

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
dcollins@iadc.org
ARDCeService@iadc.org

On March 18, 2022, I filed the attached answer to the Administrator's Second Amended 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 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 5:00 p.m. on the day of March 18, 2022. The e-file service provider is Odyssey eFileIL and the document is delivered to David Collins at dcollins@iadc.gov.



EDWIN F. BUSH

Edwin F. Bush III. - No. 61448
ARDC# 6322150
8974 N. Western Avenue Suite #114
Des Plaines, IL 60016
202-487-8238
Ted.bush@comcast.net

FILED
3/18/2022 4:57 PM
ARDC Clerk

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

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-III

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. Between May 2018 and June 2021, Cook County Associate Judge John T. Carr ("Judge Carr") was the judge overseeing case number 2017D230075.

Answer: Respondent denies the allegation contained in paragraph 3.

4. Attorney Steve Wasko ("Steve") has been the court-appointed guardian *ad litem* in case number 2017D230075 since June of 2018.

Answer: Respondent admits the allegation contained in paragraph 4.

5. 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 5.

COUNT I

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

6. 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 6, 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. Evan Mammas and Caidi Vanderporten were repeatedly mispresenting the disposition of the appellate court order, in signed court filings and oral statements. Steve Wasko did not correctly state the disposition before any judge until August 17, 2021.

7. 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 7. Respondent affirmatively states that Dr. John Palen, the court-appointed counselor, wrote e-mails to Evan Mammas, Caidi Vanderporten and Steve Wasko alleging that they were engaging in child abuse (which is defined as neglect) and causing attachment disorder in the minor children.

For example, Dr. Palen wrote to them on December 28, 2019: "That we have been going in circles for over fourteen months about simply enabling these children to have some kind of interaction with both parents is, in my view, **analogous to a form of neglect that is sanctioned by the court and its' officers**" (emphasis added).

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

Answer: Respondent denies the allegation contained in paragraph 8.

9. 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 9. Respondent admits that he made those statements, but the Administrator intentionally omitted the full context and the full statements. Judge Carr just made racist and demeaning comments to Respondent's approximately 25 supporters and court watchers, including an African-American woman, referring to them as the "peanut gallery." Respondent retorted by calling the court watchers akin to being packed in a clown car, which means people packed closely in one place. 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 and on the record. Finally, Dr. Palen, the court-ordered counselor who Judge Carr appointed but refused to speak to, was telling Respondent and the other counsel that the court and its officers were engaging in child abuse. Respondent was merely repeating Dr. Palen's professional concerns, and stands by these comments independently.

10. 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 10. Respondent affirmatively asserts that the statement is true and accurate.

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

Answer: Respondent denies the allegation contained in paragraph 11. Affirmatively, Respondent further asserts those statements are truthful and accurate, the opinion of the court's own appointed counselor, and constitutionally protected speech.

12. 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 6 and 9, 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 6 and 9, above, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 12. 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. Nor does being a member of the bar prevent Respondent from informing Judge Carr what his own appointed counselor was trying to tell him. Judge Carr refused to speak to Dr. Palen three times from March-July, 2019, when he personally appeared in court, the last attempt on the record on July 16, 2019.

COUNT II

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

13. 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 Mammias ("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 13, 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. Respondent further asserts that all four statements are truthful and provably so.

14. 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 14, and notes the Administrator is fully aware this communication pertained to Erika Bush's counsel and the

Guardian *ad Litem* intentionally thwarting the appellate court's ordered hearing on remand. Again, as to there being child abuse and neglect committed by the court and its officers, that was stated by Dr. John Palen in an e-mail on December 28, 2019. Another 9 months went by.

15. Respondent's statements in the June 23, 2020, and September 18, 2020, emails, referenced in paragraphs 13 and 14, 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 15, and asserts all of those statements are truthful and accurate, and provably so. Affirmatively, Respondent was delaying nobody, he was urgently trying to have the appellate court's ordered remand hearing. Caidi Vanderporten suborned perjury on October 10, 2018 and November 30, 2018. Furthermore, Ms. Vanderporten perjured herself in court on September 28, 2020, and filed false verified pleadings on September 2 and September 24, 2020, intentionally misleading the court about the appellate order and the law of the case. Ms. Vanderporten did this again on December 15, 2020. Evan Mammas repeatedly misrepresented the disposition of the appellate court order on March 11, 2021. <https://www.facebook.com/ted.bush/videos/293922922840560>

According to Erika Bush's own handpicked babysitter, who listened to conversations between Erika Bush and her counsel, Evan Mammas and Caidi Vanderporten were threatening to withdraw if Erika did not disgorge the party's joint 401(k) retirement account, which is a protected asset under the bankruptcy laws. By contrast, attorneys fees are dischargeable in bankruptcy.

16. By reason of the conduct described in paragraphs 13 and 14 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 16, and affirmatively states the referenced statements are entirely truthful and accurate, and protected speech. Moreover, Respondent was representing himself, not a client.

COUNT III

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

17. On March 5, 2020 and March 14, 2020, Respondent made audiotape recordings of court-ordered counseling sessions between Respondent's minor son, J.B., and Dr. Ronald Dachman, a clinical psychologist.

Answer: Respondent admits in part and denies in part the allegation in Paragraph 17. Respondent admits to audiotaping both sessions, and also recording his daughter outside of the session, who said: "Daddy, I want to come to your house." Respondent denies that these particular sessions were 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 by drifting aimlessly without a treatment plan. Erika Bush and her counsel shared those concerns, and were trying to affirmatively remove Dr. Dachman. Erika Bush went as far as accusing Dr. Dachman of being a racial supremacist in writing, while continually trying to sabotage Dr. Dachman's appointment order to the point Dr. Dachman threatened to withdraw months before ever meeting the children.

On January 27, 2020, at 7:09 p.m., Erika Bush wrote to Steve Wasko, and copied her counsel Caidi Vanderporten and Evan Mammas:

"Steve:

Why is DrDachman telling Ted what happens in the sessions? How is he not biased towards me? He won't even let me speak but gives details to Ted?

The baby can't go to the bathroom. How can you trust what Dr Dachman says. I heard Dr Dachman instructing his assistance to call Ted, we where still there, office? Why is Ted privileged? Because Ted is WHITE and I'm MEXICAN! This racism at its finest! If Ted were black or Hispanic the Judge would have put him in jail a year ago but Ted is WHITE and can do whatever he wants. I'm seriously considering my options since racism has played a huge card in this case and no one cares.

Please make other recommendations for a therapist ASAP.

Thanks

Erika"

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

Answer: Respondent denies the allegation contained in paragraph 18. Respondent repeatedly 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. Moreover, Dr.

Dachman was aware that Respondent was suing in federal court to enjoin 750 ILCS 5/607.6(d), which unconstitutionally barred counselors from divulging any communications from a counseling session. Respondent otherwise has no knowledge of what Dr. Dachman knew or did not know.

19. 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 19.

20. On March 5, 2020 and 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 in March, 2020.

21. By reason of the conduct described in paragraphs 17-19, 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, as set forth in paragraphs 17-19, above, 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 5, 2020 and March 14, 2020 counseling sessions, as set forth in paragraphs 17-19, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 21. Affirmatively, this recording was entirely lawful and protected, contains admissible evidence, and evidence of the crime of perjury and other civil violations against Respondent and his children. This recording is protected constitutionally under the due process clause, under the crime-evidence exception (720 ILCS 5/14-3) as capturing evidence of perjury, 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).

Furthermore, Respondent did not need Dr. Dachman's permission to record this counseling session because J.B. and A.B.'s statements made during these sessions were admissible as hearsay statements of child abuse or neglect by Erika Bush, pursuant to 750 ILCS 5/606.5(c) and 735 ILCS 5/8-2601(a). Audio-recording satisfied the requirement for corroborating evidence under both statutes, and avoided the complications arising from 750 ILCS 5/607.6(d), which was not repealed until May 2021. Under Illinois law, protecting children from abuse or neglect supersedes any alleged privacy interests, especially involving counselors who are required to

report abuse or neglect. Three months earlier, Dr. John Palen stated in writing the children were being neglected, not only by Erika Bush but by the court and its officers. Dr. Dachman was in communication with Dr. Palen independently. Meanwhile, Erika Bush was reverting to extreme steps, including falsely accusing Dr. Dachman of racism, in attempt to cover up her abuse and neglect, to prevent these sessions from ever happening, and the integrity of the evidence being preserved.

Moreover, the Seventh Circuit Court of Appeals published the contents of the December 21, 2018 counseling session with Dr. John Palen on May 12, 2021. *J.B. et al. v. Woodard et al.* The Seventh Circuit noted that J.B. reported abuse and neglect, and J.B. repeated many of those statements on March 5 and 14, 2020 in Dr. Dachman's office.

“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.

Finally, both children reported abuse and neglect directly to Respondent in October and November 2021, consistent with and corroborating their statements in the March 5 and 14, 2020 sessions with Dr. Dachman.

ALLEGATIONS COMMON TO COUNTS IV-V

22. 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 22.

23. 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. Case number 2017D230075 remains pending.

Answer: Respondent admits the allegation contained in paragraph 23.

24. Attorney Steve Wasko (“Steve”) has been the court-appointed guardian *ad litem* in case number 2017D230075 since June of 2018.

Answer: Respondent admits that Steve Wasko was nominally appointed the guardian *ad litem*, but failed to perform his basic duties or conduct statutorily-required investigations, which is his reputation amongst the Chicago area bar.

25. The Administrator filed the original disciplinary complaint against Respondent on August 5, 2021.

Answer: Respondent admits the allegation contained in paragraph 25.

26. Respondent was served with the complaint on August 6, 2021.

Answer: Respondent admits the allegation contained in paragraph 26. On August 7, 2021, Respondent saw his primary care provider for abdominal pain and bloating, who ordered an emergency CT scan. On August 10, 2021, Respondent was diagnosed with stage four pancreatic cancer.

COUNT IV

(Making a statement with no substantial purpose other than to embarrass, delay or burden a third person in the course of pending litigation and that is prejudicial to the administration of justice – August 24, 2021)

27. On August 24, 2021 at 3:12 p.m., Respondent used his cell phone to call Steve’s adult daughter, Christine Hamlin (“Christine”) on her cell phone. Respondent claimed to know Steve and immediately yelled “your dad is a piece of shit mother-fucker” before hanging up.

Answer: Respondent was given a phone number in Colorado by another individual investigating Steve Wasko. Respondent called this phone number to see if this information was accurate on or about August 24, 2021 at 3:12 p.m. Respondent denies he stated “your dad is a piece of shit mother-fucker” categorically or anything similar. Respondent further denies that he has ever called anyone a “piece of shit mother-fucker.” Respondent stated to Ms. Hamlin that her father profiteers off of children and parents by stringing out custody litigation, and that his entire family should be ashamed of themselves.

28. Christine was disturbed and frightened by the call.

Answer: Respondent lacks personal information to admit or deny the allegation contained in paragraph 28. Respondent hung up after relaying his disgust.

29. Respondent’s actions on August 24, 2021, referenced in paragraph 27, above, served no purpose other than to embarrass, delay, or burden Steve and Christine.

Answer: Respondent denies the allegation contained in paragraph 29.

30. By reason of the conduct described in paragraph 27, above, Respondent has engaged in the following misconduct:

- a. in 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, telephoning Steve’s daughter, Christine Hamlin, and yelling “your dad is a piece of shit mother-fucker”, as set forth in paragraph 27, above, 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, telephoning Steve's daughter, Christine Hamlin, and yelling "your dad is a piece of shit mother-fucker", as set forth in paragraph 27, above, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegations contained in paragraph 30. Moreover, Respondent was not representing a client, he was representing himself.

COUNT V

(Making statements with no substantial purpose other than to embarrass, delay or burden a third person in the course of pending litigation and that are prejudicial to the administration of justice – September 3, 2021)

31. In June of 2021, Cook County Associate Judge John T. Carr, the judge overseeing case number 2017D230075, took medical leave.

Answer: Respondent admits the allegation contained in Paragraph 31, and notes that Judge Carr went on medical leave on approximately June 21, 2021, with a brain tumor. He was permanently discharged as a judge as of January 31, 2022.

32. At all times relevant to this count, Cook County Circuit Judge Grace G. Dickler acted as the Presiding Judge of the Domestic Relations Division, Calendar 1. As Presiding Judge, Judge Dickler had responsibility for obtaining coverage for Judge Carr's courtroom while he was out on leave.

Answer: Respondent admits that Judge Dickler serves as the Presiding Judge of the Domestic Relations Division, and Calendar 1, which is her individual calendar. Respondent otherwise lacks complete information of her administrative or supervisory duties, as reflected in numerous administrative orders or county rules. Numerous judges, including Judge Dickler, stood in for Calendar 24. Respondent personally appeared before Judges Timothy Murphy, Robert Johnson, Debra Walker, Andrea Schleifer, as well as Judge Dickler on Calendar 24, including on behalf of two other clients.

33. On September 3, 2021, at 12:27 p.m., Respondent sent an email to Judge Dickler, court employees Terry Bright ("Terry") and Kaye Mason ("Kaye"), Steve and Erika. The email stated:

"It has now been almost 3 years since I have seen my children. You corrupt incompetent fucking bastards.

I never did anything to any of my children EVER. FUCK YOU!!!! I am going to the media.

You have breached the appellate order for almost 2 years, abused me and my children. Burn in hell!!!!

No regards, Edwin F. Bush” (Emphasis in original)

Answer: Respondent admits to the allegation contained in Paragraph 43, and was 3.5 weeks into a terminal pancreatic cancer diagnosis. Respondent signed this e-mail not as an attorney, but as a very disgusted and offended father. On August 17, 2021, Respondent informed Judge Robert Johnson of his diagnosis through a status call through Zoom. Judge Johnson scheduled a hearing, with an undetermined judge, for September 27, 2021 – forty days later. After the proceeding on August 17, 2021, Respondent e-mailed the court staff that was not acceptable, given Respondent’s possibly very short life span. Respondent signed this e-mail as an attorney, and copied Judge Dickler as well. There was no ARDC referral on August 17, 2021. Seventeen days later, Respondent had simply had it with the Cook County Domestic Relation Division’s corruption and incompetence.

34. Respondent’s statement that Judge Dickler was “corrupt” and “incompetent” was false or made with reckless disregard for the truth.

Answer: Respondent’s e-mail was not specifically addressed to Judge Dickler. Respondent had never met Judge Dickler, had never appeared before her, never spoken with her, and Respondent was unsure whether the e-mail address was even actively monitored by Judge Dickler. Respondent’s e-mail was broadly addressed as a “pox on all your houses.”

However, Respondent was familiar with Judge Dickler’s history, and prior complaints to the Judicial Inquiry Board made by other attorneys involving Judge Dickler. If Respondent’s comments are construed to be directed to Judge Dickler, those statements were not false or made with reckless disregard for the truth.

On November 5, 2012, Judge Dickler was referred to the Judicial Inquiry Board by an anonymous attorney, who alleged Judge Dickler was aware of unethical behavior by domestic relations attorneys and failed to supervise them. This complaint alleged the Cook County Child Representative Training and Selection Committee, which was then chaired by David Pasulka, was secretive, arbitrary and catered solely to the interests of insiders.

On June 13, 2012, Judge Dickler presented a “State of the Division” address to the Chicago Bar Association. She was quoted as stating: “The Committee is also reviewing...whether we have a responsibility and whether a procedure should exist for removing inappropriate child representatives from the list.” Ten years later, there is no such procedure.

The Complaint included as an attachment a 2011 report from POD 1 of the Illinois Family Law Study Committee, sponsored by the General Assembly, which indicated that abuse amongst child representatives was rampant throughout Illinois. Paragraph two stated: “...[T]he effect of the present system, in practice, has created cottage industries of GALs/child representatives, custody evaluators and others, who have increased litigation costs and are not necessarily helpful in reducing conflicts between the parents.”

Another attachment was a May 15, 2012 letter to the ARDC by then State Representative Jil Tracy and ten other members of the Illinois House, reporting widespread abuse and extortion by domestic relations attorneys. The Members of the Judiciary I Civil Law Committee wrote:

“In both 2011 and 2012, some of those same citizens testified before our committee, detailing their experiences with the lawyers assigned to represent their children. We heard testimony of a child’s college fund being emptied to pay for the child’s legal representative; testimony about a parent selling her home to pay fees for the child’s legal representative; and testimony by one individual regarding threats by the child representative in his case that the parent would never see the children again if he continued to pursue legislative remedy by the General Assembly.

A member of our committee inquired if any of the witnesses had contacted the ARDC about the allegations, and every single witness raised their hand indicating they have all sent letters outlining the alleged abuses of the system in their respective cases. Each of the witnesses indicated that the ARDC did not take any action against the attorneys involved in each of the cases.”

Also attached to this complaint was an article from the Illinois Bar Journal, dated July, 2007 entitled: “So you wanna be a child rep...? How do you get appointed? How much can you earn? What about appointees who don’t do the job?” One attorney was quoted anonymously as stating: “There are attorneys making a half a million dollars a year as child reps – and not working terribly hard for it.”

On January 18, 2018, Judge Dickler was referred to the Judicial Inquiry Board by another attorney. This complaint alleged that on November 17, 2017, Judge Dickler appeared at a Continuing Legal Education (CLE) seminar with the Association of Family and Conciliation Courts (AFCC). During this session, Judge Dickler stated she expected the attorneys to lobby against HB 4133, which was legislation to enact a presumption of equal shared parenting during the pendency of child custody proceedings, and that restrictions on parents could only be imposed under a clear and convincing evidence standard.

Judge Dickler was using her official position to influence legislation that stood to benefit her friends in the domestic relations bar, and retired judges who reap millions from protracted custody litigation. Judge Dickler further expressed an interest at working at Judicial and Mediation Services, Inc. (JAMS) after her retirement, which gets most of its referrals from domestic relations judges. Judge Dickler was reportedly using her official e-mail to lobby against HB 4133, according to attorneys connected to the Illinois State Bar. On December 13, 2017 at a roundtable discussing involving HB 4133, she acted again as a lobbyist, urging career domestic relations attorneys to mobilize in opposition to this legislation for their own collective financial interest.

In July, 2020, David Pasulka was indicted on nine counts of sexual assault, and soliciting sex from women in exchange for favorable custody recommendations. David Pasulka was Chair of the Cook County Child Representative Training and Selection Committee for 22 years, including

the entire tenure of Judge Dickler serving as Presiding Judge. On August 4, 2020, CBS 2 Chicago ran a story in a continuing series on the Pasulka indictments, entitled: “Attorney Claims Top Judges Enabled Embattled Lawyer David Pasulka To Have Unchecked Power In Selecting Family Lawyers.” The attorney, Lawrence Thompson, called for Judge Dickler to resign over the Pasulka indictments. CBS 2 included a photograph of Judge Dickler and David Pasulka embracing each other in 2016. <https://www.cbsnews.com/chicago/news/attorney-claims-top-judges-enabled-embattled-lawyer-david-pasulka-to-have-unchecked-power-in-selecting-family-lawyers/?intcid=CNM-00-10abd1h>.

Respondent first alerted CBS 2 of the Pasulka indictment, and was a contributor to that story and prior stories. Earlier on August 4, 2020, Respondent sent Judge Dickler and the ARDC e-mails and an invoice from David Pasulka, on behalf of an anonymous father who suffered from David Pasulka’s corruption. The e-mails and invoice included David Pasulka lying about being suspended as an approved Guardian *ad Litem*, and billing for “services” after the date Judge Dickler finally suspended him. Judge Dickler never responded and never took any action over the irrefutable evidence of misconduct; neither did the ARDC.

This father witnessed David Pasulka sexually assault one of his female employees in Judge Regina Scannicchio’s courtroom in July, 2017. The father reported the assault to his attorney that date. As of 2016 and 2017, David Pasulka’s alcoholism and sexual abuse was widely known, and reported to the ARDC but no action was taken by the Administrator or by Judge Dickler. Sworn federal and state court filings by the “Jane Doe’s” document the misconduct by David Pasulka went back years, and was open and notorious.

Respondent finally met Judge Dickler virtually on September 23, 2021, when he appeared before Judge Dickler while representing Olga Mazzone, whose case was also on Judge John Carr’s calendar. On September 27, 2021, three weeks after reporting Respondent to the ARDC, Judge Dickler assigned herself to hear Respondent’s motion for a temporary parenting schedule, which she granted. In this proceeding, Judge Dickler stated: “Alright Mr. Bush, I am going to request sir, that you not make any negative remarks about Judge Carr or Steve Wasko.” <https://www.facebook.com/ted.bush/videos/293922922840560> This comment is entirely consistent with the long history of negligent supervision, “see no evil, hear no evil,” which Judge Dickler has been accused of for years. Respondent handled cases in which prior attorneys begged for her intervention when there was misconduct by domestic relations judges and attorneys, and her failure to supervise was catastrophic to the client. Judge Dickler has stated in writing to other attorneys that her role as Presiding Judge includes no actual oversight.

On December 6, 2021, Judge Dickler, without a hearing, ordered Respondent have supervised parenting time with his children, requiring substantial financial outlays while being terminally ill, because he recorded the remote zoom proceedings on November 22, 2021 and December 3, 2021. This violates numerous state and federal laws. On November 22, 2021, Erika Bush admitted to the substantive allegations in *J.B. et al. v. Woodard et al.*, in which Judge Carr suspended Respondent’s parenting time without a hearing for lawfully ejecting Illinois DCFS from his residence, while investigating a false allegation by Erika Bush it ultimately unfounded <https://www.facebook.com/ted.bush/videos/612751266741648>. During the December 3, 2021, proceeding, Erika Bush stated that Respondent should not have parenting time with his children

because Respondent may “die on them.”

<https://www.facebook.com/ted.bush/videos/193172629682071>

Respondent attached those videos in response to motions in this ARDC proceeding, and also attached those videos in a January 26, 2022, Rule 383 motion to the Illinois Supreme Court (No. 128116) to compel Judge Dickler hold a hearing on the December 13, 2019 First District Appellate Court remand order. Respondent first complained in writing to Judge Dickler about Judge Carr violating the appellate remand order on April 26, 2020, and she never replied.

On January 26, 2022, Respondent spoke to Melissa Lamm Roth, the Chief Deputy Clerk of the Illinois Supreme Court. Respondent inquired whether he properly tendered the videos to the Rule 383 motion as exhibits, which were embedded in Facebook links, and whether the Supreme Court would review those videos. Ms. Roth stated they were properly submitted, she had reviewed them and the Supreme Court reviews media from remote zoom hearings. Ms. Roth further stated that their rule has not yet been published, but it is their practice.

In 2019 and 2020, the First District Appellate Court, reviewed two transcripts derived from audio and video recording in two separate appeals in the underlying domestic relations case. Justice Mary Rochford was on the appellate panel on both of those appeals, and chairs the Supreme Court’s Access to Justice Commission, which has called for circuit courts to properly record and store its remote proceedings. Yesterday, Justice Rochford was appointed by the Supreme Court to head a taskforce on continuing remote zoom proceedings.

Respondent further states affirmatively that he is an internally-numbered source for the Federal Bureau of Investigations Public Corruption Unit, which has been investigating numerous attorneys and judges in the Cook County Domestic Relations Division for public corruption – including Judge Dickler. Federal agents have told Respondent the FBI is inundated with complaints arising from Illinois domestic relations proceedings. Respondent has cooperated and assisted in these investigations, at the request of federal law enforcement, including making a recorded phone call with FBI equipment on August 13, 2021, with an attorney appointed by Judge Dickler to the leadership position previously held by David Pasulka.

The FBI has indicated to Respondent that recordings are essential to the ongoing investigations. Recording remote zoom proceedings are further protected under the First and Fourteenth Amendments to the United States Constitutions.

35. Respondent made the statement in paragraph 33, above, knowing it was false, or with reckless disregard for the truth.

Answer: Respondent denies the allegation contained in paragraph 35.

36. On September 3, 2021, at 2:03 p.m., Terry sent an email to Respondent, asking him to please remove Judge Dickler and Kaye from his emails regarding his case.

Answer: Respondent admits to the allegation contained in Paragraph 36. Kaye Mason was Judge Robert Johnson’s coordinator, and there was no reason for her to be included in communications by e-mail. On the other hand, Judge Dickler was Presiding Judge.

37. On September 3, 2021 at 2:14 p.m., Respondent replied by email to Terry’s email and included Judge Dickler, Steve, Erika and Ed Bush (Respondent’s father) as additional recipients. The email stated:

“I will remove Kaye. I can’t even get an answer who is filling in for Judge Carr the month of September? I am not waiting any more. The incompetence of this division is beyond repair. I will make ALL you dirtbags famous.” (Emphasis in original)

Answer: Respondent admits to the allegation contained in Paragraph 37. Respondent represented two other clients on Calendar 24, and witnessed hearings get canceled because of recusals or sudden unavailability of the assigned judge. Respondent was concerned that after waiting 40 days for a hearing, it would not occur. Respondent did not sign this e-mail as an attorney, and his very angry remarks are protected speech as a father.

38. Respondent’s statements in the September 3, 2021 emails, referenced in paragraphs 33 and 37, above, served no purpose other than to embarrass, delay, or burden Judge Dickler, Terry, Kaye, Steve and Erika.

Answer: Respondent denies the allegation contained in Paragraph 38. Respondent was diagnosed with terminal stage four pancreatic cancer for 3.5 weeks, and the Cook County Domestic Relations Division was violating his and his children’s rights to familial association for three years. Respondent wanted to see his children immediately before his possible swift demise. It is absolutely sickeningly insensitive and offensive any attorney or organization would suggest otherwise.

39. By reason of the conduct described in paragraphs 33 and 37, above, Respondent has engaged in the following misconduct:

a. making a statement the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicative officer, or public legal officer by making the statements set forth in paragraph 33, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010);

b. in 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, stating “FUCK YOU!!!!” and “burn in hell!!!” to Judge Dickler, Terry, Kaye, Steve and Erika, and calling Terry, Judge Dickler, Steve and Erika “dirtbags”, as set forth in paragraphs 33 and 37, above, in violation of Rule 4.4(a) of the Illinois Rules of Professional Conduct (2010); and

c. conduct that is prejudicial to the administration of justice by conduct including, but not limited to, stating “FUCK YOU!!!!” and “burn in hell!!!” to Judge Dickler, Terry, Kaye, Steve and Erika, and calling Terry, Judge Dickler, Steve and Erika “dirtbags”, as set forth in paragraphs 33 and 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 39. Moreover, Respondent was not representing a client, he was representing himself, and asserts a privilege to commit malpractice against himself.

Judge Dickler ended up hearing Respondent’s motion for a temporary parenting schedule on September 27, 2021, and October 4, 2021, and entered further orders finally granting parenting time with J.B. and A.B. On October 13, 2021, after hearing the evidence, Judge Dickler stated she does not believe “for a second” that Respondent would ever harm his children. Albeit making necessarily regrettable statements, Respondent does not believe he committed malpractice against himself.

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

RESPONDENT’S DISCLOSURE PURSUANT TO COMMISSION RULE 231

1. On November 4, 2021, the Illinois Supreme Court issued an order suspending Respondent’s license under Rule 774. 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, yet pursued this order. The Administrator further violating Respondent’s rights under the Americans with Disabilities Act (ADA) by not appointing an ADA coordinator.
2. Respondent currently holds no other professional licenses other than his license to practice law.

RESPECTFULLY SUBMITTED:



EDWIN F. BUSH

Edwin F. Bush III. - No. 61448
8974 N. Western Avenue Suite #114
Des Plaines, IL 60016
(202) 487-8238

Ted.bush@comcast.net