

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

FILED

March 14, 2025

ARDC CLERK

In the Matter of:

SCOTT JEFFREY SINTON,

Attorney-Respondent,

No. 6201945.

Commission No. 2025PR00019

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Kate E. Levine, pursuant to Supreme Court Rule 753(b), complains of Respondent, Scott Jeffrey Sinton, who was licensed to practice law in the State of Illinois on November 9, 1989, and alleges that Respondent has engaged in the following conduct that subjects him to discipline pursuant to Supreme Court Rule 770:

Criminal conviction for driving a motor vehicle while intoxicated

1. At all times alleged in this complaint, there was in effect a criminal statute in Illinois, Chapter 625, Section 5/11-501(a)(2) of the Illinois Compiled Statutes, which made it a misdemeanor criminal offense to drive or be in actual physical control of any vehicle while under the influence of alcohol.

2. On June 5, 2022, at approximately 3:00 p.m., Respondent was driving westbound in his 2018 Chevrolet Camaro on Baltusrol Drive in Vernon Hills, Illinois. A witness observed the vehicle strike a curb and leave the roadway, just missing a tree. The vehicle resumed driving west on Baltusrol Drive and went out of sight. Approximately 10 minutes later, the witness again observed the vehicle traveling westbound on the same stretch of road and hitting the same curb,

but this time striking the tree. The witness then observed the vehicle leaving the scene and continuing westward on Baltusrol Drive.

3. Vernon Hills Police Commander Daniel Hill was dispatched to the address where the vehicle was registered, which was Respondent's home address. Commander Hill observed Respondent's 2018 Chevrolet Camaro in the driveway of the residence, unoccupied and with significant front-end damage. Commander Hill went to the front door, spoke with a woman, and then observed Respondent, who had blood and a visible injury in his chin, standing in the residence. Commander Hill asked Respondent who crashed the Camaro. Respondent said, "Me." When Commander Hill asked what happened, Respondent said, "I hit the curb." Commander Hill asked Respondent if he intended to call the police about the incident, and Respondent indicated that he was going to. However, when Commander Hill asked Respondent what he had done since he got home, Respondent said, "Nothing." Commander Hill observed Respondent to be unsteady on his feet, with slow and slurred speech and the smell of alcohol on his breath. Commander Hill asked Respondent if he had been drinking that day, and Respondent said no. Respondent told Commander Hill that he was unsteady because he was nervous.

4. Vernon Hills Police Officer S. Rodriguez also was dispatched to Respondent's home address. Officer Rodriguez observed Respondent to be swaying, speaking with slurred speech, unsteady on his feet, and stumbling around his driveway. Commander Hill told Officer Rodriguez that Respondent appeared to be under the influence of alcohol.

5. Vernon Hills Police Officer Ershen was requested to appear at Respondent's home address to perform field sobriety tests. When Officer Ershen arrived, he administered standardized field sobriety tests to Respondent. Respondent was compliant, but he was physically unable to perform the tasks requested of him. Respondent was asked to take a portable breathalyzer test but

refused. Respondent acknowledged that he had one drink of vodka that day but declined to answer any questions regarding the incident described in paragraph two, above. Respondent was placed under arrest for suspected driving under the influence and transported to the Vernon Hills Police Department for booking.

6. While at the Vernon Hills Police Department, Seargent Adam Boyd read Respondent his *Miranda* rights and attempted to administer to Respondent a breathalyzer test, but Respondent refused to provide a breath sample. Respondent refused to answer any questions about the incident described in paragraph two, above. At the time of Respondent's booking, officers learned that the 2018 Chevrolet Camaro driven by Respondent during the incident had an expired registration and was not insured. Respondent was issued the following citations: DUI alcohol; making an improper right turn; leaving the scene of an accident/vehicle damage only; operating a vehicle after registration expiration; and operating an uninsured motor vehicle. Respondent was then released on a recognizance bond with a pending court date of June 22, 2022, in the Circuit Court of Lake County, in *People of the State of Illinois v. Scott J. Sinton*, docketed as case number 2022 DT 801.

7. Prior to June 22, 2022, a statutory summary suspension of Respondent's driver's license and driving privileges was filed in case number 2022 DT 801, based on Respondent's refusal to comply with a breath test. On June 22, 2022, attorney Julio Argueta filed his appearance on behalf of Respondent, plus discovery requests and a petition to rescind the statutory summary suspension.

8. On or about June 27, 2022, the Office of the Secretary of State issued a confirmation of statutory summary suspension against Respondent in case number 2022 DT 801.

9. On or about July 12, 2023, Respondent pled guilty to the misdemeanor criminal offense of driving while under the influence of alcohol in violation of Chapter 625, Section 5/11-501(a)(2) of the Illinois Compiled Statutes. The court sentenced Respondent to 12 months of supervision, ordered Respondent to complete counseling and to attend a victim impact panel, and imposed fines and court costs on Respondent of \$2,931.50.

10. On August 7, 2023, the Administrator initiated an investigation related to Respondent's June 5, 2022, arrest, which was docketed as investigation number 2023IN02648.

11. On June 18, 2024, Respondent executed an affidavit under Commission Rule 108. By signing the affidavit, Respondent agreed that if the Inquiry Board deferred the prosecution of Commission number 2023IN02648, he would abide by certain conditions, including but not limited to the following:

- a. Respondent shall abstain from the usage of alcohol and any non-prescribed controlled substances;
- b. Respondent shall attend meetings as scheduled by the Commission probation officer. Respondent shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of his supervision;
- c. Respondent shall continue in his course of treatment with the Illinois Lawyers' Assistance Program, or such other qualified mental health professional acceptable to the Administrator, with the Administrator advised of any change in attendance deemed warranted by such professional;
- d. Respondent shall provide to the Illinois Lawyers' Assistance Program, or such other qualified mental health professional, an appropriate release authorizing the treating professional to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of Respondent's compliance with any treatment plan established with respect to Respondent's condition; (2) promptly report to the Administrator Respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding

Respondent's mental or emotional state or compliance with any established treatment plans;

- e. Respondent shall, upon request by the Administrator, submit to random substance testing by a mental health professional, within eight hours of receiving notice that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;
- f. Respondent shall participate in Alcoholics Anonymous and/or the Illinois Lawyers' Assistance Program by attending at least two meetings a week. Respondent is to maintain a log of his attendance at the meetings and submit them to the Administrator with his quarterly reports;
- g. Respondent shall maintain an AA sponsor or a peer mentor in the Lawyers' Assistance Program and is to provide the name, address, and telephone number of the sponsor/mentor to the Administrator. Respondent shall request that the sponsor/mentor communicate with the Administrator in writing every three months regarding Respondent's participation and progress in the AA/LAP program and report any lapses in sobriety or usage of controlled substances to the Administrator within 72 hours of his/her knowledge of that usage;
- h. Respondent shall report to the Administrator any lapse in his sobriety or usage of any controlled substances within 72 hours of that usage; and
- k. The Administrator shall report to the Inquiry Board any noncompliance by Respondent with any of the conditions imposed herein. Upon a showing of the Respondent's failure to comply with these conditions, the Inquiry Board may request that any deferred matters be returned to its agenda for future consideration.

12. On July 10, 2024, Inquiry Panel C of the Inquiry Board of the Commission agreed to defer Commission number 2023IN02648 for a period of 12 months, with the conditions outlined in paragraph 11, above, along with other conditions. If Respondent complied with the conditions of the deferral, his 12-month period of supervision would be scheduled to terminate on July 9, 2025.

13. Pursuant to the conditions of Respondent's Commission Rule 108 deferral, Respondent was required to submit quarterly reports as described in paragraph 11.b. and f., above. Additionally, the Lawyers' Assistance Program and Respondent's sponsor or peer mentor were required to submit quarterly reports as described in paragraph 11.d and g., above, respectively. During the time period alleged in this complaint, Respondent's quarterly reports were due on October 10, 2025, and January 10, 2025. At no time did Respondent, or anyone on his behalf, submit any quarterly reports to the Commission.

14. On November 8, 2024, and November 14, 2024, Respondent was notified by text message by CertaTrust, a professional recovery compliance and monitoring agency, to submit to random substance testing on those dates. At no time on November 8, 2024, or on November 14, 2024, did Respondent submit to testing. On both dates, the Commission probation officer informed Respondent that his absences from testing were not excused.

15. On November 22, 2024, counsel for the Administrator and the Commission probation officer spoke with Respondent by telephone regarding his failure to comply with the conditions of his Commission Rule 108 deferral, including submitting to random substance testing, maintaining a sponsor or peer mentor, participating in treatment with the Lawyers' Assistance Program, and submitting quarterly reports. Respondent claimed that he had attended Alcoholics Anonymous but had not attended the Lawyers' Assistance Program men's group. Respondent also claimed that he had a sponsor, but that individual relapsed. Counsel for the Administrator suggested an individual whom Respondent could ask to be his sponsor, and Respondent stated he would do so. Respondent then was informed that he needed to take the following actions by the end of the day: submit his quarterly reports, contact the potential sponsor and the Lawyers' Assistance Program, and ask the potential sponsor and the Lawyers' Assistance

Program to email the probation officer regarding their contacts with him. Respondent was advised that counsel and the probation officer would call him again on November 26, 2024, regarding the status of the matters they had discussed.

16. On November 25, 2024, Respondent was notified by text by CertaTrust to submit to random substance testing on those dates. At no time on November 25, 2024, did Respondent submit to testing. That day, Respondent emailed the Commission probation officer and stated that he had contacted the potential sponsor, but that individual had not yet replied to Respondent. Additionally, Respondent stated that he had contacted the Lawyers' Assistance Program and been provided with the schedule for its men's group.

17. On November 26, 2024, counsel for the Administrator and the Commission probation officer spoke with Respondent by telephone regarding his obligations under his Commission Rule 108 deferral. Respondent was informed that he was required to submit to random substance testing the next morning, and he stated that he "would try" to do so. Respondent also was informed that he was required to submit his quarterly reports, which he claimed that he thought he had completed but could not find in his email.

18. On November 27, 2024, the Commission probation officer notified Respondent by email to submit to random substance testing that day. At no time on November 27, 2024, did Respondent submit to random substance testing. The same day, Respondent called the probation officer and informed her that he relapsed sometime in the beginning of November 2024, he had been drinking throughout that month, he had been drinking the night before his call, and his wallet was lost or stolen the night before his call. Respondent also reported that he had not met with anyone at the Lawyers' Assistance Program or sought therapy from another provider. The probation officer asked Respondent if he planned to go to rehab. Respondent responded that he

wished to return to a rehabilitation facility from which he had previously received services, but he could not locate that facility's phone number. The probation officer provided the facility's phone number to Respondent and requested that Respondent, or someone on his behalf, inform her if he were admitted to the facility.

19. On December 2, 2024, the Commission probation officer and Respondent communicated several times by email. First, the probation officer sent Respondent an email regarding whether he had entered a rehabilitation facility. Respondent responded that he had not been admitted to a rehabilitation facility because he did not have access to his insurance information, which had been in his wallet that he lost. Thereafter, the probation officer again emailed Respondent and informed him that most rehabilitation facilities could contact his insurance carrier to be provided with coverage information if he gave the carrier his Social Security number. The probation officer also requested information regarding the specific steps Respondent had taken in an effort to enter a rehabilitation facility. In response, Respondent claimed that the rehabilitation facility needed his insurance information. Then, the probation officer reiterated that she needed to know the details regarding Respondent's efforts to enter rehab, including the facilities he contacted and when, and what the facilities told him regarding proof of insurance and what was required to confirm insurance coverage. The probation officer explained that if Respondent was not willing to share additional information regarding his efforts, counsel for the Administrator would have to inform the Inquiry Panel of his non-compliance with the conditions of the Commission Rule 108 deferral. Thereafter, Respondent did not respond to the probation officer's inquiry.

20. On December 13, 2024, the Commission probation officer requested that Respondent respond to her last email from December 2, 2024, as described in paragraph 19,

above. Additionally, the probation officer requested that, if Respondent had entered treatment since they last communicated, he provide details regarding the rehabilitation facility, date of admission, and a description of his treatment plan. At no time did Respondent respond to the probation officer's December 13, 2024, email. The same day, the probation officer called Respondent, but she did not receive a response.

21. On December 18, 2024, the Commission probation officer called Respondent, but she did not receive a response.

22. On December 19, 2024, Commission number 2023IN02648 was transferred to the Litigation department of the Commission. On February 10, 2025, Respondent informed Litigation counsel for the Administrator by telephone that he had relapsed at the end of September 2024 or the beginning of October 2024, and the relapse had lasted approximately five and a half months. Respondent also described having one "slip" prior to September 2024, but he could not recall when that occurred.

23. On February 11, 2025, the Inquiry Panel met and considered the information set forth in paragraphs one through 22, above, and determined to revoke Respondent's deferred prosecution under Commission Rule 108 and vote that a complaint be filed in this matter.

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

- a. committing a criminal act that reflects adversely on his fitness as a lawyer, by conduct including committing and being convicted of the offense of driving a motor vehicle while under the influence of alcohol, in violation of Chapter 625, Section 5/11-501(a)(2) of the Illinois Compiled Statutes, in violation of Rule 8.4(b).

WHEREFORE, the Administrator requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held and that 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/ Kate E. Levine
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