

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

In the Matter of:)
)
NEIL ALAN SPECTOR,)
) Commission No. 2022PR00078
Attorney-Respondent,)
)
No. 6181744.)

NOTICE OF FILING

TO: MICHAEL RUSCH
COUNSEL FOR ADMINISTRATOR
A.R.D.C.
One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601-6219
mrusch@iardc.org
ARDCeService@iardc.org

PLEASE TAKE NOTICE that on OCTOBER 26, 2022, I will e-file
RESPONDENT’S ANSWER TO THE ADMINISTRATOR’S COMPLAINT by causing the original copy
to be e-filed with the Clerk of the Attorney Registration and Disciplinary Commission.

Respectfully submitted,

/s/ Samuel J. Manella
SAMUEL J. MANELLA
ATTORNEY FOR ATTORNEY-RESPONDENT

SAMUEL J. MANELLA #06190368
Counsel for Attorney-Respondent
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FILED
10/26/2022 10:10 AM
ARDC Clerk

PROOF OF SERVICE

I, SAMUEL J. MANELLA, on oath state that I served a copy of the Notice of Filing, RESPONDENT'S ANSWER TO THE ADMINISTRATOR'S COMPLAINT on the individual at the address shown on the foregoing Notice of Filing, sent via e-mail at mrusch@iardc.org and ARDCeService@iardc.org on OCTOBER 26, 2022 at or before 4:00 p.m.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Samuel J. Manella

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ANSWER TO COMPLAINT

Now comes NEIL ALAN SPECTOR by his attorney, SAMUEL J. MANELLA, and for his Answer to the Complaint, states as follows:

Respondent is licensed to practice law in the State of Illinois in 1981 and the Federal Northern District of Illinois in approximately 1981.

COUNT I

(Unauthorized practice of law due to failure to report MCLE compliance)

1. Effective on September 29, 2005, the Court adopted Rule 794, which required every attorney admitted to practice law in Illinois to complete certain minimum continuing legal education (“MCLE”) hours during a two-year reporting requirement beginning on July 1 and ending on June 30. Supreme Court Rule 794 stated that the two-year reporting period shall begin on July 1st of odd years for attorneys whose last names begin with the letters “N” through “Z.” As of September 29, 2005, Respondent knew or should have known of the requirements of Rule 794 and his responsibility to comply with that rule.

ANSWER:

Respondent admits the allegations contained in Paragraph 1 of Count I of the Complaint.

2. Also effective on September 29, 2005, the Court adopted Rule 796 requiring that all attorneys report their completion of MCLE credit hours to the Minimum Continuing Legal Education Board (“MCLE Board”). Supreme Court Rule 796 required attorneys to report their completion of the hours to the MCLE Board by July 31st of their reporting year. Supreme Court Rule 796 also required the Administrator, after being informed of an attorney’s failure to comply, to send notice to any attorney not in compliance with the rule informing the attorney that his or her name would be removed from the roll of licensed attorneys in Illinois on a date no sooner than 21 days from the date of the notice if the attorney did not comply with the rule. As of September 29, 2005, Respondent knew or should have known of the requirements of Rule 796 and his responsibility to comply with that rule.

ANSWER:

Respondent admits the allegations contained in Paragraph 2 of Count I of the Complaint.

3. As of July 31, 2019, Respondent had not reported to the MCLE Board that he had complied with the Court’s MCLE requirement for the period from July 1, 2017 through June 30, 2019. The MCLE Board notified the Administrator of Respondent’s lack of compliance. On March 5, 2020, the Administrator removed Respondent’s name from the roll of attorneys authorized to practice law in Illinois and sent Respondent notification of his removal. Pursuant to Rule 756(f), after March 5, 2020, Respondent was not authorized to practice law in Illinois or to hold himself out as so authorized.

ANSWER:

Respondent admits the first and second sentences of Paragraph 3 of Count I of the Complaint. Respondent has no specific recollection or knowledge of the Administrator’s actions of March 5, 2020 regarding Respondent’s removal of his name from the Roll of Attorneys or his notification of such, as set forth in the third and fourth sentences of

Paragraph 3 of Count I, so Respondent neither admits nor denies. It should be noted that the date cited by the Administrator in this paragraph is in conflict with the date cited for the Administrator in Paragraph 11 of Count II of the complaint as alleged in Paragraph 3 of Count I of the Complaint.

4. On or about October 8, 2021, the MCLE Board informed the Administrator that Respondent had reported his MCLE compliance for the July 1, 2017 through June 30, 2019 reporting period. The Administrator reinstated Respondent to the roll of attorneys on October 8, 2021.

ANSWER:

The Respondent admits the allegations contained in Paragraph 4 of Count I of the Complaint.

5. Between March 5, 2020 and October 8, 2021, while Respondent was removed from the roll of attorneys and not authorized to practice law, Respondent continued to represent clients in court actions in Illinois, including, but not limited to, the following matters:

Client Represented	Docket number	Action(s) taken
DeAngelo Statam, in <i>People of the State of Illinois vs. DeAngelo Romeo Martinez Statam Sr.</i> Charges: MFG/DEL 15<100 GR Cocaine (Class X Felony); RESIST/PC OFF (Class 4 Felony)	Winnebago County case number: 2019-CF-0000703	Appeared in court on: June 30, 2020; September 22, 2020; October 19, 2020; February 16, 2021; March 9, 2021; April 8, 2021; and May 5, 2021.
Darrell Pickett, in <i>People of the State of Illinois vs. Darrell Pickett</i> Charges: Attempt Murder (Class X Felony); Aggravated Battery – Discharge Firearm (Class X Felony); Unlawful Use of Weapon by Felon, (Class 3 Felony)	Cook County case number: 2016CR271101	Appeared in court and participated in a bench trial on: March 9, 2020; October 7, 2020, October 9, 2020; October 29, 2020; and May 21, 2021.

<p>Cedric Williams, in <i>People of the State of Illinois vs. Cedric Williams</i> Charges: Aggravated Unlawful Use of a Weapon (Class 2 Felony); Felon in Possession of a Firearm (Class 3 Felony); Possession Defaced Firearm (Class 3 Felony); Possession Controlled Substance (Class 4 Felony)</p>	<p>Cook County case number: 2021CR0651101</p>	<p>Appeared in court on: June 1, 2021 and August 4, 2021.</p>
<p>Roshanda Brown, in <i>People of the State of Illinois vs. Roshanda Brown</i> Charge: <i>Aggravated Unlawful Use of a Weapon (Class 4)</i></p>	<p>Cook County case number: 20CR0966101</p>	<p>Appeared in court, negotiated and participated in a plea agreement on: October 19, 2020; December 3, 2020; and March 4, 2021.</p>
<p>Kevin Burns, in <i>People of the State of Illinois vs. Kevin Burns</i> Charges: MFG/DEL 15<100 GR Heroin (Class X Felony); Possession of Controlled Substance (Class 1 Felony)</p>	<p>Cook County case number: 19CR1568901</p>	<p>Appeared in court and/or filed motions on: March 26, 2020; March 27, 2020; May 7, 2020; August 24, 2020; October 13, 2020; October 15, 2020; December 3, 2020; December 10, 2020; February 10, 2021; April 21, 2021; and May 27, 2021.</p>

Client Represented	Docket number	Action(s) taken
Kevin Burns, in <i>People of the State of Illinois vs. Kevin Burns</i> Charges: MFG/DEL 15<100 GR Heroin (Class X Felony); Possession of Controlled Substance (Class 1 Felony)	Cook County case number: 19CR1568801	Appeared in court and/or filed motions on: March 26, 2020; May 7, 2020; August 24, 2020; October 13, 2020; October 15, 2020; December 3, 2020; December 10, 2020; February 10, 2021; April 21, 2021; and May 27, 2021.
Curtis Moncure, in <i>People of the State of Illinois vs. Curtis N. Moncure</i> Charges: Aggravated DUI- 3 rd (Class 2 Felony); Aggravated DUI – License Suspended or Revoked (Class 4 Felony); Driving While License Suspended or Revoked (Class 4 Felony)	Cook County case number: 19CR1223001	Appeared in court, negotiated and participated in a plea agreement on: March 11, 2020; September 29, 2020; December 12, 2020; and March 5, 2021.
DeAndre Johnson, in <i>People of the State of Illinois vs. DeAndre Johnson</i> Charge: Possession of a Controlled Substance (Class 4 Felony)	Cook County case number: 21CR0351701	Appeared in court on negotiated and participated in a plea agreement on: April 1, 2021; April 8, 2021; and May 12, 2021.
Brandon Mathis, in <i>People of the State of Illinois vs. Brandon S. Mathis</i> Charges: MFG/DEL Cannabis (Class 3 Felony); Possession of a Controlled Substance (Class 4 Felony)	Cook County case number: 206000184001	Appeared in court on: May 19, 2020. Case was dismissed (<i>NolleProsequi</i>)
Michael Cleo Franklin, in <i>People of the State of Illinois vs. Michael Cleo Franklin</i> Charges: Aggravated Unlawful Use of a Weapon (Class 4 Felony); Domestic Battery (Class A Misdemeanor)	McLean County case number: 2021CF000251	Appeared in court on: March 4, 2021, May 7, 2021, and June 30, 2021

ANSWER:

Respondent admits the allegations contained in Paragraph 5 of Count I of the Complaint.

6. At no time during the court actions discussed in paragraph 5, above, did Respondent notify the court, his client, or opposing counsel that he was not authorized to practice law in Illinois.

ANSWER:

Respondent admits the allegations contained in Paragraph 6 of Count I of the Complaint.

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

- a. practicing law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, by conduct including meeting with clients, appearing in court on their behalf, participating in a bench trial, and discussing their cases with opposing counsel while his name had been removed from the roll of attorneys and he was not authorized to practice law, in violation of Rule 5.5(a) of the Illinois Rules of Professional Conduct (2010);
- b. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including knowingly holding himself out as being able to practice law although unauthorized to do so, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and
- c. conduct that is prejudicial to the administration of justice, by conduct including holding himself out as authorized to practice law to clients, opposing counsel and the court when he was not so authorized, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

ANSWER:

Respondent admits the allegations contained in Paragraph 7 (a) Respondent denies Paragraph 7 (b) and (c) of Count I of the Complaint.

COUNT II

(Unauthorized practice of law due to failure to register)

8. At all times related to this count, Illinois Supreme Court Rule 756(a) required that, on or before the first day of January of each year, attorneys admitted to practice law in Illinois (subject to certain exceptions that do not apply to Respondent in this matter) register and pay to the Attorney Registration and Disciplinary Commission (“the Commission”) any registration fee due according to provisions of the Rule.

ANSWER:

Respondent admits the allegations contained in Paragraph 8 of Count II of the Complaint.

9. At all times related to this count, pursuant to Supreme Court Rule 756(h), the Administrator, on or after February 1 of each year, was required to remove from the roll of attorneys authorized to practice law in Illinois the name of any attorney who had not registered for that year as required by the Supreme Court Rules.

ANSWER:

Respondent admits the allegations contained in Paragraph 9 of Count II of the Complaint.

10. As of July 8, 2020, Respondent had not registered with the Commission or paid the annual fee that had been due since January 1, 2020.

ANSWER:

Respondent admits the allegation contained in Paragraph 10 of Count II of the Complaint.

11. On July 8, 2020, the Administrator removed Respondent's name from the roll of attorneys authorized to practice law in Illinois and sent Respondent notification of his removal. Pursuant to Supreme Court Rule 756(h), after July 8, 2020, Respondent was not authorized to practice law in Illinois or to hold himself out as so authorized.

ANSWER:

Respondent has no specific knowledge of the acts of the Administrator on July 8, 2020 as alleged in Paragraph 11 of Count II of the Complaint. It should also be noted that the date in this Paragraph conflicts with the date in Paragraph 3 of Count I.

12. On October 8, 2021, Respondent paid his past-due annual registration dues and penalties and was reinstated to the roll of attorneys authorized to practice law in Illinois.

ANSWER:

Respondent admits the allegation contained in Paragraph 12 of Count II of the Complaint.

13. Between July 8, 2020 and October 8, 2021, while Respondent was removed from the roll of attorneys and not authorized to practice law, Respondent continued to represent clients in court actions in Illinois, including, but not limited to, the following matters:

Client Represented	Docket number	Action(s) taken
DeAngelo Statam, in <i>People of the State of Illinois vs. DeAngelo Romeo Martinez Statam Sr.</i> Charges: MFG/DEL 15<100 GR Cocaine (Class X Felony); RESIST/PC OFF (Class 4 Felony)	Winnebago County case number: 2019-CF-0000703	Appeared in court on: September 22, 2020; October 19, 2020; February 16, 2021; March 9, 2021; April 8, 2021; and May 5, 2021.
Darrell Pickett, in <i>People of the State of Illinois vs. Darrell Pickett</i> Charges: Attempt Murder (Class X Felony); Aggravated Battery – Discharge Firearm (Class X Felony); Unlawful Use of Weapon by Felon, (Class 3 Felony)	Cook County case number: 2016CR271101	appeared in court and participated in a bench trial on: October 7, 2020, October 9, 2020; October 29, 2020; and May 21, 2021.
Cedric Williams, in <i>People of the State of Illinois vs. Cedric Williams</i> Charges: Aggravated Unlawful Use of a Weapon (Class 2 Felony); Felon in Possession of a Firearm (Class 3 Felony); Poss. Defaced Firearm (Class 3 Felony); Poss. Controlled Substance (Class 4 Felony)	Cook County case number: 2021CR0651101	Appeared in court on: June 1, 2021 and August 4, 2021.

Client Represented	Docket number	Action(s) taken
Roshanda Brown, in <i>People of the State of Illinois vs. Roshanda Brown</i> Charge: Aggravated Unlawful Use of a Weapon (Class 4)	Cook County case number: 20CR0966101	Appeared in court, negotiated and participated in a plea agreement on: October 19, 2020; December 3, 2020; and March 4, 2021.
Kevin Burns, in <i>People of the State of Illinois vs. Kevin Burns</i> Charges: MFG/DEL 15<100 GR Heroin (Class X Felony); Possession of Controlled Substance (Class 1 Felony)	Cook County case number: 19CR1568901	Appeared in court and/or filed motions on: August 24, 2020; October 13, 2020; October 15, 2020; December 3, 2020; December 10, 2020; February 10, 2021; April 21, 2021; and May 27, 2021.
Kevin Burns, in <i>People of the State of Illinois vs. Kevin Burns</i> Charges: MFG/DEL 15<100 GR Heroin (Class X Felony); Possession of Controlled Substance (Class 1 Felony)	Cook County case number: 19CR1568801	Appeared in court and/or filed motions on: August 24, 2020; October 13, 2020; October 15, 2020; December 3, 2020; December 10, 2020; February 10, 2021; April 21, 2021; and May 27, 2021.
Curtis Moncure, in <i>People of the State of Illinois vs. Curtis N. Moncure</i> Charges: Aggravated DUI- 3 rd (Class 2 Felony); Aggravated DUI – License Suspended or Revoked (Class 4 Felony); Driving While License Suspended or Revoked (Class 4 Felony)	Cook County case number: 19CR1223001	Appeared in court, negotiated and participated in a plea agreement on: September 29, 2020; December 12, 2020; and March 5, 2021.
DeAndre Johnson, in <i>People of the State of Illinois vs. DeAndre Johnson</i> Charge: Possession of a Controlled Substance (Class 4 Felony)	Cook County case number: 21CR0351701	Appeared in court, negotiated and participated in a plea agreement on: April 1, 2021; April 8, 2021; and May 12, 2021.
Brandon Mathis, in <i>People of the State of Illinois vs. Brandon S. Mathis</i> Charges: MFG/DEL Cannabis (Class 3 Felony); Possession of a Controlled Substance (Class 4 Felony)	McLean County case number: 2021CF000251	Appeared in court on: March 4, 2021, May 7, 2021, and June 30, 2021

ANSWER:

Respondent admits the allegations contained in Paragraph 13 of Count II of the Complaint.

14. At no time during the court actions discussed in paragraph 13, above, did Respondent notify the court, his client, or opposing counsel that he was not authorized to practice law in Illinois.

ANSWER:

Respondent admits the allegations contained in Paragraph 14 of Count II of the Complaint.

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

- a. practicing law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, by conduct including meeting with clients, appearing in court on their behalf, participating in a bench trial, and discussing their cases with opposing counsel while his name had been removed from the roll of attorneys and he was not authorized to practice law, in violation of Rule 5.5(a) of the Illinois Rules of Professional Conduct (2010);
- b. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including knowingly holding himself out as being able to practice law although unauthorized to do so, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and
- c. conduct that is prejudicial to the administration of justice, by conduct including holding himself out as authorized to practice law to clients, opposing counsel and the court when he was not so authorized, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

ANSWER:

Respondent admits the allegations contained in Paragraph 15 (a). Respondent denies the allegations contained in Paragraph 15 (b) and (c) of Count II of the Complaint.

WHEREFORE, Attorney-Respondent respectfully requests the Complaint be dismissed.

Respectfully submitted,

/s/ SAMUEL J. MANELLA
SAMUEL J. MANELLA

SAMUEL J. MANELLA
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