

# HIGHLIGHTS FROM THE 2007 ANNUAL REPORT

## ARDC Marks 35<sup>th</sup> Anniversary

The Illinois Supreme Court established the ARDC on February 1, 1973. Since then, the lawyer population has grown from approximately 26,500 to more than 82,000. Lawyer regulation has changed greatly in the intervening years. The disciplinary system has become more open to public review and participation. In 1989, formal disciplinary proceedings first become public. Non-lawyers were appointed to serve on the Commission, as well as the Inquiry and Hearing Boards. In 1994, the Court appointed the ARDC to supervise the Client Protection Program. That Program reimburses victims for losses occasioned by the dishonest conduct of Illinois lawyers. From 1994 through 2007, the Program paid more than \$6,250,000 on 1,354 approved claims. The ARDC now dedicates significant resources to help lawyers avoid conduct that leads to grievances.

## Illinois Lawyer Population

There were 82,380 registered lawyers as of October 31, 2007, reflecting a modest 1.5% increase from the year before. The registration total does not include 2,363 attorneys who first took their oath of office in late 2007. The number of newly admitted lawyers continues to increase, posting a record number for a second year in a row.

## Record Number of Lawyers Practicing Outside Illinois

61,466 Illinois lawyers reported a principal business address within Illinois, a 1.8% increase over 2006. Another 20,914 attorneys reported a business address outside state boundaries, the highest number ever. Cook County has the most lawyers, 43,206; Pope County has the least with 4.

## Changing Demographics

The percentage of women lawyers has risen from 23% to 34% over the past fifteen years. In addition, the percentage of older lawyers has increased dramatically. In 1992, 22% of the practicing bar were between 50 and 74 years old. Last year, the percentage of lawyers in that age group increased to 37%.

## Outreach Efforts and the Ethics Inquiry Program

Since the adoption of Minimum Continuing Legal Education in Illinois, there has been an increase in the number of requests for an ARDC staff member to speak on professional responsibility and lawyer regulation topics. In 2007, ARDC lawyers made 145 presentations to bar associations, law firms, law schools, continuing legal education seminars and civic groups. In 2007, the ARDC hosted two professional responsibility seminars in the Second Judicial District. Nearly 1,000 lawyers attended those sessions and received two hours of professional responsibility credit for no fee. Finally, ARDC lawyers fielded over 3,400 calls from lawyers seeking guidance as part of the Ethics Inquiry Program.

## *Pro Bono* Legal Services

The **2007 Annual Report** provides a report on the amount of *pro bono* legal services performed by Illinois attorneys during the reporting year. 25,903 attorneys provided *pro bono* legal services totaling 2,170,775 *pro bono* legal service hours, including 1,088,829 hours of legal services provided directly to persons of limited means. This represents a modest increase over the number of hours reported last year. In addition, 13,798 lawyers reported making a total of \$14,747,688 in contributions to organizations that provide legal services to persons of limited means.

## Grievances and Formal Disciplinary Charges

During 2007, the ARDC docketed 5,988 investigations, a 3.2% increase from 2006. Those 5,988 investigations involved charges against 4,190 different attorneys, representing about 5% of all registered lawyers. More than 65% of all grievances alleged either a lawyer's failure to communicate or neglect. Consistent with prior years, the top areas of practice most likely to lead to a grievance are criminal law, domestic relations, tort, and real estate. Formal disciplinary charges were filed against 132 attorneys. The vast majority of formal charges were filed against lawyers with 20 to 30 years of experience.

## Disciplinary Sanctions

The Supreme Court entered 120 sanction orders against 119 lawyers (one lawyer was disciplined twice). The majority of lawyers sanctioned, 42%, practiced in Cook County. More lawyers were disciplined for engaging in conduct involving fraud than any other offense. The **2007 Annual Report** provides a ten-year study of demographic data for attorneys disciplined from 1998 through 2007. The report reveals that 28% of disciplined had one or more substance abuse or mental impairment issues. In addition, 86% of impaired lawyers were sole practitioners or practiced in a small firm at the time of the misconduct.

## Report on 35 Years of Sanction and Reinstatement Orders

Since it created the ARDC, the Supreme Court has sanctioned 3,074 lawyers. Out of that number, 1062 lawyers were disbarred or disbarred on consent. The Court also has had occasion to review petitions for reinstatement to the bar where an attorney has been disbarred, disbarred on consent, or suspended for a given period and until further order of the Court. Since 1973, 72 lawyers have been reinstated; only 20 of those lawyers were reinstated between 1991 and 2007.

## Attorney Reporting Obligations

Twenty years ago, the Supreme Court issued an opinion in a lawyer disciplinary case emphasizing the obligation that a lawyer has to report serious professional misconduct of another lawyer. Since then, the ARDC has received over 10,000 attorney reports. In some years, one out of every five formal disciplinary complaints was initiated due to the filing of an attorney report; in 2007, that number jumped to almost 29% of all formal filings.