

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

In the Matter of:

SCOTT IAN JACOBSON,  
  
Attorney-Respondent,  
  
No. 6301751.

Comm. No. 2021PR00038

ANSWER

NOW COMES Respondent, Scott Ian Jacobson, by and through his attorney, James A. Doppke, Jr., Robinson, Stewart, Montgomery & Doppke, LLC, and for his answer to the Administrator's Complaint in this matter, states as follows:

COUNT I

*(Alleged False Statements in a Judicial Application)*

1. In July 2010, Respondent began working as an attorney for the State's Attorney's Appellate Prosecutor. He left that position in January 2015 and served as a judicial clerk for Justice Susan F. Hutchinson of the Illinois Appellate Court until July 2018. In July 2018, Respondent accepted and began employment with the McHenry County State's Attorney's Office ("MCSAO"), where he worked in the Civil Division until May 2019.

**ANSWER:** Respondent admits the allegations contained in paragraph 1.

2. On or about December 9, 2016, Respondent submitted an application for appointment to the office of associate justice in the 22nd Judicial Circuit.

**ANSWER:** Respondent admits that the application is dated December 9, 2016, but he does not recall when the application was submitted. Respondent admits all remaining allegations contained in paragraph 2.

3. The judicial application requested information regarding the applicant's jury trial experience. Question 4(B) of the judicial application asked the applicant to "[l]ist the last two jury cases tried to verdict, during the past five years, including names of other attorneys and Judge."

**ANSWER:** Respondent admits that the application contains the language recited in paragraph 3.

4. In response to question 4(B) of the application, Respondent listed *People v. Castillo*, Case No. 10-CF-2035, in Winnebago County. He stated that Judge McGraw presided over the matter, Larsen represented the State, and Green was the public defender.

**ANSWER:** Respondent admits the allegations contained in paragraph 4.

5. As part of the judicial application, Respondent signed and certified that all statements in the application were true, complete, and correct to the best of his knowledge and belief and were made in good faith.

**ANSWER:** Respondent admits the allegations contained in paragraph 5.

6. Respondent's representation on his application that his jury trial experience included the *Castillo* case was false because he had no involvement with the trial of that case.

**ANSWER:** Respondent admits that he was not a trial attorney on the case and that he did not answer the question correctly. Further answering, however, Respondent states that he worked with the trial attorneys in that case in an advisory capacity at the State's Attorney's

Appellate Prosecutor. Respondent denies any and all remaining allegations contained in paragraph 6.

7. Respondent knew that his representation regarding his involvement with the trial of the *Castillo* case was false when he included it in his judicial application.

**ANSWER:** Respondent admits that his representation regarding his involvement with the trial of the *Castillo* case was incorrect. Respondent denies all remaining allegations contained in paragraph 7.

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

- a. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation by making the false statement that his jury trial experience included the *Castillo* case in his judicial application, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

**ANSWER:** The allegations contained in paragraph 8 constitute legal conclusions, and therefore, no answer is required.

## COUNT II

*(Alleged False Statements in the Course of Interviewing with the State's Attorney's Office)*

9. The Administrator realleges the facts set forth in paragraphs 1 through 7 of Count I above.

**ANSWER:** Respondent repeats his answers to paragraphs 1 through 7 of Count I, above, as if fully set forth herein.

10. In April 2019, while working in MCSAO's Civil Division, Respondent applied for the position of first chair of a felony courtroom with the MCSAO. Before, during, and after April 23, 2019, Respondent had an interview for that position with the McHenry County State's Attorney, Patrick Kenneally, and Assistant McHenry County State's Attorneys, Michael Combs, Randi Free[s]e, Rita Gara, and Daniel Wilbrandt. The interview took place in the law library of the MCSAO.

**ANSWER:** Respondent admits the allegations contained in paragraph 10.

11. In the course of the interview, Respondent stated that he had tried twelve to fifteen cases while employed by the Illinois Appellate Prosecutor's Office between 2010 and 2015.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 11. Therefore, he can neither admit nor deny the allegations contained in paragraph 11.

12. Respondent's statement that he had tried twelve to fifteen cases between 2010 and 2015 was false because he had never tried a case while working for the Illinois Appellate Prosecutor's Office.

**ANSWER:** Respondent admits that he did not try cases while working for the State's Attorney's Appellate Prosecutor. Respondent does not recall making the statement attributed to him in the remaining allegations contained in paragraph 12. Therefore, he can neither admit nor deny the remaining allegations contained in paragraph 12.

13. When Respondent made the statement regarding the cases he had tried while working for the Illinois Appellate Prosecutor's Office, he knew it was false because he had not tried any cases while working in that position.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 13. Therefore, he can neither admit nor deny the allegations contained in paragraph 13.

14. In the course of the April 23, 2019 interview, Respondent stated that he had been specially assigned to work in the Champaign County State's Attorney's Office in a drug unit while working for the Appellate Prosecutor.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 14. Therefore, he can neither admit nor deny the allegations contained in paragraph 14.

15. Respondent's statement that he had worked for the Champaign County State's Attorney's Office and in one of its drug units was false.

**ANSWER:** Respondent admits that he did not work for the Champaign County State's Attorney's Office or one of its drug units. Respondent does not recall making the statement attributed to him in the remaining allegations contained in paragraph 15. Therefore, he can neither admit nor deny the remaining allegations contained in paragraph 15.

16. Respondent knew that his statement regarding his assignment was false when he made it because he had never been assigned to the Champaign County State's Attorney's Office, nor had he ever worked in a drug unit.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 16. Therefore, he can neither admit nor deny the remaining allegations contained in paragraph 16.

17. In the course of the April 23, 2019 interview, Respondent told the State's Attorney and Assistant State's Attorneys that he had tried cases with Chuck Colburn of the Appellate Prosecutor's Office.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 17. Therefore, he can neither admit nor deny the allegations contained in paragraph 17.

18. Respondent's statement that he had tried cases with Chuck Colburn was false because they had never tried a case together.

**ANSWER:** Respondent admits that he had not tried a case with Chuck Colburn. Respondent does not recall making the statement attributed to him in the remaining allegations contained in paragraph 18. Therefore, he can neither admit nor deny the remaining allegations contained in paragraph 18.

19. When Respondent claimed to have tried cases with Chuck Colburn, he knew that this was a false statement because Respondent had never tried a case with him.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 19. Therefore, he can neither admit nor deny the allegations contained in paragraph 19.

20. In the course of the April 23, 2019 interview, Respondent stated that he had tried a five person DUI death case in Kendall County. He told the interviewers that the case was *People v. Sandra Vasquez*, and that Judge Clint Hull presided over the trial.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 20. Therefore, he can neither admit nor deny the allegations contained in paragraph 20.

21. Respondent's statement regarding trying the *Vasquez* case was false because while Respondent worked on the appeal in that matter, he did not try the case.

**ANSWER:** Respondent admits that he was not a trial attorney in the *Vasquez* case. Further answering, however, Respondent states that he assisted with the State appeal in that case and handled the case on direct appeal. Further answering, Respondent does not recall making the statement attributed to him in the remaining allegations contained in paragraph 21. Therefore, he can neither admit nor deny the remaining allegations contained in paragraph 21.

22. When Respondent stated that he had tried the *Vasquez* case, he knew his statement was false because he had not been involved in the trial of that matter before Judge Hull.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 22. Therefore, he can neither admit nor deny the allegations contained in paragraph 22.

23. In the course of the April 23, 2019 interview, Respondent stated that he had trial experience in Winnebago County. Specifically, he claimed that he had tried two termination of parental rights cases with Pam Wells in Winnebago County.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 23. Therefore, he can neither admit nor deny the allegations contained in paragraph 23.

24. Respondent's statements regarding his trial experience in Winnebago County were false because he had never appeared in the trial court of Winnebago County or tried a parental rights case or any other case with Pam Wells in that county.

**ANSWER:** Respondent admits that he had not appeared in the trial court of Winnebago County or tried a parental rights case or other case with Pam Wells. Further answering, however, Respondent states that he provided advice, legal research, suggested several changes in court policy (which were adopted), and handled multiple appeals arising from termination cases in Winnebago County. Further answering, Respondent does not recall making the statement attributed to him in the remaining allegations contained in paragraph 24. Therefore, he can neither admit nor deny the remaining allegations contained in paragraph 24.

25. When Respondent stated that he had tried cases in Winnebago County with Pam Wells, he knew his statements were false.

**ANSWER:** Respondent does not recall making the statement attributed to him in paragraph 25. Therefore, he can neither admit nor deny the allegations contained in paragraph 25.

26. On May 3, 2019, Respondent met with Patrick Kenneally and Rita Gara regarding some of the statements that he made in his April interview. Mr. Kenneally and Ms. Gara requested



information from Respondent to corroborate some of the claims that he had made in the course of the interview, but Respondent did not provide them with that information.

**ANSWER:** Respondent admits the allegations contained in the first sentence of paragraph 26. Further answering, Respondent states that he did offer names of several individuals who could corroborate some of his claims to Mr. Kenneally and Ms. Gara. Further answering, Respondent does not recall what information Mr. Kenneally and Ms. Gara requested, and he therefore denies the remaining allegations contained in paragraph 26.

27. On May 6, 2019, Respondent met with Michael Combs and discussed the April interview.

**ANSWER:** Respondent admits the allegations contained in paragraph 26.

28. On May 8, 2019, Respondent met with Randi Freese, the Chief of the Criminal Division at the McHenry County State's Attorney's Office. Ms. Gara joined the meeting. At the meeting, Respondent initially claimed that he had worked as an Assistant State's Attorney for the Cook County State's Attorney's Office. Later during the meeting, Respondent admitted that he was never hired as an Assistant State's Attorney, but rather he was an intern while attending law school. Respondent told Ms. Freese that he had tried about twenty felony jury trials over the course of three months while employed as an intern with the Cook County State's Attorney's Office.

**ANSWER:** Respondent admits the allegations contained in the first sentence of paragraph 28. Respondent does not recall having made the statements attributed to him in the

remaining allegations contained in paragraph 28. Therefore, Respondent can neither admit nor deny the remaining allegations contained in paragraph 28.

29. Respondent's initial statement that he had been hired as a Cook County State's Attorney and his statement regarding trying about twenty felony jury trials as an intern with that office were false.

**ANSWER:** Respondent admits that he had not been hired as a Cook County State's Attorney and that he did not try about twenty felony jury trials as an intern with that office. Further answering, however, Respondent does not recall having made the statements attributed to him in the remaining allegations contained in paragraph 29. Therefore, Respondent can neither admit nor deny the remaining allegations contained in paragraph 29.

30. Respondent knew that his statements relating to his work at the Cook County State's Attorney's Office were false because he had never been hired as a Cook County Assistant State's Attorney nor had he tried twenty felony jury trials as an intern.

**ANSWER:** Respondent admits that he had not been hired as a Cook County State's Attorney and that he did not try about twenty felony jury trials as an intern with that office. Further answering, however, Respondent does not recall having made the statements attributed to him in the remaining allegations contained in paragraph 30. Therefore, Respondent can neither admit nor deny the remaining allegations contained in paragraph 30.

31. On May 9, 2019, the McHenry County State's Attorney's Office terminated Respondent's employment.

**ANSWER:** Respondent admits the allegations contained in paragraph 31.

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

- a. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation by making false statements regarding his employment and work experience in the course of his interview with the McHenry County State's Attorney's Office, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

**ANSWER:** The allegations contained in paragraph 32 constitute legal conclusions, and therefore, no answer is required.

RESPONDENT'S DISCLOSURE PURSUANT TO COMMISSION RULE 231

1. Respondent was admitted to practice law in the State of Illinois on May 6, 2010.
2. Respondent holds no other professional licenses other than his license to practice law.

Respectfully submitted,

/s/ James A. Doppke, Jr.

BY: James A. Doppke, Jr.

Counsel for Respondent

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