

**[J-31-2024] [MO: Donohue, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. [REDACTED]
	:	
Petitioner	:	No. [REDACTED]
	:	Attorney Registration No. [REDACTED]
	:	([REDACTED] County)
v.	:	
	:	ARGUED: April 10, 2024
	:	
ANONYMOUS ATTORNEY,	:	
	:	
Respondent	:	

CONCURRING OPINION

JUSTICE WECHT

DECIDED: FEBRUARY 12, 2025

I join the Majority in full. The Majority convincingly demonstrates the “symmetry,”¹ between the “clear and convincing” and “clear and satisfactory” burdens of proof. Going forward, courts and litigants would be well-advised to forego invocation of the latter standard in favor of the former. As the Majority shows, the “clear and satisfactory” language traces its lineage to a bygone era.² That language has contributed to confusion for far too long. Presumably, all evidence that was ever “clear” was also at least “satisfactory.” As I find the “clear and satisfactory” standard archaic, unhelpful and, indeed, unclear and unsatisfactory, I would henceforth dispense with it altogether.

¹ Maj. Op. at 23.

² So bygone that the Commonwealth had not yet displaced the numbers rackets with the Lottery. See *id.* at 14-15 (discussing *In re Lemisch*, 184 A. 72 (Pa. 1936)).