

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 20 DB 2022  
Petitioner :  
v. : Attorney Registration No. 75984  
THOMAS JOSEPH DANCISON, JR. :  
Respondent : (Out of State)

**ORDER**

AND NOW, this 25<sup>th</sup> day of February 2022, in accordance with Rule 215(g), Pa.R.D.E., the three-member Panel of the Disciplinary Board having reviewed and approved the Joint Petition in Support of Discipline on Consent filed in the above captioned matter; it is

ORDERED that THOMAS JOSEPH DANCISON, JR. be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a) and Rule 205(c)(9) of the Pennsylvania Rules of Disciplinary Enforcement.

BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD

Attest:



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

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 20 DB 2022  
Petitioner :  
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 :  
v. :  
 :  
THOMAS JOSEPH DANCISON, JR. : Attorney Reg. No. 75984  
Respondent :  
 : (Out of state)

**JOINT PETITION IN SUPPORT OF DISCIPLINE ON CONSENT PURSUANT TO  
Pa.R.D.E. 215(d)**

Petitioner, Office of Disciplinary Counsel, by Thomas J. Farrell, Chief Disciplinary Counsel, and Jessica L. Chapman, Disciplinary Counsel, and Respondent, Thomas Joseph Dancison, Jr., file this Joint Petition in Support of Discipline on Consent under Rule 215(d) of the Pennsylvania Rules of Disciplinary Enforcement (hereinafter "Pa.R.D.E.") and respectfully state and aver the following:

1. Petitioner, whose principal office is located at the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 2700, P.O. Box 62485, Harrisburg, PA 17106, is invested, pursuant to Pa.R.D.E. 207, with the power and the duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

2. Respondent, Thomas Joseph Dancison, Jr., was born on July 28, 1969, and was admitted to practice law in Pennsylvania on November 20, 1995. Respondent is on active status in Pennsylvania and maintains a registered mailing address of P.O. Box 63, Lawrenceburg,

**FILED**  
**02/15/2022**  
**The Disciplinary Board of the**  
**Supreme Court of Pennsylvania**

Tennessee 38464. Respondent is also admitted to practice law in Tennessee, since 2007, and is on active status there.

3. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

4. Respondent received a Public Censure from the Board of Professional Responsibility of the Supreme Court of Tennessee (“Tennessee Board”) on December 30, 2021, for the conduct described below. Prior to this Public Censure, Respondent had no prior record of discipline in Tennessee. Respondent has no prior record of discipline in Pennsylvania.

5. Respondent’s affidavit stating, *inter alia*, his consent to the recommended discipline is attached as “**Exhibit A.**”

#### **SPECIFIC FACTUAL ADMISSIONS**

6. Respondent represented Heather Flinn in a domestic relations matter in Tennessee involving equitable distribution, child support, and custody.

7. His representation began in late 2019 and ended in March 2020 with the entry of a decree in divorce, a Marital Dissolution Agreement, and a Permanent Parenting Plan (“PPP”).

8. In June of 2020, Ms. Flinn contacted Respondent and asked if he was in his office.

9. Respondent, considering it a social visit as the representation had ended, sat in the seat next to Ms. Flinn as opposed to across the desk.

10. Ms. Flinn began discussing her interest in amending the PPP and her new relationship.

11. Respondent became frustrated with Ms. Flinn’s decisions in her social life, which he believed to be against the PPP.

12. Respondent lost his patience and berated Ms. Flinn using blunt, profane, and provocative language and, during the incident, placed his hand on her knee.

13. Upon realizing that Ms. Flinn was upset and crying, he apologized and hugged her. Thereafter, they continued their conversation and she left.

14. On March 9, 2021, Respondent received a citation from the Lawrenceburg Tennessee Police Department.

15. That same day, Respondent pled guilty to one count of assault – offensive touching, a class B misdemeanor pursuant to TCA 39-13-101(a)(3), in the General Sessions Court of Lawrence County Tennessee.

16. Respondent received a 6-month post plea diversion with conditions. The conditions were that Respondent participate in therapy with a licensed psychologist and self-report to the appropriate Bar officials in Tennessee and in Pennsylvania.

17. Respondent promptly reported his conviction to disciplinary authorities in Tennessee and Pennsylvania.

18. After conducting an investigation into Respondent's misconduct, the Tennessee Board imposed a Public Censure on December 30, 2021.

**RULES OF PROFESSIONAL CONDUCT AND DISCIPLINARY ENFORCEMENT**  
**VIOLATED**

19. Tennessee RPC 1.7(a)(2), which provides that a lawyer shall not represent a client if the representation involves a concurrent conflict of interest, such as, a significant risk that the representation will be materially limited by the personal interest of the lawyer.

20. Tennessee RPC 8.4(b), which provides that it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on his honesty, trustworthiness, or fitness as a lawyer.

21. Pa.R.D.E. 203(b)(1), which provides that conviction of a crime is grounds for discipline.

**SPECIFIC JOINT RECOMMENDATIONS FOR DISCIPLINE**

22. ODC and Respondent jointly request that Respondent receive a Public Reprimand before the Disciplinary Board.

23. ODC and Respondent submit that the following mitigating circumstances are present: Respondent's lack of prior discipline in either jurisdiction; cooperation with Petitioner as well as Tennessee law enforcement and disciplinary authorities; sincere expressions of remorse; and acceptance of responsibility for his actions as evidenced by his guilty plea to the criminal offense and his consenting to public discipline in Pennsylvania.

24. The Tennessee Board conducted its investigation, concluded that Respondent violated RPC 1.7 (conflict of interest: current client) because he "created a conflict of interest by engaging in sexualized conversation and conduct" and RPC 8.4 (misconduct) because he "pled guilty to simple assault pursuant to Tenn. Code. Ann. § 39-13-101(a)(3) for intentional or knowing physical contact with a client that a reasonable person would consider 'extremely offensive or provocative.'" The Tennessee Board imposed a Public Censure.

25. In the Tennessee attorney disciplinary system, there is no form of discipline labeled reprimand and a Public Censure equals to a reprimand under the ABA Standards for Imposing Lawyer Sanctions.

26. Reciprocal discipline under Pa.R.D.E. 216 is not available in situations involving a Public Censure. However, consent discipline is available to obtain a similar result in an efficient manner. For example, in *Office of Disciplinary Counsel v. Paul Christopher Dougherty*, D. Bd. No. 37 DB 2019 (2/19/2021), the respondent was an elected Haddon Township Commissioner in

New Jersey. While in that role, he accepted a referral fee in the amount of \$7,106 from a trial attorney for referring a township employee for the purpose of pursuing a lawsuit against the Township. Upon learning of the investigation into his conduct, Dougherty returned the referral fee, resigned his position, and pled guilty. The New Jersey Supreme Court imposed a Public Reprimand based on Dougherty's guilty plea, criminal conviction, and the lack of evidence to suggest that Dougherty sought to exploit his position in order to gain a personal benefit. In Pennsylvania, ODC and Respondent Dougherty filed a Joint Petition for a consent public reprimand based on Dougherty's New Jersey misconduct. This Board granted the petition and imposed the Public Reprimand on July 16, 2021.

Importantly, a public reprimand is consistent with discipline imposed in Pennsylvania for misconduct similar to Respondent Dancison's. This Board granted a Joint Petition for Discipline on Consent for a Public Reprimand in *Office of Disciplinary Counsel v. Timothy McMahon*, D. Bd. No. 159 DB 2019 (10/2/2019). While attending a Bench Bar Conference, McMahon had several drinks, made unwanted and inappropriate advances towards female attorneys sitting near him, touched two of the female attorneys "on sensitive areas of their bodies," began similar behavior towards a third female attorney, and became belligerent to a point where four security staff members had to escort him to his room. McMahon pled guilty to harassment – course of conduct with no legitimate purpose and disorderly conduct – engaging in fighting. McMahon was forced to resign as managing partner of his firm, complied with the terms of his probation, expressed sincere remorse, had no prior disciplinary history, and there was no evidence that he posed an ongoing risk of similar behavior.

27. Respondent's misconduct is similar to that in *McMahon* in that Respondent's offensive touching was non-consensual and resulted in a criminal conviction. While Respondent's

misconduct involved a client, it was not precipitated by the abuse of alcohol nor did it involve persistent inappropriate advances to three individuals as in *McMahon*. Rather, Respondent's misconduct was comprised of a single instance of inappropriate actions that Respondent asserts were prompted by a difficult family situation. McMahon's misconduct was mitigated by several of the factors that are present in this matter as well – Respondent Dancison has complied with the terms of his probation, has expressed sincere remorse for his actions, has no prior disciplinary history in Tennessee or in Pennsylvania, has received a Public Censure for the same misconduct in Tennessee, and there is no indication that Respondent is at risk of committing this type of behavior in the future.

28. Respondent acknowledges that his misconduct is serious and warrants public discipline. Respondent understands that berating and touching a client in an offensive manner is unacceptable and that he must put aside his personal judgments of a client's decisions and provide the professional advice they came for. Respondent has sought therapy with a licensed psychologist, has been forthcoming and cooperative with ODC, and has expressed on multiple occasions that he is very remorseful for his actions. Moreover, Respondent is unlikely to repeat this behavior in the future. As a result, a Public Reprimand is the appropriate discipline.

29. Additional factors supporting a Public Reprimand include: Respondent resides in Tennessee; maintains his law practice in Tennessee; the misconduct and subsequent conviction took place in Tennessee; and precedent provided by the discipline imposed on Respondent in Tennessee for the same misconduct.

WHEREFORE, Petitioner and Respondent respectfully request, pursuant to Pennsylvania Rules of Disciplinary Enforcement 215(e) and 215(g), that a three-member panel of the





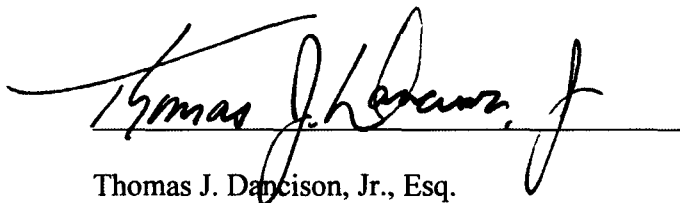


**VERIFICATION**

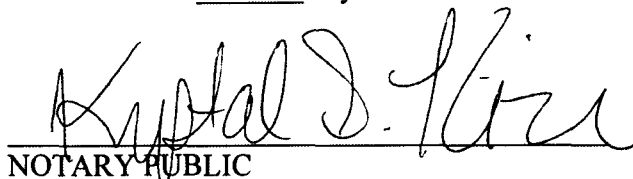
STATE OF TENNESSEE

COUNTY OF LAWRENCE

Thomas J. Dancison, Jr., being duly sworn, makes oath in due form of law that the facts contained in the foregoing Petition are true and correct to the best of his knowledge, information, and belief. I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

  
Thomas J. Dancison, Jr., Esq.

SUBSCRIBED AND SWORN to before me this the 9 day of February, 2022.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

02-4-22

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

|                                 |   |                         |
|---------------------------------|---|-------------------------|
| OFFICE OF DISCIPLINARY COUNSEL, | : | No. ___ DB 2022         |
| Petitioner                      | : |                         |
|                                 | : |                         |
|                                 | : |                         |
| v.                              | : |                         |
|                                 | : |                         |
| THOMAS JOSEPH DANCISON, JR.     | : | Attorney Reg. No. 75984 |
| Respondent                      | : |                         |
|                                 | : | (Out of state)          |

**RESPONDENT’S AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.**

THOMAS JOSEPH DANCISON, JR., being duly sworn according to law, deposes and submits this affidavit consenting to the recommendation of a Public Reprimand in conformity with Pa.R.D.E. 215(d), and further states as follows:

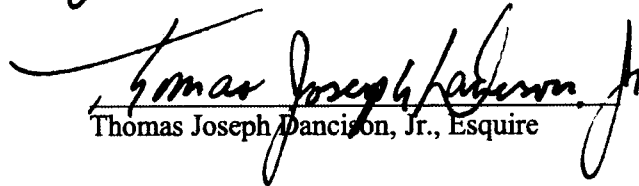
1. He is an attorney admitted to the Bar of the Commonwealth of Pennsylvania on November 20, 1995.
2. He desires to submit a Joint Petition in Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d).
3. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress, and he is fully aware of the implications of submitting this affidavit.
4. He is aware that there is presently pending a proceeding regarding allegations that he has been guilty of misconduct as set forth in the Joint Petition in Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d) to which this affidavit is attached.
5. He acknowledges that the material facts set forth in the Joint Petition are true.

6. He submits this affidavit because he knows that if charges predicated upon the matter under investigation were filed, or continued to be prosecuted in the pending proceedings, he could not successfully defend against them.

7. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding and has chosen to represent himself.

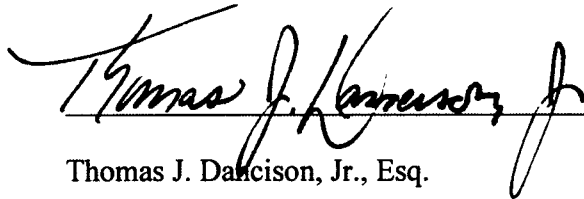
It is understood that the statements made herein are subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Signed this 9<sup>th</sup> day of February, 2022.

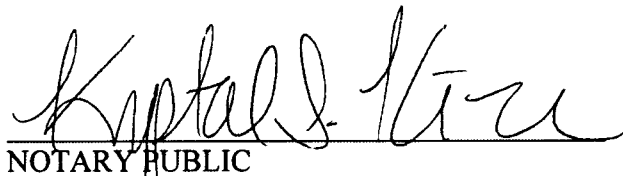
  
Thomas Joseph Dancison, Jr., Esquire

STATE OF TENNESSEE  
COUNTY OF LAWRENCE

Before me, a notary public in and for said county and state, appeared Thomas J. Dancison, Jr., being duly sworn, makes oath in due form of law that the facts contained in the foregoing Affidavit are true and correct to the best of his knowledge, information, and belief. He understands that false statements made herein are subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

  
Thomas J. Dancison, Jr., Esq.

SUBSCRIBED AND SWORN to before me this the 9 day of  
February, 2022.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES: Dec-4-22

BEFORE THE DISCIPLINARY BOARD OF THE  
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OFFICE OF DISCIPLINARY COUNSEL, : No. \_\_\_ DB 2022  
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 v. :  
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 THOMAS JOSEPH DANCISON, JR. : Attorney Reg. No. 75984  
Respondent :  
 : (Out of state)

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 204 Pa. Code §89.22 (relating to service by a participant).

First Class Mail and E-mail, as follows:

Thomas Joseph Dancison, Jr., Esquire  
P.O. Box 63  
Lawrenceburg, TN 38464  
mytnfamilylawyer@gmail.com

Date: 2/15/2022



\_\_\_\_\_  
Jessica L. Chapman, Esq.  
Disciplinary Counsel  
Office of Disciplinary Counsel  
District III Office  
601 Commonwealth Ave., Ste. 5800  
P.O. Box 62675  
Harrisburg, PA 17106-2675

**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Office of Disciplinary Counsel

Signature: Jessica S. Chapman

Name: Jessica L. Chapman, Disciplinary Counsel

Attorney No.: 323038