

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

In the Matter of:

AYODELE CARA JUANITA
WHITE-CASPER,

Respondent,

No. 6334308.

Commission No. 2025PR00006

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, M. Katherine Boychuk, pursuant to Supreme Court Rule 753(b), complains of Respondent Ayodele Cara Juanita White-Casper, who was licensed to practice law in Illinois on May 7, 2020, and alleges that Respondent has engaged in the following conduct, which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

COUNT I

*(Dishonesty - Filing a Falsely Notarized Deed with the Cook County Clerk;
Conflict of Interest; Lack of Competence)*

1. At all times relevant to this complaint, Respondent was a partner in the law firm WCW Law LLC, with its office in Chicago. The firm concentrated its practice in family law, probate, and real estate.
2. Beginning before June 2022, Allan Bruce owned a house in Country Club Hills (the "Bruce Property") in which he lived. On or about June 29, 2022, Bruce signed a Transfer on Death Instrument (the "June 2022 TODI"), pursuant to which the Bruce Property would transfer to Bruce's stepdaughters, Danielle Carter Tripp ("Danielle") and Nicole Carter Benson ("Nicole"), upon his death. Bruce was 78 years old at the time.

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ARDC Clerk

3. In or about August 2022, Nicole retained Respondent to prepare for Bruce a power of attorney for property, a power of attorney for health care, a revocation of the June 2022 TODI (the “TODI Revocation”), and a new TODI, pursuant to which the Bruce Property would transfer solely to Nicole upon Bruce’s death.

4. In August 2022, Respondent prepared documents as Nicole requested. At no time did Respondent meet with, speak to, or have any communication of any kind with Bruce.

5. Respondent arranged for her law partner, who was a notary, to meet with Bruce and Nicole at the Bruce Property for the purpose of executing the documents.

6. On or about August 26, 2022, Respondent’s law partner met with Bruce and Nicole at the Bruce Property, where her law partner witnessed Bruce sign the powers of attorney and the TODI Revocation in the presence of two witnesses. Bruce did not sign the TODI.

7. At no time did Respondent or anyone else explain to Bruce or Nicole that their interests may be adverse, nor did anyone advise Nicole or Bruce to seek independent counsel or seek a waiver of any potential conflicts of interest.

8. Also on August 26, 2022, Nicole informed Respondent’s law partner that Nicole wanted the firm to prepare a quitclaim deed, which would have the effect of conveying the Bruce Property to Nicole and her husband, Jerry Benson (“Jerry”), immediately.

9. On or about August 31, 2022, Respondent modified the retainer agreement between Nicole and the firm to include preparation of a quitclaim deed. Nicole paid an additional fee to the firm. Bruce was not a party to the agreement.

10. Subsequently, Nicole instructed Respondent not to prepare the quitclaim deed, because Bruce was receiving financial assistance from a nonprofit organization for repairs to the property, and title needed to remain in his name in order to receive the assistance.

11. Nicole died on February 15, 2023.

12. Following Nicole's death, Jerry's niece Clarisha Benson ("Clarisha") contacted Respondent and instructed her to prepare a quitclaim deed through which Bruce would convey the Bruce Property to Jerry. Respondent prepared the deed and sent it to Clarisha. The conveyance took place for no consideration.

13. On or about February 21, 2023, Bruce signed the quitclaim deed. On that date, Clarisha returned the deed to Respondent. The deed bore Bruce's purported signature but was not notarized.

14. After receiving the quitclaim deed, Respondent appeared before a notary public and signed the deed as Bruce's attorney-in-fact. At no time did Respondent have Bruce's authority to sign the quitclaim deed as his attorney-in-fact. At no time did Bruce authorize Respondent to convey title in his home to Jerry for no consideration. At Respondent's direction, the notary public notarized the signatures of Bruce and Respondent on the quitclaim deed, although the notary public did not in fact witness Bruce signing the quitclaim deed.

15. When Respondent directed the notary public to notarize Bruce's signature, she did so dishonestly as she knew that neither she nor the notary actually witnessed Bruce sign the quitclaim deed.

16. Respondent recorded the quitclaim deed with the Cook County Clerk on or about February 23, 2023.

17. On or about March 15, 2023, Bruce, through new counsel, recorded a Notice of Fraudulent Conveyance with the Cook County Clerk, stating that the quitclaim deed, which purported to convey the Bruce Property to Jerry, was recorded without Bruce's knowledge or consent and was therefore a fraudulent conveyance.

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

- a. failure to provide competent representation to a client by conduct including causing title in Allan Bruce's property to be transferred to Jerry Benson with no consideration, in violation of Rule 1.1 of the Illinois Rules of Professional Conduct (2010);
- b. failure to reasonably consult with a client about the means by which that client's objectives are to be accomplished by conduct including drafting and causing to be executed estate planning documents and a deed to Allan Bruce's property without consulting him or keeping him reasonably informed, in violation of Rule 1.4(a)(2) of the Illinois Rules of Professional Conduct (2010);
- c. engaging in a concurrent conflict of interest by representing both Allan Bruce and Nicole Benson, where Bruce's interest was directly adverse to those of Nicole, by conduct including drafting a Revocation of a Transfer on Death Instrument, a Transfer on Death Instrument, and a power of attorney that benefited Nicole to the detriment of Bruce, without obtaining informed consent to the representation, in violation of Rule 1.7(a)(1) of the Illinois Rules of Professional Conduct (2010);
- d. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including signing a quitclaim deed as Allan Bruce's attorney in fact without the authority to do so; by directing a notary public to falsely notarize Allan Bruce's signature on the quitclaim deed, knowing that the notary public did not witness the signature; and by recording the quitclaim deed with the Cook County Clerk on February 23, 2023, knowing the deed to contain the false statement that Allan Bruce appeared before the notary public to execute the deed, 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,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

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