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

In the Matter of: EDWIN FRANKLIN BUSH, III Attorney-Respondent, No. 6322150.	Commission No. 2021PR00059

NOTICE OF FILING

To: David B. Collins
Counsel for the Administrator
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On November 24, 2021, I filed the attached answer to the complaint.

CERTIFICATE OF DELIVERY

The undersigned hereby certifies under penalties of perjury as provided by law, pursuant to 735 ILCS 5/1-109, that the above notice and any attached pleadings were sent via [X] E-mail, [ ] personal delivery, [ ] facsimile transmission, and/or [ ] U.S. Mail from 8974 N. Western Avenue #114, Des Plaines, IL 60016 with proper postage pre-paid to the addresses set forth above before the time of 4:00 p.m. on the day of November 24, 2021. The e-file service provider is Odyssey eFileIL and the document is delivered to David Collins at dcollins@iardc.gov.

EDWIN F. BUSH

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ARDC Clerk

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ANSWER

NOW COMES Respondent, Edwin F. Bush, *pro se* pursuant to an August 10, 2021 pancreatic cancer diagnosis and unable to afford counsel, and for his answer to the Administrator's Complaint in this matter, states as follows:

ALLEGATIONS COMMON TO COUNTS I-V

1. Respondent and Erika Bush ("Erika") were married in 2008 and are the parents of two children. Their son, J.B., was born in 2011, and their daughter, A.B., was born in 2015.

Answer: Respondent admits the allegation contained in paragraph 1.

2. On February 21, 2017, Erika filed a petition for dissolution of marriage in the Circuit Court of Cook County. The case was docketed as case number 2017D230075, *In re Marriage of Erika Bush, Petitioner and Edwin F. Bush, Respondent.*

Answer: Respondent admits the allegation contained in paragraph 2.

3. Although Respondent has been represented by counsel at various times during the proceedings in case number 2017D230075, his actions giving rise to the misconduct alleged in this complaint took place while he was proceeding *pro se*.

Answer: Respondent denies the allegation contained in paragraph 3.

COUNT I
(*False and/or reckless statements about the qualifications or integrity of a judge)*

4. At 10:31 a.m. on September 15, 2020, Respondent sent an email to Attorney Steve Wasko (the *guardian ad litem* in case number 2017D230075), Attorney Evan Mammas (one of Erika's then-attorneys in case number 2017D230075), and Judge John T. Carr (the judge overseeing case number 2017D230075), copying Terry Bright (an individual in the Chief Judge's office who schedules hearings) and Attorney Caidi Vanderporten (another one of Erika's then-attorneys in case number 2017D230075). The email was in response to efforts to set a hearing date for October 21, 2020 at 11:00 a.m. and stated:

"Judge Carr said late September. I do not agree. This is child abuse, perpetuated by the court and its corrupt and incompetent officers. I further want the court to read the federal court filings, to which it can take judicial notice, and to recuse itself and apologize to me and my children. Give us a time tomorrow to re-approach."

Answer: Respondent admits the allegation contained in paragraph 4, and affirmatively notes that the excerpted statements in this e-mail are true. Respondent's comments about corrupt and incompetent officers were directed to attorneys Evan Mammas, Caidi Vanderporten and Steve Wasko. Respondent further affirmatively notes that Judge Carr was intentionally violating a December 13, 2019 order of the Illinois appellate court, which remanded the parenting time portion of the dissolution judgment entered by Judge Carr on February 13, 2019.

5. Respondent's statement that "this is child abuse, perpetuated by the court and its corrupt and incompetent officers" was false or made with reckless disregard of the truth.

Answer: Respondent denies the allegation contained in paragraph 5.

6. Respondent made the statement in paragraph 4, above, knowing it was false, or with reckless disregard for the truth.

Answer: Respondent denies the allegation contained in paragraph 6.

7. On September 28, 2020, a hearing was held in the dissolution proceeding on some pending motions. As Judge Carr was in the process of ruling on one of the motions, Respondent directed the following statements to Judge Carr:

"See, that's –that's why this is the clown car. You are a clown."
"You're a child abuser. I mean, honestly, I should call DCFS on you because you've abused these children for two years. What you have done and what people like you do to people all over this country is a disgrace."

Answer: Respondent admits in part and denies in part the allegation contained in paragraph 7. Respondent admits that he made those statements, but this Commission intentionally omitted the full context and the full statements. Judge Carr just made racist and demeaning comments to Respondent's supporters and court watchers, referring to them as the "peanut gallery." In addition, Judge Carr had just violated the law again, to which he admitted to and reversed himself the next day on September 29, 2020, on his own motion.

8. Respondent's statements that "this is the clown car", that Judge Carr was a "clown," a "child abuser" and that Respondent "should call DCFS on [Judge Carr] because [Judge Carr] abused these children for two years", and "what [Judge Carr has] done and what people like [Judge Carr] do to people all over this country is a disgrace" were false or made with reckless disregard of the truth.

Answer: Respondent denies the allegation contained in paragraph 8. Respondent affirmatively asserts that the statement is true and accurate. Judge Carr was further suffering from a then undiagnosed brain tumor, which caused him to leave the bench on June 21, 2021 and never return.

9. Respondent made the statements in paragraph 7, above, knowing they were false, or with reckless disregard for the truth.

Answer: Respondent denies the allegation contained in paragraph 9. Affirmatively, Respondent further asserts those statements are truthful and accurate, and constitutionally protected speech.

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

a. making statements the lawyer knows to be false or with reckless disregard as to their truth or falsity concerning the qualifications or integrity of a judge, adjudicative officer, or public legal officer by making the statements set forth in paragraphs 4 and 7, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and

b. conduct prejudicial to the administration of justice by making the false and/or reckless statements set forth in paragraphs 4 and 7, above, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 10. Affirmatively, Respondent notes that approximately 2/3 of civil cases have at least one *pro se* party. That a parent passed the Illinois bar exam and was admitted to practice law does not extinguish their protected speech as a parent.

COUNT II

(Making statements with no substantial purpose other than to embarrass, delay or burden a third person in the course of pending litigation)

11. On June 23, 2020, at 3:14 p.m., Respondent sent an email to Attorney Caidi Vanderporten ("Caidi"), copying Terry Bright ("Terry") and Attorney Steve Wasko ("Steve"), Erika, and Attorney Evan Mammas ("Evan") (another one of Erika's then-attorneys in case number 2017D230075 and Caidi's father). Among the statements made was:

"Caidi, I strenuously object to you being a lowlife bottomfeeder, who suborns perjury, breaks the IRPC and extorts your own client."

Answer: Respondent admits to the allegation contained in paragraph 11, but affirmatively notes that this statement is taken from a string of communications and is the end of a three-paragraph e-mail, with the last sentence omitted. This communication also arose from the December 2019 mandated remand hearing by the appellate court, which opposing counsel, the Guardian *ad Litem* and the court were purposely countermanding.

12. On September 18, 2020, at 6:22 p.m., Respondent sent an email to Evan, copying Terry, Steve, Judge Carr and Caidi, stating:

"IF it means your fat ass and your suborning perjury piece of shit daughter have to get an order of protection against me, we will be in court before Judge Carr before October 21, 2020 one way or the other. You are all child abusing filth, all of you. Bring it. When the justice system fails, I will have my recourse."

Answer: Respondent admits to the allegation contained in paragraph 12, and notes the Commission is fully aware this communication pertained to Erika Bush's counsel and the Guardian *ad Litem* intentionally delaying the appellate court's ordered hearing on remand.

13. Respondent's statements in the June 23, 2020 and September 18, 2020 emails, referenced in paragraphs 11 and 12, above, served no purpose other than to embarrass, delay, or burden Caidi, Evan, Steve, Terry and Judge Carr.

Answer: Respondent denies the allegation contained in paragraph 13. Affirmatively, Respondent was delaying nobody, he was urgently trying to have the appellate court's ordered remand hearing, and the statements were truthful and accurate.

14. By reason of the conduct described above, Respondent has engaged in the following misconduct:

a. representing a client, using means that have no substantial purpose other than to embarrass, delay, or burden a third person, by conduct including, but not limited to, asserting that Caidi is a "lowlife bottomfeeder, who suborns perjury, breaks the IRPC and extorts" her own client; asserting that Evan has a "fat ass" and that his daughter (Caidi) is a "suborning perjury piece of shit daughter; and asserting that the recipients of the September 18, 2020 email (Evan, Terry, Steve, Judge Carr and Caidi) "are all child abusing filth", in violation of Rule 4.4(a) of the Illinois Rules of Professional Conduct (2010); and

b. conduct that is prejudicial to the administration of justice by conduct including, but not limited to, asserting that Caidi was a "lowlife bottomfeeder, who suborns perjury, breaks the IRPC and extorts" her own client; asserting that Evan has a "fat ass" and that his daughter (Caidi) is a "suborning perjury piece of shit daughter; and asserting that the recipients of the September 18, 2020 email (Evan, Terry, Steve, Judge Carr and Caidi) "are all child abusing filth", in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegations contained in paragraph 14, and affirmatively states the referenced statements are entirely truthful and accurate, and protected speech.

COUNT III

(*Criminal conduct — eavesdropping/secretly making audio recording — Dr. John Palen*)

15. On December 21, 2018, Respondent made an audiotape recording of a court-ordered counseling session involving himself, his minor son, J.B. and Dr. John Palen.

Answer: Respondent admits the allegation contained in paragraph 15, and notes he not only recorded the counseling session, he recorded picking up his son from school all the way to the counseling session as well.

16. Respondent made the audiotape surreptitiously, and without the knowledge or consent of Dr. Palen.

Answer: Respondent denies the allegation contained in paragraph 16. This Commission is aware of written correspondence by Dr. Palen and even Evan Mammas stating on the record that Dr. Palen had knowledge and consented to the recording. Affirmatively, it was not necessary to obtain the consent of Dr. Palen to lawfully record the counseling session. Furthermore, Dr. Palen went to court three times from March to July, 2019 in attempt to tell the circuit court he had knowledge and consented to the recording, and to authenticate the contents of the recording. But Judge Carr refused to hear from Dr. Palen on all three occasions, so this evidence could never become part of the appellate record.

17. Respondent knowingly and intentionally used the recording device for the purpose of recording all or part of the counseling session.

Answer: Respondent admits the allegation contained in paragraph 17.

18. On December 21, 2018, 720 ILCS 5/14-2(a)(2) defined the offense of eavesdropping, in pertinent part, as knowingly and intentionally using an eavesdropping device in a surreptitious manner for the purpose of recording any part of a private conversation to which he is a party unless he does so with the consent of all parties to the conversation. The statute defines an "eavesdropping device" as any device capable of being used to record an oral conversation. 720 ILCS 5/14-1(a). Eavesdropping is a Class 4 or a Class 3 felony.

Answer: Respondent lacks information to admit or deny what the law was on December 21, 2018.

19. By reason of the conduct described above, Respondent has engaged in the following misconduct:

a. committing a criminal act, eavesdropping, in violation of 720 ILCS 5/14-2(a)(2), that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other

respects, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and

b. conduct involving dishonesty, fraud, deceit or misrepresentation, by surreptitiously, and without the knowledge or consent of Dr. Palen, tape-recording the December 21, 2018 counseling session, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 19. Affirmatively, Respondent recorded this session primarily to protect the civil rights of himself and his children, and to preserve admissible evidence. Affirmatively, this recording is protected constitutionally, under the crime-evidence exception (720 ILCS 5/14-3), as well as *In re Marriage of Gasnya v. Nixon*, 2016 IL App (4th) 150905, ¶27, *In re Marriage of Jawad*, 326 Ill. App.3d 141, 144 (2001) and *In re Marriage of Almquist*, 299 Ill. App.3d 732, 736 (1998).

The Commission fails to note that the transcript of this counseling session was relayed in a published May 21, 2021, Seventh Circuit Court of Appeals decision, *J.B. et al. v. Woodard et al.*, (7th Cir. 2021), in which Respondent challenged the constitutionality of 750 ILCS 5/607.6(d) (which was repealed on August 13, 2021):

> "The domestic relations court appointed a therapist to conduct anger management counseling and permitted Edwin to have visitation with J.B. at the therapist's office on December 21, 2018. During that counseling session, J.B. said he could not remember his father ever grabbing him by the neck, had no idea why he could not see his father, and that he and A.B. were crying regularly. J.B. further reported that Erika had repeatedly slapped him and pulled his hair." *Id.* at 4.

COUNT IV

(*Criminal conduct—eavesdropping/secretly making audio recording—Erika Bush*)

20. On September 25, 2019, Respondent made an audiotape recording of a conversation that he had with Erika Bush.

Answer: Respondent admits to the allegation contained in paragraph 20, but notes it was hardly a conversation and the discourse was in the public view of several nurses and bystanders.

21. Respondent made the audiotape surreptitiously, and without the knowledge or consent of, Erika.

Answer: Respondent lacks knowledge to admit or deny the allegation in paragraph 21. Respondent does not know what Erika Bush knew, did not know, or should have known. Respondent was recording in a public waiting room at a pulmonologist's office at Advocate Lutheran General Hospital in Park Ridge, with his smart phone, and does not recall where his smart phone was located.

22. Respondent knowingly and intentionally used the recording device for the purpose of recording all or part of the conversation.

Answer: Respondent admits to the allegation contained in paragraph 22, and affirmatively that this recording was inherently lawful and protected, including under 720 ILCS 5/14-3. When Respondent entered the pulmonologist's office, Erika Bush immediately violated 720 ILCS 5/26-1(a)(4) by claiming she had an active order of protection that she knew had expired on November 30, 2018. Erika Bush immediately begged the nurses to call the police, while Respondent's son J.B. begged Erika Bush to stop. This was an attempt to get Respondent falsely arrested for violating an order of protection that did not exist, which was a criminal act. Erika Bush then committed perjury on October 22, 2019 by denying verbatim quotes she made in the pulmonologist's office on September 25, 2019.

23. On September 25, 2019, 720 ILCS 5/14-2(a)(2) defined the offense of eavesdropping, in pertinent part, as knowingly and intentionally using an eavesdropping device in a surreptitious manner for the purpose of recording any part of a private conversation to which he is a party unless he does so with the consent of all parties to the conversation. The statute defines an "eavesdropping device" as any device capable of being used to record an oral conversation. 720 ILCS 5/14-1(a). Eavesdropping is a Class 4 or a Class 3 felony.

Answer: Respondent lacks information to admit or deny what the law was on September 25, 2019.

24. By reason of the conduct described above, Respondent has engaged in the following misconduct:

a. committing a criminal act, eavesdropping, in violation of 720 ILCS 5/14-2(a)(2), that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and

b. conduct involving dishonesty, fraud, deceit or misrepresentation, by surreptitiously, and without the knowledge or consent of Erika Bush, tape-recording their September 25, 2019 conversation, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 24. Affirmatively, Respondent does not require Erika Bush's consent to record her breaking the law.

COUNT V

(*Criminal conduct—eavesdropping/secretly making audio recording—Dr. Ronald Dachman*)

25. On March 14, 2020, Respondent made an audiotape recording of a court-ordered counseling session involving himself, his minor son, J.B., and Dr. Dachman.

Answer: Respondent admits in part and denies in part the allegation in this paragraph. Respondent admits to audiotaping not only the March 14, 2020 counseling session, he admits to

audiotaping the March 5, 2020 counseling session. Respondent denies that this particular session was court-ordered. Dr. Dachman was appointed on September 20, 2019 to conduct "reunification counseling," and Respondent first saw his children on March 5, 2020 – five and a half months later. Respondent was concerned that Dr. Dachman was incompetent, and not meeting professional standards. Respondent had already filed two petitions for rule to show cause that Erika Bush was violating Dr. Dachman's appointment order that were never ruled upon. Despite stating an alleged concern on the record on December 20, 2019, Judge Carr never did anything to enforce the appointment order, and had no idea if or when Respondent and the children would be meeting.

26. Respondent made the audiotape surreptitiously, and without the knowledge or consent of Dr. Dachman.

Answer: Respondent denies the allegation contained in paragraph 26. Respondent repeatedly and openly told Dr. Dachman that Respondent recorded the December 21, 2018 counseling session with Dr. Palen, and even gave Dr. Dachman a copy of the transcript before March 5, 2020. Respondent otherwise has no knowledge of what Dr. Dachman knew or did not know. Affirmatively, Respondent did not need Dr. Dachman's permission to record this counseling session for the same reasons outlined in Count III.

27. Respondent knowingly and intentionally used the recording device for the purpose of recording all or part of the counseling session.

Answer: Respondent admits to the allegation contained in paragraph 27.

28. On March 14, 2020, 720 ILCS 5/14-2(a)(2) defined the offense of eavesdropping, in pertinent part, as knowingly and intentionally using an eavesdropping device in a surreptitious manner for the purpose of recording any part of a private conversation to which he is a party unless he does so with the consent of all parties to the conversation. The statute defines an "eavesdropping device" as any device capable of being used to record an oral conversation. 720 ILCS 5/14-1(a). Eavesdropping is a Class 4 or a Class 3 felony.

Answer: Respondent lacks information to admit or deny what the law was on March 14, 2020.

29. By reason of the conduct described above, Respondent has engaged in the following misconduct:

a. committing a criminal act, eavesdropping, in violation of 720 ILCS 5/14-2(a)(2), that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and

b. conduct involving dishonesty, fraud, deceit or misrepresentation, by surreptitiously, and without the knowledge or consent of Dr. Dachman, tape-recording the March 14, 2020 counseling session, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 29. Affirmatively, this recording was entirely lawful and protected, contains admissible evidence, and evidence of a crime and other civil violations against Respondent and his children. Just like Count III with Dr. Palen, this counseling session was privileged under 750 ILCS 5/607.6(d) until it was repealed on August 13, 2021. The corrupt and incompetent court officers intentionally ordered counseling with counselors who were statutorily and ethically barred from speaking about the counseling session.

COUNT VI

(Lack of diligence, engaging in conduct prejudicial to the administration of justice, and making, false and/or reckless statements about the qualifications or integrity of a judge)

30. At all times alleged in this count, Respondent represented Benjamin Winderweedle ("Benjamin") in his dissolution of marriage case, Lake County case number 2014D1411, *Benjamin Winderweedle (a/k/a Kash Jackson a/k/a Grayson Jackson), Petitioner vs. Julia Winderweedle, Respondent*.

Answer: Respondent admits to the allegation contained in paragraph 30, and notes this ongoing two-year representation of a disabled 20-year Navy veteran is *pro bono.*

31. At all times alleged in this count, Judge Janelle K. Christenson was presiding over Lake County case number 2014D1411.

Answer: Respondent admits to the allegation contained in paragraph 31, but is not sure if she was presiding "at all times." On November 4, 2021, Judge Janelle K. Christenson was reassigned from 2014D1411, upon Respondent filing and presenting a recusal motion.

32. At all times alleged in this count, Judge Christensen utilized an email address ("CC102 email address") that allowed her to receive motions, pre-trial memorandums, GAL reports, expert reports and trial exhibits.

Answer: Respondent admits in part and denies in part the allegation in paragraph 32. Respondent admits this e-mail address allowed her to receive motions, pre-trial memoranda, GAL reports, expert reports and trial exhibits. Respondent denies that this e-mail address did not allow her to receive other types of communication, and in fact she regularly received other types of communications through this e-mail address.

33. At all times alleged in this count, Judge Christensen had a standing order regarding the use of the CC102 email address, which stated, in pertinent part: "**DO NOT USE THE CC1O2 EMAIL ADDRESS TO COMMUNICATE WITH THE COURT, THE CLERK, OR EACH OTHER**". (Emphasis in original.)

Answer: Respondent lacks information to admit or deny the allegation contained in this paragraph. Respondent does not know when Judge Christensen modified her standing orders. If this Commission was familiar with the daily practice of domestic relations courts post Covid-19, it would know that judges make such pronouncements to discourage *ex parte* and other

communication, but that these courts do in fact expect and request communications, especially when there is an unexpected need to reschedule a proceeding. On April 16, 2021, Judge Christensen violated her own standing order in the *Winderweedle* case, when she requested an e-mail from a counselor that had no business being transmitted to her in any manner.

34. On July 24, 2020, Judge Christensen conducted a conference in case number 2014D1411. Respondent and Benjamin were present for the conference. Judge Christensen entered an order setting the non-evidentiary motions for hearing on July 27, 2020 at 9:00 a.m.

Answer: Respondent admits in part and denies in part the allegation contained in paragraph 34. Respondent denies that the only matter discussed on July 24, 2020 were to schedule non-evidentiary motions for hearing on July 27, 2020. At the end of the pre-trial conference on July 24, 2020, Judge Christensen indicated she would not provide a court reporter on July 27, 2020. That is contrary to what the Second District Appellate Court expected her to do in a June 30, 2020 Order. Judge Christensen indicated that Mr. Jackson had to file a financial affidavit in order to be determined indigent. Mr. Jackson stated he was already found to be indigent by a prior judge, and therefore entitled to a court-provided reporter independently of the appellate court expecting all future proceedings in this case be on the record.

35. On July 27, 2020, at 12:02 a.m., Respondent sent an email to the CC102 email address and the email boxes for opposing counsel, Raymond Boldt, former guardian *ad litem* Nicole Frederico Slobe, and the current guardian *ad litem*, Sally Lichter, copying Benjamin.

Answer: Respondent admits to the allegation contained in paragraph 35. Respondent and Mr. Jackson spent substantial time on the phone that night, as Mr. Jackson was very reluctantly preparing a financial affidavit to obtain rights he was already entitled to.

36. Neither Respondent nor Benjamin appeared for the hearing.

Answer: Respondent admits to the allegation contained in paragraph 36. Mr. Jackson was in Arkansas and had no money to travel to Illinois, and was feeling sick. Judge Christensen was further barring Mr. Jackson from appearing remotely because he asserts the right to record public officials conducting public business, which he ran on as the 2018 Libertarian Party candidate for Governor.

The night of July 26, 2021, Mr. Jackson further instructed his counsel not to participate in this case without a court reporter. Mr. Jackson further refused to participate in any proceeding that did not solely address and end the unlawful separation between him and his children. Mr. Jackson effectively went on "strike," and Respondent felt no professional obligation to cross Mr. Jackson's picket line. Until recently, custody matters taking precedence over financial matters was the explicit law in Illinois. That provision was repealed but the priority for custody matters remains custom.

37. On July 28, 2020, Judge Christensen entered an order, which states, in pertinent part:

This matter coming to be heard on the Motions set for hearing on July 27, 2020, pursuant to the July 24, 2020 order, all parties having notice the GAL being present, Mr. Raymond Boldt present on behalf of Julia Winderweedle, and with Mr. Bush and Mr. Jackson absent,

IT IS HEREBY ORDERED:

Pursuant to the Court's order, all parties present in the Courtroom tendered their phones to the deputy. The Court waited until 9:15 for Mr. Bush. The Court asked the GAL to check her phone for any messages. The deputy returned the phone to the GAL. The GAL advised the Court that Mr. Bush had sent a communication to the Court's CC102 email box. The GAL read the message from Mr. Bush, wherein he states that neither he nor his client were coming to court today. In part, Mr. Bush stated, "I will not be at court tomorrow and I object to the court proceeding on any matter, other than the court sua sponte vacating the void orders entered on March 12, 2018 and November 14, 2018, which it has a duty to do. In conclusion, my client will not put up with this self-serving abusive crap any more, and either will I. If we have to appeal, we will." **The Court reminds the parties that the CC102 email is not to be used for correspondence between the parties or the Court. Please see the Court's Standing Order on the use of the CC102 email.** The Court further admonishes Mr. Bush for his use of language.

Mr. Bush and Mr. Jackson were present on the Zoom call on Friday, July 24, 2020 wherein the non-evidentiary motions were set for hearing on Monday, July 27, 2020. Mr. Bush has chosen not to attend court. Having proper notice, and being set for hearing, the Court proceeded with the hearings. A staff reporter from the 19th Judicial Circuit was present and recorded the proceeding. (Emphasis in original.)

Answer: Respondent admits the allegation contained in paragraph 37, as it appears to be excerpted from a portion of the order entered on July 28, 2020. At the end of this selection, it notes that Judge Christensen reversed herself from July 24, 2020, and had an official court reporter cover this case on July 27, 2020. This order and the partial communication quoted from the July 27, 2020, e-mail is consistent with what Mr. Jackson instructed his counsel to do on July 26, 2020, which is not attend the hearing.

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

a. failure to act with reasonable diligence and promptness in representing Benjamin in case number 2014D01411 by conduct including failing to appear in court for the July 27, 2020 hearing on non-evidentiary motions, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010);

b. making statements the lawyer knows to be false or with reckless disregard as to their truth or falsity concerning the qualifications or integrity of a judge, adjudicative officer, or public legal officer by making the statement "my client will not put up with this self-serving abusive crap any more, and either will I" set forth in paragraph 37, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and

c. conduct prejudicial to the administration of justice by using the court's CC102 email to communicate with the court, in violation of the court's Standing Order, and making the statement "my client will not put up with this self-serving abusive crap any more, and either will I" set forth in paragraph 37, above, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 38(a). Respondent finds it incredible that this Commission is alleging Respondent failed to properly represent Mr. Jackson, when Mr. Jackson never made any such allegation. In fact, on August 27, 2020, a month later, Mr. Jackson wrote to the ARDC and stated Respondent should be "Attorney of the Year" for his *pro bono* work in this case. Furthermore, Mr. Jackson explicitly told Respondent not to attend court on July 27, 2020, due to the lack of coverage by a court reporter and Judge Christensen's refusal to allow Mr. Jackson to appear remotely – which is what the Illinois Supreme Court expected post Covid-19.

Respondent denies the allegation contained in paragraph 38(b). This Commission should have the entire multi-paragraph e-mail from July 27, 2020, which included an attachment containing the prior indigency finding from 2017 and Mr. Jackson's doctors note allowing absenteeism – which Judge Christensen explicitly asked for on July 24, 2020.

Affirmatively, if this Commission read the entire e-mail and watched the July 24, 2020 pre-trial conference, it is clear that Respondent was not directing these statements to Judge Christensen. He was directing these statements to Raymond Boldt, the opposing counsel. This was reiterating Mr. Jackson's concern that since 2016, Raymond Boldt was pursuing frivolous contempt petitions, and then turning those petitions into petitions for attorneys fees, and then seeking Mr. Jackson's incarceration for non-payment. Raymond Boldt filed approximately 20, possibly more, contempt and fee petitions. These were harassing and frivolous motions that almost no person could wither, and were meant to distract from the most important issue that Mr. Jackson's ex-wife was preventing Mr. Jackson from seeing his children. Most of Mr. Boldt's contempt petitions were denied summarily; on one occasion, Mr. Boldt filed a notice of appeal but his appeal with dismissed for want of prosecution.

Respondent used the word "crap" and in fact apologized for using that word in another case before Judge Christensen, which is on the record. Respondent did not know it was a swear word. On approximately July 27, 2021, Mr. Jackson used the word "crap" during his direct testimony in a week-long hearing, got admonished by Judge Christensen, and also did not know that was a swear word.

Respondent denies the allegation contained in paragraph 38(c), and incorporates the prior answers in Count VI to note Respondent did nothing improper, and did not prejudice the administration of justice whatsoever. If this Commission were to strictly enforce such standing orders post Covid, effectively on its own initiative, it would be inundated with so many violations it would need to spend months hiring new staff. In fact, Raymond Boldt was banned from using CC102's e-mail by Judge Christensen for violating her standing order. Mr. Jackson filed a complaint to the ARDC for Mr. Boldt committing the same alleged violation as Respondent, and the ARDC refused to pursue charges against Mr. Boldt.

WHEREFORE, Respondent requests that this matter be dismissed in its entirety.

RESPONDENT'S DISCLOSURE PURSUANT TO COMMISSION RULE 231

1. The Illinois Supreme Court is currently considering Respondent's motion to vacate its November 4, 2021 Order, under Rule 774, as the Administrator knew Respondent was hospitalized and incapacitated, and not properly served with a rule to show cause order, while battling Stage 4 pancreatic cancer.
2. Respondent currently holds no other professional licenses other than his license to practice law.

RESPECTFULLY SUBMITED:

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