

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

In the Matter of:

MARGARET JEAN LOWERY,

Attorney-Respondent,

No. 6271777.

Commission No. 2023PR00060

FIRST AMENDED COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission (“ARDC”), by her attorney, Rachel C. Miller, pursuant to Supreme Court Rule 753(b), complains of Respondent, Margaret Jean Lowery (“Respondent”), who was licensed to practice law in Illinois on July 21, 2000, and alleges that Respondent has engaged in the following conduct which subjects her to discipline pursuant to Supreme Court Rule 770:

COUNT I

(False Statement in a Pleading)

1. On January 17, 2023, the Supreme Court entered an order suspending the Respondent from the practice of law for 30 days and requiring her to successfully complete the ARDC Professionalism Seminar within one year of the Court’s final order of discipline. The discipline was effective February 7, 2023.

2. On March 17, 2023, the ARDC sent a letter and Statement of Costs to Respondent’s attorney notifying him that Respondent was responsible for costs in the amount of \$1,500 pursuant to Supreme Court Rule 773.

FILED

February 14, 2024

ARDC CLERK

3. At no time between March 17, 2023 and April 18, 2023 did Respondent pay the \$1,500 in costs pursuant to Supreme Court Rule 773.

4. On April 18, 2023, the ARDC filed a petition for order and judgment for costs in the Illinois Supreme Court.

5. On April 24, 2023, Respondent filed an objection to the petition for order and judgment for costs.

6. In her objection, Respondent stated that Judge Andrew Gleeson “specifically threatened” Respondent by saying, “I will see to it that you are homeless and living under a bridge.”

7. Respondent’s statement in paragraph six, above, was false or she made it with reckless disregard as to its truth or falsity, because Judge Gleeson did not make the statement.

8. Respondent knew at the time that she made the statement in paragraph six, above, that it was false or that she made it with reckless disregard as to its truth or falsity.

9. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement of fact or law to a tribunal by filing a false pleading in the Illinois Supreme Court, as described in paragraph six, above, in violation of Rule 3.3(a)(1) of the Illinois Rules of Professional Conduct (2010),
- b. knowingly making a false statement or making a statement with reckless disregard for its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public legal officer, or of a candidate for election or appointment to judicial or legal office, as described in paragraph six, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010), and

- c. conduct involving dishonesty, fraud, deceit, or misrepresentation by making the false statement described in paragraph six, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT II

*(False Statement or a Statement Made with Reckless Disregard for its Truth or Falsity
Concerning the Integrity of the Supreme Court of Illinois)*

10. The Administrator reincorporates and realleges paragraphs one through eight, above.

11. Prior to July 6, 2023, Respondent created an account on the social media website X, formerly known as Twitter, titled under the name of “Margaret J Lowery of The Lowery Law Firm @lowerylawfirm.”

12. On July 6, 2023, Respondent created and published a post on the X account described in paragraph 11, above, that said the following:

“Did you know the ARDC & the Illinois Supreme Court has a [sic] history of permitting harassment of women until they commit [sic] suicide or leave the bar? That’s how they enforce their “anti discrimination and non harassment policy.” How do I know this? I interviewed the affected women.”

13. Respondent’s statement in paragraph 12, above, that the ARDC and Illinois Supreme Court have a history of permitting harassment of women until they commit suicide or leave the bar was false or she made it with reckless disregard as to its truth or falsity.

14. Respondent made the statement in paragraph 12, above, knowing it was false or that she made it with reckless disregard as to its truth or falsity.

15. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement or making a statement with reckless disregard for its truth or falsity concerning the qualifications or integrity of a judge, by conduct including

stating that the Illinois Supreme Court permits harassment of women until they commit suicide, as described in paragraph 12, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010).

COUNT III

(False Statement in a Pleading About the ARDC Review Board)

16. The Administrator reincorporates and realleges paragraphs 10 through 14, above.
17. In Respondent's objection, described in Count I, she stated that the "all male" Review Board Panel, of which Charles Pinkston, Bradley Pollock, and Michael T. Reagan were members, made "factual findings which do not exist in the record" and suggested that their decision was a "prima facie case of harassment and gender discrimination."
18. Respondent's statement in paragraph 17, above, was false or she made it with reckless disregard as to its truth or falsity, because the Review Board Panel did not make factual findings not in the record and did not engage in harassment or gender discrimination.
19. Respondent knew at the time that she made the statement in paragraph 17, above, that it was false or that she made it with reckless disregard as to its truth or falsity.
20. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:
 - a. knowingly making a false statement of fact or law to a tribunal by filing a false pleading in the Illinois Supreme Court, as described in paragraph 17, above, in violation of Rule 3.3(a)(1) of the Illinois Rules of Professional Conduct (2010);
 - b. knowingly making a false statement or making a statement with reckless disregard for its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public legal officer, or of a candidate for election or appointment to judicial or legal office, as described in paragraph 17, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and

- c. conduct involving dishonesty, fraud, deceit, or misrepresentation by making the false statement described in paragraph 17, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT IV

*(False Statement or a Statement Made with Reckless Disregard for its Truth or Falsity
Concerning the Integrity of the Supreme Court of Illinois)*

21. The Administrator reincorporates and realleges paragraphs 17 through 19, above.

22. On January 17, 2023, Respondent created and published a post on the X account described in paragraph 11, above, that said the following:

“Effective today, the ILLINOIS SUPREME COURT ruled no attorney in the State of Illinois has ANY FIRST AMENDMENT RIGHTS. If an attorney expresses ANY opinion about a judge, it will subject the attorney to immediate discipline.” (Emphases in original.)

23. Respondent’s statement in paragraph 22, above, that the Illinois Supreme Court ruled that no attorney in Illinois has any first amendment rights and that any opinion expressed by an attorney about a judge will subject that attorney to immediate discipline was false or she made it with reckless disregard as to its truth or falsity.

24. Respondent knew at the time that she made the statement in paragraph 22, above, that it was false or that she made it with reckless disregard as to its truth or falsity.

25. On March 24, 2023, Respondent created and published a post on the X account described in paragraph 11, above, that said the following:

“When female attorneys are persecuted by professional licensure boards with false charges, made up evidence & testimony by a convicted perjurer, it represents a system out of control. They hold you down, shove it up your ass and then tell you to enjoy it. IT’S CAREER RAPE.” (Emphasis in original.)

26. Respondent’s statements in paragraph 25, above, were false or that she made it with reckless disregard as to its truth or falsity.

27. Respondent knew at the time that she made the statements in paragraph 25, above, that they were false or that she made it with reckless disregard as to its truth or falsity.

28. On August 11, 2023, Respondent created and published a post on the X account described in paragraph 11, above, that said the following:

“Wow the Illinois Supreme Court has a hit list of attorneys they want to target because they are outspoken whistleblowers? They target their political opponents? Is this true? ...”

29. Respondent’s statement in paragraph 28, above, that the Illinois Supreme Court has a hit list of attorneys they want to target because they are whistleblowers or political opponents was false or she made it with reckless disregard as to its truth or falsity.

30. Respondent knew at the time that she made the statement in paragraph 28, above, that it was false.

31. In or around October 2023, Respondent created and published a post on the social media account LinkedIn that said the following:

“If you think we have not entered a TOTALITARIAN REGIME under our current elected officials, then you need to see the attached.

Now the Illinois Supreme Court is following attorneys to the Holocaust Museum in Missouri to spy on them. What possible “confidential investigation” can there be for an attorney to attend an event at the Holocaust Museum? Oh no that’s not the point, the point is to let everyone know the government spies on Jews?

This is the behavior of the Third Reich or Nazi’s [*sic*] and the purpose is to make people afraid to associate with you. The purpose is to isolate an individual same as what the SS & Hitler did. I am EMBARRASSED to be a member of the Illinois Bar.

This kind of conduct on the part of the Illinois Supreme Court should OUTRAGE everyone.” (Emphases in original.)

32. Respondent's statement in paragraph 31, above, that the Illinois Supreme Court is engaging in behavior of the Third Reich or Nazis was false or she made it with reckless disregard as to its truth or falsity.

33. Respondent knew at the time that she made the statement in paragraph 31, above, that it was false or that she made it with reckless disregard as to its truth or falsity.

34. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement or making a statement with reckless disregard for its truth or falsity concerning the qualifications or integrity of a judge, by conduct including creating and posting the social media posts stating that the Illinois Supreme Court engages in discriminatory or anti-Semitic conduct, as described in 22, 25, 28, and 31, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and
- a. conduct involving dishonesty, fraud, deceit, or misrepresentation by making the false statements described in paragraphs 22, 25, 28, and 31, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT V

*(False Statement or a Statement Made with Reckless Disregard for its Truth or Falsity
Concerning the Integrity of Former Chief Justice Anne Burke)*

35. The Administrator reincorporates and realleges paragraphs 21 through 33, above.

36. On November 13, 2023, Respondent created and published a post on the X account described in paragraph 11, above, that said the following:

“Today I found out that a person I had admired, profoundly broke my heart and that person was Chief Justice Anne Burke. I attend bar meetings and we swam in the pool together talking at bar meetings on the difficulties of women in the bar and the UMPH it took to succeed.

I then found out today, that she lied to my face about her kindness. She HATES JEWS. While smiling to me and nodding, behind those

kind eyes lied [*sic*] seething JEW HATE. Then she smirked and laid her plan to destroy my career.

I am a practicing attorney in the State of Illinois and it is the MOST CORRUPT system and the most TOXIC SYSTEM in the USA. I would rather pour gasoline over my body than ever step foot in that FUCKING HELLHOLE. So why don't I just leave THE BAR, they won't FUCKING LET ME!" (Emphases in original.)

37. Respondent's statement in paragraph 36, above, that Chief Justice Anne Burke hates Jewish people was false or she made it with reckless disregard as to its truth or falsity.

38. Respondent knew at the time that she made the statement in paragraph 36, above, that Chief Justice Anne Burke hates Jewish people that it was false or that she made it with reckless disregard as to its truth or falsity.

39. Respondent's statement in paragraph 36, above, that Chief Justice Anne Burke "laid her plan to destroy" Respondent's career was false or she made it with reckless disregard as to its truth or falsity.

40. Respondent knew at the time that she made the statement in paragraph 36, above, that Chief Justice Anne Burke "laid her plan to destroy" Respondent's career that it was false or that she made it with reckless disregard as to its truth or falsity.

41. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement or making a statement with reckless disregard for its truth or falsity concerning the qualifications or integrity of a judge, by conduct including creating and posting the social media post stating that the Chief Justice Anne Burke hated Jewish people and "laid her plan to destroy" Respondent's career, as described in paragraph 36, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and

- b. conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including creating and posting the social media post stating that the Chief Justice Anne Burke hated Jewish people and “laid a plan to destroy” Respondent’s career, as described in paragraph 36, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT VI

(False Statement or a Statement Made with Reckless Disregard for its Truth or Falsity Concerning the Integrity of Judge Andrew Gleeson)

42. The Administrator reincorporates and realleges paragraphs 35 through 40, above.

43. On July 19, 2023, Respondent created and published a post on the X account described in paragraph 11, above, that said the following:

“Isn’t it ironic that the new SCC [St. Clair County] associate judge signed off on the majority of Chief Judge Andrew Gleeson’s DIVORCE and in return gets appointed to a new judgeship? I wonder what the paid rate of exchange was for services rendered in that divorce. All above board [*sic*] I’m sure.” (Emphasis in original.)

44. Respondent’s statement in paragraph 43, above, that a St. Clair County associate judge “signed off” on Chief Judge Andrew Gleeson’s dissolution of marriage in exchange for a circuit court judgeship appointment and/or an improper payment was false or she made it with reckless disregard as to its truth or falsity.

45. Respondent knew at the time that she made the statement in paragraph 42, above, that it was false or that she made it with reckless disregard as to its truth or falsity.

46. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement or making a statement with reckless disregard for its truth or falsity concerning the qualifications or integrity of a judge, by conduct including creating and posting the social media posts stating Chief Judge Andrew Gleeson caused an associate judge in St. Clair

County to sign off on his divorce in exchange for a circuit court judicial appointment and/or other payment, as described in paragraph 43, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and

- b. conduct involving dishonesty, fraud, deceit, or misrepresentation creating and posting the social media posts stating Chief Judge Andrew Gleeson caused an associate judge in St. Clair County to sign off on his divorce in exchange for a circuit court judicial appointment and/or other payment, as described in paragraph 43, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Rachel C. Miller
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