

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : No. 1590 Disciplinary Docket No. 3
:
: No. 12 DB 2010
SUZANNE SPENCER ABEL :
: Attorney Registration No. 202443
:
PETITION FOR REINSTATEMENT : (Cumberland County)

ORDER

PER CURIAM

AND NOW, this 28th day of May, 2024, 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 05/28/2024

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. FACTUAL BACKGROUND

The Board makes the following findings of fact:

A. The Initial Misconduct

1. Petitioner is Suzanne Spencer Abel, born on October 7, 1961, and admitted to practice law in the Commonwealth of Pennsylvania on July 24, 2006. Petitioner is subject to the disciplinary jurisdiction of the Supreme Court of Pennsylvania.

2. Following her bar admission, Petitioner practiced primarily workers' compensation, social security disability, and family law for both Aaron Neuharth, Esquire in Chambersburg, Pennsylvania, and at her solo practice in Mt. Holly Springs, Pennsylvania. N.T. 52-53.
3. In the summer of 2008, Petitioner was involved in an ongoing controversy with a neighbor, which culminated in an incident on August 22, 2008, where Petitioner drove approximately 4/10th of a mile down the neighborhood road with the neighbor clinging to the windshield of Petitioner's vehicle. Petitioner's vehicle struck the front end of a police vehicle that was responding to the scene. N.T. 61-63; Reinstatement Questionnaire No. 9(b)(i) (Joint Petition in Support of Discipline on Consent).
4. On November 20, 2008, a seven count Information was filed in the Cumberland County Court of Common Pleas charging Petitioner with aggravated assault, recklessly endangering another person, disorderly conduct, criminal mischief, driving on roadways laned for traffic, careless driving, and reckless driving. Reinstatement Questionnaire No. 9(b)(i) (Joint Petition in Support of Discipline on Consent).
5. On November 8, 2009, following a jury trial in the Cumberland County Court of Common Pleas, Petitioner was convicted of recklessly endangering another person, disorderly conduct, criminal mischief, driving on roadways laned for traffic and careless driving. Petitioner was acquitted of aggravated assault and reckless driving. Jt. Stip. 1.

6. On December 15, 2009, Petitioner was sentenced to eight days to twelve months of incarceration, plus restitution, fines and costs. Petitioner served her minimum sentence. Jt. Stip. 2.
7. On December 27, 2009, Petitioner timely notified the Board of her criminal conviction. Jt. Stip. 3.
8. On January 25, 2010, Petitioner and Office of Disciplinary Counsel (“ODC”) executed a Joint Petition in Support of Discipline on Consent. Jt. Stip. 4.
9. On April 26, 2010, the Supreme Court of Pennsylvania granted the Joint Petition and suspended Petitioner for one year and one day. Jt. Stip. 5.
10. On January 18, 2011, Cumberland County Adult Probation and Parole confirmed Petitioner’s completion of all sentencing requirements for her criminal case. Jt. Stip. 7.

B. Post-Suspension Rehabilitation

11. After the August 2008 criminal incident, Petitioner sought and received inpatient and outpatient services, in both individual and group settings, to address mental health issues she was experiencing. N.T. 73 - 76.
12. Petitioner testified that the state of her mental health was not something that occurred to her after the incident, but has been a lifelong part of who she is. N.T. 72-73. After the criminal incident in 2008, she continued attending weekly therapy and began seeing her psychiatrist monthly instead of quarterly. N.T. 73.
13. Petitioner was diagnosed by her treating psychiatrist with major depression, post traumatic stress disorder, and the effects of family estrangement. N.T. 73.

14. Petitioner currently utilizes twice weekly trauma treatment with a therapist and community support services to treat and manage her mental health concerns and intends to continue such services. N.T. 73-76, 86-89.
15. Petitioner no longer sees her psychiatrist due to insurance issues, and instead has a nurse practitioner managing her medications. She currently takes prescription medications for her mental health, as well as medications to address physical health problems. N.T. 73, 77-78.
16. From August 2008 to 2017, Petitioner applied for and received Social Security Disability benefits because of her mental health. N.T. 89-90.
17. In 2017, Petitioner's healthcare provider released her to return to work on a part-time basis up to 20 hours per week. N.T. 54-55, 90.
18. In 2017, Petitioner began working at the Cumberland/Perry Community Support Program ("CSP"), a consumer-led non-profit organization representing the needs and rights of persons with serious mental health diagnoses. While at CSP, Petitioner organized and conducted monthly member meetings and organized and ran community events. N.T. 54-55; Reinstatement Questionnaire No. 6(b).
19. Petitioner maintained employment with CSP until approximately 2018, when she was offered a position as a lead GED instructor with the Employment Skills Center ("ESC"), where she is currently employed. Petitioner works 12 to 15 hours per week. N.T. 51, 55; Reinstatement Questionnaire No. 6(b).
20. Petitioner finds her work at the ESC as a GED instructor essential to the community and rewarding in helping others achieve their goals. N.T. 55.

21. In November 2022, Petitioner commenced a position as an unpaid intern with Andrews, Johnson & Braught, Attorneys at Law, a law firm located in Carlisle. In this capacity, Petitioner performs research for the firm's partners, assists in drafting briefs, and is learning wills and estates law. Petitioner interns about nine hours per week. Petitioner does not make or take telephone calls with clients, does not meet clients alone, and is introduced as an intern. N.T. 51, 55-56.
22. On November 10, 2022, Petitioner notified the Board that she was performing law-related tasks for the law firm. Jt. Stip. 8.
23. Petitioner fulfilled the Continuing Legal Education credits required for reinstatement. Jt. Stip. 10.
24. Petitioner performed volunteer work for the Central Pennsylvania Youth Ballet, participated in various fundraisers for the ESC, and rejoined her temple. N.T. 80.
25. Petitioner is active with the parental alienation community, She started a local support group, organized and spoke at three awareness rallies at the Capitol, and attended national conferences. N.T. 79-80.

C. The Reinstatement Petition

26. On March 1, 2023, nearly 13 years after her suspension was imposed, Petitioner filed a Petition for Reinstatement, accompanied by a Reinstatement Questionnaire.

27. Office of Disciplinary Counsel filed a response on May 26, 2023, and raised a concern as to Petitioner's failure to disclose complete information regarding prior court proceedings in her Reinstatement Questionnaire.¹
28. A prehearing conference was held on August 2, 2023, and a reinstatement hearing was held on September 28, 2023, before a District III Hearing Committee ("Committee").
29. Petitioner testified on her own behalf. Petitioner's testimony is credible.
30. Petitioner explained that although she could have filed for reinstatement at an earlier date, she sought mental health treatment to address the issues related to her criminal conduct. Petitioner filed the instant Petition for Reinstatement because she believes that she currently has the moral qualifications and competence to resume the practice law. Jt. Stip. 6; N.T. 73; N.T. 86-89.
31. Petitioner testified extensively to her lifelong mental health challenges and her treatment efforts. Petitioner remains compliant with her treatment and medication regimens because she knows they keep her on the path she wants to stay on. N.T. 73.
32. Petitioner accepted full responsibility for her decisions and conduct that led to her criminal actions and conviction. N.T. 63-65.
33. Petitioner expressed deep feelings of shame, regret and remorse for her failure to prevent the incident and for the consequences to others. N.T. 64.

¹ ODC did not pursue this concern at the hearing.

34. If reinstated, Petitioner plans to continue working at the ESC and as an intern for the Andrews law firm, but made clear that full-time work is not in her future. N.T. 90.
35. Petitioner would like her law license reinstated to restore her reputation and allow her to earn back the respect of the bar. N.T. 82-83.
36. In addition to her own testimony, Petitioner presented the testimony of six witnesses, each of whom testified credibly on Petitioner's behalf.
37. Judge J. Wesley Oler, Jr., is a former Cumberland County Common Pleas judge and has known Petitioner since 1994. N.T. 7-8; 13.
38. Judge Oler and Petitioner discussed the reasons for her suspension, and he found that her explanations were consistent with his understanding at the time, and that Petitioner was contrite and took responsibility for her actions. N.T. 9.
39. Judge Oler described Petitioner as very intelligent, hardworking, and conscientious based upon his observations and conversations he has had with people in the community. N.T. 10, 13.
40. Judge Oler believes Petitioner is a person of excellent character and someone that he would recommend as an attorney to his friends and family. N.T. 11.
41. Taylor P. Andrews, Esquire, has been admitted to the bar in Pennsylvania for approximately 51 years and is a partner with the law firm of Andrews, Johnson & Braught in Carlisle, Pennsylvania. N.T. 125, 126.

42. Attorney Andrews met Petitioner in November 2022, when she began an unpaid internship with his law firm. He described Petitioner's work during her internship as accurate and thorough. N.T. 131-32; 137.
43. Attorney Andrews believes Petitioner has the requisite legal knowledge to competently represent clients and that her reinstatement would be a benefit for the bar. N.T. 132, 133, 134.
44. Attorney Andrews and Petitioner discussed the reason for her suspension and he credibly testified that she expressed regret for what had occurred. N.T. 128.
45. Attorney Andrews discussed Petitioner's mental health issues with her and he has no concerns with her mental health history. He has not seen any interference with her work for the law firm caused by Petitioner's mental health. N.T. 129, 132.
46. Attorney Andrews finds Petitioner to be conscientious, even-tempered, and friendly. As well, Attorney Andrews finds Petitioner is on an even keel, receptive to the opinion of others, and a good collaborator. N.T. 135-36.
47. Attorney Andrews confirmed that Petitioner does not hold herself out as an attorney who is eligible to practice law, nor does she have client contact. N.T. 132- 133.
48. Jason Davies is the Program Director of the GED and Nurse Aide Programs at the ESC in Carlisle, Pennsylvania. Mr. Davies is Petitioner's supervisor. N.T. 36-37.
49. In Petitioner's capacity as lead GED instructor, she is the primary teacher for the day classes and teaches one evening class a week. Petitioner designs the curriculum and before each session, Mr. Davies and Petitioner review the

information. Mr. Davies testified that Petitioner does a “great job” designing the program, setting the topics, and working with the students. N.T. 39.

50. Mr. Davies credibly testified that Petitioner disclosed her suspension and openly discussed the circumstances in an honest and remorseful way. Petitioner likewise disclosed her mental health issues. N.T. 39.

51. Mr. Davies finds that Petitioner’s personal experiences help her connect with people like her students, as her experiences have made her honest, empathetic, and humble. N.T. 39-42.

52. Mr. Davies has never observed Petitioner telling anyone she was an attorney or offering others legal advice. N.T. 45-46.

53. Mr. Davies testified that Petitioner is trustworthy and has high moral and ethical values. N.T. 46-47.

54. Sheri Romano has been friends with Petitioner for approximately twenty years and is a former neighbor. N.T. 23-24.

55. Ms. Romano credibly testified that Petitioner has taken responsibility for her actions and is remorseful. N.T. 27-28.

56. Ms. Romano testified that Petitioner has received the necessary help to address her underlying mental health issues. *Id.*

57. After Petitioner’s criminal conviction, Ms. Romano never observed Petitioner informing anyone she was an attorney, nor has she observed Petitioner offering legal advice to anyone. N.T. 30.

58. Ms. Romano believes Petitioner is of high moral character and is trustworthy, level-headed, and reliable. N.T. 29-31.
59. Beverly Doorly is a retired registered nurse and licensed nursing home administrator. Ms. Doorly met Petitioner through the Central Pennsylvania Youth Ballet, where Ms. Doorly's granddaughter and Petitioner's daughter took lessons together. N.T. 15, 16, 17.
60. Ms. Doorly has known Petitioner for approximately 15 years. N.T. 15-16.
61. Ms. Doorly credibly testified that Petitioner was an attentive parent and community volunteer. N.T. 17-18.
62. Ms. Doorly discussed Petitioner's criminal conviction and license suspension with Petitioner and does not consider Petitioner to be a dangerous person. N.T. 20.
63. Ms. Doorly credibly testified that Petitioner has tried to make things right and has worked toward being a better person. N.T. 22.
64. Ms. Doorly described Petitioner as caring, sensitive, and supportive, and a person of integrity and good morals and values. N.T. 20, 22.
65. Virginia Hostetter is Petitioner's 21-year-old daughter. Ms. Hostetter testified that she participates in counseling with Petitioner, which has strengthened their relationship. N.T. 142.
66. Teresa Stephens, LCSW, is Petitioner's trauma therapist. N.T. 92.
67. Ms. Stephens earned her Master of Social Work, is board certified, and specializes in treating trauma. N.T. 93, 94.

68. Ms. Stephens has been treating Petitioner twice a week for approximately five years, with a focus on trauma resolution. N.T. 96, 98.

69. Ms. Stephens credibly testified that Petitioner has taken responsibility for her past actions and developed a support team to avoid a relapse. N.T. 98, 102-106.

70. Ms. Stephens testified that she does not believe Petitioner will experience any relapses, since they have worked to address many of the major traumas she previously faced. N.T. 102-106, 112, 116.

71. Ms. Stephens testified that she has observed a great deal of progress in Petitioner in the last five years, in that she is more emotionally regulated and is able to stay within a tolerable emotional range. N.T. 113-114.

72. Ms. Stephens further testified that Petitioner has become more mentally stable and resilient and has learned self-regulation and coping skills. N.T. 115, 116.

73. Ms. Stephens characterized Petitioner as a person with high morals and values who has demonstrated the necessary competencies to be reinstated to practice law. N.T. 121, 123.

74. Petitioner introduced character letters in support of her reinstatement from her landlord, her employer, and a coworker, as well as testimonials from her GED students, all of which were admitted into evidence. Petitioner's Exhibits 1, 2, 3, 4.

D. The Procedural History Below

75. On November 14, 2023, Petitioner filed a post-hearing brief to the Committee in support of her reinstatement.

76. On November 16, 2023, ODC submitted a letter stating that it did not oppose Petitioner's reinstatement and that it would not file a brief.

77. By Report filed on January 11, 2024, the Committee concluded that Petitioner met her reinstatement burden and recommended to the Board that the Petition for Reinstatement be granted.

78. The parties did not file exceptions to the Committee's Report and recommendation.

79. The Board adjudicated this matter at the meeting on April 10, 2024.

II. CONCLUSIONS OF LAW

1. Petitioner established by clear and convincing evidence that ~~she~~ possesses the moral qualifications, competency, and learning in the law required for admission to the practice of law in the Commonwealth of Pennsylvania. Pa.R.D.E. 218(c)(3).

2. Petitioner established by clear and convincing evidence that ~~her~~ resumption of the practice of law within the Commonwealth of Pennsylvania 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 following her suspension on consent for a period of one year and one day, ordered by the Supreme Court of Pennsylvania on April 26, 2010. Pursuant to Rule 218(a)(4), 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 she is morally qualified, competent and learned in the law and that her 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 Committee weighed the evidence, concluded that Petitioner met her stringent burden of proof, and recommended that Petitioner be reinstated. ODC does not oppose reinstatement. Upon our independent review of the record, we conclude that Petitioner met her reinstatement burden and we recommend that the Petition for Reinstatement be granted.

Petitioner credibly testified on her own behalf and presented testimony from six credible character witnesses: former Judge J. Wesley Oler, Jr.; Taylor Andrews, Esquire; Jason Davies; Beverly Doorly; Sheri Romano; Virginia Hostetter; and Teresa Stephens, LCSW. Petitioner also submitted into evidence character letters from her

employer, her landlord, a coworker, and student testimonials. The totality of this testimony and evidence demonstrates that Petitioner has the moral qualifications, competence and learning to practice law and that the resumption of her practice will be neither detrimental to the integrity and standing of the bar or the administration of justice, nor subversive of the public interest.

Petitioner's suspension was predicated upon her criminal conviction of reckless endangerment, disorderly conduct, criminal mischief, driving on roadways laned for traffic, and careless driving. Petitioner's conviction was based upon a private, domestic incident with her neighbor and not directly related to the practice of law. Petitioner timely reported her conviction to ODC and fully cooperated by agreeing to enter into a Joint Petition in Support of Discipline on Consent suspending her law license for one year and one day.

Petitioner is 62 years of age and has been suspended for approximately 14 years. Petitioner was eligible to apply for readmission from her one year and one day suspension at an earlier date, but chose first to address the mental health issues she suffered that were intertwined with her criminal conduct before requesting readmission to the practice of law. The record established that Petitioner is sincerely remorseful for her wrongful actions that led to her conviction and suspension from the bar of the Commonwealth. She accepted full responsibility for her misconduct and its consequences to others, and has been genuinely humbled by her experience. Petitioner's substantial efforts post-suspension to address her longstanding mental health issues demonstrate both recognition that she was responsible for her criminal actions and that

remedial treatment was of the utmost importance. The witness testimony and the character letters unequivocally and unanimously support Petitioner's return to the practice of law and vouch for her moral and ethical character. All of the witnesses were fully informed of Petitioner's criminal conduct and suspension, and testified that despite this, they would support her return to the legal profession, as she is remorseful and has taken responsibility for her actions.

Petitioner had no record of professional discipline in Pennsylvania prior to the instant suspension. Prior to filing her Petition for Reinstatement, Petitioner fulfilled all of her criminal sentencing requirements. As noted above, Petitioner has spent since 2008 addressing the underlying mental health conditions that played a role in her criminal conduct. Petitioner has worked with healthcare professionals who diagnosed her with major depression, post-traumatic stress disorder, and the effects of family estrangement, and assisted her in obtaining the necessary treatment through inpatient and outpatient services. Petitioner also utilizes community support services to help navigate her mental health concerns and their effect on her life.

Ms. Stephens is Petitioner's trauma therapist and testified on her behalf. For the past five years, Ms. Stephens and Petitioner have met twice per week. Ms. Stephens shared her observations that Petitioner has taken responsibility for her misconduct, has developed a support team and coping skills to avoid future issues, has made great progress in the past five years, and is mentally stable and resilient. Significantly, Ms. Stephens offered her credible opinion that the likelihood of Petitioner's relapse is low, as the major trauma has been addressed. Overall, the record reflected

that Petitioner has worked tirelessly to improve her mental health, develop a support network, and ensure that she has the necessary resources to avoid a future situation similar to the instant criminal conduct. Petitioner remains compliant with her treatment and medication regimens, has committed to continuing the level of care necessary to maintain her current mental health, and continues to utilize all available services to address her mental health.

During the initial portion of her suspension, Petitioner was on disability due to her mental health disorders and did not work. In 2017, Petitioner's doctor released her to return to work, and she began steady part-time employment, first with the CPS and then as a GED instructor for the ESC. Petitioner finds her work at the ESC to be rewarding as she is able to help others achieve their goals. Mr. Davies is Petitioner's immediate supervisor at the ESC and testified on her behalf as to her value to the program as a lead GED instructor, and shared his observations of Petitioner as an honest, empathetic and humble individual whose past experiences have helped her connect with her students. In 2022, Petitioner commenced an unpaid internship with the Andrews law firm, which demonstrated her interest in the legal field and desire to maintain legal competence. Attorney Andrews, who is a lawyer with over five decades of experience, testified that Petitioner's work product is accurate and thorough and she has the requisite legal knowledge to competently represent clients. Attorney Andrews finds Petitioner to be conscientious, receptive to others' opinions, and a good collaborator. Relatedly, Petitioner strove to maintain her competency and learning in the law by completing all required continuing legal education courses. If reinstated, Petitioner expressed her desire to

continue part-time employment as a GED instructor and maintain her internship.

As further evidence of rehabilitation, Petitioner demonstrated her interest in giving back to her community by volunteering for the Central Pennsylvania Youth Ballet and the ESC. She rejoined her temple, and became active in the issue of parental alienation by organizing a local support group and speaking at conferences.

We conclude from the evidence of record that Petitioner spent her suspension period since 2010 engaged in rehabilitation sufficient for reinstatement. 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 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).

Upon this record, Petitioner has clearly and convincingly demonstrated her fitness to resume the practice of law. She is morally qualified, competent and learned in

the law, and her reinstatement will not harm the public or be detrimental to the integrity of the profession or the administration of justice.

IV. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Petitioner, Suzanne Spencer Abel, 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: 
Celeste L. Dee, Member

Date: 04/29/2024