

Supreme Court

No. 2019-444-M.P.

In re Kimmel & Silverman, P.C., et al. :

ORDER

On October 29, 2019, the Unauthorized Practice of Law Committee (committee), in accordance with Rule 8(b) of the committee's Governing Rules, transmitted to this Court a Committee Report (report) regarding the committee's formal investigation into allegations of unauthorized practice of law against the respondents, Kimmel & Silverman, P.C. and Angela Troccoli (respondents).

The committee submitted its report to the Court, pursuant to Rule 7(c)(ii)(p) of the committee's Rules of Procedure, wherein the committee made twenty-three findings of fact.¹ The committee determined by a preponderance of the evidence before it that Angela Troccoli and Kimmel & Silverman, P.C., neither of whom are licensed or authorized to practice law in Rhode Island, had engaged in the unauthorized practice of law. More particularly, the committee found that Angela Troccoli had engaged in the practice of law by operating out of the Kimmel & Silverman, P.C. office located in North Scituate, Rhode Island, and establishing a continuous and systematic presence in Rhode Island for the purpose of practicing law. The Committee further found that Kimmel & Silverman, P.C. engaged in the unauthorized practice of law by establishing a continuous and systematic presence in Rhode Island for the purpose of practicing law, by operating an office in Rhode Island from which an out-of-state attorney engaged in the practice of

¹ Copies of the complaint submitted to the committee, as well as the hearing transcripts and the committee's report are available for inspection in the Supreme Court Clerk's Office.

law and by holding out to the public that Kimmel & Silverman, P.C. was authorized to practice law in Rhode Island.²

The committee report concluded that the allegations against respondents have been sustained by a preponderance of the evidence before it and recommended that respondents be directed to cease operating out of the North Scituate office and relocate its law firm out of Rhode Island unless and until it complies with the Rhode Island Supreme Court Rules. The committee further recommended that no civil or criminal proceedings be initiated against respondents.

After reviewing the significant investigation conducted by the committee, including the hearing transcripts and exhibits, the committee report, and the responses from the respondents, this Court hereby deems the respondents to be in violation of Article V, Rule 5.5 of the Supreme Court Rules of Professional Conduct and G.L. 1956 § 11-27-12. This Court hereby adopts the Committee's findings of fact and recommendations and orders the following:

1. That Angela Troccoli and Kimmel & Silverman, P.C. immediately cease operating in Rhode Island; and
2. That Angela Troccoli and Kimmel & Silverman, P.C. relocate its law firm out of Rhode Island unless and until it complies with the Rhode Island Supreme Court Rules as it relates to the practice of law in Rhode Island.

Entered as an Order of this Court this *13th day of December 2019.*

By Order,

/s/
Clerk

² It should be noted that, per counsel for respondents, Angela Troccoli and Kimmel & Silverman, P.C. no longer operate out of the office space located in North Scituate, Rhode Island.

SUPREME COURT – CLERK’S OFFICE

ORDER COVER SHEET

Title of Case	In re Kimmel & Silverman, P.C., et al.
Case Number	No. 2019-444-M.P.
Date Order Filed	December 13, 2019
Justices	Suttell, C.J., Goldberg, Flaherty, Robinson, and Indeglia, JJ.
Source of Appeal	Unauthorized Practice of Law Committee
Judicial Officer From Lower Court	N/A
Attorney(s) on Appeal	For Committee: Tamera Rocha, Esq.
	For Respondents: Christopher S. Gontarz, Esq.