

ATTORNEY REGISTRATION & DISCIPLINARY COMMISSION

# HIGHLIGHTS

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ANNUAL REPORT

2015



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ARDC Annual Report

# THE ARDC

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**A**s an administrative agency established by the Supreme Court of Illinois, we assist the Court in the regulation of the profession. Our organization is driven by a diverse cohort of volunteers and staff.

- Over **100** volunteer lawyers and non-lawyers serving on our boards
- Approximately **40** lawyers and **60** non-lawyers on staff
- Chicago and Springfield offices
- Website portal and on-line Master Roll of Attorneys providing enhanced communication and dissemination of relevant information to the public and legal community.



# REGISTRATION



**W**e provide an easy-to-use online registration system that allows lawyers to fulfill their annual registration requirements. We collect and make available public registration information on our website to allow the judiciary, public, and profession to access licensing, registration and contact information about lawyers. 2015 demographics show:

**94,128** registered lawyers, a **1.5%** increase from 2014.

**64,749** (69%) lawyers located in Illinois.

**45,487** (70%) lawyers in Illinois located in Cook County.

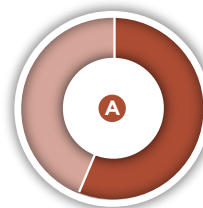
**29,378** (31%) lawyers located outside Illinois.

**49,250** (52%) lawyers had malpractice insurance.

**47,614** (81%) lawyers in private practice with a trust account maintained an IOLTA trust account.

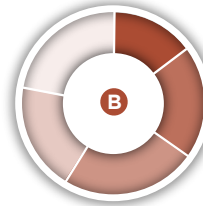
**31,362** lawyers performed **2,055,987** hours of *pro bono* legal services.

**17,565** lawyers made **\$14,802,544** in monetary contributions to *pro bono* legal services organizations.



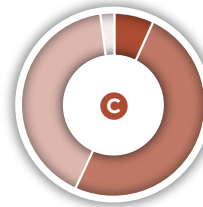
#### A. GENDER

62% Male  
38% Female



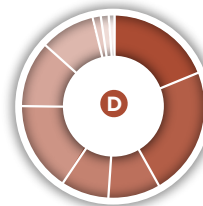
#### B. YEARS IN PRACTICE

14% < 5 yrs.  
17% 5-10 yrs.  
25% 10-20 yrs.  
20% 20-30 yrs.  
24% > 30 yrs.



#### C. AGE

6% 21-20 yrs.  
50% 30-49 yrs.  
42% 50-74 yrs.  
2% 75+ yrs.



#### D. PRACTICE SIZE\*

20% Solo  
19% Firm: 2-10  
7% Firm: 11-25  
7% Firm: 26-100  
16% Firm: 100+  
14% Corp. In-House  
11% Gov't/Judge  
3% Other  
2% Not-for-profit  
1% Academia

\*Preliminary responses to practice size for the 2016 Registration Year.

## EDUCATION

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**W**e provide educational opportunities for lawyers to assist them in providing effective legal services to clients and avoiding unnecessary disciplinary grievances. These services are offered without charge and many include MCLE Professionalism credit. Our 2015 educational services included:



**274 SPEAKING ENGAGEMENTS** made to bar associations, government agencies, law firms, law schools, public interest and other organizations.

**11,807 MCLE HOURS EARNED** thru ARDC produced MCLE accredited webcasts made available on the ARDC website.  
<https://www.iardc.org/CLEseminars.html>.

**4,289 ETHICS INQUIRY CALLS** to the ARDC Ethics Inquiry Program hotline, a resource for attorneys seeking help in resolving hypothetical, ethical dilemmas.

**4,800 PERSONS ASSISTED** by ARDC staff paralegals providing assistance to people seeking information about specific lawyers and ARDC procedures.

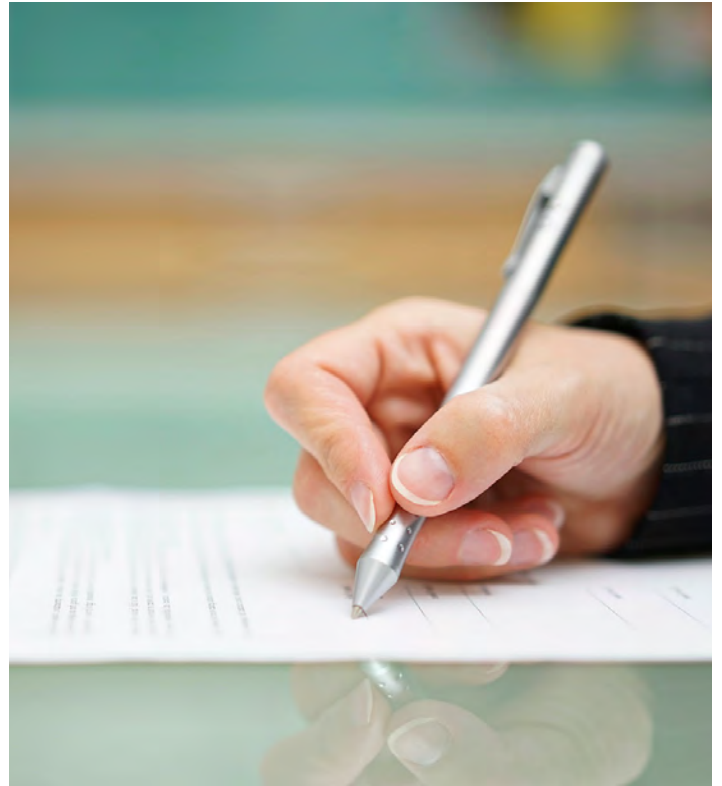
**ARDC PUBLICATIONS** providing resources on the ethical duties of Illinois lawyers and E-News Alerts on important ethics and professionalism news and topics that impact a lawyer's ethical duties.

<https://www.iardc.org/pubs.html>

<https://www.iardc.org/E-NewsAlerts.html>

# INVESTIGATION

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**W**e investigate grievances submitted by the public, lawyers, and judges. During investigations, we consistently make an effort to educate toward compliance. We observe several key trends:

**5,648** grievances, a 4.6% decrease over the prior year, the third consecutive year of decline.

**61%** of grievances involved issues of poor attorney-client relations: neglect (**38%**), failure to communicate (**12%**) and disputes over fees (**11%**).

**36%** of grievances were against lawyers with 30 or more years in practice even though they are **24%** of the lawyer population.

Top practice areas involved in grievances are: criminal law, domestic relations, real estate and tort.

**9.4%** of grievances were received from an attorney report (aka “Himmel” report).

**4.6%** of lawyers were the subject of a grievance.

**3%** of grievances resulted in the filing of formal disciplinary charges.

**288** overdraft investigations, a **22%** decrease over the prior year.

**10** formal disciplinary complaints filed as the result of an overdraft of trust account notification.

**116** UPL investigations, **82** of which were made against unlicensed persons.

## PROSECUTIONS

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**W**e initiate prosecutions where necessary to protect the public, the courts and the legal profession. The Illinois Supreme Court sanctions lawyers for misconduct in most cases; a reprimand can be imposed by either the Hearing or Review Board. We observe several key trends.



### DISCIPLINARY COMPLAINTS

**81** disciplinary complaints filed before the Hearing Board, a 27-year low.

**77%** alleged fraudulent or deceptive activity.

**39%** of disciplinary complaints were the result of an attorney report (aka “Himmel” report), the highest percentage reported.

**130** cases concluded by the Hearing Board, a significant reduction over the prior year.

**63%** of cases were concluded without the need for the Hearing Board to issue a report and recommendation.

**39%** of cases were concluded at the Hearing Board by discipline on consent.

**18%** of cases were concluded by default.

### SANCTIONS

**129** sanctions were entered against **128** lawyers.

**85%** of disciplined lawyers were male.

**62%** of disciplined lawyers were between the ages of 50 and 74.

**61%** of disciplined lawyers were sole practitioners.

**45%** of disciplined lawyers were disbarred or suspended until further order of the court.

**37%** of disciplined lawyers were 30 or more years in practice.

**27%** of disciplined lawyers had one or more identified substance abuse or mental impairment issue.

**2** disciplined lawyers were out-of-state lawyers sanctioned for engaging in the unauthorized practice of law in Illinois.

## REMEDIAL ACTION

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Outcomes in disciplinary matters typically encourage or require that lawyers remedy problems that led to problematic conduct. There are an array of remedial actions that can be undertaken in response to an attorney's misconduct that may effectively reform that behavior and restore the public's trust. Some of those actions include:

- ARDC *Client Protection Program*
- Probation
- Conditional readmission
- Referrals to the *Lawyers' Assistance Program (LAP)*
- Restitution
- Trust account compliance as a condition of investigation closure
- ARDC *Professionalism Seminar*





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