

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

FILED
9/19/2024 3:28 PM
ARDC Clerk

In The Matter Of:)
PAUL DAVID KATZ) Commission No. **2024PR00055**
Attorney-Respondent,)
No. 1413848)

ANSWER TO COMPLAINT

COUNT 1

*(Charging Unreasonable Fees, Filing False Fee Petitions with the Tribunal,
and Engaging in Dishonest Conduct)*

1. Admitted.
2. Admitted.
3. Denied in part. That was the reading of the Rule before and at the beginning of this period of time. At some point during this period of time of April 1, 2021 through March 31, 2022, the rate of compensation for appointed attorneys at Cook County Juvenile Court was changed to \$75 per out of court hour and \$112.50 per in court hour. Respondent is unaware of when the increased rates specifically went into effect or whether they were by Supreme Court Rule or by local rule, either by the presiding judge of the Child Protection Division of the Circuit Court of Cook County or by the Chief Judge's Office of the Circuit Court of Cook County.
4. Denied. Please see answer to #3 above.
5. Admitted.
6. Admitted, except for the last sentence stating that the Circuit Court paid respondent's fees and expenses, which is denied. The procedure was as follows: An appointed attorney would prepare a verified fee petition, which was required to be filed every 6 months from the date of the first charge on the petition, and accompanying fee order, schedule a date with the assigned calendar courtroom and file the fee petition with the Clerk of the Circuit Court at Juvenile Court. The attorney would then send a copy of the filed fee petition and accompanying fee order to the court coordinator (the courtroom judge's administrative assistant) and to the Assistant State's Attorney who was assigned to the case. On the scheduled court date for the hearing of the fee petition, the judge would routinely ask the assigned Assistant State's Attorney if they had reviewed the fee petition and, if so, did they have any objections to it and the accompanying fee order. That Assistant State's Attorney would have been the attorney

assigned to the case and would be familiar with it. If there was no objection, the judge, who would also be familiar with the case since it was heard in the judge's courtroom and would have also reviewed the fee petition and fee order, would sign the fee order if he or she had no objection to it. At that point, normally the courtroom clerk would certify the signed fee order and return it to the petitioning attorney. The attorney would then download both the filed fee petition and the signed and certified fee order and go to a website: cook-county@legistar.com, where the documents would be sent to the Chief Financial Officer of the Chief Judge's Office of the Circuit Court of Cook County (during this period of time, it would have been James Anderson) for his department's examination (in respondent's experience, usually checking it for mathematical errors). If approved, the fee orders would then be forwarded for payment to the Cook County Comptroller's Office who would then send a check to the attorney.

7. Respondent does not have sufficient information to either admit or deny.

8. Respondent does not have sufficient information to either admit or deny.

9. Respondent does not have sufficient information to either admit or deny.

10. Respondent does not have sufficient information to either admit or deny. However, regarding the references to the in court charges, the former presiding Judge of the Child Protection Division of the Circuit Court of Cook County, Patricia Martin, allowed the conflicts attorneys to charge 1 hour of in court time for the presentation of a fee petition to the Court in lieu of charging specifically for the preparation, filing and appearance separately for said petition, in addition to charging for substantive in court hearings. All of the judges in the Child Protection Division allowed this except one, who only allowed one quarter hour of in court time for the presentation. That explains the extra 4 hours billed for the presentation of the fee petitions, which was standard practice at the time. If it was not, the Assistant State's Attorney would have objected to the entry as well as the presiding judge of the courtroom. In reference to appearing on Zoom, during this period of time, almost all Child Protection cases were handled remotely on Zoom. Very rarely were there any in person appearances. The description that respondent may or may not have entered in 2 of his fee petitions for that day of "awaiting other cases" merely meant that the case for which respondent appeared was not called in a timely manner, although respondent appeared at the scheduled time. Respondent's cases were delayed due to the Court addressing other cases not involving respondent. It was simply respondent's way of detailing why respondent charged what he did due to the delay in calling respondent's case due to the Court addressing other cases not involving respondent before it could address respondent's case. The court calls in Child Protection were different than, for example, criminal misdemeanor calls, where there would be a morning and afternoon call. In Child Protection, the cases were scheduled throughout the day. In respondent's experience, it was not unusual for the Court to fall behind on calling cases at the scheduled times due to hearings on cases that had been called earlier. Some courtrooms, in respondent's experience, were worse than others regarding delays in calling subsequently scheduled cases.

11. Respondent does not have sufficient information to either admit or deny. Please see answer to #10 above in reference to purportedly billing 5 hours for the presentation of fee petitions.

12. Respondent does not have sufficient information to either admit or deny. In response to the allegation, respondent during this period of time had approximately 200 cases, mostly in Child Protection and worked long hours, including evenings and weekends to prepare for and responsibly and competently represent his clients.

13. Respondent does not have sufficient information to either admit or deny. Please see answer to #12 above.

14. Respondent does not have sufficient information to either admit or deny. Please see answer to #12 above.

15. Respondent does not have sufficient information to either admit or deny. Please see answer to #12 above.

16. Respondent does not have sufficient information to either admit or deny. Please see answer to #12 above.

17. Denied.

18a. Denied.

18b. Denied.

18c. Denied.

RULE 231 DISCLOSURE

Respondent has been admitted to practice law in Illinois since 1973 and is not admitted in any other jurisdiction.

The law license of respondent has never been subject to any professional discipline.

Respondent does not hold other professional licenses.

/s/ Paul D. Katz

Attorney/Respondent

PAUL D. KATZ, ATTORNEY/RESPONDENT

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