

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 1969 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 54 DB 2014
v.	:	
	:	Attorney Registration No. 74365
BASIL DAVID MARCIAL,	:	
Respondent	:	(Philadelphia)

ORDER

PER CURIAM:

AND NOW, this 30th day of September, 2014, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated May 13, 2014, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), Pa.R.D.E., and it is

ORDERED that Basil David Marcial is suspended on consent from the Bar of this Commonwealth for a period of one year and one day, the suspension is stayed in its entirety, and he is placed on probation for a period of two years with a sobriety monitor, subject to the following conditions:

1. Respondent shall abstain from drinking alcohol and using all mind-altering chemicals, except as prescribed by licensed medical providers;
2. Respondent shall attend Narcotics Anonymous Meetings on a weekly basis;
3. A sobriety monitor shall be appointed to monitor respondent in accordance with Disciplinary Board Rule §89.293(c);

4. Respondent shall immediately notify his sobriety monitor if he no longer resides in a sober-living facility and shall furnish the monitor with his new address;
5. Respondent shall furnish to the Office of Disciplinary Counsel his sobriety monitor's name, address and telephone number;
6. Respondent shall establish his weekly attendance at sobriety meetings by providing written verification to the Board on a Board-approved form on a quarterly basis;
7. Respondent shall undergo any counseling, or out-patient or in-patient treatment, prescribed by a mental health professional;
8. 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.
9. 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 him;
 - d) file quarterly written reports with the Secretary of the Board; and

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

10. Respondent shall not violate the Rules of Professional Conduct, the Pennsylvania Rules of Disciplinary Enforcement, or any state or federal law.