

[J-21-2007]
IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

JANIC IANNECE BEYERS,

v.

DONALD RICHMOND, FORCENO &
ARANGIO, P.C., ROBERT ARANGIO
AND RAYMOND P. FORCENO,

APPEAL OF: FORCENO & ARANGIO,
P.C. ROBERT ARANGIO AND
RAYMOND P. FORCENO

: No. 38 EAP 2006
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: Appeal from the Judgment of Superior
: Court entered on June 27, 2005,
: (reargument/reconsideration denied
: August 26, 2005) at No. 1162 EDA 2004,
: affirming the Judgment entered on May
: 19, 2004 in the Court of Common Pleas,
: Philadelphia County, Civil Division at No.
: 3278 January Term, 2002.
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: ARGUED: April 16, 2007
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CONCURRING OPINION

MR. CHIEF JUSTICE CAPPY

DECIDED: December 28, 2007

I agree with the majority, to the extent that it holds that as a matter of statutory construction, the Unfair Trade Practices and Consumer Protection Law (“UTPCPL”), 73 Pa.C.S. §§201-1 *et seq.*, does not apply to attorneys practicing law. See 1 Pa.C.S. §1501 *et seq.* I disassociate myself from the remainder of the opinion. Because the issue of the UTPCPL’s applicability is resolved on statutory grounds, any discussion of the constitutional grounds for the majority’s holding is unnecessary. See P.J.S. v. Pennsylvania State Ethics Com’n, 723 A.2d 174, 176 (Pa. 1999) (“[A] court should not reach the constitutional issue if the case can properly be decided on non-constitutional grounds.”).

Mr. Justice Baer joins this concurring opinion.