

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

In the Matter of:

KAREN LINDEN BOS CAMP,

Attorney-Respondent,

No. 6209105.

Commission No. 2022PR00070

NOTICE OF FILING

To: Karen Linden Boscamp (klboscampatty@aol.com)
Attorney-Respondent
10074 Potter Road
Des Plaines, Illinois 60016-1549

PLEASE TAKE NOTICE that on October 26, 2022, the ADMINISTRATOR'S FIRST AMENDED COMPLAINT, was submitted to the Clerk of the Attorney Registration and Disciplinary Commission in Chicago, Illinois for filing. On that same date, a copy was served on Respondent via email at klboscampatty@aol.com at or before 5:00 p.m.

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Tammy L. Evans
Counsel for the Administrator

Tammy L. Evans
Attorney Registration
Disciplinary Commission
3161 West White Oaks Dr., Ste. 301
Springfield, Illinois 62704
Telephone: (217) 546-3523
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FILED
10/26/2022 11:16 AM
ARDC Clerk

PROOF OF SERVICE

The undersigned, an attorney, hereby certifies, pursuant to the Illinois Code of Civil Procedure, 735 ILCS 5/109, that the Administrator served a copy of the Notice of Filing and ADMINISTRATOR'S FIRST AMENDED COMPLAINT, on Respondent via email at klboscampatty@aol.com, on October 26, 2022 at or before 5:00 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 she verily believes the same to be true.

/s/ Tammy L. Evans
Tammy L. Evans

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FIRST AMENDED COMPLAINT

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorney, Tammy L. Evans, pursuant to Supreme Court Rule 753(b), complains of Respondent, Karen Linden Boscamp, who was licensed to practice law in Illinois on May 7, 1992, and alleges that Respondent has engaged in the following conduct which subjects her to discipline pursuant to Supreme Court Rule 770:

COUNT I

(Dishonesty by using \$52,000 of trust funds without authority for her own purposes – Louis J. DeSalvo trust)

1. At all times related to this complaint, Respondent operated as a sole practitioner in Des Plaines.
2. Respondent represented Louis J. DeSalvo (“Louis”) in various legal matters for over 20 years.
3. On or before March 21, 1997, Respondent drafted the Louis J. DeSalvo Revocable Trust (“DeSalvo trust”), which named Louis as trustee.
4. On or before December 1, 2010, Respondent drafted a third amendment to the DeSalvo trust that named Geneva Middleton (“Jenny”), Louis’ longtime romantic partner, and

Respondent, his attorney, as successor co-trustees of the DeSalvo trust in the event Louis was unable to act as trustee.

5. Louis passed away on May 20, 2014. According to the terms of the DeSalvo trust, upon Louis' death, Respondent and Jenny, the successor co-trustees, were to pay \$5,000 to various charities, distribute \$300,000 to Jenny, transfer title to Louis' condominium in Chicago to Jenny, and invest the balance of the DeSalvo trust assets so that Jenny could receive \$30,000 per year for the remainder of her life. Pursuant to the DeSalvo trust, upon Jenny's death, the remainder of the trust assets were to be distributed to various charities.

6. By the terms of the DeSalvo trust, Jenny and various charities were the beneficiaries of the trust, and as successor co-trustee, Respondent owed the beneficiaries the duty to ensure that the trust's assets were distributed to them, and not to use those assets for her own purposes.

7. Pursuant to the Charitable Trust Act, 760 ILCS 55/6(a), a trustee must file and register a copy of the trust agreement with the Illinois Attorney General within six months after any part of the income or principal is received for application to the charitable purpose, and prior to any disbursements.

8. At no time did Respondent file or register the DeSalvo trust with the Attorney General as required by the Charitable Trust Act.

9. Pursuant to the Charitable Trust Act, 760 ILCS 55/7, the trustee shall file with the Illinois Attorney General periodic annual written reports under oath that set forth information as to the nature of the assets held for charitable purposes and administration thereof by the trustee in accordance with the rules and regulations of the Attorney General.

10. At no time did Respondent file any annual written reports for the DeSalvo trust with the Attorney General as required by the Charitable Trust Act.

11. Paragraph stricken pursuant to Hearing Board Chair's October 24, 2022 order.

12. Paragraph stricken pursuant to Hearing Board Chair's October 24, 2022 order.

13. On or about February 12, 2016, Respondent used \$24,500 of funds belonging to the DeSalvo trust to purchase a minivan, and caused the vehicle to be titled in her name. The terms of the trust did not permit Respondent to use trust funds to purchase a vehicle for herself.

14. At the time Respondent used the funds described above, in paragraph 13, she knew she was using \$24,500 in funds belonging to the DeSalvo trust without authority and for her own purposes, and in doing so, she acted dishonestly.

15. In 2016, Respondent paid herself payments totaling \$27,500 from the DeSalvo trust for legal work that she performed for Jenny personally, and not on behalf of the trust. The terms of the DeSalvo trust did not permit the payment of legal fees to Respondent for legal work that she performed for Jenny personally, and not on behalf of the trust.

16. At the time Respondent paid herself payments totaling \$27,500 described above, in paragraph 15, she knew she was using \$27,500 in funds belonging to the DeSalvo trust without authority and for her own purposes, and in doing so, she acted dishonestly.

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

- a. conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including knowingly using a total of \$52,000 of funds belonging to the DeSalvo trust for her own purposes, without authority, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010). (Amount amended from \$57,000 to \$52,000 pursuant to Hearing Board Chair's October 24, 2022 order.)

COUNT II
(Filing a false pleading and dishonesty)

18. On November 14, 2016, the Cook County Public Guardian filed a petition for temporary guardian of an alleged disabled person, which alleged that the appointment of a temporary guardian for Jenny was necessary due to alleged financial exploitation and the need for someone to manage Jenny's personal care. The matter was docketed as *Estate of Geneva Middleton, An Alleged Disabled Person*, 2016P7055.

19. On November 17, 2016, the court appointed the Public Guardian the temporary guardian of Jenny. The court also entered an order suspending all trustee powers for the DeSalvo trust, authorized the Public Guardian to direct Respondent to file an accounting of her actions as co-trustee for the DeSalvo trust, and to pursue an action to have Respondent and Jenny removed as co-trustees of the DeSalvo trust.

20. On December 6, 2016, Shirley Carfo ("Carfo"), Jenny's sister, filed a cross-petition for appointment of guardian for disabled person, requesting that she be appointed plenary guardian of Jenny's person. On February 23, 2017, the court granted Carfo's cross-petition and appointed her the plenary guardian of Jenny's person. On March 9, 2017, the court appointed Devon Bank as plenary guardian of Jenny's estate.

21. On April 3, 2017, Respondent filed verified pleadings in case number 2016P7055, including accountings for the DeSalvo trust for the period of May 20, 2014 through December 31, 2016.

22. Attached to the pleadings, Respondent provided an affidavit in which she stated that she did not receive any payments from the DeSalvo trust for trustee fees between 2014 and 2016. The statement in the affidavit was false because Respondent received \$15,100 from the DeSalvo trust for trustee fees between 2014 and 2016.

23. At the time Respondent filed the affidavit, she knew the statement was false.

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

- a. knowingly offering evidence that the lawyer knows to be false by conduct including filing an affidavit with the Circuit Court of Cook County in case number 2016P7055, that falsely stated that Respondent did not receive funds from the DeSalvo trust for trustee fees, in violation of Rule 3.3(a)(3) of the Illinois Rules of Professional Conduct (2010); and
- b. conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including knowingly making a false statement in an affidavit that Respondent filed with the Circuit Court of Cook County in case number 2016P7055, described in paragraph 22, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT III

(False testimony in ARDC investigation)

25. On February 2, 2021, Respondent appeared for a sworn statement via Zoom and provided testimony under oath to the Administrator regarding her actions as co-trustee and attorney for the DeSalvo trust.

26. During the sworn statement, Respondent testified that she did not receive any payments from the DeSalvo trust for trustee fees.

27. Respondent's statement that she did not receive any payments from the DeSalvo trust for trustee fees was false because Respondent received \$15,100 from the DeSalvo trust for trustee fees between 2014 and 2016.

28. At the time Respondent made the statement described in paragraph 26, above, she knew the statement was false.

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

- a. conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including knowingly making the false statement under oath described in paragraph 26, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

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,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Tammy L. Evans
Tammy L. Evans

Tammy L. Evans
Counsel for the Administrator
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