

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 134 DB 2023  
Petitioner :  
: File No. C2-23-363  
v. :  
: Attorney Registration No. 82191  
MICHAEL J. O'NEILL :  
Respondent : (Chester County)

**ORDER**

AND NOW, this 5<sup>th</sup> day of October, 2023, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

ORDERED that the said MICHAEL J. O'NEILL be subjected to a PUBLIC REPRIMAND by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement. Costs shall be paid by the Respondent.

BY THE BOARD:



\_\_\_\_\_  
Board Chair

TRUE COPY FROM RECORD

Attest:



\_\_\_\_\_  
Marcee D. Sloan  
Board Prothonotary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

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OFFICE OF DISCIPLINARY COUNSEL,	:	No. 134 DB 2023
Petitioner	:	
	:	File No. C2-23-363
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	:	Attorney Registration No. 82191
MICHAEL J. O'NEILL,	:	
Respondent	:	(Chester County)

**PUBLIC REPRIMAND**

Michael J. O'Neill, you appear before the Disciplinary Board for the imposition of a Public Reprimand ordered by the Board on October 5, 2023. By letter of that same date, the Board notified you of the disposition of this matter and further notified you of your opportunity to demand as of right the institution of formal charges within twenty days of the date of notification. You did not demand the institution of formal charges; therefore, you accept this public reprimand.

It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of the Commonwealth. Yet as repugnant as this task may be, it has been found necessary that you receive this public discipline.

Attorney O'Neill, the facts demonstrate that you created a conflict of interest when you obtained three separate high interest personal loans totaling \$150,000 from two different legal funding companies that were secured against your anticipated referral fee in a client's wrongful death action. In order to obtain the loans, you revealed confidential information relating to representation of the client to lenders, without the client's knowledge or informed consent to the disclosure. You failed to inform the client or your law firm of the loans and obtain informed consent to the transactions. By

securing loans in this manner, you obtained an adverse pecuniary interest in your client's case that created a conflict of interest requiring you to disclose the terms of the loan transactions to the client, advise the client on the desirability of seeking independent legal advice, and obtain the client's informed consent in writing, all of which you failed to do.

After the settlement agreement in the wrongful death action was approved, you failed to timely repay the loans. Your law firm did not become aware of the loans until one of the lending companies contacted the firm for repayment. The law firm terminated your employment and filed a civil action against you, as well as the two lending companies, which is pending.

The facts here show that you cooperated with Office of Disciplinary Counsel during its investigation of this matter. You admitted your misconduct, accepted responsibility, and expressed remorse.

By your conduct, you violated the following Rules of Professional Conduct ("RPC"):

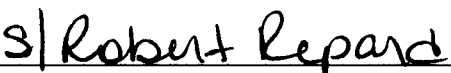
1. RPC 1.4(a)(1), which states that a lawyer shall promptly inform the client of any decision or circumstance with respect to which the client's informed consent is required by these Rules.
2. RPC 1.6(a), which states, in part, that a lawyer shall not reveal information relating to representation of a client unless the client gives informed consent.
3. RPC 1.7(a)(2), which states, in part, that except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if there

is a significant risk that the representation of one or more clients will be materially limited by a personal interest of the lawyer.

4. RPC 1.8(a)(1), 1.8(a)(2), and 1.8(a)(3), which collectively state that a lawyer shall not...knowingly acquire an ownership, possessory, security or other pecuniary interest adverse to a client unless: (1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed and transmitted in writing in a manner that can be reasonably understood by the client; (2) the client is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel on the transaction; and (3) the client gives informed consent in a writing signed by the client, to the essential terms of the transaction and the lawyer's role in the transaction, including whether the lawyer is representing the client in the transaction.

Attorney O'Neill, your conduct in this matter is public. This Public Reprimand is a matter of public record and shall be posted on the Disciplinary Board's website at [www.padisciplinaryboard.org](http://www.padisciplinaryboard.org).

It is the Board's duty to reprimand you for your misconduct. We note that you have practiced law in the Commonwealth since 1998 and have no history of discipline. Please be aware that any subsequent violations on your part can only result in further discipline and more severe sanctions. We sincerely hope that you will conduct yourself in such a manner that future disciplinary action will be unnecessary.

  
\_\_\_\_\_  
Designated Member  
The Disciplinary Board of the

Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania on March 8, 2024.