

In re Maureen Williams
Attorney-Respondent

Commission No. 2021PR00032

Synopsis of Hearing Board Report and Recommendation
(April 2022)

Respondent submitted a falsified service hours worksheet to Woodford County Court Services personnel and subsequently pleaded guilty to one count of forgery. Based on Respondent's admissions that she engaged in this conduct, the Hearing Panel found that she committed a criminal act that reflects adversely on her honesty and trustworthiness and engaged in dishonest conduct.

Respondent cooperated in this proceeding, expressed remorse, and presented substantial evidence of good character. The Hearing Panel concluded that her misconduct was an aberration in an otherwise unblemished career. In consideration of the limited nature of the misconduct, the significant mitigation, and the applicable case law, the Hearing Panel recommended that Respondent be suspended for ninety days.

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

In the Matter of:

MAUREEN WILLIAMS,

Attorney-Respondent,

No. 6285393.

Commission No. 2021PR00032

REPORT AND RECOMMENDATION OF THE HEARING BOARD

SUMMARY OF THE REPORT

After being ordered to complete community service hours following a traffic violation, Respondent submitted a document to court services personnel that falsely reported her completion of the required hours. After her conduct was discovered, she was charged with and pleaded guilty to one count of forgery. By submitting the falsified document, Respondent acted dishonestly and engaged in criminal conduct that reflects adversely on her honesty and trustworthiness. The Hearing Panel recommends that she be suspended for ninety days.

INTRODUCTION

The hearing in this matter was held remotely by video conference on November 30, 2021, before a Panel of the Hearing Board consisting of John L. Gilbert, Chair, Christopher A. Nichols, and Carol A. Kulek. Tammy L. Evans represented the Administrator. Respondent was present and was represented by Stephanie L. Stewart.

PLEADINGS AND MISCONDUCT ALLEGED

On May 17, 2021, the Administrator filed a one-count Complaint against Respondent, alleging she committed the criminal act of forgery that reflects adversely on her honesty,

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April 01, 2022

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trustworthiness or fitness as a lawyer; and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of Illinois Rules of Professional Conduct 8.4(b) and 8.4(c).

In her Answer, Respondent admitted all of the factual allegations and allegations of misconduct. During the hearing, Respondent was allowed, over the Administrator's objection, to change her admission to Paragraph 2 of the Complaint to a denial.

EVIDENCE

The Administrator's Exhibit 1 was admitted into evidence. (Tr. 22). The Administrator did not call any witnesses. Respondent testified on her own behalf and called eight character witnesses. Respondent's Exhibits 1-7 were admitted into evidence (Tr. 179-183).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Administrator bears the burden of proving the charges of misconduct by clear and convincing evidence. In re Thomas, 2012 IL 113035, ¶ 56. Clear and convincing evidence constitutes a high level of certainty, which is greater than a preponderance of the evidence but less stringent than proof beyond a reasonable doubt. People v. Williams, 143 Ill. 2d 477, 577 N.E.2d 762 (1991). The Hearing Board assesses witness credibility, resolves conflicting testimony, makes factual findings, and determines whether the Administrator met the burden of proof. In re Winthrop, 219 Ill. 2d 526, 542-43, 848 N.E.2d 961 (2006).

The Administrator charged Respondent with committing the criminal act of forgery and engaging in dishonest conduct, in violation of Rules 8.4(b) and 8.4(c).

A. Summary

Respondent's admitted submission of a falsified form to Woodford County Court Services personnel violated Rules 8.4(b) and 8.4(c).

B. Admitted Facts and Evidence Considered

Respondent was 58 years of age at the time of the hearing. She was licensed to practice law in Minnesota in 1991 and in Illinois in 2005. She has practiced primarily in the area of criminal defense. (Tr. 125, 130).

While driving in Woodford County on April 28, 2019, Respondent was stopped for traveling 95 miles per hour in a 55 mile per hour zone. After pleading guilty to a Class A misdemeanor, she was placed on court supervision with conditions that included paying a fine and completing 20 hours of community service by the end of April 2020. Respondent did not complete her service hours by that date and advised the prosecuting attorney that she missed the deadline. The prosecutor told her to complete the hours as soon as she could. (Tr. 145-148).

On June 4, 2020, Respondent submitted a service hours worksheet to Woodford County Court Services, indicating that she performed 20 hours of service at St. Mark's Church. Her friend, Karen Camper, who works at St. Mark's, signed the service hours worksheet. (Ans. ¶ 3). Respondent and Camper both knew that Respondent had not completed any service hours at St. Mark's. (Ans. ¶ 4). When asked why she submitted a false form, Respondent testified the deadline was bothering her and she "cut corners." She justified it in her mind because she had performed enough community service hours at the Peoria Symphony Guild to satisfy the requirement. (Tr. 148-50).

Camper later informed Respondent that a probation officer contacted St. Mark's to verify her service hours. Respondent then contacted her probation officer and took responsibility for submitting the falsified form. She prepared another form showing she had completed the necessary hours by volunteering at the Peoria Symphony Guild and St. Thomas Church. She asked the probation department if she could submit the amended form but was not allowed to do so. (Tr. 151-57; Resp. Ex. 5).

As a result of submitting the falsified form, Respondent was charged with forgery (720 ILCS 5/17-3(a)(2)). She pleaded guilty on February 25, 2021 and was placed on First Offender Probation for two years. If she completes probation successfully, the felony will be expunged. The terms of probation include a \$3,500 fine, 150 hours of community service, and four hours of ethics classes. (Tr. 165-67).

C. Analysis and Conclusions

Rule 8.4(b)- Criminal Act that Reflects Adversely on Honesty, Trustworthiness and Fitness

It is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects. Ill. Rs. Prof'l Conduct R. 8.4(b). Respondent admits she pleaded guilty to one count of felony forgery and further admits her conduct violated Rule 8.4(b). Based on these admissions, we find the Administrator proved a violation of Rule 8.4(b) by clear and convincing evidence.

Rule 8.4(c)-Conduct Involving Dishonesty, Fraud, Deceit or Misrepresentation

It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation. Ill. Rs. Prof'l Conduct R. 8.4(c). Rule 8.4(c) is broadly construed to encompass any act or omission calculated to deceive. In re Edmonds, 2014 IL 117696 ¶ 53.

Respondent admits she engaged in dishonest conduct, and there is no question that her submission of a false document to Woodford County Court Services personnel was deceptive and dishonest. Accordingly, we find Respondent violated Rule 8.4(c).

EVIDENCE IN MITIGATION AND AGGRAVATION

Mitigation

Illinois attorneys John Boos, Jeffrey Hall, and Linda Watson testified that Respondent has an excellent reputation for truthfulness and veracity in the Peoria legal community (Tr. 29-35, 66-71, 82-92). Respondent also presented testimony from Minnesota attorneys Kristen Naros and

Erin Delaney, and Pennsylvania attorney Natalie Burston. Naros and Delaney testified that Respondent is known as an honest and ethical lawyer in the Minnesota legal community. Burston has known Respondent for six years through their participation in the Trial Lawyers College. Respondent has served as a mentor to Burston. (Tr. 48-59).

Paula Keyes and Karen Datzman are friends of Respondent's who have served as volunteers with her in the Peoria Symphony Guild and Impact Central Illinois, an organization that grants funds to other non-profit organizations. (Tr. 42, 101). They consider Respondent to be a very honest person. (Tr. 43, 117).

Respondent's witnesses described her behavior as surprising, alarming, and out of character. Respondent expressed remorse to them and took responsibility for her actions. She also expressed her regret to this Panel and acknowledged that her misconduct was very serious. (Tr. 74-79).

Respondent is involved in the Tazewell County Bar Association, the Illinois State Bar Association, and the Appellate Lawyers Association. She is also involved in programs to improve her trial skills and office management. (Tr. 132-34).

Respondent spends 75 to 100 hours per year on pro bono representation and received an "Equal Access to Justice Award" from Prairie State Legal Services in 2016. (Tr. 135-38; Resp. Ex. 3). She worked to change local court rules so that indigent persons do not have to pay filing fees. (Resp. Ex. 2).

Respondent has been active in community organizations including the Order of St. Francis, the Itoo Society assisting the Lebanese community, and the Peoria Symphony Guild. She is involved in St. Thomas Church as a server and reader. (Tr. 142-45).

On the advice of her attorney, Respondent performed additional service hours after she submitted the falsified form, in the hopes of helping her forgery case. (Tr. 159). She self-reported her forgery matter to the Administrator. (Tr. 173).

Prior Discipline

Respondent has no prior discipline.

RECOMMENDATION

A. Summary

In light of the proven misconduct and the evidence in mitigation, we recommend that Respondent be suspended for ninety days.

B. Analysis and Conclusions

The purpose of the disciplinary process is not to punish attorneys, but to protect the public, maintain the integrity of the legal profession, and safeguard the administration of justice from reproach. In re Edmonds, 2014IL117696, ¶ 90. In arriving at our recommendation, we consider these purposes as well as the nature of the misconduct and any factors in mitigation and aggravation. In re Gorecki, 208 Ill. 2d 350, 360-61, 8 N.E.2d 02 1194 (2003). We seek to recommend similar sanctions for similar types of misconduct, but must decide each case on its own unique facts. Edmonds, 2014IL117696, ¶ 90.

Respondent's misconduct was very serious. There is "a basic commitment to honesty intrinsic in a lawyer's oath of office." In re Crisel, 101 Ill. 2d 332, 342, 461 Ill. 2d 994 (1984). Purposeful misrepresentations, including those arising outside of an attorney-client relationship, are contrary to that commitment. Ibid. Respondent's false report of her community service is especially troubling because she attempted to deceive not only her probation officer but, ultimately, the court.

In aggravation, Respondent is an experienced criminal defense attorney who should have been particularly cognizant of her obligation to be truthful in complying with the conditions of her court supervision. We also find it aggravating that she involved her friend in her deceptive conduct.

There is significant evidence in mitigation. Respondent accepts responsibility for her actions and we find her to be genuinely remorseful. Her misconduct did not involve her representation of clients and appears to have been an isolated instance of poor judgment in an otherwise unblemished career. We find credible the testimony of Respondent's character witnesses that she is active in the community and regarded as a person of honesty and integrity among Peoria lawyers. Respondent's commitment to her clients, including providing pro bono representation, is commendable. It is also mitigating that Respondent reported herself to the Administrator, cooperated in this proceeding, and has no prior discipline.

Respondent asks us to consider as mitigation the evidence that she actually completed the requisite amount of service hours by volunteering for the Peoria Symphony Guild. Such evidence not only fails to lessen the seriousness of submitting a false report, it makes Respondent's decision to do so even more confounding. Consequently, we do not consider such evidence as mitigation.

The Administrator asks us to recommend a suspension of at least six months. Respondent acknowledges that a sanction is warranted, but requests that we recommend a censure. We determine that an appropriate sanction falls in between the parties' recommendations. We have considered the cases cited by Respondent but determine that her intentional falsification of a document purporting to show that she satisfied court-ordered conditions of supervision warrants more than a censure. Compare In re Fleming, 2011PR00017, M.R. 26460 (Jan. 17, 2014); In re Myers, 99 CH 88, M.R. 17766 (Jan. 28, 2002); In re Volpe, 97 CH 33, M.R. 15040 (Nov. 24,

1998). However, her misconduct was less egregious than the misconduct that led to the lengthier suspensions cited by the Administrator. Compare In re Armentrout, 99 Ill. 2d 242, 457 N.E.2d 1262 (1983) (two-year suspension); In re Hays, 2005PR00003, M.R. 21050 (Sept. 25, 2006) (one-year suspension); In re Elliott, 2018PR00056, M.R. 030294 (March 13, 2020) (six-month suspension until further order of the court). Consequently, we believe a six-month suspension would be punitive and inappropriate under the circumstances of this case.

A ninety-day suspension is consistent with sanctions imposed in the following cases involving comparable misconduct: In re Sutton, 2021PR00156 (M.R. 26134 (Sept. 25, 2013) (ninety-day suspension for advising client to falsify dates on three quitclaim deeds in an effort to affect the client's wife's eligibility for Medicaid benefits); In re Mays, 00 SH 8, M.R. 17247 (Jan. 19, 2001) (ninety-day suspension for misrepresenting client's identity to a process server and making false statements to the court about the incident); In re Grosky, 96 CH 624, M.R. 15043 (Sept. 28, 1998) (three-month suspension for sending a falsely backdated letter to opposing counsel advising that his client would not appear at a citation to discover assets and falsely testifying about the incident in a sworn statement to the Administrator); In re Heyl, 96 CH 690, M.R. 12944 (Nov. 26, 1996) (three-month suspension for misrepresenting the date of a traffic accident in which the lawyer was involved and falsely testifying about the date of the accident in an arbitration hearing).

A suspension of ninety days fulfills the purposes of the disciplinary process. We are satisfied that Respondent takes responsibility for her error in judgment, understands the negative impact of her conduct on the administration of justice and the profession, and will not make a similar mistake in the future. We are also convinced that Respondent does not pose a risk to the public. On the contrary, she provides valuable representation to clients in criminal matters, and it would be a disservice to those clients if she were suspended for a lengthy period. Accordingly,

we recommend that Respondent, Maureen Williams, be suspended from the practice of law for ninety days.

Respectfully submitted,

John L. Gilbert
Christopher A. Nichols
Carol A. Kulek

CERTIFICATION

I, Michelle M. Thome, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, hereby certifies that the foregoing is a true copy of the Report and Recommendation of the Hearing Board, approved by each Panel member, entered in the above entitled cause of record filed in my office on April 1, 2022.

/s/ Michelle M. Thome

Michelle M. Thome, Clerk of the
Attorney Registration and Disciplinary
Commission of the Supreme Court of Illinois

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