

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, Petitioner	:	Nos. 1001 and 1053 Disciplinary Docket
	:	No. 3
	:	:
v.	:	Nos. 23 and 122 DB 2005
	:	:
JOHN HAROLD McKEON, JR., Respondent	:	Attorney Registration No. 30127 (Philadelphia)

ORDER

PER CURIAM

AND NOW, this 19th day of June, 2008, a Rule having been entered upon Respondent by this Court on May 5, 2008, to show cause why the Orders of this Court entered on January 5, 2006, and November 2, 2007, should not be modified and, upon consideration of the response filed, it is hereby

ORDERED that the Rule is made absolute; the probation ordered by this Court on January 5, 2006, and November 2, 2007, is revoked; and John Harold McKeon, Jr., is suspended from the Bar of this Commonwealth for a period of one year, to be followed by probation for a period of two years after being reinstated, subject to the following conditions:

1. Respondent shall abstain from using alcohol or any other mind-altering chemical;
2. Respondent shall regularly attend Alcoholics Anonymous meetings on a weekly basis and provide written verification of attendance to the Board on a Board-approved form;

3. Respondent shall obtain a sponsor in Alcoholics Anonymous and maintain weekly contact with that sponsor;

4. A sobriety monitor shall be appointed in accordance with Disciplinary Board Rule §89.293(c);

5. Respondent shall furnish his sobriety monitor with his Alcoholics Anonymous sponsor's name, address and telephone number;

6. Respondent shall undergo any counseling or treatment prescribed by a physician or alcohol counselor;

7. Respondent shall file with the Secretary of the Board quarterly written reports;

8. On a quarterly basis, Respondent shall submit to the Board and to the Office of Disciplinary Counsel a report of a Rapid Flash 5 drug screening showing negative results for all controlled substances covered by that procedure to be conducted randomly on a date selected by Respondent's sobriety monitor;

9. With the sobriety monitor, Respondent shall:

a) meet at least twice a month;

b) maintain weekly telephone contact;

c) provide the necessary properly executed written authorizations to verify his compliance with the required substance abuse treatment; and

d) cooperate fully.

10. The appointed sobriety monitor shall:

a) monitor Respondent's compliance with the terms and conditions of the order imposing probation;

b) assist Respondent in arranging any necessary professional or substance abuse treatment;

c) meet with Respondent at least twice a month and maintain weekly telephone contact with Respondent;

d) maintain direct monthly contact with the Alcoholics Anonymous chapter attended by the Respondent;

e) file with the Secretary of the Board quarterly written reports; and

f) immediately report to the Secretary of the Board any violations by the Respondent of the terms and conditions of the probation.

It is further ORDERED that Respondent shall comply with all the provisions of Rule 217, Pa.R.D.E., and shall pay the additional expenses incurred as a result of the violation of probation proceedings pursuant to Rule 208(g), Pa.R.D.E.

A True Copy John A. Vaskov

As of: June 19, 2008

Attest:


Deputy Prothonotary

Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL	:	Nos. 1001 & 1053 Disciplinary
Petitioner	:	Docket No. 3
	:	
v.	:	Nos. 23 and 122 DB 2005
	:	
JOHN HAROLD McKEON, JR.	:	Attorney Registration No. 30127
Respondent	:	(Philadelphia)

REPORT AND RECOMMENDATION OF
DESIGNATED MEMBER 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 208(h)(1) of the Pennsylvania Rules of Disciplinary Enforcement, this designated member of The Disciplinary Board of the Supreme Court of Pennsylvania herewith submits a recommendation to your Honorable Court with respect to the Petition to Schedule a Probation Violation Hearing filed by Petitioner, Office of Disciplinary Counsel.

I. HISTORY OF PROCEEDINGS

By Order dated January 5, 2006, the Supreme Court of Pennsylvania suspended Respondent, John Harold McKeon, Jr., from the practice of law in Pennsylvania

for a period of three months. The Order further directed that following the three month suspension, Respondent be placed on probation for a period of two years subject to conditions, which conditions included, among other things, abstaining from using alcohol or other mind-altering drugs, regularly attending AA meetings, reporting to and cooperating with a sobriety monitor, and filing quarterly reports with the Secretary of the Board.

By Order dated November 2, 2007, the Supreme Court of Pennsylvania reinstated Respondent to active status, effective immediately, and placed Respondent on probation subject to the conditions set forth above.

Petitioner, Office of Disciplinary Counsel, filed a Petition to Revoke Probation on April 1, 2008, pursuant to Rule 208(h), Pa.R.D.E. The Petition alleged that Respondent failed to fulfill the terms and conditions of his probation and requested that a Probation Revocation Hearing be held pursuant to the Rules. Petitioner further requested that a designated Board Member conduct a hearing and make a recommendation to the Supreme Court of Pennsylvania that Respondent receive a suspension of one year and one day, or in the alternative, that Respondent be suspended for one year, to be followed by probation for a period of two years subject to certain conditions. Respondent filed an Answer to the petition to schedule a probation violation hearing on April 3, 2008 requesting the opportunity to present evidence in this matter.

On April 2, 2008, by Order of the Board Chair, Laurence H. Brown was designated as the Member of the Disciplinary Board before whom a Probation Revocation Hearing would be held. The hearing was scheduled for and took place on April 9, 2008.

At the hearing, Petitioner offered a quarterly report and a February 19, 2008 letter from Sobriety Monitor Thomas J. Duffy. In addition, Petitioner presented a

statement from Respondent in which Respondent acknowledged that he had violated his probation by using drugs on December 1, 2007 and on another occasion in January 2008. Respondent's use of drugs on December 1, 2007 resulted in his arrest on December 2, 2007 on the charge of drug possession.

At the Probation Revocation Hearing Respondent, represented by Brian Quinn, Esquire, testified and presented evidence in the form of letters from persons familiar with Respondent's problems and treatment.

II. FINDINGS OF FACT

The undersigned Board Member makes the following finds of fact:

1. Petitioner is Office of Disciplinary Counsel, whose principal office is situated at Suite 1400, 200 North Third Street, Harrisburg, Pennsylvania 17101, Petitioner is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement, with the power and duty to investigate all matters involving alleged misconduct of any attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of said Rules.

2. Respondent, John Harold McKeon, Jr., was born on August 29, 1949 and was admitted to practice law in the Commonwealth of Pennsylvania on October 16, 1979.

3. By Order dated January 5, 2006, the Supreme Court of Pennsylvania directed that Respondent, John Harold McKeon, Jr., be suspended from the practice of law in the Commonwealth of Pennsylvania for a period of three months. The Order further

directed that following the three month suspension, Respondent be placed on probation for a period of two years subject to certain conditions. A true and correct copy of the January 5, 2006 Order is attached hereto as Exhibit A.

4. By Order dated November 2, 2007, the Supreme Court of Pennsylvania reinstated Respondent to active status effective immediately and placed Respondent on probation for a period of two years subject to the conditions set forth in the Court's January 5, 2006 Order.

5. One of the conditions imposed by the Supreme Court was that during the period of probation Respondent abstain from using alcohol or any mind-altering chemicals.

6. By letter dated November 6, 2007, Elaine M. Bixler, Secretary to the Disciplinary Board, provided Respondent and his counsel with directions regarding Respondent's compliance with the probation conditions.

7. Ms. Bixler's letter also contained an agreement concerning the probation conditions for Respondent to review, sign and return to her, which he did.

8. On February 21, 2008, Respondent advised the Secretary to the Disciplinary Board that he had violated the terms and conditions of his probation by purchasing and using cocaine on December 1, 2007 which resulted in his arrest by Philadelphia police officers on December 2, 2007.

9. In his report, Respondent also advised the Secretary to the Board that he had purchased and used cocaine again in early January 2008.

10. Respondent's sobriety monitor submitted a letter to the Secretary to the Board dated February 19, 2008 in which he confirmed that Respondent self-reported his arrest and his use of cocaine on two occasions.

11. Respondent's criminal case is presently scheduled for trial on May 1, 2008.

12. Respondent's use of cocaine is a violation of the terms of Respondent's probation.

13. At the Probation Revocation Hearing on April 9, 2008, Respondent testified in a candid and straightforward manner, acknowledging the violations of his probation as set forth above. In addition, Respondent acknowledged a further use of cocaine in September 2007.

14. Respondent has not practiced law since 2002.

15. Respondent believes his inability to abstain from using drugs and alcohol is due in part to his practice of isolating himself from others. In an effort to rectify that situation, Respondent has become more active in AA related activities such as having dinner with other AA members, contacting his sponsor on a more frequent basis, and becoming more involved in activities that take him out of the house and put him in an environment where he is around others who can assist and support him in abstaining from the use of drugs and alcohol.

16. Charles J. Hattman, Jr. is involved with Rehab After Work and submitted a letter stating that Respondent has been in intensive outpatient treatment there for chemical dependency since December 6, 2007. Further, Mr. Hattman states

Respondent has made significant progress over that period of time. A copy of Mr. Hattman's letter is attached hereto as Exhibit B.

17. Theresa M. Tobey, Executive Director of Contact of Burlington County submitted a letter, also attached hereto as Exhibit C, and dated April 2, 2008 stating that Mr. McKeon is a current member in good standing of Contact of Burlington County, a nonprofit crisis intervention service providing twenty-four hour uninterrupted service to the Burlington County community. Respondent has volunteered as Helpline worker at Contact since November 2006. Ms. Tobey believes the Respondent is a committed reliable volunteer and a valuable asset to their agency.

18. The Reverend Phillip Stowell, Rector of Trinity Episcopal Church in Moorestown, NJ submitted a letter dated April 4, 2008 stating that Respondent has served the church as a volunteer for over two years, working in the office two days each week to assist in mailings, and performing other miscellaneous office work. Reverend Stowell further attested to Respondent's involvement with Alcoholic Anonymous since AA meetings are regularly held in the church.

19. Kenneth F. Molz submitted a letter dated April 6, 2008 attesting that he has been Respondent's sponsor in Alcoholics Anonymous for approximately two years. Mr. Molz acknowledged Respondent's problems with abstinence but opined that Respondent has generally maintained his sobriety during the period of time he has served as Respondent's sponsor. He further outlined the efforts made by Respondent to meet with Mr. Molz and other AA members on a more frequent basis as he strives to remain sober on a long term basis.

III. CONCLUSIONS OF LAW

By his conduct as set forth above, Respondent violated the conditions of his probation.

IV. DISCUSSION

Respondent is an intelligent, sincere, candid individual who has found it difficult to abstain from using drugs and alcohol. Respondent is thoughtful and straightforward in discussing the reasons that he cannot remain sober on a long term basis and the steps he hopes to take to resolve that issue. Respondent has not practiced law since 2002. Since Respondent is not practicing law, he does not pose a danger to the community in his capacity as a lawyer.

Respondent, as he has acknowledged, clearly violated the conditions of his probation. Therefore, it is my recommendation that Respondent's probation be revoked and Respondent be suspended for a period of one year. If Respondent is able to complete his suspension without incident, I recommend that Respondent then be placed on probation for a period of two years. I recommend that the conditions imposed previously be reimposed during the course of Respondent's probation.

I would further recommend that Respondent's probation include an additional condition, as follows:

On a quarterly basis, Respondent shall submit to the Board and to the Office of Disciplinary Counsel, a report of a Rapid Flash 5 drug screening showing negative results for all controlled substances covered by that procedure to be conducted randomly on a date selected by Respondent's Sobriety monitor.

V. RECOMMENDATION

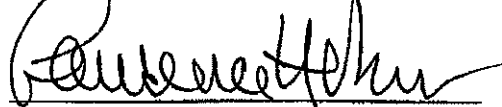
This member respectfully recommends that the probation ordered by the Supreme Court on January 5, 2006 and November 6, 2007, be revoked and that Respondent, John Harold McKeon, Jr., be suspended from the practice of law in this Commonwealth for a period of one year, to be followed by probation for a period of two years after being reinstated, subject to the following conditions:

1. Respondent shall abstain from using alcohol or any other mind altering chemical;
2. Respondent shall regularly attend Alcoholics Anonymous meetings on a weekly basis and provide written verification of attendance to the Board on a Board approved form;
3. Respondent shall obtain a sponsor in Alcoholics Anonymous and maintain weekly contact with that sponsor;
4. A sobriety monitor shall be appointed in accordance with Disciplinary Board Rule §89.293(c);
5. Respondent shall furnish his sobriety monitor with his Alcoholics Anonymous sponsor's name, address and telephone number;
6. Respondent shall undergo any counseling or treatment prescribed by a physician or alcohol counselor;
7. Respondent shall file with the Secretary of the Board quarterly written reports;
8. On a quarterly basis, Respondent shall submit to the Board and to the Office of Disciplinary Counsel, a report of a Rapid Flash 5 drug screening showing negative results for all controlled substances covered by that procedure to be conducted randomly on a date selected by Respondent's sobriety monitor;
9. With the sobriety monitor, Respondent shall:
 - a) meet at least twice a month;
 - b) maintain weekly telephone contact;

- c) provide the necessary properly executed written authorizations to verify his compliance with the required substance abuse treatment; and
 - d) cooperate fully.
10. The appointed sobriety monitor shall:
- a) monitor Respondent's compliance with the terms and conditions of the order imposing probation;
 - b) assist Respondent in arranging any necessary professional or substance abuse treatment;
 - c) meet with Respondent at least twice a month, and maintain weekly telephone contact with Respondent;
 - d) maintain direct monthly contact with the Alcoholics Anonymous chapter attended by the Respondent;
 - e) file with the Secretary of the Board quarterly written reports; and
 - f) immediately report to the Secretary of the Board any violations by the Respondent of the terms and conditions of the probation.

It is further recommended that the additional expenses incurred in connection with the violation of probation proceeding should be paid by Respondent.

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA



Laurence H. Brown, Board Member

Date: April 11, 2008

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : Nos. 1001 & 1053 Disciplinary Docket
Petitioner : No. 3 - Supreme Court
: :
: Nos. 23 DB 2005 & 122 DB 2005
v. : Disciplinary Board
: :
: Attorney Registration No. 30127
JOHN HAROLD McKEON, JR., :
Respondent : (Philadelphia)

ORDER

PER CURIAM:

AND NOW, this 5th day of January, 2006, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated November 8, 2005, the Joint Petition in Support of Discipline on Consent is hereby granted in accordance with Rule 215(g), Pa.R.D.E., and it is

ORDERED that John Harold McKeon, Jr., is suspended on consent from the Bar of this Commonwealth for a period of three months, to be followed by probation for a period of two years, subject to the following conditions:

1. Respondent shall abstain from using alcohol or any other mind-altering chemical;
2. Respondent shall regularly attend Alcoholics Anonymous meetings on a weekly basis and provide written verification of attendance to the Board on a Board-approved form;
3. Respondent shall obtain a sponsor in Alcoholics Anonymous and maintain weekly contact with that sponsor;
4. A sobriety monitor shall be appointed in accordance with Disciplinary Board Rule §89.293(c);
5. Respondent shall furnish his sobriety monitor with his Alcoholics Anonymous sponsor's name, address and telephone number;
6. Respondent shall undergo any counseling or treatment prescribed by a physician or alcohol counselor;

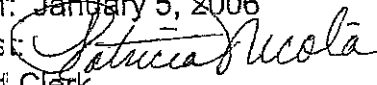
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 - b. assist Respondent in arranging any necessary professional or substance abuse treatment;
 - c. meet with Respondent at least twice a month, and maintain weekly telephone contact with Respondent;
 - d. maintain direct monthly contact with the Alcoholics Anonymous chapter attended by the Respondent;
 - e. file with the Secretary of the Board quarterly written reports; and
 - f. immediately report to the Secretary of the Board any violations by the Respondent of the terms and conditions of the probation.

Respondent shall comply with all the provisions of Rule 217, Pa.R.D.E.

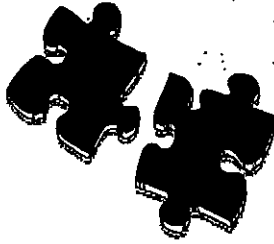
Former Justice Nigro did not participate in this matter.

A True Copy Patricia Nicola

As of: January 5, 2006

Attest: 
Chief Clerk

Supreme Court of Pennsylvania



Rehab After Work® & Rehab After School®
1-800-238-HELP

Treatment Progress Report

April 4, 2008

Rc: John McKeon

To Whom It May Concern:

Mr. McKeon has been in intensive outpatient treatment for chemical dependency with *Rehab After Work* since December 6, 2007. The client attends group therapy to address his roadblocks to recovery, increase motivation and promote behavioral changes to foster a healthy and substance-free lifestyle. As prescribed by the program, he attended group 4 days per week until mid-February, at which time I reduced Mr. McKeon's treatment attendance to twice per week.

Mr. McKeon has made significant progress over the course of treatment. He has been in regular attendance and utilizes group time effectively to address his treatment issues. He also contributes constructively to the group process, offering valuable support and feedback to fellow group members. It is my opinion that Mr. McKeon is committed to his recovery from drug addiction and is maintaining sobriety. At his request, I began random urine drug screening for drugs and alcohol in February, and all screening has been negative.

Mr. McKeon has taken a number of measures to maintain his sobriety. He has increased his involvement in Alcoholics Anonymous to include not only regular meeting attendance, but also social support activities with other members of the fellowship. This is a vital step in the development of a strong recovery program and promotes a more secure connection to the AA program. It was a difficult step for Mr. McKeon to take, and demonstrated to me his commitment to his recovery. Further, he has a sponsor, is active in his home group, and has acted as chairperson of a weekly AA meeting in his hometown. Other efforts helpful to his recovery include his volunteer work in his church and for CONTACT, a helpline for persons in need of services or emotional support.

Should you have questions about Mr. McKeon's progress, I can be reached at (610) 644-6464 ext. 519.

Sincerely,

Charles J. Hattman, Jr. MS, CAC

EXHIBIT "B"

"Outpatient Drug and Alcohol Rehabilitation for Adults, Adolescents and Families"

Exton, PA
491 John Young Way
Suite 300
Exton, PA 19341

Havertown, PA
525 West Chemor Pike
Suite 205
Havertown, PA 19083

Paoli, PA
1440 Russell Road
Lower Level
Paoli, PA 19301

Marlton, NJ
9003 Lincoln Dr., West
Suite C
Marlton, NJ 08053

Philadelphia, PA
Center City
1420 Walnut St.
Suite 500
Phila., PA 19102

Philadelphia, PA
Northeast
8400 Bustleton Ave.
Suite 200
Phila., PA 19152

D I

CONTACT

of Burlington County

24-Hour Crisis Helplines
Since 1972



P.O. Box 333 ♦ Moorestown, NJ 08057

Office: (856) 234-5484
contact333@contactburco.org

Fax: (856) 778-3880
www.contactburco.org

April 2, 2008

To Whom It May Concern:

I am writing on behalf of John McKeon who is a current member in good standing of our organization. John has volunteered as a Helpline worker at CONTACT of Burlington County since November 2006. CONTACT is a non-profit crisis intervention service providing 24-hour uninterrupted service to the Burlington County community since 1972. We are the Information & Referral center for the County and also staff a 24-hour Rape Care Program along with other services.

John completed an intensive 50-hour training program in active listening and crisis intervention before he was permitted to serve on our telephones. He has served almost 250 hours to date on our Helplines. John fulfills his volunteer commitment in a responsible manner, serving more than the required hours each month, and demonstrates his dedication to helping others and trustworthiness in keeping our callers' confidentiality.

John is a committed, reliable volunteer and a valuable asset to our agency. Please feel free to contact me should you need further information or if you have additional questions.

Sincerely,

Theresa M. Tobey
Executive Director



Accredited by CONTACT USA Affiliated with Lifeline International
Member of American Association of Suicidology (AAS), National Alliance of Information & Referral Systems (AIRS),
National Organization for Victim Assistance (NOVA)



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— EXHIBIT "C" —