 36 credits for reinstatement. N.T. 141; Reinstatement Questionnaire No.19(a).

53. Petitioner reviewed opinions on the Pennsylvania Judiciary website and accessed various other websites to enhance his knowledge in the law. Reinstatement Questionnaire No. 19(e).

54. Petitioner testified that for the past three or four years he has routinely followed a website known as Municipal Police Officers Education in Training Commission. He has followed case law updates on municipal matters, in

order to ensure he knows how the law has developed in the area that he had principally practiced. N.T. 143-144.

55. Petitioner read several books on litigation techniques during his suspension. N.T. 144-145.

56. Petitioner testified that as he started the reinstatement process, he realized that he needed to update himself on gaps in his knowledge pertaining to IOLTA account principles and electronic filing standards employed by the courts. N.T. 141.

57. To better comprehend IOLTA, Petitioner took an undergraduate course at Delaware Technical Community College, which covered general IOLTA principles. He also took the PBI's CLE on IOLTA Fund Management to ensure he knows how to handle funds in a proper fiduciary manner, and watched numerous CLE videos produced by the IOLTA Board. N.T. 142.

58. Petitioner reviewed information about electronic filing systems that are in effect and working in the Philadelphia court systems and the other court systems in the state so he understands how they function. N.T. 147-148.

59. Petitioner testified that while he does not have a definite plan on what area of the law he will practice in if reinstated, his intention starting out is to do municipal appointment cases and possibly felony appointment cases. N.T. 146.

60. Petitioner testified about his goal of working with Mr. Rodgers or a similar person in order to ensure that a succession plan is in place. N.T. 159.

61. Petitioner has spoken to a realtor in Philadelphia about possibly doing some transactional work. N.T. 147.

62. Petitioner also expressed an interest in developing a practice at some point that focuses on children's disability law, as he has found a real love for the community that works with his sons. *Id.*

63. During his suspension, Petitioner founded and led an autism support group called the "A Team." This group holds meetings, outings and events twice per month specifically intended to increase socialization opportunities for youth with autism. Petitioner started a Facebook page called "The Aspie Dad" to help parents with the challenges of raising autistic children. N.T. 150-151; Reinstatement Questionnaire No. 20.

64. Petitioner testified that his plan during stressful times is to continue to be in close contact with his medical network which includes Dr. Hoier and his primary care physician, Dr. Keith Sargent, and to reach out to people in his life, like Scott Widney. N.T. 159-160, 202, 206-207; Petitioner's Exhibit 6, Petitioner's Exhibit 7.

65. Petitioner credibly testified that he is extremely sorry for the impact of his actions and failures. N.T. 148. Petitioner understands that there is no excuse for his misconduct and promised that he will never allow harm to occur again to his clients. Reinstatement Questionnaire Nos. 20, 21.

66. Petitioner testified he has learned from his mistakes and is now able to avoid circumstances that would put him in a "bad place." N.T. 149.

67. In terms of making amends, Petitioner testified he refunded the payment of two clients before his discipline was imposed. He also made full restitution to the Pennsylvania Lawyers Fund for Client Security. N.T. 156.

68. Petitioner satisfied his tax lien of over \$19,000.00. N.T. 157.

69. Petitioner satisfied tax debt on his property of \$6,900.00. N.T. 157.

70. Petitioner paid off his student loan of \$4,500.00. N.T. 158.

71. Petitioner testified credibly on his own behalf.

72. Petitioner offered four character letters, which were admitted into evidence.

73. Mike Mills is the pastor of several churches in the Northeastern United States, including Delaware. Pastor Mills has known Petitioner for nine years and wrote that over the past several years, he and Petitioner have discussed Petitioner's journey through depression and its effect on his law practice, ultimately leading to his suspension. Pastor Mills wrote that Petitioner has taken full accountability for his past mistakes and has taken steps to restore, learn and rectify his direction going forward. Pastor Mills has no reservations about recommending Petitioner's reinstatement, as he is a respected member of the local community. PE-1.

74. James A. Penuel, III is the pastor of Bethel United Methodist Church in Lewes, Delaware and the former pastor of Union United Methodist Church where Petitioner was a member. Pastor Penuel described Petitioner as an excellent father and role model who volunteers in his church and in his community.

Pastor Penuel described Petitioner as a well-respected member of his community, and he has no reservations in recommending Petitioner's reinstatement to the practice of law. PE-2.

75. Scott Widney is employed by Wesco Anixter as a pre-sales engineer and video lab manager and has known Petitioner for approximately three years through their active involvement with an autistic support group for their sons. Mr. Widney and Petitioner work closely together on various projects for the support group. Through their mutual work, Mr. Widney has developed the utmost respect for Petitioner's standards and moral character and believes Petitioner's high standards would carry over into a legal practice. Mr. Widney wrote that Petitioner shared with him in detail the reasons why he had to leave his law practice and the sorrow he felt at having affected people in a negative way. Despite knowing the reasons for Petitioner's suspension, Mr. Widney is confident that should the need arise, he would be lucky to have Petitioner as his lawyer. Finally, Mr. Widney stated that Petitioner is held in high esteem by members of the community, which will be greatly served by Petitioner's return to practice. PE-3.

76. Sherry Norman is the coordinator of the Crossroad Baby Pantry in Georgetown, Delaware and a member of Petitioner's church. She has known Petitioner for approximately ten years. Ms. Norman described Petitioner as honest, kind and outgoing, and she believes he would be a great member of the legal community. PE-4.

77. ODC does not oppose reinstatement.

III. CONCLUSIONS OF LAW

1. Petitioner demonstrated by clear and convincing evidence that he has the moral qualifications, competency and learning in the law required for admission to practice of law in this Commonwealth. Rule 218(c)(3), Pa.R.D.E.

2. Petitioner demonstrated by clear and convincing evidence that his resumption of the practice of law will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. Rule 218(c)(3), Pa.R.D.E

IV. DISCUSSION

Petitioner seeks readmission to the practice of law following his suspension on consent for a period of three years, ordered by the Supreme Court of Pennsylvania on January 29, 2015, retroactive to August 10, 2013. Pursuant to Rule 218(a)(1), Pa.R.D.E., an attorney who is suspended for a period exceeding one year may not resume the practice of law until reinstated by the Court.

Petitioner bears the burden of proving by evidence that is clear and convincing, that he is morally qualified, competent and learned in the law and that his resumption of the practice of law will not be 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). This burden is not light, and reinstatement is not automatic. A reinstatement proceeding is a searching inquiry into a lawyer's present professional and moral fitness

to resume the practice of law. The object of concern is not solely the transgressions that gave rise to the lawyer's suspension, but rather, the nature and extent of the rehabilitative efforts made since the time the sanction was imposed and the degree of success achieved in the rehabilitative process. ***Philadelphia News, Inc. v. Disciplinary Board of the Supreme Court of Pennsylvania***, 363 A.2d 779, 780-781 (Pa. 1976).

The Hearing Committee weighed the evidence and recommended that Petitioner be reinstated. ODC does not oppose reinstatement. Upon our independent review of the record, we conclude that Petitioner met his reinstatement burden and we recommend that his Petition for Reinstatement be granted.

We conclude from the evidence of record that Petitioner spent his suspension period engaged in genuine, qualitative rehabilitation. See, ***In the Matter of Benjamin Hart Perkel***, No. 23 DB 2014 (D. Bd. 1/28/2021) (S. Ct. Order 3/15/2021) (reinstatement from two year suspension; Perkel demonstrated that the underlying psychiatric issues that contributed to his misconduct had been resolved and he had a good prognosis to resume practicing law); ***In the Matter of James Francis Donohue***, No. 112 DB 2013 (D. Bd. Rpt. 6/10/2020) (S. Ct. Order 7/6/2020); (reinstatement from three year suspension; Donohue's misconduct as a sole practitioner arose in part based on struggles to manage his household, children, and law practice while married to a substance-addicted spouse, Donohue demonstrated changes in his circumstances and understanding of his obligations as a lawyer that assured he was fit to resume practice); ***In the Matter of Lonnie Eugene Walker***, No. 43 DB 1999 (D. Bd. Rpt. 5/5/2020) (S. Ct. Order 5/26/2020) (reinstatement from one year and one day suspension; Walker

demonstrated that he overcame personal struggles and was fit to practice); ***In the Matter of Jesse Raymond Ruhl***, No. 144 DB 2007 (D. Bd. Rpt. 3/13/2018) (S.. Ct. Order 4/9/2018) (reinstatement from one year and one day suspension; Ruhl demonstrated that he addressed his long-term mental health problems that contributed to his underlying conduct by successfully completing treatment, adhering to a medication regimen and engaging in a lifestyle that promoted good mental health). Petitioner met the requirements of Rule 218(c)(3), Pa.R.D.E., by presenting clear and convincing evidence of his moral qualifications, competency and learning in the law. Petitioner demonstrated via his own credible testimony, the credible testimony of his witnesses, and his character reference letters, that his reinstatement will not harm the public or be detrimental to the integrity of the profession.

Petitioner's suspension was the result of client neglect in numerous matters, communication deficiencies with clients and others, failing to provide fee agreements, mishandling IOLTA funds, failing to comply with a condition attached to an informal admonition, and failing to respond to ODC's requests for information during its investigation of client complaints against Petitioner. The record established that Petitioner was suffering from mental health issues during the time frame of his misconduct. Petitioner displayed recognition of wrongdoing and acceptance of responsibility by cooperating with ODC and agreeing to his temporary suspension from the practice of law in 2013 and later consenting to a three year period of suspension, which cooperative actions preserved disciplinary resources by avoiding a full hearing. Petitioner refunded

unearned fees he took from clients and made full restitution to the Pennsylvania Lawyers Fund for Client Security.

Petitioner is 51 years of age and has been suspended for more than eight years. Petitioner was eligible to apply for readmission in August 2016 and filed a reinstatement petition, but later withdrew the petition of his own volition because he recognized that he was not fit to return to the practice of law. This self-reflection evidences Petitioner's thoughtful approach to reinstatement and understanding of the rigors of the legal profession.

Following his temporary suspension, Petitioner ceased to engage in the practice of law and undertook no further representations. At that point, Petitioner faced two large issues: supporting his wife and three children and addressing his mental health problems. To provide for his family, Petitioner worked steadily at numerous jobs, finally settling on installing flooring as an independent contractor. Petitioner has installed floors since 2017 and although he acknowledged the hard manual labor, he appreciates the flexibility of his employment in order to be available for his family. While suspended, Petitioner addressed outstanding debts by paying off two personal tax liens and his student loan.

Much of Petitioner's hearing testimony focused on his mental health issues and the steps he took to address such issues. Petitioner explained in detail his history of stress and depression due to a coalescence of factors, including his wife's prior miscarriages and serious bile reflux illness, his son's severe autism, and his other son's learning disability, which circumstances led to the gradual interference with Petitioner's

solo law practice. Somewhat poignantly, Petitioner described the time in his life when his wife was feeling better and things should have been at a more positive point, except that Petitioner realized he himself was suffering. Petitioner described clearly the day in 2012 that he could not get out of bed, felt he was in a vegetative state, and sought help for depression.

While Petitioner received mental health treatment in the initial years after his suspension, he was not entirely satisfied with his progress and contacted Dr. Hoier in 2017. The record established that Petitioner's treatment with Dr. Hoier has been very successful and Petitioner has steadfastly and tirelessly addressed his mental health problems and made great strides with Dr. Hoier's help. Dr. Hoier diagnosed Petitioner with depression and underlying ADHD problems, as well as what she termed "caregiver burnout." Together, they have employed several methodologies to manage Petitioner's stressors impacting his mental capacities. The strategies include coping methods, daily meditation, physical exercise, and cognitive restructuring. Dr. Hoier credibly opined that Petitioner no longer suffers from depression and is competent to return to the practice of law.

The evidence established that Petitioner's mental health problems that contributed to his suspension are well in control and he is confident that he is mentally competent to resume the practice of law; however, Petitioner realizes that he does not want to find himself in a similar situation that led to his misconduct. To that end, Petitioner has developed a support network consisting of Dr. Hoier, his primary care physician, friends, and James Rodgers, a long-term friend who is an attorney and who has agreed

to act as a back-up successor should Petitioner need assistance. Petitioner continues to use LCL meetings as a resource and has taken the step of seeking volunteer opportunities with LCL in order to help other attorneys who are experiencing problems similar to what Petitioner experienced.

The record established that Petitioner has not taken lightly his responsibility to be competent and learned in the law. During the year prior to filing his reinstatement application, Petitioner took 52 CLE credits, 16 credits in excess of the 36 credits required under the reinstatement rules. To ensure that he has maintained his knowledge of the law, Petitioner reviewed opinions on the Pennsylvania Judiciary website and consulted other websites pertaining to municipal law. Petitioner also read several books on litigation techniques. Notably, when preparing for reinstatement, Petitioner identified two areas where he lacked knowledge that he believed essential to the competent practice of law: IOLTA account principles and electronic filing in court systems. Petitioner proactively educated himself on the subject of IOLTA accounts by taking CLEs and attending a class at the Delaware Technical College. As to the use of electronic filing in Pennsylvania courts, Petitioner reviewed information about the filing systems used by the Philadelphia courts as well as statewide court systems. These actions evidence Petitioner's desire to be a fit and competent attorney and demonstrate rehabilitation.

Petitioner has considered his plans to return to the profession and testified that while he has no specific plan in place, he intends to handle municipal appointments and perhaps felony appointments. Petitioner has also been in contact with a realtor in Philadelphia about possibly performing transactional work and expressed interest in

developing a practice at some later point in time devoted to children's disability issues, a particular area of interest due to his sons' circumstances. Petitioner also outlined an agreement to have Attorney Rodgers act as a successor in the event of any future problem, in order to protect his clients. This plan demonstrates forethought and an understanding of the realities of practicing law as a sole practitioner.

Petitioner remained actively involved in his community during his period of suspension by founding an autism support group that holds regular events to increase socialization opportunities for autistic youth and by creating a Facebook page to provide support to parents of autistic children. These causes are very important to Petitioner in light of his family's circumstances. As well, Petitioner has been active in his church and has been approved as a volunteer for LCL.

In support of his fitness and rehabilitation, Petitioner demonstrated genuine remorse for his misconduct and sincere intent to avoid such conduct in the future. Petitioner clearly communicated his embarrassment and acceptance of responsibility for his wrongdoing. He assured the Committee, and by extension the legal profession, that his prior misconduct will not occur in the future.

In addition to Petitioner's own heartfelt and forthright testimony concerning his moral qualifications, Petitioner presented the credible testimony of Mr. Rodgers and four character reference letters. Mr. Rodgers is Philadelphia attorney who has been Petitioner's lifelong friend for 41 years, as well as a legal colleague. He understands the details of Petitioner's misconduct and testified that such conduct was out of character with the person he has known for so long, and who was a competent practitioner in the past.

Mr. Rodgers is aware of Petitioner's mental health problems and testified to his observations that when Petitioner was suspended, he was sad and down, but currently is well and ready to practice law. Mr. Rodgers confirmed that he is willing to act as a successor in the event Petitioner encounters difficulties in his legal practice. Mr. Rodgers credibly testified to Petitioner's good reputation in their community for being a person of moral character, and further testified to Petitioner's good reputation as a capable attorney. Likewise, the character letters from members of Petitioner's community established that he is a person held in high esteem with a reputation for integrity and honesty, qualities that support his fitness to resume practice, and is well-respected in the community as an individual who would be an asset to the legal profession.

Upon this record, we conclude that Petitioner has met his reinstatement burden by clear and convincing evidence that he is morally qualified, competent and learned in the law, 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. Petitioner approached his reinstatement request with thought and deliberation and demonstrated clearly and convincingly that he has rehabilitated himself and is fit to practice law. The Board recommends that the Petition for Reinstatement be granted.

V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Petitioner, Anthony M. Crane, 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: S/Shohin H. Vance
Shohin H. Vance, Member

Date: March 30, 2022