

# 2020 ANNUAL REPORT HIGHLIGHTS



# WHO WE ARE



## ARDC MISSION STATEMENT

The mission of the ARDC is to promote and protect the integrity of the legal profession, at the direction of the Supreme Court, through attorney registration, education, investigation, prosecution and remedial action.

As an administrative agency of the Supreme Court of Illinois, the ARDC assists the Court in regulating the legal profession through attorney registration, education, investigation, prosecution and remedial action.

Through our annual registration process, we compile a list of lawyers authorized to practice law. We provide ready access to that list so that the public, the profession and courts may access lawyers' credentials and contact information.

We educate lawyers through seminars and publications to help them serve their clients effectively and professionally within the bounds of the rules of conduct adopted by the Court. We provide guidance to lawyers and to the public on ethics issues through our confidential Ethics Inquiry telephone service.

The ARDC handles discipline matters fairly and promptly, balancing the rights of the lawyers involved and the protection of the public, the courts and the legal profession. Grievances are investigated confidentially. Disciplinary prosecutions are adjudicated publicly and result in recommendations to the Court for disposition. Our boards consist of independent, diverse groups of volunteer lawyers and non-lawyers who make recommendations in disciplinary matters.

We advocate for restitution and other remedial action in disciplinary matters. We seek to provide reimbursements through our Client Protection Program to those whose funds have been taken dishonestly by Illinois lawyers who have been disciplined.

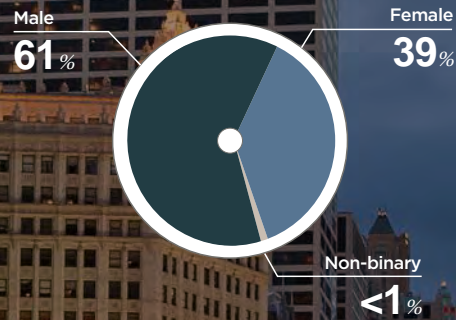


# ILLINOIS LAWYERS

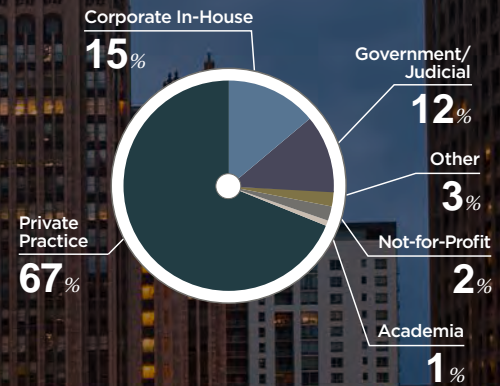
94,907 registered lawyers

• 69% located in Illinois • 49% located in Cook County

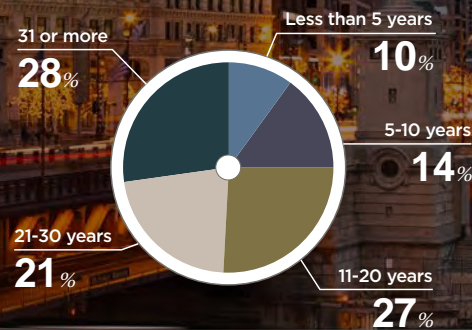
## GENDER



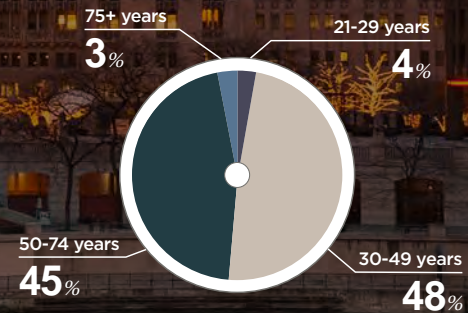
## PRACTICE SETTING



## YEARS IN PRACTICE

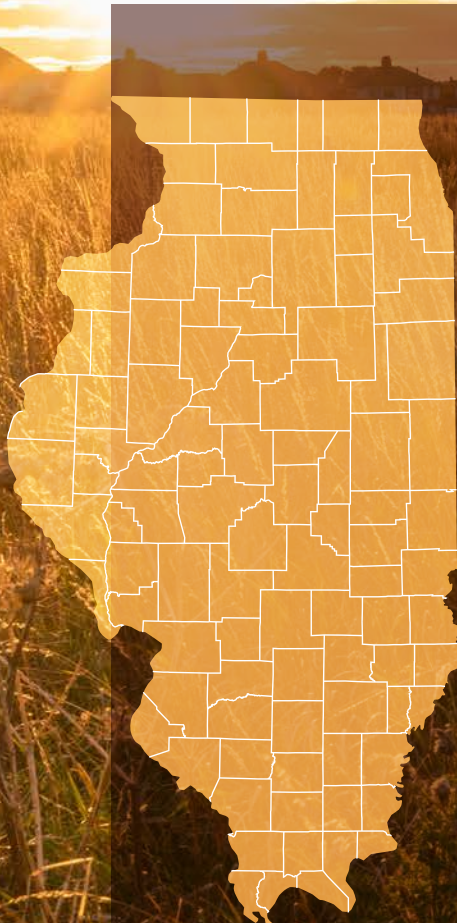


## AGE





# LAWYERS IN ILLINOIS



- **87%** of lawyers in Illinois are located in metropolitan Chicago (Cook, DuPage, Kane, Lake, McHenry and Will counties)
- **13%** of lawyers in Illinois are located in the remaining 96 counties of the state
- **62%** of Active status lawyers in Illinois are in private practice

## LAWYERS IN PRIVATE PRACTICE

- |                 |            |  |
|-----------------|------------|--|
| Solo:           | <b>27%</b> | • <b>87%</b> carry malpractice insurance |
| 2-10 lawyers:   | <b>26%</b> | • <b>87%</b> have a trust account        |
| 11-25 lawyers:  | <b>9%</b>  | • <b>36%</b> have a succession plan      |
| 26-100 lawyers: | <b>12%</b> |  |
| 100+ lawyers:   | <b>26%</b> |  |

## PRO BONO SERVICE AND CONTRIBUTIONS

- **31,325** lawyers performed **1.8 million** in legal services, an average of **60 hours** of pro bono services per lawyer
- **17,936** lawyers donated **\$17 million** to pro bono organizations, an average amount of **\$954** per lawyer







# REGULATORY ACTION

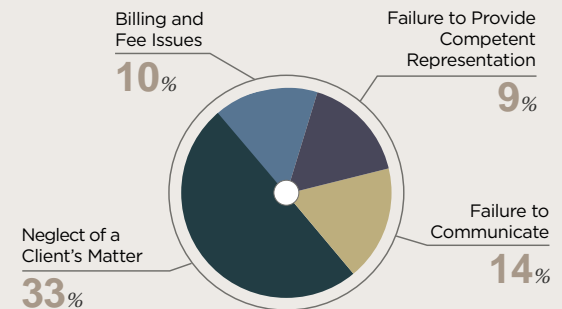
As regulator of the Illinois legal profession, the ARDC investigates claims of attorney misconduct and will bring formal disciplinary charges when warranted. Proceedings before the ARDC are governed by Supreme Court Rules 751-780 and the Rules of the ARDC. The ARDC is assisted by a diverse and dedicated staff and volunteer board members in carrying out its mission to protect the public and promote the integrity of the legal profession.

## INVESTIGATIONS

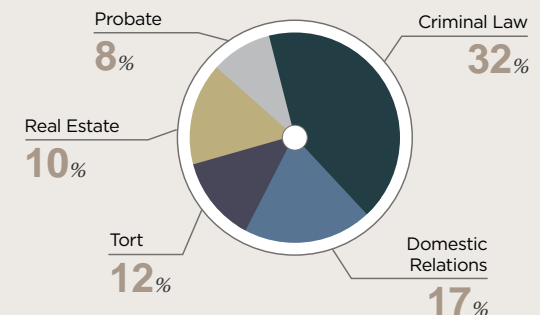
**3,936** grievances docketed in 2020, against **3,027** lawyers representing **3%** of all registered lawyers.

**66%** of grievances stem from a breakdown in attorney-client relations.

Top areas of alleged misconduct in grievances are:



Top five practice areas involved in grievances are:





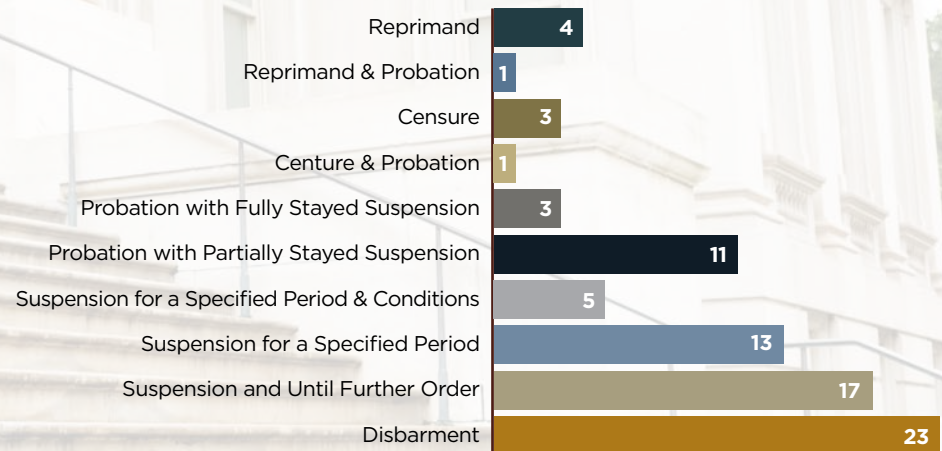
## PROSECUTIONS

- **37** formal disciplinary complaints filed before the Hearing Board
- **35** disciplinary and regulatory proceedings filed directly with the Illinois Supreme Court
- **80%** of formal disciplinary complaints alleged fraudulent or deceptive activity
- **22%** of formal disciplinary complaints involved a lawyer's criminal conduct or conviction
- **50%** of disciplinary cases before the Hearing Board were concluded by the filing of discipline on consent

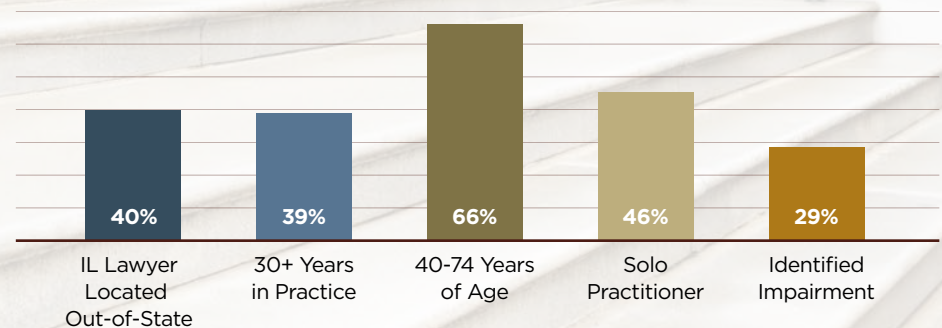
## SANCTIONS

**81** sanctions entered by the Illinois Supreme Court

### Disciplinary Sanctions Ordered by the Supreme Court in 2020



### Lawyers Sanctioned in 2020







## EDUCATION AND OUTREACH

A significant part of the ARDC's mission is the development of quality education and outreach programs. Through education and outreach on the ethical duties of lawyers, the ARDC helps lawyers serve their clients competently, ethically and professionally, protects clients and the public from harm, and assists the public in understanding the legal system and the duties of lawyers.

### ARDC ON-DEMAND CLE WEBCASTS

**30 free**, on-demand, MCLE-accredited webinars available 24/7 on the ARDC website, providing **23.75** hours of professional responsibility IL MCLE credit.

**80,041** CLE certificates issued in 2020, earning Illinois lawyers **58,771 hours** of IL MCLE professional responsibility credit.

### SPEAKING ENGAGEMENTS

**108 presentations** made by ARDC lawyers in 2020 to bar associations, government agencies, law firms, law schools, public interest groups and other organizations, at no charge.

### ARDC ETHICS INQUIRY HOTLINE

**2,774 calls** from lawyers in 2020 providing research assistance and guidance regarding ethics issues and the Illinois Rules of Professional Conduct.

### PUBLICATIONS

Alerts, e-blasts, newsletters and articles on a wide range of legal ethics topics and emerging trends for publication including articles for the Illinois Supreme Court's monthly newsletter, Illinois Courts Connect, available on the ARDC website at [www.iardc.org](http://www.iardc.org).

### ARDC WEBSITE

**1.4 million** visits to the ARDC website in 2020, including the Lawyer Search function, which provides ready access to the public, the profession, and the judiciary to lawyers' credentials and contact information on the Master Roll.

# DIVERSITY, EQUITY AND INCLUSION

The Diversity, Equity and Inclusion (DE&I) Initiative provides sustained and pervasive efforts to incorporate diversity, equity and inclusion into the ARDC's work both within the organization and through its outreach work in the legal community and the public.

The Initiative's efforts in 2020 included:

- continuing DE & I education to staff and volunteer board members
- delivering DE & I education to the profession
- cultivating relationships with affinity bar associations
- increasing representation of attorneys of color in upper levels of the organization
- issuing a Statement on Racism, released in June 2020, committing to focusing on the need to identify and address bias within the disciplinary system
- advancing the Statement by engaging in dialogue with affinity and other bar leaders, providing education to bar associations and other groups, and fostering meaningful discussion with staff and board members to achieve an accessible, fair and equitable disciplinary system





# REMEDIAL ACTION

The ARDC advocates for restitution, seeks reimbursements through our Client Protection Program and utilizes other remedial actions in disciplinary matters through its Probation Department to meaningfully address some of the causes of lawyer misconduct including lawyer impairment. The ARDC continues to find practical and innovative ways to prevent future harm and restore the public's trust in the legal profession.



## CLIENT PROTECTION PROGRAM

The ARDC Client Protection Program reimburses clients who lost money as the result of the dishonest conduct of an Illinois lawyer who has been disciplined or is deceased. In 2020, the Program took the following actions:

- **\$1,094,454** paid on **81** approved claims against **18** lawyers
- **46** of approved claims involved the misconduct of one deceased lawyer
- **76** claims were denied

## PROBATION, DIVERSION AND LAWYER WELL BEING

The ARDC is focused on finding ways to improve wellness in the profession and take practical steps for positive change to address the causes of lawyer misconduct. The ARDC has adopted regulatory objectives that prioritize lawyer well-being and endorse well-being as part of a lawyer's duty of competence, implemented a referral program that allows the ARDC to share lawyer well-being information with lawyer assistance programs, and adopted diversion programs.

### Probation Department

The ARDC Probation Department monitors lawyers with conditions imposed as the result of discipline imposed either by the Supreme Court or a reciprocal jurisdiction, conditional admission or reinstatement, or a determin-

ation of deferral of further prosecution. Conditions monitored are lawyers with identified substance abuse and mental illness impairments, law office management issues, and restitution as a condition of readmission following discipline.

- In 2020, **165** lawyers were monitored with conditions imposed as follows:
- **87** probation/conditional admission/conditional reinstatement;
- **42** suspension pending restitution
- **21** deferral of an investigation under Commission Rule 108; and
- **15** diversion under Commission Rule 56.

#### **REFERRALS TO LAWYERS' ASSISTANCE PROGRAM (LAP)**

Supreme Court Rule 766 permits the ARDC to make referrals to Lawyers' Assistance Program (LAP) during an otherwise confidential investigation where there is reason to believe the lawyer may be impaired by substance abuse or mental illness. **52** lawyers were referred to the Lawyers' Assistance Program (LAP) in 2020, accounting for **11%** of LAP's referrals.

#### **INTERMEDIARY PROGRAM**

The ARDC intermediary program, established in June 2019, was created to enhance ongoing efforts to engage lawyers who had not responded to repeated ARDC contacts during investigations and proceedings, at times because of mental health illness, addiction or

other impairment. Since the program began, **13** lawyers were referred to the program, with successful contact being made with **12** lawyers, and of those **eight** cooperated in the ARDC investigation and those investigations were ultimately closed.

#### **RECEIVERSHIPS**

In the event of a lawyer's death, disability or disappearance and to ensure that clients' interests are not prejudiced by the lawyer's absence from the practice, Supreme Court Rule 776 provides for the appointment of a receiver to inventory the law firm files and fulfill the duties necessary to close the practice. The ARDC has aided the family, friends, and professional colleagues who have undertaken to close a lawyer's practice. In some instances, the ARDC will seek to be appointed receiver. In 2020, the ARDC was appointed receiver of a lawyer's law practice in two matters and conducted **28** investigations to determine if a receivership was necessary.

#### **PERMANENT RETIREMENT**

Permanent retirement allows for a reasonable and dignified way for lawyers facing minor misconduct charges to retire from the practice of law with no possibility of reinstatement. In 2020, there were two lawyers placed on permanent retirement status.





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The Full 2020  
ARDC Annual Report