

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2604 Disciplinary Docket No. 3
Petitioner :
v. : No. 53 DB 2021
: Attorney Registration No. 55789
EDWARD C. MEEHAN, JR., :
Respondent : (Philadelphia)

ORDER

PER CURIAM

AND NOW, this 4th day of June, 2021, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board, the Joint Petition in Support of Discipline on Consent is granted, and Edward C. Meehan, Jr. is suspended on consent from the Bar of this Commonwealth for a period of six months. The suspension is stayed in its entirety, and Respondent is placed on probation for a period of one year. During his period of probation, Respondent shall not violate the Rules of Professional Conduct. Respondent shall pay the costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola
As Of 06/04/2021


Attest:
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : **53 DB 2021**
Petitioner :
v. : ODC File Nos. C1-19-147;
 : C1-20-463; and C1-20-682
 :
 : Atty. Reg. No. 55789
EDWARD C. MEEHAN, JR., :
Respondent : (Philadelphia)

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

Petitioner, Office of Disciplinary Counsel ("ODC"), by Thomas J. Farrell, Chief Disciplinary Counsel, and Harriet R. Brumberg, Disciplinary Counsel, and Respondent, Edward C. Meehan, Jr., Esquire, file this Joint Petition In Support of Discipline on Consent under Pennsylvania Rule of Disciplinary Enforcement ("Pa.R.D.E.") 215(d), and respectfully represent that:

I. PARTIES TO DISCIPLINE ON CONSENT

1. Petitioner, whose principal office is located at PA Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested pursuant to Pa.R.D.E. 207, with the power and 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.

FILED
04/14/2021
The Disciplinary Board of the
Supreme Court of Pennsylvania

2. Respondent, Edward C. Meehan Jr., was born in May 1962 and was admitted to practice law in the Commonwealth of Pennsylvania in November 1989.

3. Attorney registration records state that Respondent maintains an office for the practice of law at 211 North 13th Street, Suite 701, Philadelphia, PA 19107.

4. Pursuant to Pa.R.D.E. 201(a)(1), Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

**II. FACTUAL ADMISSIONS AND
VIOLATIONS OF RULES OF PROFESSIONAL CONDUCT**

5. Respondent specifically admits to the truth of the factual allegations and conclusions of law contained in paragraphs 1 through 80 herein.

CHARGE I: THE HONORABLE JACQUELINE M. FRAZIER-LYDE MATTER

6. On December 27, 2018, Jamel Robinson and co-defendant Jamal Graham were arrested and charged with Conspiracy, Theft by Unlawful Taking-Movable Property, and related offenses.

7. On January 9, 2019, Respondent entered his appearance on behalf of Mr. Robinson. *Commonwealth v. Jamel Robinson*, MC 51-CR-00326002018, Municipal Court, Philadelphia County.

8. On January 10, 2019, the Honorable Jacquelyn M. Frazier-Lyde presided at a joint preliminary hearing for Mr. Robinson and Mr. Graham, at which Respondent appeared on behalf of Mr. Robinson and Melissa Singleton, Esquire, appeared on behalf of co-defendant Jamal Graham.

9. At the hearing, the Commonwealth presented the testimony of the arresting Philadelphia police officer and Respondent and Ms. Singleton cross-examined the officer.

10. After the Commonwealth rested its case, Respondent and Ms. Singleton argued that the charges against each of their respective clients should be dismissed. (N.T. 1/10/2019, at pp. 18-20)

11. Judge Frazier-Lyde found that the Commonwealth had made a *prima facie* case against both defendants and held both defendants for court. (*Id.* at p. 20)

12. When Judge Frazier-Lyde began giving instructions to Mr. Robinson and Mr. Graham about her ruling and their forthcoming criminal proceedings, Respondent began talking to Mr. Robinson. (*Id.* at p. 21)

13. In response to Respondent's interrupting Judge Frazier-Lyde's instructions to Mr. Robinson and Mr. Graham, Judge Frazier-Lyde informed Respondent that "I am still talking, counsel. I am still talking," and then continued with her instructions to the defendants. (*Id.* at p. 21)

14. While Ms. Singleton was waiting to address Judge Frazier-Lyde on Ms. Singleton's motion to increase Mr. Graham's bail to \$300, Respondent interrupted Judge Frazier-Lyde again and told Judge Frazier-Lyde that "I am just laughing, judge." (*Id.*)

15. Thereafter, Judge Frazier-Lyde stated, "You are excused and you can laugh on out of here, with all due respect." (*Id.*)

16. While "exiting the bar of the court," Respondent "continued [making] distracting remarks, laughing, and expressing disagreement with the trial court['s] ruling." (Opinion, Frazier-Lyde, J., at p. 3)

17. At the time Respondent engaged in the foregoing conduct, Judge Frazier-Lyde had: not completed hearing Ms. Singleton's motion to increase Mr. Graham's bail; approximately 100 people in her courtroom; and 45 cases scheduled for a hearing. (*Id.*)

18. Respondent engaged in conduct intended to disrupt the tribunal.

19. Disruption of the court was a natural and probable consequence of Respondent's conduct.

20. Once Respondent left the courtroom, Ms. Singleton completed her bail motion and requested that Judge Frazier-Lyde increase Mr. Graham's bail. (N.T. 1/10/2019, at p. 21)

a. Judge Frazier-Lyde granted Ms. Singleton's request. (*Id.*)

21. Judge Frazier-Lyde then took a brief recess and requested that Respondent return to her courtroom. *Commonwealth v. Edward C. Meehan*, 235 A.3d 1284, p. 1286 (Pa.Super. 2020).

22. Upon Respondent's return to the courtroom, Judge Frazier-Lyde asked Respondent what he had said when Respondent was initially excused and left her courtroom. (N.T. 1/10/2019 at p. 21)

23. Instead of answering Judge Frazier-Lyde's question, Respondent reiterated his argument as to why Mr. Robinson should not be held for court on all criminal charges. (*Id.* at pp. 21-22)

24. When Judge Frazier-Lyde indicated that she did not want to hear further argument on Mr. Robinson's criminal matter, the following exchange ensued (*id.* at p. 22):

Respondent: If you didn't want to get into it, you shouldn't have asked the question.

Judge Frazier-Lyde: What you shouldn't have done is said I need to know the law, read up on the law.

Respondent: You do.

Judge Frazier-Lyde: Well, I do know the law and you owe me an apology or I will grant you a contempt hearing.

25. Respondent refused to apologize to Judge Frazier-Lyde and told Judge Frazier-Lyde that she could hold Respondent in contempt if she wanted. (*Id.* at p. 22)

26. After Respondent's initial refusal to apologize, Judge Frazier-Lyde warned (*id.* at pp. 22-23):

You just be careful because I don't care personally how you feel but as a sitting judge in this black robe, you don't say I need to read the law and if you want me to read it, then you provide it....

At this level, the evidence based on what my findings of fact is is how I rule.

And I do know the law. I am a graduate of Villanova Law School, sitting here 10 years.

All right now. Are you going to apologize or are we going to have a hearing or take back telling me that I need to know the law, I need to read the law?

27. After Respondent's second refusal to apologize, the following exchange ensued between Respondent and Judge Frazier-Lyde (*id.* at pp. 23-24):

Respondent: You made a bad decision.

Judge Frazier-Lyde: If you believe I made a bad decision, then you make your move. You don't make an indication like as though I don't know the law because that's an innuendo that you are saying....

Respondent: You made a bad decision.

Judge Frazier-Lyde: If you think I made a bad decision, then you must make your legal moves accordingly. You don't say I need to read the law

like I don't know the law. That's an inference that you made. Now are you apologizing or are we going to have a contempt hearing? Which one is it?

28. Respondent rejected Judge Frazier-Lyde's third request for an apology and said, "I will apologize for you making a bad decision on the law." (*Id.* at p. 24)

29. As a result of Respondent's conduct, Judge Frazier-Lyde ruled that Respondent would be charged with criminal contempt and have a contempt hearing on the charges. (N.T. 1/10/2019, at pp. 24-25)

30. During Respondent's discussion with Judge Frazier-Lyde and the Court Crier regarding the scheduling of Respondent's contempt hearing:

- a. Judge Frazier-Lyde informed Respondent that there were potential penalties for being found in contempt of court, including fines and incarceration (*id.* at p. 25);
- b. Respondent snidely told Judge Frazier-Lyde, "I think you have to file some formal paperwork with charges against me but I am sure you know what to do" (*id.* at p. 26); and
- c. Judge Frazier-Lyde reassured Respondent that she would make sure she finds everything that she needs "to find out for a contempt hearing on a lawyer who basically made certain representations that you made." (*Id.*)

31. Respondent's conduct, which resulted in Judge Frazier-Lyde scheduling a contempt of court hearing, spanned 7 pages of the 27 pages of the preliminary hearing transcript.

32. Respondent engaged in a course of conduct intended to disrupt a tribunal.

33. On January 17, 2019, Respondent appeared *pro se* before Judge Frazier-Lyde for Respondent's trial on charges of contempt of court, ***Commonwealth v. Edward C. Meehan***, MC 51-MD-0000011-2019, during which:

- a. Respondent apologized for his conduct on January 10, 2019 (N.T. 1/17/2019, at pp. 1-2);
- b. Judge Frazier-Lyde read the factual allegations in support of her charges of Respondent's violating 42 Pa.C.S.A. § 4132(1), (2), and (3) (*id.* at pp. 715);
- c. Respondent pled guilty (*id.* at p. 7);
- d. Judge Frazier-Lyde found Respondent guilty as charged (*id.* at p. 16); and
- e. Judge Frazier-Lyde sentenced Respondent to five days of incarceration on each charge, to run consecutively, and a \$100 fine on each charge. (*Id.*)

34. On January 25, 2019, Respondent filed a timely *pro se* Motion for Reconsideration of Sentence.

35. On or before February 5, 2019, Respondent retained counsel to represent him in his contempt of court matter.

36. On February 5, 2019, Respondent's retained counsel filed an Entry of Appearance, an Amended Motion for Reconsideration of Sentence, and a Motion to Vacate Sentence.

37. On February 12, 2019, Judge Frazier-Lyde heard argument on the motions for reconsideration, denied reconsideration, and stayed Respondent's sentence pending appeal. (N.T. 2/12/2019, pp. 37-38)

38. On February 14, 2019, Respondent filed a Notice of Appeal to the Superior Court; on March 18, 2019, the Superior Court docketed the appeal and assigned the appeal No. 685 EDA 2019.

39. On October 3, 2019, Respondent filed a brief for appellant; on March 9, 2020, the Commonwealth filed its brief for appellee.

40. On August 13, 2020, a panel of the Superior Court entered a published Opinion finding that:

- a. Respondent "engaged in misconduct by making distracting remarks, laughing, and snidely expressing disagreement with the court's ruling by stating that the trial court needs to know and read up on the law" *Commonwealth v. Edward C. Meehan*, supra at 1289-1290;
- b. Respondent's "insinuation as to whether [Judge Frazier-Lyde] understood the law was manifestly improper" (*id.* at 1290 n.4);
- c. Respondent's behavior "evidence[d] a clear intent to interrupt the court proceedings" (*id.* at p. 1290);
- d. Respondent knew or should have known that interrupting the court "is wrongful" (*id.*); and
- e. Respondent's "conduct evidenced a clear lack of respect for the trial court, warranting our

[the Superior Court's] firm disapproval." (*Id.* at p. 1290 n.4)

41. The Superior Court did not find that Respondent obstructed the administration of justice because the exchange between Judge Frazier-Lyde and Respondent "was of momentary nature and the progress of the administration of justice was not impeded thereby." (*Id.* at p. 1290).

42. The Superior Court concluded that Respondent did not commit criminal contempt in violation of 42 Pa.C.S.A. § 4132(1), (2), and (3) and vacated Respondent's convictions. (*Id.* at p. 1290)

43. Respondent engaged in conduct that was prejudicial to the administration of justice when Respondent: interrupted Judge Frazier-Lyde's ruling on Mr. Graham's bail motion; delayed the court's resolution of other matters on her list; needlessly expended the limited time and resources of the court system; and impugned the integrity of the judiciary.

44. By his conduct as alleged in paragraphs 6 through 43 above, Respondent violated the following Rules of Professional Conduct and Rules of Disciplinary Enforcement:

- a. RPC 3.5(d), which states which states that a lawyer shall not engage in conduct intended to disrupt a tribunal; and
- b. RPC 8.4(d), which states that it is professional misconduct for a lawyer to engage

in conduct that is prejudicial to the administration of justice.

CHARGE II: ROBERT D. GAFFNEY, SR. MATTER

45. On August 15, 2018, Robert D. Gaffney, Sr., was arrested and charged with manufacturing, delivery, or possession with intent to deliver controlled substances and possession of a controlled substance.

46. On August 17, 2018, the Court appointed Respondent to represent Mr. Gaffney in his criminal matter and Respondent entered his appearance on behalf of Mr. Gaffney. *Commonwealth v. Rodney D. Gaffney*, MC 51-CR-0021032-2018.

47. On February 26, 2019, Respondent appeared before the Honorable Henry Lewandowski, 3rd, for Mr. Gaffney's preliminary hearing, during which Judge Lewandowski held Mr. Gaffney for court on all charges.

- a. The Court of Common Pleas docketed Mr. Gaffney's case at CP-51-CR-0001441-2019.

48. On June 13, 2019, Respondent appeared before the Honorable Rayford A. Means, during which time:

- a. Mr. Gaffney entered a non-negotiated guilty plea;
- b. Judge Means revoked Mr. Gaffney's bail; and
- c. Judge Means scheduled Mr. Gaffney's sentencing for August 27, 2019.

49. On November 19, 2019, Judge Means sentenced Mr. Gaffney to 1 ½ to 3 years of confinement in a state

penitentiary to be followed by a consecutive term of 5 years of probation with credit for time served.

50. Pa.R.A.P. 903(a) provides that to preserve a party's appellate rights, a Notice of Appeal must be filed within 30 days after the entry of the final order from which the appeal is taken.

51. Respondent failed to:

- a. act with competence and diligence to preserve Mr. Gaffney's direct appeal rights and file a Notice of Appeal to the Superior Court within 30 days of judgment of sentence; and
- b. communicate with Mr. Gaffney and advise Mr. Gaffney that Respondent would not be representing him on post-sentencing matters and on direct appeal so that Mr. Gaffney could make an informed decision regarding his criminal case.

52. On December 27, 2019, Mr. Gaffney filed a *pro se* Motion for Reconsideration of Sentence.

53. On December 30, 2019, Mr. Gaffney filed an untimely *pro se* Notice of Appeal with the Superior Court.

- a. On January 16, 2020, the Superior Court received the Notice of Appeal and docketed Mr. Gaffney's appeal at No. 233 EDA 2020.

54. By *Per Curiam* Order dated February 26, 2020, the Superior Court issued a Rule to Show Cause:

- a. stating that, according to the Court of Common Pleas docket, the trial court has not entered an order regarding Mr. Gaffney's December 27, 2019 post-dispositional motion;

- b. directing that Appellant show cause, within 10 days, why the appeal should not be quashed as interlocutory;
- c. explaining that the failure of Appellant to respond may result in the dismissal of the appeal without further notice; and
- d. directing the Prothonotary to provide copies of its Order to Judge Means, Respondent, and the Commonwealth.

55. Respondent received the Superior Court's February 26, 2020 Order.

56. Respondent failed to:

- a. communicate with Mr. Gaffney and inform him of the status of his direct appeal; and
- b. respond to the Superior Court's Order.

57. From time to time in January and February 2020, Mr. Gaffney would write to Respondent requesting his client file, including his discovery and his transcripts.

58. Respondent failed to communicate with Mr. Gaffney and respond to his reasonable requests for information.

59. By *Per Curiam* Order dated March 9, 2020, the Superior Court issued a Rule to Show Cause:

- a. directing Appellant to show cause, within 10 days, why his appeal from the judgment of appeal imposed on November 19, 2019, should not be quashed as untimely filed on December 30, 2019;
- b. ruling that Appellant's filing of the untimely post-sentence motion on December 27, 2019, does not toll the 30-day period to file an appeal from the judgment of sentence;

- c. explaining that the failure of Appellant to respond may result in the dismissal of the appeal without further notice; and
- d. directing the Prothonotary to provide a copy of the Superior Court's Order to Respondent and Mr. Gaffney.

60. Respondent received the Superior Court's Order.

61. On March 10, 2020, Judge Means granted Mr. Gaffney's *pro se* motion to reconsider sentence, vacated the sentence imposed on November 19, 2019, and ordered a new sentencing hearing.

- a. The trial court did not have jurisdiction to vacate Mr. Gaffney's sentence as Mr. Gaffney's criminal case was pending before the Superior Court.

62. Respondent failed to:

- a. communicate with Mr. Gaffney and inform him of the status of his direct appeal; and
- b. respond to the Superior Court's Order.

63. On March 30, 2020, Mr. Gaffney filed with the Superior Court a *pro se* Response to Rule to Show Cause.

64. By *Per Curiam* Order dated April 14, 2020, the Superior Court issued a Rule to Show Cause stating that:

- a. the December 30, 2019 Notice of Appeal was untimely filed from the November 19, 2019 judgment of sentence, citing appellate and criminal rules and *Commonwealth v. Dreves*, 839 A.2d 1122, 1127 (Pa. Super. 2003) (*en banc*) (the untimely filing of post-sentence motions does not toll the 30-day period to file an appeal from the judgment of sentence);

- b. in light of the fact that Respondent "failed to respond to the March 9, 2020 Order to show cause, [Respondent is] directed to show cause, within thirty (30) days of the date of this Order, why" Mr. Gaffney's appeal should not be quashed as untimely filed in light of *Deves, id.*; and
- c. Respondent's failure to respond may result in the dismissal of Mr. Gaffney's appeal without further notice.

65. Respondent received the Superior Court's Order.

66. Respondent failed to:

- a. communicate with Mr. Gaffney and inform him of the status of his direct appeal; and
- b. respond to the Superior Court's Order.

67. By *Per Curiam* Order dated June 4, 2020, the Superior

Court:

- a. reiterated that by Orders dated March 9 and April 14, 2020, the Superior Court directed Respondent to show cause why Mr. Gaffney's appeal should not be quashed as untimely;
- b. found that Respondent failed to file a response to the Superior Court's March 9 and April 14, 2020 Orders; and
- c. concluded that as a result of the foregoing, Mr. Gaffney's appeal was quashed.

68. Respondent received the Superior Court's June 4, 2020 Order.

69. Respondent's conduct in handling Respondent's court appointment of Mr. Gaffney's criminal case was prejudicial to the administration of justice in that it: (1) unnecessarily

expended the court system's limited time and resources; and
(2) delayed the resolution of Mr. Gaffney's criminal matter.

70. By his conduct as alleged in paragraphs 45 through 69 above, Respondent violated the following Rules of Professional Conduct:

- a. RPC 1.1, which states that a lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation;
- b. RPC 1.3, which states that a lawyer shall act with reasonable diligence and promptness in representing a client;
- c. RPC 1.4(a)(3), which states that a lawyer shall keep the client reasonably informed about the status of the matter;
- d. RPC 1.4(a)(4), which states that a lawyer shall promptly comply with reasonable requests for information;
- e. RPC 1.4(b), which states that a lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation; and
- f. RPC 8.4(d), which states that it is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

III. JOINT RECOMMENDATION FOR DISCIPLINE

71. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a six-month suspension, stayed in its entirety, and one-year of probation with the condition that Respondent not violate any RPCs.

72. Respondent hereby consents to the discipline being imposed by the Supreme Court of Pennsylvania. Attached to this Petition is Respondent's executed Affidavit required by Pa.R.D.E. 215(d), which states that he consents to the recommended discipline and the mandatory acknowledgements contained in Pa.R.D.E. 215(d) (1) through (4).

73. Respondent and ODC respectfully submit that there are the following aggravating factors:

- a. Respondent has a history of progressive discipline for engaging in conduct involving neglect and failure to communicate with his clients:
 1. on May 25, 2000, Respondent received an Informal Admonition with the condition that Respondent complete one-hour of CLE for failing to file a direct appeal in two unrelated criminal matters;
 2. on February 11, 2004, Respondent received a Private Reprimand for failing to either promptly advise his client that his PCRA petition was dismissed or timely file a direct appeal from the dismissal of his client's PCRA petition; and

3. on October 18, 2006, Respondent received a Public Reprimand (on consent) for failing to file a direct appeal in two unrelated criminal conviction matters.

b. Respondent's conduct in the Judge Frazier-Lyde matter was reported in the local newspapers. The news reports sullied the reputation of the Philadelphia Bar.

74. ODC and Respondent submit there are the following mitigating factors:

a. By virtue of Respondent entering into this Disciplinary on Consent, Respondent expresses recognition of his wrongdoing and remorse for his misconduct; and

b. Respondent self-reported his contempt of court conviction.

75. Attorneys who engage in conduct intended to disrupt a tribunal in violation of RPC 3.5(d) may receive discipline ranging from an Informal Admonition to a Public Reprimand. The quantum of discipline imposed takes into consideration: the age and experience of the attorney (C1-18-175, an attorney who had been practicing law for three years and had no mentor received an Informal Admonition for engaging in disruptive conduct that prompted a mistrial); whether the attorney expressed remorse and recognition for his misconduct (C2-17-479, attorney who recognized his wrongdoing and articulated remorse for appearing in court, arguing that the court had no authority over his client, and then leaving the courtroom before the proceeding concluded, received a Private

Reprimand); and whether the attorney engaged in repeated instances of conduct that was disrespectful and demeaning to the court (*Office of Disciplinary Counsel v. Daniel Silverman*, No. 125 DB 2015 (D.Bd. Order 6/21/2016), Public Reprimand imposed on very experienced criminal defense attorney who repeatedly ignored admonitions of PCRA judge and continued to engage in argumentative and unprofessional behavior).

76. The range of discipline for attorneys who neglect client matters or court orders runs much wider. The neglect of one client matter may result in an Informal Admonition. See C2-20-293 (Informal Admonition imposed on an attorney who was sanctioned by the court for not complying with discovery requests); C1-19-47 (attorney who neglected an estate matter and unintentionally commingled fiduciary funds received an Informal Admonition with the condition that he take a CLE course on handling fiduciary funds). More serious discipline may be imposed when an attorney neglects multiple matters. See C4-11-674; C4-11-880; C4-12-726; C4-14-596; C4-13-600 (attorney who neglected five client matters received a Private Reprimand with two years of probation); *Office of Disciplinary Counsel v. Sterling Artist*, D.Bd.Rpt. 4/27/2007, S.Ct. Order 7/18/2007 (attorney who neglected three client

matters over the course of several years was suspended for one year and one day).

77. Attorneys generally receive progressively greater discipline for engaging in similar misconduct. See, e.g., *Office of Disciplinary Counsel v. Penelope Boyd*, No. 147 DB 2020 (9/10/2020) (Public Reprimand imposed on attorney who had received two Informal Admonitions and a Private Reprimand and subsequently neglected the appeal of a child custody matter). Public discipline may also be imposed where an attorney has a record of discipline for engaging in similar misconduct. "The imposition of public discipline reinforces the attorney's obligation to follow through on client matters." *Office of Disciplinary Counsel v. Scott DiClaudio*, 156 DB 2009, D.Bd. Rpt. 12/21/2010 at p. 12 (S.Ct. Order 4/28/2011) (attorney with record of private discipline for neglecting client matters received a three-month stayed suspension and one year of probation with a practice monitor for failing to file an appellate brief and to communicate with his client); *Office of Disciplinary Counsel v. Neal Jokelson*, No. 58 DB 1998 and 102 DB 1998, D.Bd.Rpt. 12/22/2000 (S.Ct. Order 2/26/2001) (Public Censure and three years of probation with practice monitor imposed on attorney who had received two Informal Admonitions and two Private Reprimands

and subsequently neglected and failed to communicate in two client matters).

78. Finally, suspensions of one year and one day are routinely imposed on recidivist attorneys when the Court finds that there is a need to remove the attorney from the practice of law and to undergo a rigorous reinstatement process. The Disciplinary Board has explained the need for increased discipline because "the Court takes a dim view on recidivist disciplinary offenders, particularly those with prior instances of public discipline." *Office of Disciplinary Counsel v. Frank C. Arcuri*, No. 147 DB 2019, D.Bd. Rpt. 8/20/2020 (S.Ct. Order 10/6/2020) (suspension of one year and one day imposed on Arcuri, who had received a one year suspension and three Private Reprimands and subsequently neglected six client matters).

79. In two unrelated criminal matters, Respondent exhibited disrespect for court orders and procedures. In the *Judge Frazier-Lyde* matter, Respondent's disrespectful conduct disrupted a court proceeding. In the *Gaffney* matter, Respondent disregarded repeated Rule to Show Cause orders from the Superior Court about Respondent's client's appeal from his criminal conviction.

Respondent has a record of discipline for neglecting client matters and court orders. Application of the foregoing

precedent to the totality of Respondent's conduct merits Respondent's receipt of public discipline. While progressively greater discipline of a suspension would ordinarily be appropriate, Respondent's Public Censure was in October 2006—over fourteen years ago. Thus, there does not appear to be any need for Respondent to undergo a reinstatement hearing to assess his fitness to practice law.

In the past two years, however, Respondent has engaged in conduct prejudicial to the administration of justice. Under the totality of these circumstances, a six-month suspension stayed in its entirety and a one-year term of probation with the condition that Respondent must not violate the RPCs is apt discipline as it addresses the seriousness of Respondent's misconduct while serving to protect the public, the courts, and the legal profession from future wrongdoing. *Office of Disciplinary Counsel v. Keller*, 509 Pa. 573, 579, 506 A.2d 872, 875 (1986) (goals of attorney discipline system are to protect the public and to maintain the integrity of the profession and the courts).

80. Respondent and ODC agree that a six-month suspension, stayed in its entirety, and one-year of probation with the condition that Respondent not violate the RPCs during his term of probation, is the appropriate discipline.

WHEREFORE, Petitioner and Respondent respectfully request that:

- a. Pursuant to Pa.R.D.E. 215(e) and 215(g), the three-member panel of the Disciplinary Board review and approve the Joint Petition in Support of Discipline on Consent and recommend to the Supreme Court that the Court enter an Order suspending Respondent from the practice of law for six months, stay the suspension in its entirety, and impose a one-year term of probation with the condition that Respondent not violate the RPCs during his term of probation; and
- b. Pursuant to Pa.R.D.E. 215(i), the three-member panel of the Disciplinary Board enter an Order for Respondent to pay the necessary expenses incurred in the investigation and prosecution of this matter, and that under Pa.R.D.E. 208(g)(1), all expenses be paid by Respondent within 30 days after notice transmitted to the Respondent of taxed expenses.

Respectfully and jointly submitted,
OFFICE OF DISCIPLINARY COUNSEL

Thomas S. Farrell
CHIEF DISCIPLINARY COUNSEL

4/14/2021
Date

By Harriet R. Brumberg
Harriet R. Brumberg
Disciplinary Counsel

4/12/21
Date

By E.C. Meehan, Jr.
Edward C. Meehan, Jr., Esquire
Respondent

4/12/21
Date

By M. Stretton
Samuel C. Stretton, Esquire
Respondent

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :
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v. : C1-20-463; and C1-20-682
: :
: Atty. Reg. No. 55789
EDWARD C. MEEHAN, JR., :
Respondent : (Philadelphia)

VERIFICATION

The statements contained in the foregoing Joint Petition
In Support Of Discipline On Consent Under Pa.R.D.E. 215(d)
are true and correct to the best of our knowledge or
information and belief and are made subject to the penalties
of 18 Pa.C.S. § 4904, relating to unsworn falsification to
authorities.

4/14/2021
Date

Harriet R. Brumberg
Harriet R. Brumberg
Disciplinary Counsel

4/12/21
Date

Edward C. Meehan, Jr.
Edward C. Meehan, Jr.
Respondent

4/13/21
Date

Samuel C. Stretton, Esquire
Samuel C. Stretton, Esquire
Counsel for Respondent

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

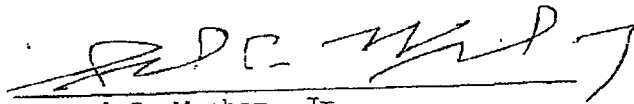
OFFICE OF DISCIPLINARY COUNSEL, :
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AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

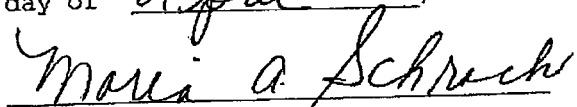
Respondent, Edward C. Meehan, Jr., hereby states that he consents to the imposition an Order suspending Respondent from the practice of law for six months, staying the suspension in its entirety, and imposing a one-year term of probation with the condition that Respondent not violate the RPCs during his term of probation, and further states that:

1. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; he is fully aware of the implications of submitting the consent; and he has consulted with Samuel C. Stretton, Esquire, in connection with the decision to consent to discipline;
2. He is aware that there are presently pending investigations involving allegations that he has been guilty of misconduct as set forth in the Joint Petition;
3. He acknowledges that the material facts set forth in the Joint Petition are true; and

4. He knows that if the charges are brought against him in the pending investigation, he could not successfully defend against them.


Edward C. Meehan, Jr.
Respondent

Sworn to and subscribed
before me this 12
day of April, 2021.



Notary Public

Commonwealth of Pennsylvania - Notary Seal
MARIA A. SCHRACK, Notary Public
Philadelphia County
My Commission Expires March 26, 2024
Commission Number 1240335

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: 

Name: Harriet R. Brumberg, Disciplinary Counsel

Attorney No. (if applicable): 31032