

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1754 Disciplinary Docket No. 3
Petitioner :
 :
v. : No. 115 DB 2011
 :
LOUANN G. PETRUCCI, :
Respondent : Attorney Registration No. 52960

ORDER

PER CURIAM:

AND NOW, this 6th day of December, 2012, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated October 10, 2012, 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 Louann G. Petrucci is suspended from the practice of law for a period of three months, the suspension is stayed in its entirety and she is placed on probation for a period of three months, subject to the following conditions:

1. Respondent shall comply with all the terms and conditions of her criminal probation; and
2. Respondent shall file with the Secretary of the Board a quarterly written report attesting to her compliance with Condition 1.

A True Copy Patricia Nicola
As Of 12/6/2012

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 1754 Disciplinary Docket No. 3
Petitioner :
 : No. 115 DB 2011
v. :
 : Attorney Registration No.52960
LOUANN G. PETRUCCI :
Respondent : (Out of State)

RECOMMENDATION OF THREE-MEMBER PANEL
OF THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members Howell K. Rosenberg, R. Burke McLemore, Jr., and Patricia M. Hastie, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on July 20, 2012.

The Panel approves the Petition consenting to a three month suspension to be stayed in its entirety and a three month period probation subject to the conditions set forth in the Joint Petition and recommends to the Supreme Court of Pennsylvania that the attached Joint Petition be Granted.

The Panel further recommends that any necessary expenses incurred in the investigation and prosecution of this matter shall be paid by the respondent-attorney as a condition to the grant of the Petition.



Howell K. Rosenberg, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: 10/10/12

BEFORE THE DISCIPLINARY BOARD OF THE
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OFFICE OF DISCIPLINARY COUNSEL, : No. 1754 - Disciplinary Docket
: No. 3 – Supreme Court
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v. : No. 115 DB 2011 - Disciplinary
: Board
LOUANN G. PETRUCCI, : Attorney Registration No. 52960
Respondent : (Out of State)

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

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION
CHIEF DISCIPLINARY COUNSEL

Susan N. Dobbins
Disciplinary Counsel
Suite 1300, Frick Building
437 Grant Street
Pittsburgh, PA 15219
(412) 565-3173

and

Louann G. Petrucci
Respondent
3949 Los Feliz Boulevard
Apt. #218
Los Angeles, CA 90027
(310) 710-3540

and

John D. Eddy, Esquire
Counsel for Respondent
564 Forbes Avenue Penthouse
Pittsburgh, PA 15219
(412) 281-5336

FILED

JUL 20 2012

Office of the Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
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OFFICE OF DISCIPLINARY COUNSEL,	:	No. 1754 - Disciplinary Docket
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	:	
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	:	
Respondent	:	(Out of State)

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

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and Susan N. Dobbins, Disciplinary Counsel, and John D. Eddy, Esquire, Counsel for Respondent, and Respondent, Louann G. Petrucci, file this Joint Petition in Support of Discipline on Consent Under Rule 215(d), Pa.R.D.E., and respectfully represent as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the 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 brought in accordance with the various provisions of the aforesaid Rules.

2. Respondent, Louann G. Petrucci, was born in 1960. She was admitted to practice law in the Commonwealth of Pennsylvania on November 10, 1988. Respondent's attorney registration mailing address is 3949 Los Feliz Boulevard, Apt. #218, Los Angeles, CA 90027. Respondent's current status is retired. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

3. By Order of the Supreme Court of Pennsylvania dated November 22, 2011, this matter was referred to the Disciplinary Board pursuant to Rule 214(f)(1), Pa.R.D.E.

SPECIFIC FACTUAL ALLEGATIONS ADMITTED

4. On July 19, 2010, police in Bethel Park, Pennsylvania responded to a report of an ex-wife who was attempting to kidnap her child. Respondent, along with her adult son and a male family friend, were attempting to physically remove Respondent's twelve year old son from the custody of her ex-husband.

5. Respondent, her adult son and the male family friend planned in advance how to remove Respondent's son from his father's custody.

6. On July 20, 2010, Respondent was initially charged with one count of Interference with Custody of Children in violation of 18 Pa.C.S. §2904(a), one count of Conspiracy-Interference with Custody of Children in violation of 18 Pa.C.S. §903(a) (1) and one count of Simple Assault in violation of 18 Pa.C.S. §2701(a) (1).

7. On December 20, 2010, Respondent, while represented by counsel, entered a *nolo contendere* plea to the offenses of Interference with Custody of Children in violation of Pa.C.S. §2904(a) and Conspiracy-Interference with Custody of Children in violation of 18 Pa.C.S. §903(c), which were reduced from felonies of the third degree to misdemeanors of the second degree. The Simple Assault charge against Respondent was withdrawn.

8. On December 20, 2010, sentence was imposed by Judge Edward J. Borkowski in the Court of Common Pleas of Allegheny County, Pennsylvania at Case No. CP-02-CR-0010174-2010:

(a) Respondent received probation for two years to be supervised by the Allegheny County Adult Probation; and,

(b) All contact of Respondent with the victim must be through the Family Court.

The matter was referred for Interstate Compact Supervision.

9. The crimes of Interference with Custody of Children in violation of 18 Pa.C.S. §2904(a) and Conspiracy-Interference with Custody of Children in violation of 18 Pa.C.S. §903(a)(1) are misdemeanors of the second degree which are punishable by a term of imprisonment of not more than two (2) years.

10. Respondent reported her conviction to the Secretary of the Disciplinary Board as required by Rule 214(a), Pa.R.D.E.

11. Petitioner certified Respondent's conviction to the Supreme Court of Pennsylvania and the Court referred the matter back to the Disciplinary Board pursuant to Rule 214(f) (1), Pa.R.D.E., for the institution of a formal proceeding before a Hearing Committee in which the sole issue to be determined is the extent of final discipline to be imposed.

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

12. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's criminal conviction and admitted misconduct in this matter is a three month suspension, stayed in its entirety, and that Respondent be

placed on probation for that period of time with the condition of the probation being her compliance with all terms of her criminal probation and her providing verification of same to the Disciplinary Board, pursuant to §89.291, Disciplinary Board Rules. Attached to the Petition is Respondent's executed Affidavit required by Rule 215(d)(1) through (4), Pa.R.D.E.

13. Respondent has no prior discipline of record.

14. In support of Petitioner and Respondent's joint recommendation, it is respectfully submitted that:

(a) Until fairly recently, stayed suspension cases were private and not reported so there is little extant case law directly on point to the within matter;

(b) Respondent's situation is not analogous to a DUI case;

(c) There have been two cases involving Protection from Abuse orders and a respondent-attorney. In *Office of Disciplinary Counsel v. Joseph James D'Alba*, No. 17 DB 1996, No. 182 Disciplinary Docket No. 3 (April 2002), Mr. D'Alba received a three month suspension for his criminal conviction of the crimes of indirect criminal contempt, criminal trespass and simple assault as a result of a domestic dispute

with a former girlfriend. Mr. D'Alba engaged in conduct that included assaulting a police officer and a fireman. While he was depressed and taking medication, there was not conclusive evidence that the medication induced the assaults. Mr. D'Alba later received a one year suspension at No. 158 DB 2009, No. 1534 Disciplinary Docket No. 3 (October 2011), for being found guilty of indirect criminal contempt and failing to comply with the conditions of his sentence. He did not participate in the disciplinary hearing in the second case; and,

(d) While Respondent's conduct does not rise to the level of the aforementioned respondent-attorney's conduct, Respondent's conduct was public in nature and does warrant public discipline.

15. The proposed discipline herein is appropriate based upon the facts and the totality of circumstances of Respondent's case.

16. Respondent has participated and cooperated with Disciplinary Counsel in the investigation and prosecution of the within matter.

17. Respondent, through the filing of this Joint Petition, expresses great remorse and accepts responsibility for her actions.

18. Respondent is currently in compliance with all of the terms of her criminal probation and the domestic situation upon which the criminal charges were predicated has resolved itself.


19. For the reasons set forth above, Petitioner and Respondent believe that a three month suspension, stayed in its entirety, with Respondent placed on probation for that period of time with the condition of the probation being her compliance with all terms of her criminal probation and her providing verification of same to the Disciplinary Board, pursuant to §89.291, Disciplinary Board Rules, is appropriate discipline to be imposed herein.

WHEREFORE, Petitioner and Respondent respectfully request that pursuant to Rules 215(d) and 215(g)(1), Pa.R.D.E., the Three Member Panel of the Disciplinary Board reviews and approves this Joint Petition in Support of Discipline on Consent under Rule 215(d), Pa.R.D.E. and files its recommendation with the Supreme Court of Pennsylvania in which it is recommended that the Supreme Court enter an Order imposing upon Respondent a stayed three month suspension with probation.


Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

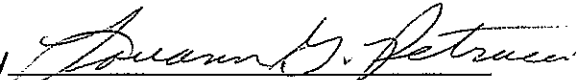
PAUL J. KILLION
CHIEF DISCIPLINARY COUNSEL

By 
Susan N. Dobbins
Disciplinary Counsel

and

By 
John D. Eddy, Esquire
Counsel for Respondent

and

By 
Lotann G. Petrucci
Respondent

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VERIFICATION

The statements contained in the foregoing Joint Petition in Support of Discipline on Consent Under Rule 215(d), Pa.R.D.E. 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.

7/16/12
Date

Susan N. Dobbins
Susan N. Dobbins
Disciplinary Counsel

7/9/12
Date

Louann G. Petrucci
Louann G. Petrucci
Respondent

7/9/12
Date

John D. Eddy
John D. Eddy, Esquire
Counsel for Respondent

BEFORE THE DISCIPLINARY BOARD OF THE
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AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

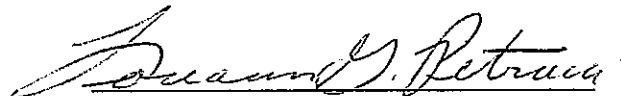
Respondent, Louann G. Petrucci, hereby states that she consents to the imposition of a three-month suspension, stayed in its entirety, with probation, jointly recommended by Petitioner, Office of Disciplinary Counsel, and Respondent and Counsel for Respondent in the Joint Petition In Support Of Discipline On Consent and further states that:

1. Her consent is freely and voluntarily rendered; she is not being subjected to coercion or duress; she is fully aware of the implications of submitting the consent; and, she has consulted with counsel in connection with the decision to consent to discipline;

2. She is aware that there is presently pending an investigation into allegations that she has been guilty of misconduct as set forth in the Joint Petition;

3. She acknowledges that the material facts set forth in the Joint Petition are true; and,

4. She consents because she knows that if charges predicated upon the matter under investigation continued to be prosecuted in the pending proceeding, she could not successfully defend against them.


Louann G. Petrucci
Respondent

Sworn to and subscribed
before me this _____
day of _____, 2012.

State of CALIFORNIA, County of LOS ANGELES
Subscribed and sworn to (or affirmed) before me
On this 10 day of July, 2012.
By LOUANN G. PETRUCCI

proved to me on the basis of satisfactory evidence to be
the person(s) who appeared before me.

Signature


Notary Public

Notary Public

