

# 2023 Annual Report of the ARDC

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF ILLINOIS

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**2023 Board Member Roster**

**ARDC Commission Staff**

## Foreword

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To the Honorable Chief Justice  
and Justices of the Supreme Court  
of Illinois:

The 2023 Annual Report of the Attorney Registration and Disciplinary Commission is submitted to the Court, to the members of the Bar of Illinois, and to the public in accordance with Supreme Court Rule 751.

The Annual Report summarizes the Commission's activities through the calendar year 2023 and offers a comprehensive overview of the legal profession in Illinois. The report also provides an accounting and audit of the funds received and expended during the twelve-month period that ended on December 31, 2023.



Since its beginning in 1973 through the present, the ARDC has been viewed as a leading U.S. lawyer regulatory agency through attorney registration, education, investigation, prosecution and remedial action. The ARDC has evolved over time beyond its initial mission to provide remedial and educational services and other resources to prevent misconduct and assist lawyers in meeting the ever-changing challenges that impact the practice of law.

The world has changed dramatically since our inception, and we find ourselves at a pivotal moment. Marking our 50<sup>th</sup> anniversary was an opportunity for us to reflect on our strengths and weaknesses as well as to look forward to the plans ahead with the appointment of the new Administrator.

Jerome (Jerry) Larkin, who served as fourth Administrator of the ARDC since 2007, concluded his service upon his retirement at the end of 2023. Jerry joined the ARDC as a newly minted lawyer in 1978. At that time, the ARDC was a small organization with a staff of three lawyers. He worked diligently behind the scenes, contributing to the agency's growth during the Greylord crisis. In 1984, Jerry became Chief Counsel to Carl Rolewick, the ARDC's first Administrator. His supervisory role expanded as the staff grew. By 1988, he was the Deputy Administrator, working closely with John O'Malley, the second Administrator.

Throughout the 16 years of Jerry's tenure as Administrator, he collaborated with internal and external stakeholders in seeking improvements that enhanced the integrity of the disciplinary process and contributed to its fairness. His leadership helped to steer the ARDC through the changing needs of the legal profession and public and the challenges of the pandemic.

Jerry's legacy embodies dedication, integrity, and service to the legal community. His retirement at the end of 2023 marks the end of an era, leaving behind a lasting impact on the ARDC and the legal profession in Illinois.

On October 23, 2023, Lea S. Gutierrez became Administrator of the ARDC. Notably, she is the fifth ARDC Administrator, the second woman to hold that office, and the first person of color to do so. Her appointment marks a significant milestone in the ARDC's history, reflecting a commitment to diversity and leadership within the legal profession.

Ms. Gutierrez has been a member of the Illinois bar since 2005 and graduated from Temple University's James E. Beasley School of Law in Philadelphia. Prior to becoming Administrator, she held various roles at the ARDC between 2006 and 2021, including Litigation Counsel, Litigation Manager, and Director of Diversity, Equity and Inclusion. Ms. Gutierrez returns to the agency after having led diversity, equity and inclusion efforts at the Cook County State's Attorney's Office and the American Lung Association.

Her appointment came after a thorough, months-long process for the new Administrator. The ARDC Commissioners were assisted in the search by one of the leading executive search firms in the world. We were particularly impressed with Ms. Gutierrez and we look forward to her leadership of the ARDC.

While the succession process was the most significant activity of this past year, the Commission was actively engaged on other fronts, as well. This work included major revisions to our special counsel system, successful completion of the new build-out to our Chicago office, enhancements to the registration process, the post-Covid renewal of our annual Board member seminar, the commencement of work on AI guidelines for internal use, and the consideration of AI's impact on ethical matters. Additionally, we made improvements to our volunteer recruitment process. Looking ahead, we are embarking on a long-range planning process to ensure that our vision remains aligned with the strategic plans of the Illinois Supreme Court and adheres to best practices in our fields of work.

As always, our first responsibility remains, to ensure the efficient and effective functioning of our core mission, encompassing registration, education, and disciplinary processes. In doing so, we represent our State, our profession, and the Illinois Supreme Court in the best light.

We thank the Court for its continuing direction and support.

Timothy L. Bertschy, Chairperson  
John H. Simpson, Vice Chairperson  
Lashana T. Jackson  
Kate L. McCracken  
Cedric D. Thurman  
J. Nelson Wood, Commissioners

## Message from ARDC Administrator Lea S. Gutierrez

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I am honored and delighted to address you as the new Administrator of the ARDC. It is with great humility that I step into this role with a vision to support lawyers in practicing ethically and upholding the highest standards of integrity in the legal profession.

Before I delve into our vision for the future, I must take a moment to acknowledge my predecessor's outstanding stewardship of the agency. Under Jerry Larkin's leadership, the ARDC has made significant strides in promoting ethical conduct and regulatory excellence within the legal community. His dedication and commitment have paved the way for our continued success, and I am truly grateful for his invaluable contributions.

As part of my transition into this role, I embarked on a listening tour to engage with our stakeholders and gain deeper understanding of the needs and challenges facing the legal profession. The listening tour, which is ongoing, has provided me with valuable insights and perspectives that will inform our strategic direction moving forward.

During the listening tour, I have had the privilege of meeting with ARDC staff and Commissioners, chairpersons of ARDC boards, attorneys who regularly represent respondents in ARDC matters, leaders of other Court entities, and I received feedback from complaining witnesses via a survey. Thus far, the discussions and feedback have been insightful, and I was inspired by the passion and commitment of our stakeholders to uphold ethical standards and promote professionalism in the profession. I look forward to continuing the listening tour by meeting with bar association leaders throughout the state in 2024.

My vision for the ARDC in the years ahead is to continue to promote and protect the integrity of the legal profession and to protect the public. We will focus on providing resources, guidance, and support to empower legal professionals to navigate ethical challenges and uphold the highest standards of conduct.

I am excited about the opportunities that lie ahead and the potential for collaboration and innovation in advancing our shared goals. Together, we can strengthen the ethical fabric of the legal profession and ensure that justice and integrity remain at the core of our work.

I extend my heartfelt thanks to our Supreme Court, Commissioners, dedicated staff, members of the legal community, and all of our stakeholders for their continued support and dedication to our mission. Your commitment to ethical conduct and regulatory excellence is truly commendable, and I am honored to lead this esteemed organization into a new chapter of growth and success.

Sincerely,

Lea S. Gutierrez  
Administrator, ARDC



# ARDC Mission



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.



*ARDC Annual Report of 2023 and Highlights*  
written and compiled by Mary F. Andreoni, Ethics Education Senior Counsel, ARDC.

# What We Do

The Attorney Registration and Disciplinary Commission (ARDC) plays a crucial role in promoting and safeguarding the integrity of the legal profession in Illinois. Operating under the authority of the Illinois Supreme Court, the ARDC carries out its defined core functions as set forth in the ARDC Mission Statement.



## Education

The ARDC provides educational resources and programs for lawyers, including continuing legal education (CLE) opportunities.



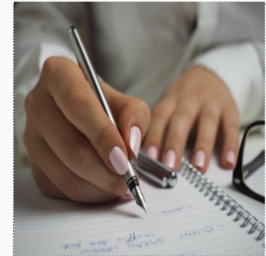
## Registration

The ARDC oversees the registration of attorneys, ensuring compliance with legal requirements.



## Regulation

The ARDC investigates and addresses complaints and brings disciplinary and unauthorized practice proceedings when necessary.



## Remedial Action

The ARDC implements innovative and appropriate remedial measures, when misconduct is identified, to maintain professional standards.



## 2023 Education and Outreach

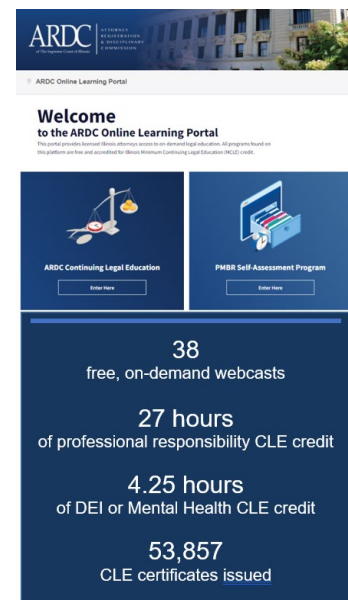
A significant part of the ARDC’s mission is to provide high quality education and guidance to Illinois lawyers regarding their ethical duties. The ARDC Education Group plays a crucial role in ensuring that Illinois lawyers receive top-quality education and guidance related to their ethical responsibilities. By doing so, the ARDC equips lawyers with the necessary knowledge, skills, and ethical mindset to recognize and effectively address ethical challenges they may encounter in their legal practice. This proactive approach empowers lawyers to avoid misconduct, maintain public trust, and uphold the integrity of the legal system. The Education Group also plays an integral role in the ARDC’s efforts to provide educational tools and resources to disciplined lawyers needing remedial help to address the underlying reasons for misconduct. See Remedial Action, at p. 27.

Throughout the year, the ARDC Education Group produces instructional e-learning webcasts accessible through the ARDC Online Learning Portal, compiling the ARDC Annual Report, presenting hundreds of hours of in-person and virtual Continuing Legal Education (CLE) presentations, managing the Ethics Inquiry Program, and developing various publications and training courses.

### E-Learning MCLE Accredited Seminars

The ARDC is a leading CLE provider in Illinois, producing recorded MCLE-accredited webcasts to meet the growing demand for easily accessible online programming and resources. ARDC webcasts are free of charge and available 24/7 on the ARDC website. In 2023, there were 38 on-demand, recorded webcasts available on the ARDC website, providing 27 hours of free professional responsibility CLE credit.

53,857 certificates of CLE completion were issued in 2023. The chart below shows the number of CLE certificates issued in each month in 2023. Not surprisingly, there is a dramatic increase in CLE certificates issued in June, the end of the CLE reporting period for half of the Illinois bar.





The charts below show the top five most watched ARDC webcasts in 2023, as well as the top five webcasts receiving an “Excellent” or “Very Good” rating from at least 85% of the registrants.

Top Five Most Watched ARDC Webcasts in 2023	Total
Attorney Well-Being: The Intersection of Physical, Spiritual and Emotional Wellness	3,003
Illinois Judicial Code of 2023	2,635
Diversity & Inclusion: A Blueprint for 2017 and Beyond	2,437
Professional Responsibility Resilience	2,410
2022 PMBR: Duty to Report Misconduct	2,220

Top Five Rated ARDC Webcasts in 2023
Conflicts of Interest: Loyalty and Independent Judgment
ARDC Professionalism Seminar: Fees and Billing
Current Developments and Trends in Lawyer Regulation (2019)
Illinois Judicial Code of 2023
Professional Responsibility Resilience

Four new offerings were added to the ARDC website in 2023 and early 2024:

- Professional Responsibility Resilience: Post Pandemic Updates, Developments and Trends** – A 1.0 hour PRCLE-accredited webcast covering Illinois facts and figures, recent regulatory changes, and other recent developments and trends in lawyer regulation impacting the legal profession both in Illinois and nationally.

- **Beyond The Bench: ARDC Registration & MCLE Guidance For Past, Present & Future Members of the Judiciary** – A 0.5 hour PRCLE-accredited webcast that reviews the ARDC and MCLE requirements that a lawyer should know while serving on the bench and post judicial service.
- **Illinois Judicial Code of 2023: A New Era** - A 1.25 hour PRCLE-accredited webcast providing an overview of the new Illinois Judicial Code, which took effect on January 1, 2023.
- **Rules 1.5 and 1.15 Amendments: What Illinois Lawyers Should Know** - A 0.5 hour PRCLE-accredited webcast that covers the July 1, 2023 amendments to Rules 1.5 (Fees) and 1.15 (Safekeeping Property).

The **2024-2025 PMBR course**, consisting of 4.0 hours of PRCLE credit in law office management, is expected to be posted to the ARDC website in mid-2024 (see below).

### **Proactive Management-Based Regulation (PMBR) Course**

One of the ARDC webcast offerings is the Proactive Management-Based Regulation (PMBR) program, a four-hour interactive, law office management self-assessment course. Since 2018, lawyers in private practice without malpractice insurance are required to complete the course every two years. See IL Supreme Court Rule 756(e)(2). Approximately 11% of lawyers fall into this category. See Chart 9B Malpractice Disclosure Reports: Active Status Lawyers, Currently Practicing Law and in Private Practice, Appendix.

For the 2022-2023 PMBR cycle, 6,503 lawyers were identified as being required to take the PMBR course to be registered for 2023. Of those, 4,957 lawyers (76.2%) completed the course; 620 lawyers (9.5%) obtained malpractice insurance; 548 lawyers (8.4%) were no longer required because they had changed their practice setting to something other than private practice; 203 lawyers (3.1%) were exempt from PMBR because of a change from Active status to either Retired or Inactive status; and 175 lawyers (2.7%) were removed from the master roll for failing to complete PMBR.

The course or any of its components is open to all lawyers. In 2023, over 11,000 CLE certificates of completion were issued from the aggregate of all six components of the 2022-2023 PMBR course.

The 2024-2025 PMBR course, which marks the fourth PMBR cycle, is expected to be published on the ARDC website in mid-2024. The upcoming version will cover such topics as the ethical issues in using artificial intelligence (A.I.), the duties in handling trust funds and property in the wake of the amendments in 2023 to Rules 1.5 (Fees) and 1.15 (Safekeeping Property), and the ethical requirements of alternative fee agreements.

All ARDC CLE on-demand recorded webcasts, including the PMBR course, can be accessed from the ARDC website from the [ARDC Online Learning Portal](#).

## Speaking Engagements and ARDC CLE Collaborations

An important part of the ARDC’s outreach efforts and as a service to the Illinois bar, the ARDC offers experienced presenters to speak to lawyer and citizen groups at no charge. Each year ARDC Commissioners and staff members present to bar associations, government agencies, and other law-related organizations throughout the state and country on a variety of subjects related to lawyer regulation. ARDC staff lawyers gave 114 speeches in-person and virtually in 2023.



The Education Group also facilitated collaborations with other agencies of the Illinois Supreme Court, bar associations and other groups to present educational programming for the Illinois bar. Organizations with whom the ARDC collaborated with during the last year included:

- Administrative Office of the Illinois Courts
- Illinois Courts Commission
- Illinois MCLE Board
- Lawyers Trust Fund of Illinois
- Lawyers’ Assistance Program of Illinois (LAP)
- Chicago Bar Association (CBA)
- Chicago Daily Law Bulletin
- Illinois State Bar Association (ISBA)
- International Conference of Legal Regulators (ICLR)
- National Organization of Bar Counsel (NOBC)
- Southwest Suburban Bar Association

## Ethics Inquiry Program

The ARDC Ethics Inquiry Program assists attorneys and the public with general questions about a lawyer’s professional responsibilities. Since the Program began in October 1995, the Program has received nearly 80,000 inquiries from lawyers seeking guidance in resolving important issues in their practice.

In 2023, staff lawyers responded to 2,536 calls from lawyers, providing research assistance and guidance regarding ethics issues and the

Top Ten Areas of Inquiry	Total
Rule 8.3(a) Duty to report lawyer misconduct	231
Rule 5.5(a) Engaging in or assisting the unauthorized practice of law	137
Rule 1.7(a) Representation adverse to another client	111
Supreme Court Rule 776 Receivership of a lawyer’s practice	107
Rule 1.16(d) Failure to protect client at the end of the representation	89
Rule 1.6(a) Duty of confidentiality	82
ARDC Procedures	81
Rule 1.7(a)(2) Representation limited by lawyer’s other interests	79
Rule 1.9(a) Representation adverse to former client	78

Illinois Rules of Professional Conduct, free of charge. The perennial top area of inquiry is a lawyer's mandatory duty to report lawyer or judicial misconduct under Rule 8.3 of the Illinois Rules of Professional Conduct. See Chart 26 Attorney Reports (2009-2023), Appendix, which shows the trend of lawyer reports for the past fifteen years from 2009 through 2023. The questions posed by lawyers shed light on emerging trends and other issues of most concern to the Illinois bar. The Education Group takes into consideration the questions received by the Ethics Inquiry Program when creating CLE programming and developing other educational resources.

Lawyers with inquiries are requested to present their questions in the form of a hypothetical. Callers may remain anonymous if they so choose. An inquiry can be made by calling the Commission offices in Chicago (312-565-2600) or Springfield (217-546-3523). Additional information about the Program can be obtained on the ARDC website at [Ethics Inquiry Program](#).

## Publications

ARDC lawyers frequently write alerts, e-blasts, newsletters and articles on a wide range of legal ethics topics and emerging trends for publication. Their work is published in various platforms, including a series of articles featured in the Illinois Supreme Court's monthly newsletter, *Illinois Courts Connect*. In response to the 2023 amendments to Rules of Professional Conduct 1.5 and 1.15, the ARDC sent an eblast to alert the Illinois bar about these changes and directed lawyers interested in learning more about these amendments to informative publications such as the article titled, *What Illinois Lawyers Should Know: A Summary of Changes to RPCs 1.5 and 1.15* and the 2023 update to the *Client Trust Account Handbook*. These publications and resources can be explored on the ARDC website at [www.iardc.org](http://www.iardc.org). The ARDC website also provides links to the rules governing Illinois lawyers as well as periodic announcements on the latest developments concerning lawyer regulation.

## ARDC Website



The ARDC website ([www.iardc.org](http://www.iardc.org)) serves as an important source of information to the public and the legal profession about all aspects of the regulation of the legal profession in Illinois. A vital tool in the ARDC's education and outreach efforts, there are over 1.4 million visits every year. Most users utilize the Lawyer Search function, which provides ready access to the public, the profession, and the judiciary to lawyers' credentials and contact information. The ARDC website also handles all registration matters for over 96,000 lawyers each year and is a portal for connecting the legal profession to important updates impacting Illinois lawyers, educational resources to assist lawyers in their practice, and CLE programming.

# Registration

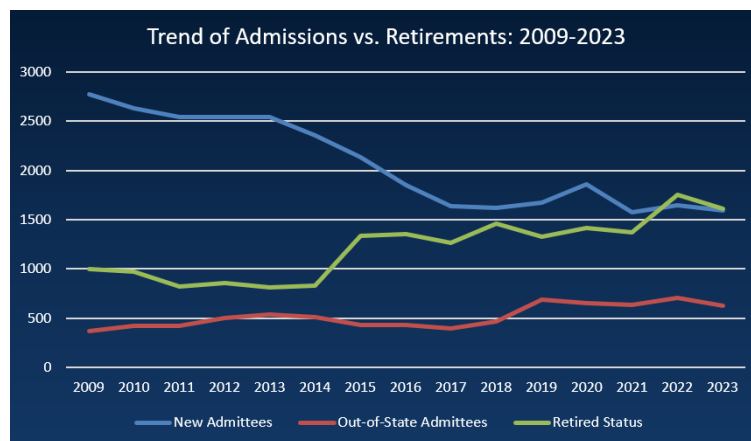


## 2023 Master Roll Demographics

### Attorney Population in 2023

The 2023 Master Roll of Attorneys for the state of Illinois had a total of 96,440 lawyers, reflecting a 0.8% increase over the previous year. Over the past several years, the total number of registered lawyers in Illinois has seen minimal growth. Since 2015, the annual net rate of increase in Illinois' legal population has consistently remained below 1%. See Chart 25A, Appendix for years 2009 to 2023. This trend aligns with the static growth observed in the legal profession nationwide, as reported by the ABA Profile of the Legal Profession 2023, a national lawyer population survey.<sup>1</sup>

Year	Lawyer Population	% Change Over Prior Year
2023	96,440	0.8%
2022	95,711	0.2%
2021	95,480	0.6%
2020	94,907	0.3%
2019	94,662	0.6%



The net growth of Illinois' legal population has remained relatively flat due to two key factors: the decline in the number of new lawyer-admittees<sup>2</sup> to the Illinois bar; and the rise in the number of lawyers who annually transition to Retired status. In 2009, 2,776 new lawyers were admitted to the Illinois bar. However, by 2023, this number had decreased significantly to 1,597, representing a 42.5% decline

over fifteen years. In contrast, the number of lawyers transitioning to Retired status has increased. Back in 2009, 996 lawyers chose retirement. By 2023, this figure had risen to 1,609, marking a substantial 61.5% increase. The Illinois legal population would likely have declined altogether if not for the influx of out-of-state lawyer admittees.<sup>3</sup> In 2009, 363 out-of-state lawyers

<sup>1</sup> See [ABA Profile of the Legal Profession 2023](#).

<sup>2</sup> "New Admittees" refers to law school graduates who were admitted to the bar in the given year after having passed the Illinois bar exam.

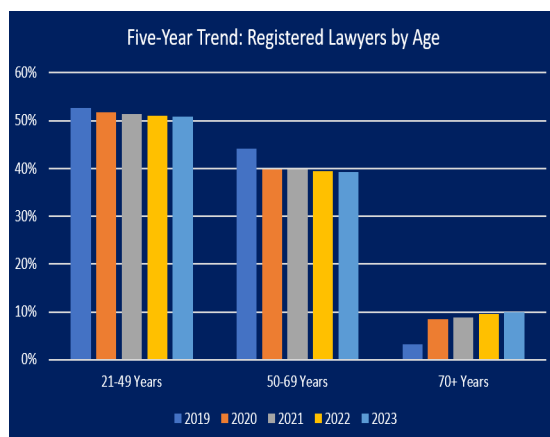
<sup>3</sup> Out-of-State Admittees" refers to lawyers already licensed in another jurisdiction and admitted pursuant to Supreme Court Rules 715 (graduates of foreign law schools), 705 (reciprocal admission on motion), 716 (limited admission as house counsel), 717 (legal services program lawyers) or 719 (military spouse attorneys).



were admitted to the Illinois bar. By 2023, this number had grown by 71.9%, to 624. See Chart 25B Trend of Admissions v. Retirement Removals (2009-2023), Appendix.

## Age, Gender and Years in Practice

### Registered Lawyers By Age and Years in Practice



In 2023, nearly half (49.1%) of lawyers were aged 50 or older, representing a 1.8% increase since 2019. Notably, the number of lawyers over the age of 70 has more than tripled, rising from around 3.2% of the profession in 2019 to 9.9% in 2023. See Chart 1A Gender, Age and Years in Practice (2019-2023), Appendix. These trends align with the findings of the ABA Profile of the Legal Profession 2023, which notes that the legal profession tends to have an older demographic compared to most other professions.<sup>4</sup>

### Registered Lawyers By Gender

There has been a slow but consistently steady increase in the number of women lawyers over time. In 1992, when the gender of lawyers was first reported in the ARDC annual report, women lawyers comprised 23.8% of the profession. By 2023, this figure now stands at 40.4%. Although men still outnumber women in the legal profession, the trend is shifting as more women and fewer men have been enrolling in law schools annually since 2016.<sup>5</sup> See Chart 1A Gender, Age and Years in Practice (2019-2023), Appendix. Illinois surpasses the national average of 39.0% female lawyers in the United States.<sup>6</sup>

In recent years in Illinois, a notable shift has emerged among women lawyers less than five years in practice. For the very first time, there are more women lawyers in this category, accounting for 50.8%, than their male counterparts, who make up 49.2% of the Illinois legal population. See Chart 1B Lawyers By Gender and Years in Practice (2023).

However, beyond the initial years of practice, the gender balance changes as women tend to leave the profession earlier in their careers compared to men.<sup>7</sup> After five years in practice,

<sup>4</sup> See ABA Profile, fn. 1.

<sup>5</sup> A survey conducted by the National Association for Law Placement revealed that 50.3% of U.S. associates in 2023 were women, marking the first time women outnumbered men. Since 2016, there were more female than male students enrolled in law schools across the United States for the eighth year in a row in 2023. According to the most recent data from the ABA Profile of the Legal Profession (2023), 56.25% of law students are female, compared to 42.85% who are male. Additionally, 86.29% of law schools report having more female than male students.

<sup>6</sup> See ABA Profile, fn. 1.

<sup>7</sup> *Walking Out the Door*, Leibenberg, Roberta D. and Scharf, Stephanie A. (2019). An ABA study which found that 58% of women left the legal profession due to “caretaking commitments.” Other contributing factors identified included stress levels and the

female lawyers are outnumbered by male lawyers more than 6%. The gender gap widens significantly after 20 years in practice, with 14.6% fewer female lawyers between 20 and 30 years in practice compared to male lawyers. After 30 years in practice, there are 31.8% fewer female lawyers than male lawyers. See Chart 1B Lawyers By Gender and Years in Practice (2023), Appendix.

2023 YEARS IN PRACTICE	FEMALE	MALE	% MORE MALE THAN FEMALE
Less than five years	50.8%	49.2%	-1.6%
Between 5 and 10 years	46.6%	53.4%	6.8%
Between 11 and 20 years	46.9%	53.1%	6.2%
Between 21 and 30 years	42.7%	57.3%	14.6%
Between 31 and 40 years	34.1%	65.9%	31.8%
Between 41 and 50 years	18.5%	81.5%	63.0%
51+ years	3.1%	96.9%	93.8%

## Principal Business Location

### All Active and Inactive Registered Lawyers

Of the 96,440 lawyers registered in 2023, 65,515 or 67.9% of Active and Inactive attorneys reported a principal business address in Illinois. 30,925 or 32.1% of registered attorneys reported a principal business address outside of Illinois, a nearly 1% increase over 2022. Since 2013, less than 70% of Illinois lawyers locate their principal place of practice in Illinois; however, the pandemic and the rise of remote work have not significantly impacted the location of lawyers in the past several years. See Chart 1C Principal Business Location: In-State vs. Out-of-State Lawyers 2003-2023, Appendix.

21,623 or 70% of lawyers located outside Illinois hold a license in another jurisdiction in addition to their Illinois license. The top five jurisdictions for those 21,623 out-of-state lawyers are: Missouri; District of Columbia; California; New York; Wisconsin; and Texas. See Chart 1C, Appendix.

9,302 or 30% of lawyers with a principal business location outside Illinois hold only an Illinois license and they are principally located in California, District of Columbia, Texas, Florida and New York.

### Active and Inactive Registered Lawyers Located in Illinois: By County<sup>8</sup>

Of the 65,515 Active and Inactive lawyers in 2023 located in Illinois, 57,129 or 87.2% lawyers in Illinois practice within the six most populous counties in the state, commonly referred to as metropolitan Chicago (Cook, DuPage, Kane, Lake, McHenry and Will). 71.3% or 46,733 lawyers

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pressure to meet billable hours.

[https://www.americanbar.org/content/dam/aba/administrative/women/walkoutdoor\\_online\\_042320.pdf](https://www.americanbar.org/content/dam/aba/administrative/women/walkoutdoor_online_042320.pdf)

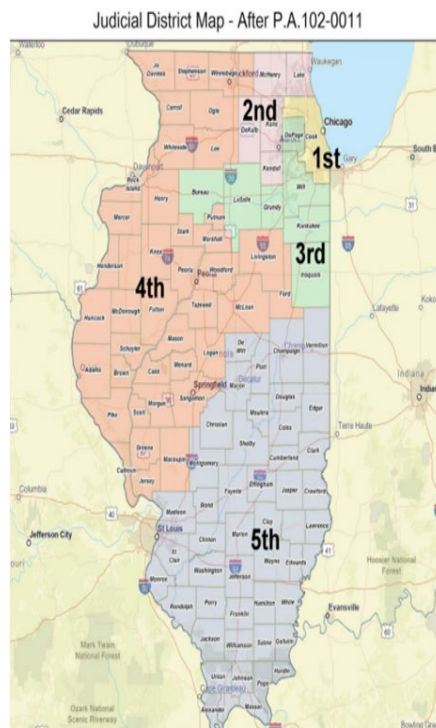
<sup>8</sup> See New Judicial District Map, effective January 1, 2022, Chart 2B, Appendix.

in Illinois are found in Cook County.

8,386 or 12.8% lawyers in Illinois are located in the remaining 96 counties of the state, a 0.2% decrease over the prior year for the second consecutive year, and a 0.6% drop since 2019.

53 of the 102 counties in Illinois decreased slightly over the prior year. The lawyer population decreased in all of the metropolitan Chicago counties with the exception of DuPage County, which experienced a slight 0.6% increase. Only 20 counties experienced a modest increase, over the prior year. The lawyer population remained unchanged in 29 counties, all of which were rural counties, as compared to 16 counties in 2022. See Chart 3, Registered Active and Inactive Attorneys By County (2022 vs. 2023), Appendix.

However, despite this consistency, challenges persist in the lack of legal resources in rural counties beyond metropolitan Chicago. A recent study conducted by the ARDC in June 2023 revealed that 35 counties have 10 or fewer attorneys in private practice. Additionally, 13 counties have five or fewer attorneys in private practice and notably, one county had no lawyer who identified as being in private practice.<sup>9</sup> See Chart 3A Illinois Counties Ranked Least to Most Private Practice Lawyers Per 1,000 Residents (June 2023), Appendix.



Each of the five judicial districts experienced a decrease in lawyer population over 2022 for the second year in a row: First District (Cook County) (-0.2%); Second District (-0.6%); Third District (-2.3%); Fourth District (-2.1%); and Fifth District (-1.9%). See Chart 2, Active and Inactive Lawyers By Judicial District and Circuit (2019-2023). See Chart 2A, Registered Active and Inactive Attorneys by Judicial Districts: Five-Year Trend 2019-2023, Appendix.

## Practice Demographics

Starting with the 2016 registration year, lawyers on Active status and engaged in the practice of law must report *pro bono*, trust account, malpractice insurance information, and other practice-related information during the annual registration process as required by Supreme Court Rule 756(c) through (g). Except for a lawyer's contact information and whether a lawyer maintains malpractice insurance, the data collected is confidential and is reported in the aggregate and does not appear in a lawyer's listing on the Master Roll.

<sup>9</sup> The ARDC study was done at the request of the Administrator Office of the Illinois Courts. An excerpt from that study shows the private practice lawyer population in each of the 102 Illinois counties ranked from least to most private practice-populated counties per 1,000 county residents. County population is based on the 2020 US Census, as of April 1, 2020. Lawyer registration statistics were taken from the 2023 Master Roll, as of June 1, 2023.

## Practice Setting: Active Status

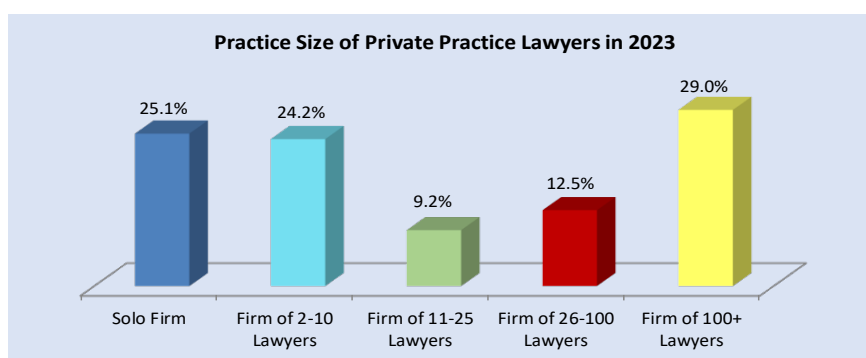
There were 84,353 lawyers or 87% of all registered lawyers with an Active status license in 2023. 74,824 or 88.7% reported that they are currently practicing law.<sup>10</sup> 49,361 lawyers or 66.0% are employed in a private practice setting, reflecting an approximate 2% overall decrease in the number of lawyers in private practice since 2019. See Chart 6A 2019-2023 Practice Setting: Active Status and Currently Practicing, Appendix.

Practice Setting	2019	2020	2021	2022	2023
Private Practice	67.8% 49,996	66.7% 48,798	66.1% 48,650	66.5% 49,108	66.0% 49,361
Corporate In-House	14.8% 10,901	15.4% 11,231	15.5% 11,379	15.5% 11,464	16.1% 12,011
Government/Judicial	11.6% 8,607	12.1% 8,874	12.4% 9,164	11.9% 8,802	11.9% 8,923
Other	3.0% 2,220	3.0% 2,177	3.1% 2,271	3.1% 2,317	3.1% 2,305
Not-for-Profit	2.2% 1,607	2.2% 1,628	2.3% 1,728	2.4% 1,737	2.4% 1,796
Academia	0.6% 461	0.6% 456	0.6% 448	0.6% 434	0.6% 428

## Practice Size: Private Practice

Of the 49,361 lawyers in private practice, the number of lawyers at law firms of ten lawyers or less continues to decrease. Beginning in 2020, there has been a small but noticeable shift in the distribution of lawyers across various firm sizes. Solo practitioners have seen a decrease from 27.4% in 2020 to 25.1% in 2023, while small firms with 2 to 10 lawyers have similarly declined from 25.6% to 24.2% for that same time period.

In contrast, medium-sized firms with 26 to 100 lawyers have experienced some modest growth, increasing their share from 11.6% to 12.5%. Notably, large firms with over 100 lawyers have expanded every year since 2020, rising from 26.0% in 2020 to 29.0% in 2023, thus becoming the predominant private practice size. The smallest segment within private practice remains law firms with 11 to 25 lawyers, which have remained relatively stable, with a slight decrease from 9.4% in 2020 to 9.2% in 2023. See Chart 6A-1 2019-2023 Practice Size: Active Status, Currently Practicing, and in Private Practice, Appendix.



<sup>10</sup> Not included in the practice setting demographics are the 9,529 lawyers, or 9.9% of all Active status lawyers, who reported that they are not currently engaged in the practice of law and are not required under Ill. S.Ct.R. 756(g)(4) to provide practice setting information.

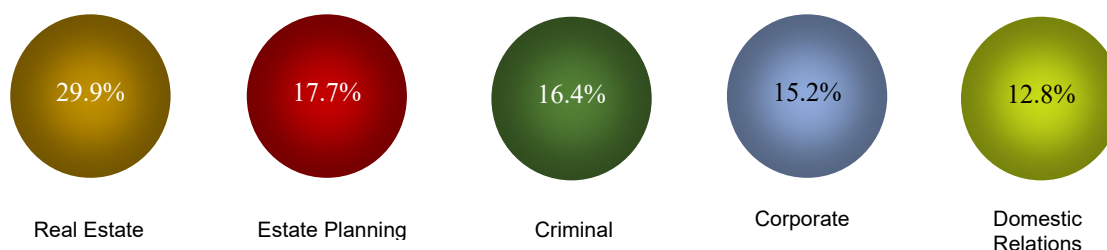
56% of all solos in private practice are over the age of 60 as compared to 31% in firms of 2 to 10 lawyers, 25% in firms between 11 and 25 lawyers, 20% of firms of 26 to 100 lawyers, and 16% of lawyers in firms of 100+. See 2023 Practice Setting Demographics By Age: Charts 6B-1 and 6B-2, Appendix.

## Succession Planning

Active status lawyers engaged in the practice of law are required to disclose whether their law firm has implemented a written succession plan. Such a plan outlines how the firm will operate in case of the lawyer’s death, disability, or other circumstances preventing them from continuing their legal practice. At a minimum, the plan should designate another individual - preferably a lawyer – to take responsibility for notifying clients and managing client-related materials and property. This is especially critical for solo practitioners who work independently.

Of the 12,395 Active status lawyers that identify as solo practitioners engaged in the private practice of law, only 2,822 or 22.8% reported that they have a written succession plan, a 0.9% increase over the prior year. 8,848 or 71.4% reported that they do not have a written succession plan and 725 or 5.8% indicated that they are not sure of whether they have a plan in place. See Chart 7A 2019-2023 Succession Planning: Active Status, Currently Practicing, and in Private Practice, Appendix.

The top five practice areas identified by solo practitioners who responded “No” to the succession planning question continues to be real estate, estate planning, criminal, corporate and domestic relations.



3,683 or 29.7% of all 12,395 solo practitioners reported that they have no succession plan and no malpractice insurance. 63.7% are over the age of 60. See Chart 7B, Appendix.

## Report on *Pro Bono* Activities

All registered lawyers are required to report voluntary *pro bono* service and monetary contributions in their annual registration even though *pro bono* activities are voluntary. See IL Supreme Court Rule 756(f). The information reported by individual attorneys concerning voluntary *pro bono* service and trust accounts is confidential under Supreme Court Rule 766 and is not reported as part of a lawyer’s individual listing on the Master Roll and is not displayed on the ARDC website ([www.iardc.org](http://www.iardc.org)).

Reported *pro bono* service, monetary contributions, and the number of lawyers reporting have

all declined to their lowest levels since 2019. In 2023, 29,389 lawyers provided a total of 1,726,626 *pro bono* legal service hours during the year. This comes to an average of 59 hours per lawyer engaged in *pro bono* service – exceeding the 50 hours of annual work that the American Bar Association recommends as a minimum. See ABA Model Rule 6.1, Comment [1]. However, despite these efforts, the percentage of lawyers offering *pro bono* legal service has decreased from 34% in 2019 to 31% in 2023. Furthermore, the total number of *pro bono* service hours performed by lawyers has declined by 7.7% over the reported hours in 2019.

#### Report on *Pro Bono* Hours (2019-2023)

	2019	2020	2021	2022	2023
<b>Type of <i>Pro Bono</i> Services</b>	<b>Service Hours</b>	<b>Service Hours</b>	<b>Service Hours</b>	<b>Service Hours</b>	<b>Service Hours</b>
<i>Legal services to persons of limited means</i>	1,096,544	1,076,943	991,862	1,011,596	1,012,095
<i>Legal services to enumerated organizations designed to address needs of persons of limited means</i>	333,371	316,254	281,117	281,389	279,890
<i>Legal services to enumerated organizations in furtherance of their purposes</i>	444,546	439,032	402,939	390,508	394,114
<i>Training intended to benefit legal service organizations or lawyers providing pro bono services</i>	44,001	51,384	39,885	37,506	41,527
<b>Total:</b>	<b>1,918,462</b>	<b>1,883,613</b>	<b>1,715,803</b>	<b>1,720,999</b>	<b>1,726,626</b>
<b>Number of Lawyers &amp; % Total of Lawyer Population:</b>	<b>31,954 34%</b>	<b>31,325 33%</b>	<b>30,646 32%</b>	<b>29,594 31%</b>	<b>29,389 31%</b>

67,051 lawyers reported that they had not provided *pro bono* legal services in 2023. 9,329 or 13.9%, indicated that they were prohibited from providing *pro bono* legal services because of their employment, which is less than the 15.1% reported in 2019.<sup>11</sup>

In 2023, there was a decline in both monetary contributions to *pro bono* legal service organizations and the number of lawyers making contributions compared to 2019. 16,263 lawyers or 16.9% reported a total of \$16,550,706 in monetary contributions, an average of \$1,018 per contributing lawyer. However, the overall number of lawyers making contributing and the total amount contributed have decreased by approximately 2% since 2019.

<sup>11</sup> See 2019 ARDC Annual Report, at p. 17.

**Monetary Contributions to *Pro Bono* Service Organizations (2019-2023)**

	2019	2020	2021	2022	2023
<i>Amount Contributed</i>	\$16,930,744	\$17,116,265	\$17,550,990	\$18,105,801	\$16,550,706
<i>Number of lawyers who made contributions</i>	18,206	17,936	18,096	16,858	16,263
<i>% of lawyers who made contributions</i>	19.2%	18.9%	19.0%	17.6%	16.9%

Not reflected in the above chart is the fact that most Illinois lawyers contribute to the funding of legal aid through the \$95 portion of the full annual registration fee paid by Active status lawyers that is remitted to the Lawyers Trust Fund of Illinois, as well as the contributions lawyers have made to other charitable and not-for-profit organizations. For the 2023 registration year, \$6,977,872 was remitted through registration fees to the Lawyers Trust Fund of Illinois in 2023. A total of \$102,609,784 has been remitted to the Lawyers Trust Fund since the 2003 registration year, the first year the ARDC began the collection and remittance of this fee as provided in Supreme Court Rules 751(e)(6) and 756(a)(1).

**Trust Accounts**

Under Supreme Court Rule 756(d), both Active and Inactive status lawyers are obligated to reveal in their registration whether they or their law firm maintained a trust account during the previous year. Additionally, they must specify whether the trust account was an IOLTA (Interest on Lawyer Trust Account) account, as defined in Rule 1.15(f) of the Rules of Professional Conduct. Most private practice lawyers need to maintain a trust account because they handle client or third-party funds at some point in their practice. If no trust account was maintained in the preceding 12 months, the lawyer must provide a reason for its absence.

In 2023, 47,940 or 49.7% of all 96,440 registered lawyers reported that they or their law firm maintained a trust account sometime during the preceding 12 months. 82% of these trust accounts were IOLTA accounts and 18.0% were non-IOLTA accounts. See Chart 8A, 2023 Trust Account Disclosure Reports 2023, Appendix.

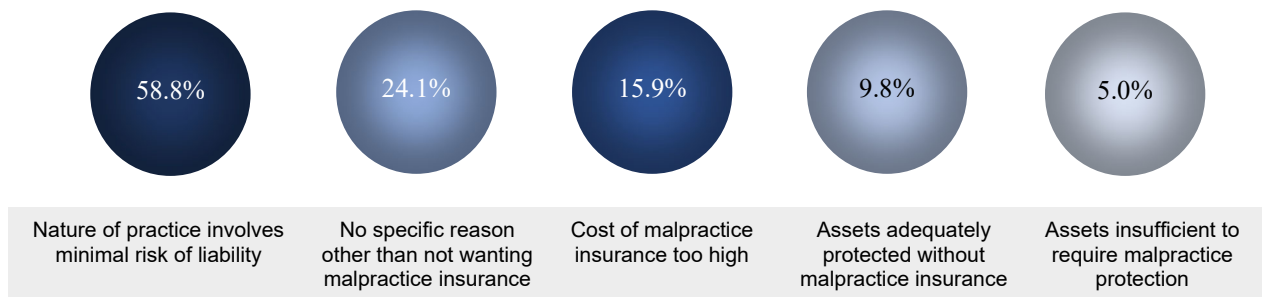
Of the 48,500 lawyers who reported that they or their law firm did not maintain a trust account, 25,214 or 52% reported that they had no outside practice because of their full-time employment in a corporation or governmental agency. For sole practitioners in private practice, 3,897 or 31.4% of all solos reported that they did not maintain a trust account as compared to less than 10% of all private practice law firms with 2 or more lawyers that responded in the negative. See Chart 8B, 2019-2023 Trust Account Reports of Active Status and in Private Practice, Appendix.

## Malpractice Insurance

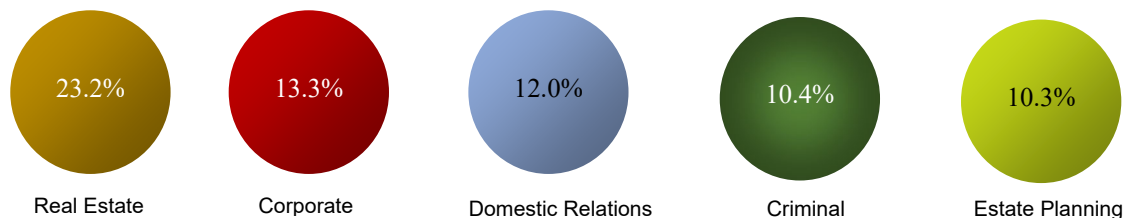
Supreme Court Rule 756(e) requires that most Illinois lawyers disclose whether they have malpractice insurance coverage and, if so, provide details about the dates of coverage. However, the Rule does not compel Illinois lawyers to carry malpractice insurance as a prerequisite for practicing law under their Illinois license. Clients may assume that their lawyer has malpractice insurance but the disclosure of malpractice coverage in a lawyer’s registration report is publicly available information on the ARDC website. It should be noted that lawyers not actively practicing law, as well as in-house counsel and government lawyers typically do not carry malpractice insurance.

In 2023, 54.9% of all 96,440 registered lawyers reported that they have malpractice insurance, a figure that has remained generally consistent over the past five years. See Chart 9A Malpractice Disclosure: 2019-2023, Appendix. However, of the 49,361 lawyers with an Active status license and engaged in private practice (a group more likely to require malpractice coverage), this percentage rises significantly. 43,719 or 88.6% of lawyers in private practice reported that they carried malpractice insurance, a slight overall increase of 1.2% over the past five years. In terms of practice size, 7,894 or 63.7% of sole practitioners reported that they carried malpractice insurance in contrast to the 11,248 lawyers or 94.5% in 2-10 law firms who carry malpractice coverage. See Chart 9B Malpractice Disclosure: Active Status, Currently Practicing Law and in Private Practice: 2019-2023, Appendix.

The overwhelming reason given by solo practitioners who responded “No” to the malpractice question was a belief that the lawyer has a minimal risk of malpractice because of the nature of the lawyer’s practice. The top five reasons given by solo practitioners are:



The top five practice areas identified by solo practitioners who responded “No” to the malpractice question are:



These are the same top five practice areas identified by solos who answered “No” to the succession planning question. See Page 13.



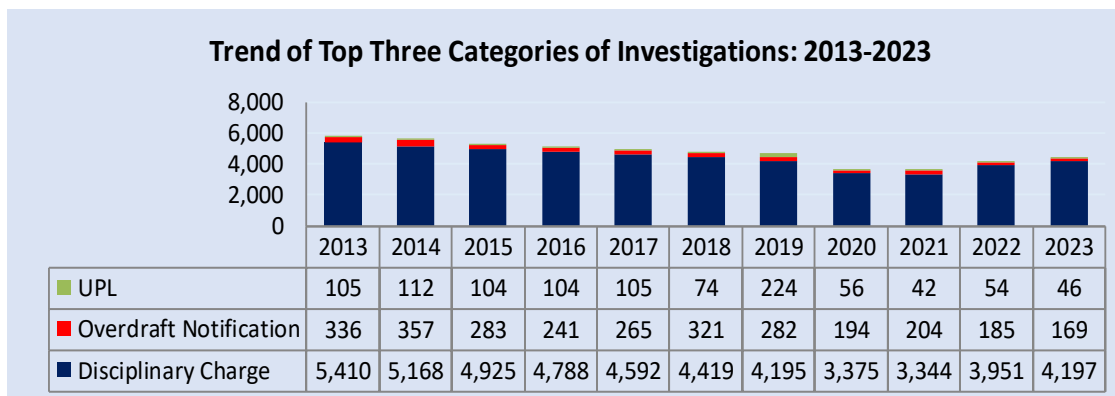


## 2023 Investigations

### Investigations Initiated in 2023

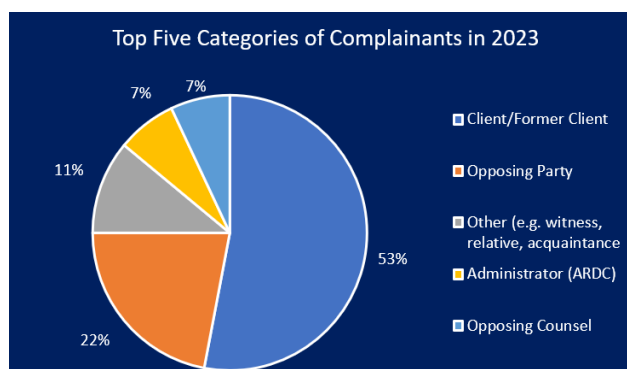
In 2023, the Commission initiated 4,575 investigations, which is 216 more than in 2022. This represents a 5.0% increase compared to the previous year and aligns more closely with pre-pandemic activity seen in 2019. See Chart 10 Ten-Year Trend of Types of Investigations: 2013-2023, Appendix.

These investigations involved charges against 3,250 different lawyers, representing 3.4% of all 96,440 registered lawyers. Notably, 601 lawyers, constituting 18.5%, were the subject of multiple investigations docketed in 2023. See Chart 11, Demographics of Lawyers the Subject of Investigations Docketed in 2023, Appendix.

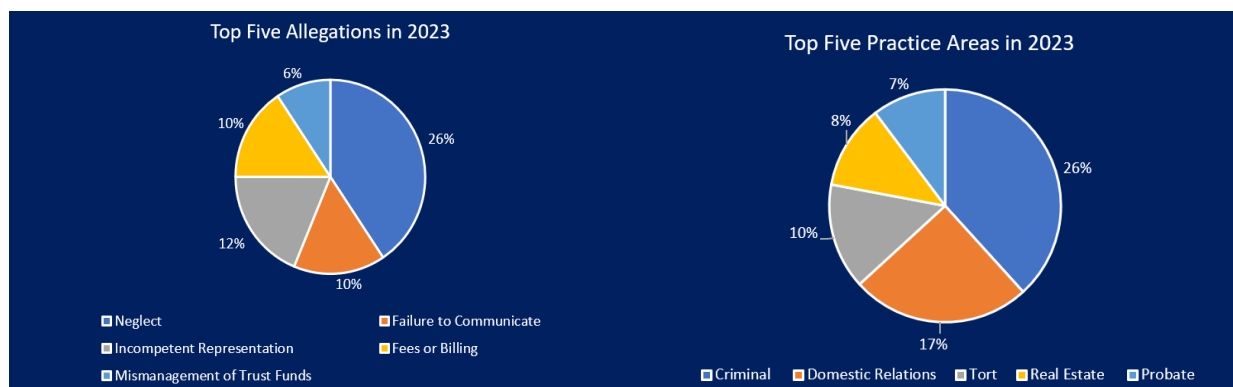


## Disciplinary Investigations

Over half of the complaints against lawyers originate from their current or former clients. See Chart 12 Investigations by Complainant Type in 2023, Appendix. The majority of these complaints, about 64%, are due to a deterioration in the attorney-client relationship. This breakdown often involves neglect of the client’s case, incompetence in representation, lack of communication, issues with billing and fees, and mishandling of trust funds. See Chart 13 Classification of Charges By Allegations in 2023, Appendix.



Neglect allegations consistently top the list of grievances, accounting for 26% of all complaints in 2023. See Chart 13 Classification of Charges By Allegations in 2023, Appendix. As in previous years, the areas of practice most prone to complaints of attorney misconduct include criminal law, family law, tort law, real estate law, and probate law. See Chart 14 Classification of Charges By Area of Law, Appendix.



## Unauthorized Practice of Law Investigations (UPL)

Under the authority granted to the ARDC in 2011 under Supreme Court Rule 779, the ARDC also investigates allegations of engaging in the unauthorized practice of law (UPL) made against suspended and disbarred Illinois lawyers, out-of-state lawyers licensed in another jurisdiction, and persons not licensed in any jurisdiction. This includes instances where non-attorneys represent others in court, prepare pleadings and legal documents for others, or falsely present themselves as licensed attorneys.

Over 1,000 investigations have been initiated since 2011. In 2023, 60 investigations were opened involving UPL charges against 39 unlicensed individuals or entities, 12 against out-of-state lawyers, six disbarred lawyers, and three lawyers under suspension. The top areas of law

involved in UPL investigations in 2023 were real estate (18%), probate (13%), immigration (12%) and criminal law and domestic relations (both 11%). See Chart 18A Rule 779 Unauthorized Practice of Law Investigations (2019-2023) and Chart 18B Area of Law in 779 Investigations in 2023, Appendix.

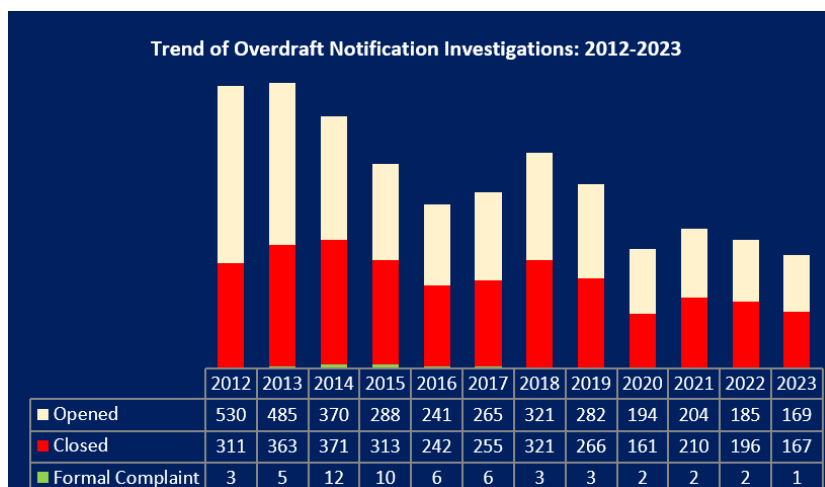
In addition, ARDC staff coordinates with other regulators and provides outreach regarding UPL matters. ARDC staff liaison with the Illinois State Bar Association's Task Force on the Unauthorized Practice of Law and the Chicago Bar Association's Unauthorized Practice & Multidisciplinary Practice Committee. The ARDC also regularly communicates with the Illinois Attorney General's Office and counsel from various state's attorneys' offices in connection with UPL cases and consults with the Federal Trade Commission about these UPL matters. Finally, since investigation and formal action involving out-of-state attorneys may involve attorney regulators from other states, the ARDC frequently coordinates with those authorities in unauthorized practice investigations.

### **Overdraft Trust Account Notification Investigations**

Rule 1.15B (formerly Rule 1.15(h)) of the Rules of Professional Conduct provides that an overdraft of an IOLTA or non-IOLTA client trust account must be reported by the financial institution to the ARDC.

Most overdrafts are found to be the result of a mathematical, clerical or accounting error rather than intentional misuse of client funds. To address any deficiencies in the lawyer's handling of trust funds or recordkeeping practices, an overdraft investigation will remain open until the lawyer fulfills specific conditions to ensure necessary practice corrections are made before closing the investigation. Included in those remedial measures can be requiring the lawyer to review sections of the ARDC's *Client Trust Account Handbook* or to view one of the ARDC's webinars covering the requirements of Rule 1.15 *et. seq.*

In 2023, 169 overdraft notification investigations were opened. See Chart 17 Overdraft Trust Account Notification Investigations (2019-2023), Appendix. This represents the lowest number of overdraft grievances received in a year since the automatic overdraft notification rule was first adopted in September 2011.



Evidence that client funds were converted often results in the filing of a formal complaint against the lawyer. Only one investigation resulted in the filing of formal charges in 2023. Since 2012, a total of 3,534 trust account overdraft investigations have been opened; only 55 or 1.6% of overdraft grievances resulted in formal disciplinary charges.

### Investigations Concluded in 2023

In 2023, a total of 4,246 investigations were closed of which 4,113 were concluded by the Administrator’s staff. See Chart 15 Investigations Concluded in 2023. A total of 1,623 cases were closed after it was determined that the grievance did not warrant a disciplinary or unauthorized practice investigation. 98% of these grievances were resolved within 60 days of being docketed. In many instances, complainants were given the chance to provide additional information. 2,480 grievances, requiring a more thorough investigation, were closed because either there was insufficient evidence of misconduct or the concerns raised by the complainant were resolved or addressed by the respondent-lawyer. Approximately 74% were concluded within 180 days after the investigation was opened. See Chart 16 Timeliness of Investigations Concluded in 2023, Appendix.

If an investigation reveals evidence of misconduct warranting prosecution, the case is referred to the Inquiry Board, unless it is directly filed with the Supreme Court under Rules 757, 761, 762(a), or 763. The Inquiry Board is comprised of two attorneys and one nonlawyer, all appointed by the Commission, with the authority to vote a formal complaint if it finds sufficient evidence to support a charge, to close an investigation if it does not so find, or to place an attorney on supervision under the direction of the Inquiry Board panel pursuant to Commission Rule 108. The Administrator cannot pursue formal charges without authorization by an Inquiry Board panel.

In 2023, 2.4% or 100 of the concluded grievances led to prosecution - ten grievances resulted in a petition for discipline being filed directly with the Supreme Court against ten lawyers, and 90 grievances were voted as disciplinary complaints by the Inquiry Board against 47 lawyers.

Additionally, 27 files were closed following a review by the Inquiry Board, and 16 grievances were concluded upon the completion of the conditions set by Commission Rule 108. See Chart 15 Investigations Concluded in 2023, Appendix.

## 2023 Disciplinary and Regulatory Proceedings

### Hearing Board Filings

Hearing Board Caseload	Pending January 1st	Filed During Year	Concluded During Year	Pending December 31st
2023	53	43	53	43
2022	53	56	56	53
2021	55	53	55	53
2020	61	40	46	55
2019	81	51	71	61

The majority of disciplinary prosecutions begin with the filing of a formal complaint. A formal complaint is initiated against the attorney when an Inquiry Board panel authorizes the filing of charges. The matter then proceeds before a panel of the Hearing Board, comprised of two lawyers and one nonlawyer, appointed by the Commission. All proceedings are open to the public, with the exception of hearings held pursuant to Supreme Court Rule 758 (petition to transfer a lawyer to disability inactive status).

The Hearing Board hears complaints alleging misconduct filed pursuant to Supreme Court Rule 753, as well as complaints alleging conviction of a criminal offense under Supreme Court Rule 761. Additionally, the Hearing Board hears petitions for reinstatement filed pursuant to Supreme Court Rule 767, petitions for transfer to disability Inactive status under Supreme Court Rule 758, and petitions for restoration to Active status pursuant to Supreme Court Rule 759.

In 2023, 43 cases were added to the Hearing Board’s docket, a 23.2% decline from the 56 cases filed in 2022. See Chart 25C Disciplinary and Regulatory Proceedings Trend (2009-2023), Appendix. 42 cases were initiated in 2023 by the filing of a new disciplinary complaint and one case involved a petition for reinstatement. See Chart 20A Matters Before the Hearing Board in 2023, Appendix.

Among the 42 lawyers charged with misconduct, the largest demographic groups of lawyers were: between 60 and 69 years old (35.7%), even though this age group constitutes 17.2% of the legal population; between 31 and 40 years in practice (31.0%), as compared to their representation of 16.4% of the legal population; and male (85.7%), despite male lawyers comprising 59.5% of all Illinois lawyers. See Chart 20B Demographics of Lawyers Charged in 2023, Appendix.

A complaint may have multiple allegations. The most frequently alleged misconduct in formal disciplinary complaints consistently involves fraudulent or deceptive activity (67%), often associated with alleged misrepresentations made to clients, tribunals, or other parties, or related to the conversion of trust funds. Approximately one third of formal disciplinary complaints related to the criminal conduct or conviction of the lawyer. See Chart 20C Types of Misconduct Alleged in 2023, Appendix.

The top three practice areas involved in the complaints were: tort (21.4%), probate (16.7%), and criminal representation and domestic relations (both 11.9%). See Chart 20D Subject Area Involved (2023), Appendix.

## Hearing Board Dispositions

<b>2023 Disciplinary Cases: Rules 753 &amp; 761(d)</b>	<b>49</b>
Case closed by filing of petition for discipline on consent other than disbarment	15
Recommendation of discipline after contested hearing	15
Recommendation of discipline after default hearing	10
Case closed by filing of motion for disbarment on consent	6
Case closed upon death of respondent	2
Complaint voluntarily dismissed before hearing	1
<b>2023 Reinstatement Petitions: Rule 767</b>	<b>3</b>
Petition denied after contested hearing	2
Petition voluntarily withdrawn	1
<b>2023 Disability Inactive Cases: Rule 758</b>	<b>1</b>
Recommendation to transfer allowed	1
<b>Total Matters Terminated</b>	<b>53</b>

In 2023, the Hearing Board concluded a total of 53 matters, which included 49 disciplinary cases, three reinstatement petitions, and one disability inactive. Out of the 53 cases, 18 cases proceeded as contested hearings (34%) and involved the filing of a comprehensive report and recommendation.

The remaining 35 cases (66%) concluded without the need for a detailed report and recommendation. Specifically, 21 cases were closed by the filing of discipline on consent, ten cases proceeded as default hearings,<sup>12</sup> two matters were withdrawn before a formal hearing, and two matters were closed upon the death of the lawyer.

Of the three reinstatement petitions filed in 2023, two were denied after contested hearings and one petition was voluntarily withdrawn by the petitioner lawyer.

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<sup>12</sup> Despite the diligent efforts of ARDC staff counsel to involve respondent-lawyers in the disciplinary proceedings, failure to respond to the complaint and cooperate during the proceedings are viewed as aggravating factors in the Board's report and recommendation to the Illinois Supreme Court. Disbarment or suspension until further court order was recommended by the Hearing Board for nine out of the ten lawyers who defaulted in 2023.

## Review Board Filings and Dispositions

Once the Hearing Board submits its report in a case, either party has the option to file a notice of exceptions with the Review Board. The Review Board functions as an appellate tribunal.

The Review Board, comprising nine lawyer members, is appointed by the Supreme Court for three-year terms. Among these members, one is designated as the Chair. The Review Board operates independently, with its own legal staff separate from both the Administrator's office and the Hearing Board's adjudication staff.

<b>Cases Filed Before the Review Board in 2023</b>	<b>10</b>
Exceptions filed by Respondent	4
Exceptions filed by Administrator	4
Exceptions filed by both	2
<b>Cases Concluded by the Review Board in 2023</b>	<b>9</b>
Hearing Board affirmed	5
Hearing Board reversal on findings or sanction	3
Notice of Exceptions withdrawn or stricken	1

In 2023, a total of ten cases were filed: four cases being sought for review by the respondent lawyer, another four cases by the ARDC, and in two cases review was sought by both the respondent lawyer and the ARDC.

Nine cases were concluded in 2023. The Review Board affirmed the Hearing Board's findings and disciplinary recommendation in five of these cases. In three cases, however, the Review Board reversed on the sanction recommended by the Hearing Board. The Review Board recommended a longer suspension in two cases and a shorter suspension in one. See Chart 20E, Appendix.

## Supreme Court Matters

### Disciplinary Cases

Disciplinary cases come before the Court in several different ways. The chart below shows filings in the Supreme Court in disciplinary matters between 2019 and 2023. Certain disciplinary matters are filed directly with the Court via petitions, while others originate before the Hearing Board. Voluntary disbarments and petitions for reciprocal discipline are filed directly in the Supreme Court. In 2023, a total of 23 direct filings were submitted to the Supreme Court, of which seven petitions were for voluntary disbarment, ten petitions for reciprocal discipline, and one motion for transfer to disability inactive status. See Chart 19 Proceedings Filed Directly with the Illinois Supreme Court (2019-2023), Appendix.

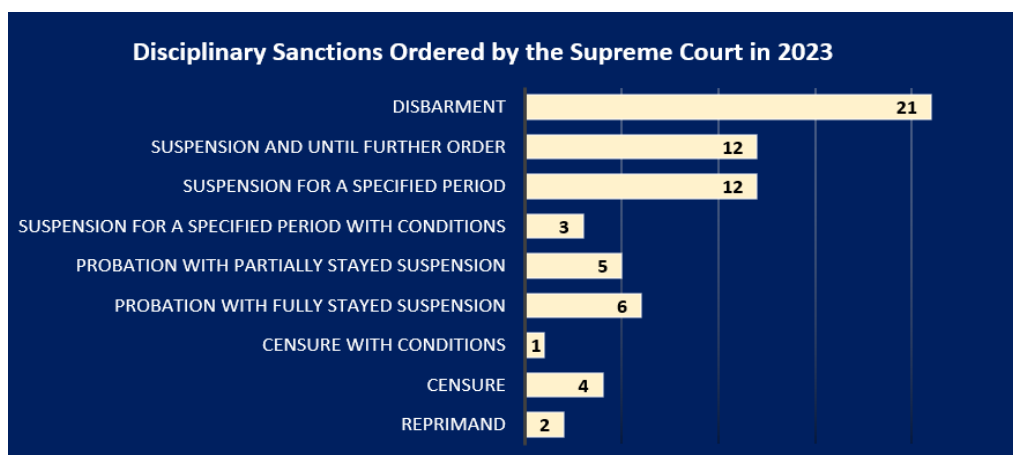
Additionally, there were four petitions for interim suspension filed in the Supreme Court in 2023. During the pendency of a criminal indictment, criminal information, disciplinary proceeding or investigation, interim suspension may be sought either on the Court's own motion or on the Administrator's petition in instances where the lawyer has been formally charged with the commission of a crime which involves moral turpitude or reflects adversely upon the lawyer's fitness to practice law, or where a complaint has been voted by the Inquiry Board and the alleged misconduct involves fraud or moral turpitude or threatens irreparable injury to the public, the lawyer's clients, or to the orderly administration of justice, and there is persuasive evidence

to support the charge. See IL S.Ct. Rule 774. If a lawyer is convicted of a crime involving fraud or moral turpitude, the filing of a petition for interim suspension is mandatory. See IL S.Ct. Rule 761.

Upon issuance of a report and recommendation by the Hearing Board and, if applicable, the Review Board, the Administrator will submit a motion to approve and confirm the report. The Supreme Court may then issue a final order in accordance with either the Hearing Board's or Review Board's recommendation or as otherwise determined by the Court, order briefs or oral argument or both, or remand the matter with directions to the Hearing or Review Board. See IL S.Ct. Rule 753(d). In 2023, there were 48 motions to approve and confirm filed in the Supreme Court.

Filings in the Supreme Court	Direct Filings in the Court: Rules 762(a), 763 & 757	Petition for Interim Suspension: Rules 761 & 774	Disciplinary Proceedings Disposition Filings	Permanent Retirement Petitions Disposition Filings	Petitions for Reinstatement Disposition Filings
2023	18	4	48	1	0
2022	16	2	58	3	8
2021	41	0	37	5	4
2020	32	2	55	4	4
2019	39	1	60	0	10

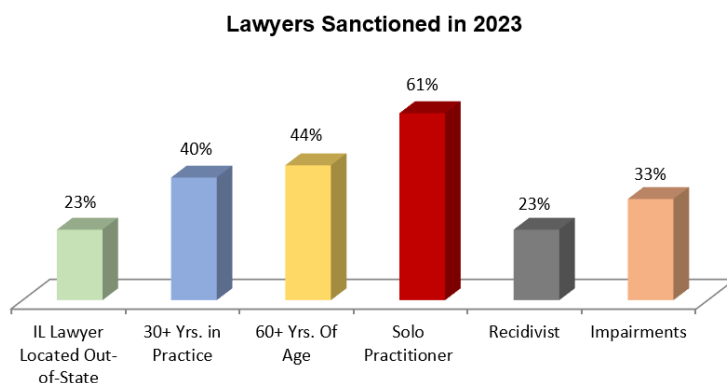
The Supreme Court has sole authority to sanction attorneys for misconduct, except for a reprimand which can be imposed in a disciplinary case without order of the Court by either the Hearing or Review Board. In 2023, the Court imposed 66 sanctions on 66 lawyers. Additionally, the Hearing Board reprimanded one lawyer in 2023. 50% of sanctions resulted in disbarment or suspension until further order of the Court. An additional 23% of lawyers were suspended, 17% were placed on probation, and 10% received either a censure or a reprimand.





43 cases were concluded by a direct filing in the Supreme Court without the need for a formal hearing before Hearing Board. Specifically, 11 cases concluded with the filing of a petition for disbarment on consent, 21 cases were closed by the filing of a petition for discipline other than disbarment on consent, and 11 cases were resolved by the filing of a petition seeking discipline reciprocal to what was imposed against the lawyer in another jurisdiction. See Chart 22 Orders Entered by the Supreme Court in Disciplinary Cases in 2023, Appendix.

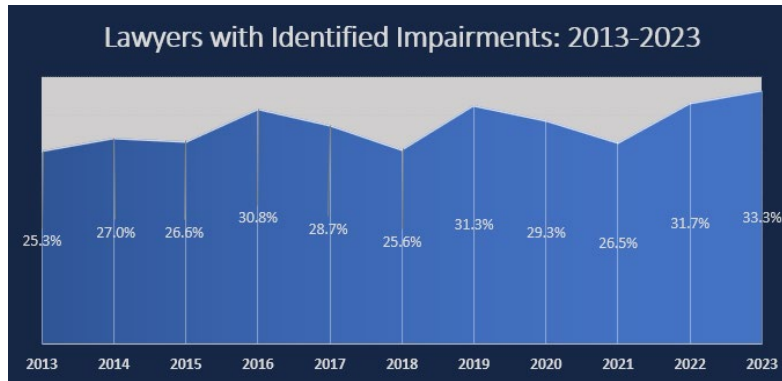
Most of the lawyers disciplined were 30+ years in practice (40%), over the age of 60 (44%) and male (76%). Sole practitioners accounted for 61% of the lawyers disciplined by the Court in 2023. 23% of the 66 lawyers disciplined were recidivists having been disciplined by the Court in the past. Also, 23% were lawyers principally located outside Illinois. More than half of the lawyers disciplined were *pro se*<sup>13</sup> in the proceedings. See Charts 21B-21D-1, Appendix.



In disciplinary cases, it is not uncommon to find lawyers impaired by addiction to alcohol or other substances or struggling with mental illness or disorders. In 2023, 22 lawyers, constituting 33.3% of the 66 disciplined lawyers, faced known issues related to substance abuse or mental impairment. This represents a 1.6% increase compared to the previous year and a significant rise over the past decade from the 25.3% reported in 2013. While some of this increase may be attributed to the pandemic’s impact, it also reflects the heightened awareness among ARDC staff counsel regarding the importance of early identification of impairment issues.<sup>14</sup>

13 Representation by counsel plays a crucial role in ensuring the fairness of attorney investigative and disciplinary proceedings and helps prevent respondents from making hasty decisions that they might regret later. The ARDC has established protocols for its staff counsel to encourage *pro se* respondents to obtain counsel at the investigative and hearing stages. Additionally, respondents are advised to promptly contact their malpractice insurance carrier, as many carriers offer coverage for legal representation in ARDC proceedings.

14 Lawyers identified in an investigation with substance or mental illness impairments can be required to comply with certain conditions addressing those identified concerns either through Commission Rule 108 Deferral of Investigation or Commission Rule 56 Diversion. See Remedial Action, at p. 27. In 2023, a total of 58 lawyers were monitored under either remedial measure, of which 30 lawyers were monitored for compliance with substance abuse or mental health conditions. *Id.* at p. 28.



In 2023, the number of mental disorders identified (22) outnumbered chemical dependency issues (16). Depression was the leading identified impairment (12), accounting for 54.5% of all reported impairment followed by alcoholism (8), which reported in 36.4% of all identified impairments.<sup>15</sup> See Chart 21E Impairments Identified for Lawyers Disciplined in 2023, Appendix.

This shift from impaired lawyers suffering the effects of alcohol and drug abuse to lawyers impaired by psychological problems is consistent with the findings in the Lawyers' Assistance Program's latest annual report.<sup>16</sup> Of the total 22 lawyers identified, 68% (15) were sole practitioners. Additionally, the majority or 59% (13) were under 50 years old, and 82% (18) were male. It is important to note that these statistics capture only those cases where impairments were either self-reported by the lawyer or known by staff counsel; however, many instances of impaired lawyers may go unidentified. See Charts 21E and 21F, Appendix.

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<sup>15</sup> Five lawyers had more than one impairment identified.

<sup>16</sup> 52% of LAP's caseload involved mental health issues versus substance dependency problems (22%). See LAP 2021-2022 Annual Report at <https://illinoislap.org/wp-content/uploads/2023/05/Annual-Report-2021-2022-FINAL.pdf>.

# Remedial Action



## ARDC Probation and Lawyer Deferral Services Department

The ARDC Probation and Lawyer Deferral Services Department oversees lawyers who must fulfill specific conditions in order to practice law. The ARDC employs practical and inventive strategies to proactively tackle the root causes of lawyer misconduct, particularly when it stems from mental health, addiction, or law office management issues. These remedial efforts often involve mandatory continuing legal education classes, participation in mentoring or law office management programs, testing, evaluation, and/or treatment facilitated by the Lawyers' Assistance Program (LAP), as well as audits of the lawyer's financial accounts. By addressing these issues early on, the ARDC aims to promote ethical and effective legal practice.

In 2023, the ARDC Probation Department tracked 211 lawyers for substance or mental illness impairments, law office management issues and/or restitution conditions. Of those 211 lawyers, 78 lawyers had conditions imposed by a jurisdiction other than Illinois as the result of discipline ordered on a reciprocal basis by the Illinois Supreme Court. Currently, 43 lawyers are under suspension, contingent upon fulfilling Court-ordered restitution, for discipline imposed by the Court from the present to years prior.

2023 Monitoring						
Probation Conditions Imposed by Reciprocal Jurisdiction	Suspension Pending Restitution	Probation Conditions Imposed by Court	Conditional Admission	Conditional Reinstatement	Com. R. 108 Supervision	Com. R. 56 Diversion
78	43	26	1	5	27	31

90 lawyers were required to complete one or more activities, services or programs to address the issues that led to a disciplinary sanction or investigation in Illinois. As shown in the following chart, of the 90 lawyers being monitored with various requirements in 2023, 35 were being monitored for substance abuse or mental conditions, 33 for law office management issues, and 17 with conditions for both. Also, 29 lawyers were subject to random drug and alcohol testing.

Type of Matter	Substance Abuse or Mental Illness Conditions	Both Substance Abuse and Law Office Management Conditions	Law Office Management Conditions	Other	Total
Probation/conditional admission/conditional reinstatement	14	8	8	2	32
Commission Rule 108 Supervision	15	4	6	2	27
Commission Rule 56 Diversion of Investigation	6	5	19	1	31
				<b>Total</b>	<b>90</b>

- *Probation/Conditional Admission/Conditional Reinstatement* – In 2023, 26 lawyers were placed on probation as the result of disciplinary sanction as well as one lawyer under conditional admission to the Illinois bar, and five lawyers under conditional reinstatement to the practice of law: 14 with substance abuse and/or mental health conditions; eight for law office management training; eight subject to both mental health and law office management monitoring conditions; and two with conditions falling into the “other” category.
- *Commission Rule 108 Deferral of Investigation* – The Inquiry Board, in agreement with the Administrator and the lawyer under investigation, has the authority to defer investigations that do not involve fund misappropriation or criminal conduct. This deferral is contingent upon the lawyer’s compliance with conditions set by the Board for up to one year. In 2023, a total of 27 lawyers consented to Commission Rule 108 conditions – 15 with substance abuse and/or mental health conditions; six for law office management training; four subject to both mental health and law office management monitoring conditions; and two with conditions falling into the “other” category.
- *Diversion Program under Commission Rules 54 and 56* – The Administrator and respondent lawyer may opt for diversion, allowing the lawyer to participate in a program addressing identified concerns. This approach benefits the public, the legal profession, and the courts. Diversion is considered when the investigation does not involve trust fund misappropriation, criminal conduct, financial harm, or dishonesty. In 2023, a total of 31 lawyers entered into a diversion agreement – six with substance abuse and/or mental health conditions; 19 for law office management training; five subject to both mental health and law office management monitoring conditions; and one with conditions falling into the “other” category, which typically involves taking legal ethics courses. Only one lawyer did not comply with the terms of the agreement and an investigative file was reopened as a result.

In addition to the above measures, ARDC employs certain non-disciplinary options in dealing with minor lawyer misconduct:

- *Permanent Retirement under Supreme Court Rule 756(a)(8)* – Lawyers facing minor misconduct charges can petition the Court for permanent retirement status, which prohibits reinstatement. This non-disciplinary option allows lawyers to retire from the practice of law while maintaining their dignity and reputation. In 2023, one lawyer was transferred to permanent retirement status in lieu of disciplinary prosecution.
- *Intermediary Program* – The intermediary program employs three lawyers experienced in dealing with impaired lawyers to reach out to lawyers being investigated by the ARDC who do not respond to repeated requests for information from the ARDC. These intermediaries operate independently of the ARDC and maintain privileged communications with the subject lawyer, as protected by Rule 1.6(d) and 8.3(c). In 2023, the intermediaries were assigned to contact 12 lawyers facing disciplinary investigation or prosecution. Since the program’s inception, the intermediaries have been assigned 48 lawyers. At the end of 2023, the Commission hired a third lawyer to act as an intermediary.
- *Referrals to LAP under Supreme Court Rule 766(b)(3)* - The ARDC is permitted to refer lawyers to the Lawyers’ Assistance Program (LAP) during confidential investigations pursuant to Supreme Court Rule 766(b)(3). This applies when there is suspicion of substance abuse or mental health issues. It covers lawyers facing DUI charges or suspected impairment, as well as those who do not respond during investigations or default in disciplinary proceedings. Participation in an approved lawyers’ assistance program, such as LAP, is strongly encouraged for lawyers. All information obtained during interventions and related meetings is treated as confidential under Rule 1.6(d). Additionally, a lawyer’s involvement in such a program may serve as a mitigating factor in disciplinary proceedings. The ARDC made 38 referrals to LAP in 2023. ARDC’s referrals were the source of 7% of all LAP’s referrals according to LAP’s latest annual report.<sup>17</sup>
- *Receivership of a Lawyer’s Practice under Supreme Court Rule 776* - Supreme Court Rule 776 provides for the appointment of a receiver to inventory a lawyer’s files and fulfill the duties necessary to close the practice in the event of a lawyer’s death, disability or disappearance and where “no partner, associate, executor or other responsible party capable of conducting the lawyer’s affairs is known to exist.” The ARDC offers support to family members, friends, and professional colleagues who take on the task of closing a lawyer’s practice, in most cases due to the death of the lawyer. Additionally, the ARDC assists court-appointed receivers. When no one is available to assume this role, the ARDC seeks appointment as the receiver to protect clients’ interests during the lawyer’s absence. In 2023, there were seven pending receiverships in the circuit court, with five initiated that year. The ARDC served as the receiver in four cases and assisted the appointed receiver in the remaining three. See Chart 23, ARDC-Appointed Receiverships: 2019-2023, Appendix.

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<sup>17</sup> Id., fn. 15.

## ARDC Client Protection Program

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The Supreme Court of Illinois created the Client Protection Program under Supreme Court Rule 780 to reimburse clients for losses caused by dishonest conduct of Illinois lawyers or on claims involving unearned and unrefunded fees paid to Illinois lawyers who later died or were transferred to disability inactive status. Funded by a \$25 annual assessment paid by most Active status lawyers and remitted to the Client Protection Program Trust Fund, the maximum per-award limit is \$100,000 and the per-lawyer limit is \$1 million. The Program does not cover losses resulting from professional negligence or malpractice and does not consider claims involving fee or contract disputes.

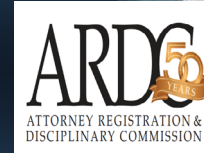
In 2023, 136 new claims were filed, and the Commission approved payment of \$562,699 on 46 claims involving 25 different lawyers. Three approvals were for the \$100,000 maximum, and eighteen were for \$2,500 or less. In 2023, all claims below \$100,000, were all paid the full eligible amount of their loss. 60% of approved claims involved unearned and unrefunded fees, and 45% arose out of criminal and family law matters.

Sixty claims were denied because the claim was for a loss ineligible under the Program, such as one resulting in the lawyer's professional negligence, or were closed after the lawyer made a fee refund.

The number of claims filed and the amounts paid out in the last five years were lower than those of other recent years, when the Program received a large volume of claims involving large dollar misappropriations of client funds. The average amount paid per year from 2015 to 2023 was \$1,617,000. See Charts 27A and B, Appendix.

Commission Rules 501 through 512 govern the administration of the Program. More information about the Client Protection Program is available online on the ARDC website at <https://www.iardc.org/Lawyer/ClientProtectionProgram>.

# 2023 Developments



## Amendments to the Rules Regulating the Legal Profession

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### 2024 Rule Changes

**Supreme Court Rule 794 Continuing Legal Education Requirement.** Paragraph (d) was amended on January 31, 2024, effective February 1, 2024, to expand the six-hour professional responsibility MCLE requirement to include sexual harassment prevention as an additional option of professional responsibility credit.

**Supreme Court Rule 796 Enforcement of MCLE Requirements.** Paragraph (h) was amended on January 31, 2024, effective February 1, 2024, to cap certain reinstatement fees for attorneys removed from the master roll due to MCLE noncompliance in more than three MCLE reporting periods. Reinstatement fees are now capped at the reinstatement fees assessed for the three most recent reporting periods for which the attorney was removed.

**Supreme Court Rules 753 Inquiry, Hearing and Review Boards, 759 Restoration to Active Status, and 763 Reciprocal Discipline and Disability Inactive Status.** Amended on March 29, 2024, effective April 1, 2024, these changes relate to lawyers disciplined or transferred to disability inactive status in another jurisdiction.

**Illinois Rule of Professional Conduct Rule 8.3 Reporting Professional Misconduct and Transfer to Disability Inactive Status.** Paragraph (d) was amended on March 29, 2024, effective April 1, 2024, to require a lawyer disciplined (including resignation in lieu of discipline or the equivalent) or transferred to disability inactive status as a result of an action brought before any body other than the ARDC to report that fact to the ARDC.

### 2023 Rule Changes

These rule changes were previously reported in the 2022 ARDC Annual Report.

#### Illinois Code of Judicial Conduct 2023

The Illinois Supreme Court adopted a new Illinois Code of Judicial Conduct on July 1, 2022, which became effective on January 1, 2023. The new Code is based on the current American Bar Association (ABA) Model Code of Judicial Conduct. Thirty-seven states base their judicial conduct codes on the current ABA Model Code. Among the significant changes are a new Declaration of Economic Interests and updated guidance regarding how the ethics rules apply to the use of Facebook, Twitter, and other social media. The prior Code had largely been in place since 1993. The ARDC webcast, *Illinois Code of Judicial Conduct of 2023: A New Era*, available

on the ARDC website, provides an overview of the new Illinois Code of Judicial Conduct, including highlights of the new Code.

### **Illinois Rules of Professional Conduct**

Rules of Professional Conduct 1.5 Fees and 1.15 Safekeeping Property were amended on March 1, 2023, effective July 1, 2023. The Court adopted some significant amendments to the fees rule (Rule 1.5) and the rule governing funds or property held in trust (Rule 1.15). The amendments were the result of a working group of ARDC staff and the Lawyers Trust Fund of Illinois who made recommendations to the Court to clarify some of the requirements in these rules and update the rules to keep up with advances in technology. The ARDC has several resources on the ARDC website to educate the Illinois bar on these changes, including the webcast *New IRPC 1.5 & 1.15 2023 Amendments: What Illinois Lawyers Should Know*.

### **ARDC Commission Policy Changes**

*Amended Commission Policy Prohibiting Board Members from Providing Expert or Opinion Testimony*, prohibits all ARDC Board members and counsel from providing expert or opinion testimony, other than character testimony, in any judicial or alternative dispute resolution proceeding with respect to the appropriate standard of conduct expected of an attorney in representing a client.

*Amended Commission Policy on the Appointment of Special Counsel*, provides for the appointment by the Commission of three lawyers, who report directly to the Commission, to serve as special counsel with the authority to investigate and prosecute allegations brought against attorneys associated with the ARDC, including the Administrator, Counsel for the Administrator, Adjudication Counsel, Commissioners and members of ARDC boards.

*Recusal By Administrator's Counsel During Investigations and Related Proceedings*, which was amended in light of the adoption of the new Illinois Code of Judicial Conduct of 2023, took effect on January 1, 2023. The Administrator and his or her staff are required to abide by and be guided by the Commission policy on recusal and disqualification of board members and by the disqualification factors listed in Rule 2.11 of the Illinois Code of Judicial Conduct of 2023 (formerly Supreme Court Rule 63(C)(1)(c-e)).

All Commission and Board policies can be found on the ARDC website at:  
<https://www.iardc.org/Home/CommissionAndBoardPolicies>



## Commission Board Changes

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### ARDC Review Board

#### **J. Timothy Eaton Appointment as Chairperson**



Effective January 1, 2024, current Review Board member, J. Timothy Eaton, was appointed Chairperson of the Review Board. He is a partner in the Chicago office of Taft, Stettinuis & Hollister. Mr. Eaton was first appointed to the Review Board in 2016. Mr. Eaton is a past president of the Chicago Bar Association, Illinois State Bar Association and Appellate Lawyers Association. His term expires on December 31, 2025. Mr. Eaton replaces R. Michael Henderson, who served as Chairperson until his term on the Review Board expired on December 31, 2023.

#### **Esther J. Seitz Appointment as Vice-Chairperson**



Esther J. Seitz was appointed as Vice-Chairperson of the Review Board effective Jan. 1, 2024, for a term expiring Dec. 31, 2025. Ms. Seitz is a partner in the Springfield office of Hinshaw & Culbertson, LLP. She has been a member of the Review Board since 2020 and previously served on the Hearing Board from 2018 to 2019. She replaces J. Timothy Eaton, Vice-Chairperson upon his appointment as Review Board Chairperson.

#### **David W. Neal Appointment as Lawyer-Member**



David W. Neal was appointed by the Court to serve as a member of the Review Board, effective January 1, 2024, for a term expiring on December 31, 2026. Mr. Neal is the Pretrial Fairness Act Division Legal Chief for the State's Attorneys Appellate Prosecutor. He is a Past-President of the Illinois State's Attorneys Association and received a bachelor's degree in business administration from Lewis University and his law degree from Northern Illinois University School of Law. Mr. Neal replaces Review Board member R. Michael Henderson, whose term expired on December 31, 2023.

## **Pamela E. Hill Veal Appointment as Lawyer-Member**



Judge Pamela Hill Veal (Ret.) was appointed by the Court to serve as a member of the Review Board, effective January 1, 2024, and expiring on December 31, 2026. She retired from the bench in 2012, having served as a judge since 2004, most recently in the Municipal Division of the Circuit Court of Cook County. Prior to joining the judiciary, Judge Veal was a sole practitioner and had served on the Inquiry Board from 1991 to 2004. She received a bachelor's degree from Western Illinois University and her law degree from DePaul University School of Law. Judge Veal replaces Review Board member Charles E. Pinkston, Jr., whose term expired on December 31, 2023.

## **Opportunities for Service on ARDC Boards**

The ARDC relies on lawyer and nonlawyer volunteers appointed by its seven-member Commission to serve on the ARDC's Hearing Board, Inquiry Board, Oversight Committee, and Client Protection Program Review Panel.

Information about service on an ARDC board or panel and how to apply can be found on the ARDC website at [Volunteer Opportunities](#).

## ARDC Organization Initiative

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### ARDC Chicago Office Lease Modification and Office Renovations

In response to reduced caseload and staffing requirements, the ARDC initiated an exploration in 2019 to potentially downsize its Chicago office and reduce associated costs. By 2020, negotiations with the Chicago landlord at One Prudential Plaza were underway to modify the existing lease. The outcome was a significant 40% reduction in office space, effective from August 1, 2022. This downsizing resulted in a cumulative rental expense reduction of \$3.5 million over the remaining five years of the lease. Additionally, the lease was extended by three years until 2030.



As part of the renegotiation, the ARDC secured a tenant improvement allowance exceeding \$1 million. These funds were allocated to a renovation project aimed at enhancing security, modernizing the office layout with open and collaborative work areas, and upgrading technological systems. These improvements better support both in-person and remote work, as well as ARDC proceedings and programs.



The Chicago office renovation was successfully completed in early 2023. The modernized space, along with the technological upgrades, contributes to improved employee engagement and performance in the hybrid work environment. Furthermore, it aids in talent attraction and retention, ultimately enhancing the overall effectiveness of the agency.

The ARDC's Springfield office in early 2024 completed a technology upgrade to facilitate remote proceedings as well as acquired new furniture in the offices and common areas and a new security desk in the entrance area.



## 50<sup>th</sup> Anniversary Recognition Receptions

On June 7, 2023, ARDC hosted a 50<sup>th</sup> anniversary reception for present and former ARDC Board members and volunteers, Respondent’s counsel, and bar association members to mark the reopening of the ARDC Chicago office.

### ARDC Open House - Chicago



L. to R.: Mary Robinson, former ARDC Administrator (1992-2007), James Grogan, former ARDC Deputy Administrator & Chief Counsel (1980-2019), Jerome Larkin, ARDC Administrator (2007-2023), and John O’Malley, former ARDC Administrator (1988-1991).

L. to R.: Jerome Larkin, Justice Lisa Holder-White, Justice David K. Overstreet (ARDC Court Liaison), and ARDC Commissioner Chairperson Tim Bertschy.



On September 14, 2023, the ARDC hosted a 50<sup>th</sup> Anniversary appreciation luncheon for its staff. This offered an opportunity to introduce staff to the incoming Administrator.

### ARDC Staff Appreciation Luncheon



On October 19, 2023, the ARDC held its annual Board member seminar and reception. This year's reception included the swearing in of new Administrator Lea S. Gutierrez by Supreme Court Justice David K. Overstreet.

### ARDC Board Seminar and Swearing-In Ceremony



## Bar Admission Ceremony

Throughout the years, the ARDC has provided administrative assistance, in collaboration with the Administrative Office of the Illinois Courts, for the induction of new Illinois bar admittees. During the pandemic shutdown, the ARDC took on the added responsibility of providing technological support to facilitate the administration of the oath via live video during virtual admission ceremonies held between May 2020 and May 2023. Even after the resumption of in-person admission ceremonies in November 2023, the ARDC continued to provide administrative support for the two First District ceremonies which were held at UIC Forum in Chicago.

### First Judicial District Admissions Ceremony, November 9, 2023



# 2023 Financial Report



The ARDC recently engaged the services of Legacy Professionals LLP to conduct an independent financial audit as required by Illinois Supreme Court Rule 751(e)(6). The audited financial statements for the year ended December 31, 2023, including comparative data from the 2022 audited statements are attached. In addition, a five-year summary of revenues and expenditures as reported in the audited statements appears after the text in this section.

The ARDC generates most of its revenues from the registration fees paid by active and inactive Illinois attorneys pursuant to Supreme Court Rule 756. The largest revenue component is ARDC's share of the \$385 full fee paid by active attorneys admitted to the Illinois bar for more than three years ("\$385 full fee"). ARDC's share of the \$385 full fee is currently \$210.

The Supreme Court reallocated \$10 from ARDC's share of the \$385 full fee to the Illinois Lawyers' Assistance Program effective July 1, 2021, and another \$10 to the Illinois Supreme Court Commission on Access to Justice as of the same date. Prior to this effective date, ARDC's share of the \$385 full fee was \$230.

The combined impact of these two fee reallocations is an ARDC revenue reduction of approximately \$1.5 million/year.

The number of fee-paying attorneys did not change materially from 2022 to 2023.

The last registration fee increase was a \$3 increase in the full fee was effective with the 2017 registration year, with the entire \$3 amount being allocated to the Illinois Lawyers' Assistance Program. Prior to this fee increase, the full fee was \$382.

The last increase in the overall registration fee structure was made effective with the 2015 registration year. This increase affected active attorneys, inactive attorneys and out of state attorneys subject to Rule 707.

The \$385 full fee is currently allocated as follows:

- ARDC - \$210;
- Lawyers Trust Fund of Illinois - \$95;
- Illinois Commission on Professionalism - \$25;
- Client Protection Program - \$25;
- Illinois Lawyers' Assistance Program - \$20;
- Illinois Commission on Access to Justice - \$10.

The fee paid to the ARDC by inactive attorneys, Rule 707 attorneys and active attorneys admitted to the Illinois bar between one and three years is currently \$121.

The Supreme Court amended Rule 756 effective October 24, 2022. This amendment eliminated the requirement for certain attorneys to pay prior year fees and/or penalties with no ceiling when returning to the master roll on either active or inactive status. It replaced these fees with a new \$25 per month reinstatement fee capped at \$600. The amendment also provided more detailed information about ARDC's fee waiver policy for attorneys that may be experiencing a financial hardship.

Since 2007, funding for Client Protection Program (Program) award payments comes from the \$25 allocation referenced above. During 2009, the ARDC determined that CPP expenses should also be paid from that separate Client Protection Fund instead of the ARDC Disciplinary Fund. For 2023 and 2022, the Client Protection Fund reimbursed the Disciplinary Fund \$378,058 and \$352,688 respectively for the administrative costs of the Program.

Effective August 1, 2022, ARDC reduced its leased square footage in Chicago by 40%, resulting in a projected cumulative savings of \$5.5 million over the term of its renegotiated lease.

In 2023, the Commission transferred \$360,345 to its Rule 756(a)(1) sibling entities per direction from the Supreme Court as a result of a revenue shortfall associated with the October 24, 2022, amendments to Rule 756 (Registration and Fees).



*of the Supreme Court of Illinois*



**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION  
OF THE SUPREME COURT OF ILLINOIS**

**FIVE YEAR SUMMARY OF OPERATIONS**

	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>
<b>REVENUE</b>					
Investment income (loss) - net	\$ 2,639,293	\$ (629,597)	\$ 287,153	\$ 1,234,207	\$ 1,508,366
Registration and program fees	19,982,761	20,354,610	21,781,609	21,716,237	21,945,876
Cost reimbursements collected	42,558	59,094	36,852	40,547	34,542
Client Protection Program expense reimbursement	378,058	352,688	367,778	341,150	304,543
Transfer from Registration and Discipline	53,952	-	-	-	-
Client Protection Program reimbursements	6,569	627,730	10,864	53,621	37,157
Total revenue	<u>23,103,191</u>	<u>20,764,525</u>	<u>22,116,478</u>	<u>23,044,612</u>	<u>23,830,484</u>
<b>EXPENSES</b>					
Salaries and related expenses	12,387,753	11,461,985	11,759,924	11,942,876	11,649,421
Travel	169,280	171,033	89,551	72,515	152,301
Continuing education	210,752	148,620	87,080	137,014	235,971
General expenses and office support	1,453,970	3,340,040	3,135,976	2,652,280	2,393,115
Computer	1,234,972	1,032,813	985,325	1,225,495	658,217
Other professional and case-related expenses	712,269	580,206	536,845	512,827	545,027
Client Protection Program direct expenses	943,190	1,458,312	1,083,830	1,437,706	1,698,690
Transfers to sibling entities	360,345	-	-	-	-
Depreciation and amortization	333,722	404,261	267,012	215,045	218,542
Total expenses	<u>17,806,253</u>	<u>18,597,270</u>	<u>17,577,765</u>	<u>17,854,608</u>	<u>17,551,284</u>
<b>CHANGE IN NET ASSETS</b>	5,296,938	2,167,255	4,538,713	5,190,004	6,279,200
<b>NET ASSETS WITHOUT MEMBER RESTRICTIONS</b>					
Beginning of year	<u>56,267,088</u>	<u>54,099,833</u>	<u>49,561,120</u>	<u>44,371,116</u>	<u>38,091,916</u>
End of year	<u>\$ 61,564,026</u>	<u>\$ 56,267,088</u>	<u>\$ 54,099,833</u>	<u>\$ 49,561,120</u>	<u>\$ 44,371,116</u>
<b>OTHER INFORMATION AT YEAR END</b>					
Number of active and registered attorneys	97,064	96,952	96,689	96,114	95,687
Registration fees					
More than one year and less than three years	\$ 121	\$ 121	\$ 121	\$ 121	\$ 121
More than three years	\$ 210	\$ 210	\$ 230/210 *	\$ 230	\$ 230
Inactive/out of state	\$ 121	\$ 121	\$ 121	\$ 121	\$ 121

\* See Note 1 to the financial statements



# Appendix – 2023 Statistical Charts

# REGISTRATION

Registration data for 2023 is based on the 2023 registration year which ended on August 31, 2023.

**Chart 1**

**Registration Categories for 2023**

<i>Category</i>	<i>Number of Attorneys</i>
Admitted between January 1, 2022, and October 31, 2023 .....	2,770
Admitted between January 1, 2020, and December 31, 2021.....	4,217
Admitted before January 1, 2020.....	72,329
Serving active military duty.....	311
Spouse of active military attorney under Rule 719.....	1
Serving as judge or judicial clerk .....	1,802
In-House Counsel under Rule 716.....	537
Foreign Legal Consultant under Rule 713 .....	11
Legal Service Program Counsel under Rule 717 .....	18
<i>Pro Bono</i> Authorization under Rule 756(k).....	183
<i>Pro Hac Vice</i> under Rule 707 .....	2,174
Inactive status .....	<u>12,087</u>
<b>Total Active and Inactive Attorneys Currently Registered .....</b>	<b>96,440</b>

**Chart 1A**

**Gender, Age and Years in Practice (2019-2023)**

	MALE	FEMALE	NON-BINARY
2019	61.3%	38.7%	0.02%
2020	60.7%	39.3%	0.06%
2021	60.3%	39.7%	0.07%
2022	59.9%	40.0%	0.09%
2023	59.5%	40.4%	0.12%

AGE	21-29 YRS.	30-39 YRS.	40-49 YRS.	50-59 YRS.	60-69 YRS.	70-79 YRS.	80-89 YRS.	90+ YRS.
2019	3.6%	30-49* 49.1%		50-74* 44.1%		75+* 3.2%		
2020	3.4%	23.9%	24.5%	22.2%	17.5%	7.3%	1.1%	0.1%
2021	3.5%	23.0%	24.9%	22.3%	17.4%	7.7%	1.1%	0.1%
2022	3.5%	22.0%	25.5%	22.2%	17.2%	8.2%	1.3%	0.1%
2023	3.6%	21.3%	26.0%	22.0%	17.2%	8.3%	1.5%	0.1%

\* age range demographic used in 2019 and prior.

YRS. IN PRACTICE	<5 YRS.	5-10 YRS.	11-20 YRS.	21-30 YRS.	31-40 YRS.	41-50 YRS.	51+ YRS.
2019	10.0%	14.8%	26.7%	21.4%	30+** 27.1%		
2020	9.9%	16.4%	26.4%	20.8%	16.2%	8.5%	1.8%
2021	9.9%	16.4%	26.4%	20.8%	16.2%	8.5%	1.8%
2022	9.8%	15.8%	26.6%	20.7%	16.3%	8.9%	1.9%
2023	10.2%	14.9%	26.9%	20.5%	16.4%	9.1%	2.0%

\*\* years in practice demographic used in 2019 and prior.

**Chart 1B**

**Lawyers By Gender and Years in Practice (2023)**

YEARS IN PRACTICE	% FEMALE BY YRS. IN PRACTICE		% MALE BY YRS. IN PRACTICE		% NON-BINARY BY YRS. IN PRACTICE		% MORE MALE THAN FEMALE BY YRS. IN PRACTICE
	2023	TOTAL	2023	TOTAL	2023	TOTAL	
Less than 5 years	50.8%	4,754	49.2%	4,611	0.50%	40	-1.6%
Between 5 and 10 years	46.6%	6,518	53.4%	7,473	0.20%	31	6.8%
Between 11 and 20 years	46.9%	11,858	53.1%	13,450	0.10%	30	6.2%
Between 21 and 30 years	42.7%	8,240	57.3%	11,067	0.03%	5	14.6%
Between 31 and 40 years	34.1%	5,274	65.9%	10,198	0.03%	5	31.8%
Between 41 and 50 years	18.5%	1,578	81.5%	6,963	0.01%	1	63.0%
51+ years	3.1%	59	96.9%	1,839	0.00%	0	93.8%

### Chart 1C

#### Principal Business Location: In-State vs. Out-of-State Lawyers 2003-2023

Year	Out-of-State Lawyers		In-State Illinois Lawyers		Total # of Registered Lawyers
2023	30,925	32.1%	65,515	67.9%	96,440
2022	29,872	31.2%	65,839	68.8%	95,711
2021	28,964	30.3%	66,516	69.7%	95,480
2020	29,184	30.7%	65,723	69.3%	94,907
2019	29,555	31.2%	65,107	68.8%	94,662
2018	29,929	31.6%	64,679	68.4%	94,608
2017	30,603	32.2%	64,175	67.8%	94,778
2016	30,315	32.0%	64,295	68.0%	94,610
2015	29,379	31.2%	64,749	68.8%	94,128
2014	28,317	30.5%	64,439	69.5%	92,756
2013	26,373	29.0%	64,710	71.0%	91,083
2012	24,095	27.0%	65,235	73.0%	89,330
2011	23,667	26.9%	64,276	73.1%	87,943
2010	23,019	26.6%	63,638	73.4%	86,657
2009	22,303	26.3%	62,474	73.7%	84,777
2008	21,466	25.6%	62,442	74.4%	83,908
2007	20,914	25.4%	61,466	74.6%	82,380
2006	20,776	25.6%	60,370	74.4%	81,146
2005	18,911	23.6%	61,130	76.4%	80,041
2004	18,274	23.4%	59,827	76.6%	78,101
2003	17,860	23.3%	58,811	76.7%	76,671

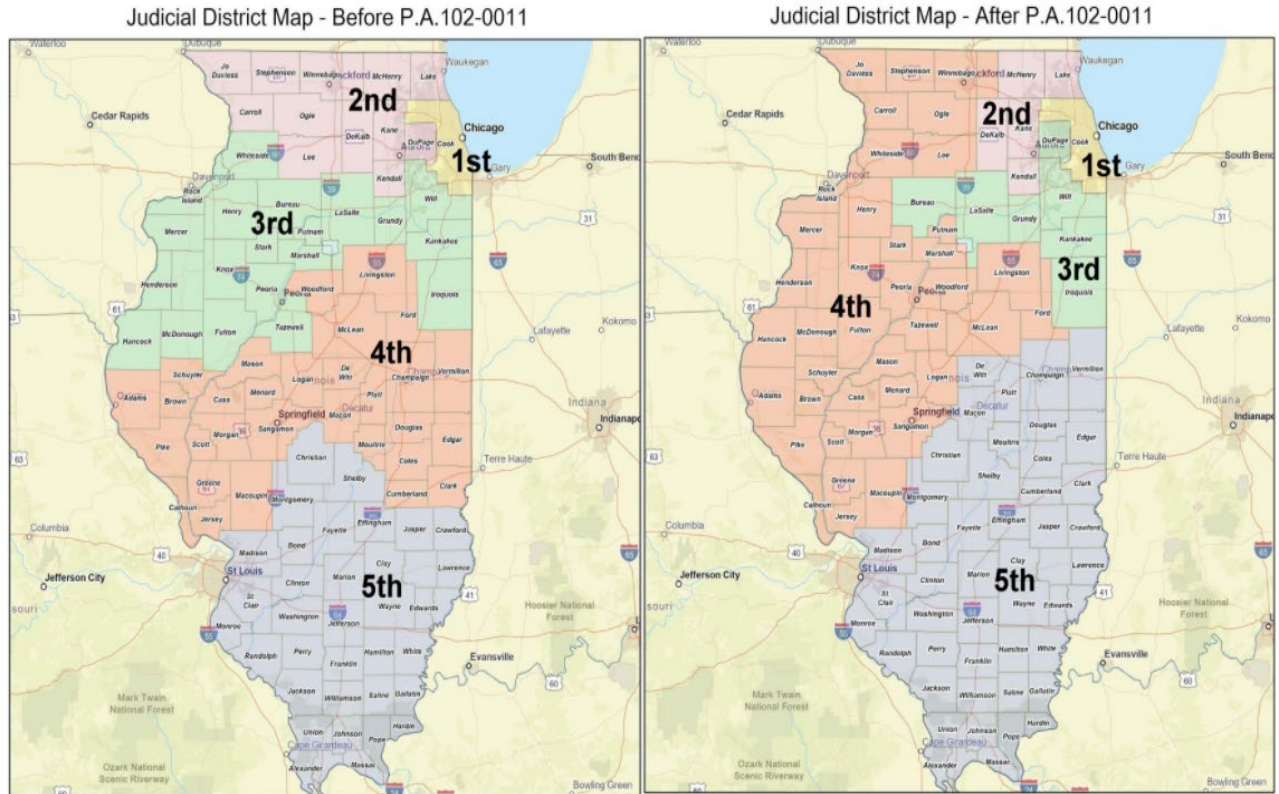
## Chart 2A

### Registered Active and Inactive Attorneys by Judicial Districts: Five-Year Trend 2019-2023

	2019	2020	2021	2022	2023		2019	2020	2021	2022	2023
<b>First District</b>											
Cook County .....	46,345	46,951	47,210	46,812	46,733						
<b>Second District</b>						<b>Fourth District</b>					
15 <sup>th</sup> Circuit .....	189	191	189	187	179	5 <sup>th</sup> Circuit.....	225	220	217	197	190
16 <sup>th</sup> Circuit .....	1,139	1,135	1,158	1,154	1,131	6 <sup>th</sup> Circuit.....	821	802	810	799	764
17 <sup>th</sup> Circuit .....	763	768	791	761	725	7 <sup>th</sup> Circuit.....	1,249	1,245	1,266	1,212	1,201
18 <sup>th</sup> Circuit .....	4,312	4,331	4,505	4,482	4,513	8 <sup>th</sup> Circuit.....	176	172	180	174	173
19 <sup>th</sup> Circuit .....	3,023	3,032	3,186	3,157	3,127	11 <sup>th</sup> Circuit.....	646	648	668	661	650
22 <sup>nd</sup> Circuit .....	568	562	572	571	562	<b>Total</b>	<b>3,117</b>	<b>3,087</b>	<b>3,141</b>	<b>3,043</b>	<b>2,978</b>
23 <sup>rd</sup> Circuit+ .....	268	270	275	261	270						
<b>Total</b>	<b>10,262</b>	<b>10,289</b>	<b>10,676</b>	<b>10,573</b>	<b>10,507</b>						
+circuit eff. 12/3/12											
<b>Third District</b>						<b>Fifth District</b>					
9 <sup>th</sup> Circuit.....	159	159	159	153	155	1 <sup>st</sup> Circuit.....	439	442	441	423	411
10 <sup>th</sup> Circuit.....	858	856	845	815	790	2 <sup>nd</sup> Circuit.....	274	277	288	285	277
12 <sup>th</sup> Circuit.....	981	996	1,074	1,089	1,063	3 <sup>rd</sup> Circuit.....	739	737	748	729	726
13 <sup>th</sup> Circuit.....	306	305	306	310	300	4 <sup>th</sup> Circuit.....	236	240	243	238	231
14 <sup>th</sup> Circuit.....	460	454	466	452	448	20 <sup>th</sup> Circuit.....	799	800	778	784	767
21 <sup>st</sup> Circuit.....	132	130	138	133	129	<b>Total</b>	<b>2,487</b>	<b>2,496</b>	<b>2,498</b>	<b>2,459</b>	<b>2,412</b>
<b>Total</b>	<b>2,896</b>	<b>2,900</b>	<b>2,988</b>	<b>2,952</b>	<b>2,885</b>						
						<b>Grand Total</b>	<b>65,107</b>	<b>65,723</b>	<b>66,516</b>	<b>65,839</b>	<b>65,515</b>

## Chart 2B

### Judicial District Map (eff. Jan. 1, 2022)



Illinois Courts, <https://www.illinoiscourts.gov/Public/Illinois-Judicial-Redistricting/> / Illinois Courts

Old Illinois judicial map boundaries (L), new judicial map boundaries (R)

#### 2022 Map, eff. Jan. 1, 2022

1st District – contains only Cook County and not included in the judicial redistricting process.

2nd District – DeKalb, Kendall, Kane, Lake and McHenry counties. It was previously made up of 13 counties, spanning Lake Michigan to the Mississippi River, including DuPage County.

3rd District – DuPage, Bureau, LaSalle, Grundy, Iroquois, Kankakee and Will counties. It previously included 21 counties, covering Kankakee County to the Metro East.

4th District – Peoria County, the Quad City region, for total of 22 counties in western Illinois along the Mississippi River and up to the Wisconsin border from Jerseyville to Rockford.

5th District – gained 11 of the counties that were previously in the 4th District and stretches from Cairo to Champaign, a distance of close to 250 miles.

Chart 3

Registered Active and Inactive Attorneys by County: 2022 vs. 2023

Increase ■ Decrease ■

Principal Office	2022	2023	Principal Office	2022	2023	Principal Office	2022	2023
Adams	108	110	Hardin	2	2	Morgan	41	39
Alexander	5	5	Henderson	7	7	Moultrie	10	9
Bond	12	11	Henry	41	45	Ogle	46	48
Boone	51	53	Iroquois	21	20	Peoria	664	638
Brown	10	10	Jackson	180	173	Perry	22	23
Bureau	33	32	Jasper	8	8	Piatt	26	25
Calhoun	5	4	Jefferson	118	113	Pike	11	11
Carroll	12	12	Jersey	17	19	Pope	4	5
Cass	8	7	Jo Daviess	41	40	Pulaski	4	4
Champaign	529	518	Johnson	9	9	Putnam	12	10
Christian	36	35	Kane	1,152	1,131	Randolph	25	26
Clark	14	14	Kankakee	112	109	Richland	19	20
Clay	11	12	Kendall	101	110	Rock Island	324	319
Clinton	21	21	Knox	49	49	Saline	41	38
Coles	72	71	Lake	3,157	3,127	Sangamon	1,105	1,094
Cook	46,812	46,733	LaSalle	206	203	Schuyler	10	9
Crawford	18	18	Lawrence	13	13	Scott	6	6
Cumberland	9	9	Lee	38	34	Shelby	17	17
DeKalb	161	160	Livingston	38	37	St. Clair	677	658
DeWitt	15	15	Logan	25	24	Stark	7	7
Douglas	20	17	Macon	200	180	Stephenson	50	45
DuPage	4,485	4,513	Macoupin	29	27	Tazewell	122	127
Edgar	18	18	Madison	717	715	Union	25	21
Edwards	4	4	Marion	42	38	Vermilion	84	78
Effingham	56	58	Marshall	8	8	Wabash	14	16
Fayette	23	19	Mason	10	10	Warren	18	17
Ford	13	12	Massac	14	14	Washington	17	14
Franklin	55	54	McDonough	36	36	Wayne	11	9
Fulton	29	29	McHenry	570	562	White	13	11
Gallatin	8	8	McLean	559	550	Whiteside	81	78
Greene	15	16	Menard	12	12	Will	1,089	1,063
Grundy	72	65	Mercer	6	6	Williamson	141	142
Hamilton	10	9	Monroe	43	46	Winnebago	711	672
Hancock	14	17	Montgomery	24	23	Woodford	26	27
							<b>65,839</b>	<b>65,515</b>



**Chart 3A**

**Illinois Counties Ranked Least to Most Private Practice Lawyers Per 1,000 Residents**  
 Lawyer population as of June 1, 2023

Least to Most Private Practice Lawyer Population Per 1,000 Residents	County	Total County Population	Total Active Status Lawyers in County	Total Active Status and Actively Practicing Lawyers in County	Total Lawyers in Private Practice in County	# of Private Practice Lawyers Per 1,000 Residents in County
1.	Moultrie <sup>18</sup>	14,526	8	6	0	0.00
2.	Cass	13,042	6	6	2	0.15
3.	Edwards	6,245	4	4	1	0.16
4.	Mercer	15,699	6	6	3	0.19
5.	Marshall	11,742	8	4	3	0.26
6.	Pope	3,763	5	3	1	0.27
7.	Logan	27,987	24	16	8	0.29
8.	Clinton	36,899	21	19	12	0.33
9.	Shelby	20,990	13	9	7	0.33
10.	Wayne	16,179	9	8	6	0.37
11.	Carroll	15,702	11	8	6	0.38
12.	Clay	13,288	12	10	5	0.38
13.	Johnson	13,308	9	9	5	0.38
14.	Mason	13,086	10	8	5	0.38
15.	Montgomery	28,288	22	16	11	0.39
16.	Pulaski	5,193	4	3	2	0.39
17.	Douglas	19,740	17	15	8	0.41
18.	Union	17,244	20	17	7	0.41
19.	Macoupin	44,967	28	24	19	0.42
20.	Woodford	38,467	27	20	16	0.42
21.	Calhoun	4,437	4	3	2	0.45
22.	Kendall	131,869	112	87	60	0.45
23.	Pike	14,739	11	10	7	0.47
24.	Bond	16,725	11	11	8	0.48
25.	Fulton	33,609	29	25	16	0.48
26.	Iroquois	27,077	20	19	13	0.48
27.	Boone	53,448	52	42	26	0.49
28.	Cumberland	10,450	9	7	5	0.49
29.	Tazewell	131,343	124	102	65	0.49
30.	Lee	34,145	35	25	17	0.50
31.	White	13,877	12	10	7	0.504

<sup>18</sup> Of the eight lawyers on Active status in Moultrie County, six were engaged in the practice of law and of those, five lawyers identified “government” and one lawyer identified “corporate” as their predominant practice setting.

Least to Most Private Practice Lawyer Population Per 1,000 Residents	County	Total County Population	Total Active Status Lawyers in County	Total Active Status and Actively Practicing Lawyers in County	Total Lawyers in Private Practice in County	# of Private Practice Lawyers Per 1,000 Residents in County
32.	Jersey	21,512	18	17	11	0.51
33.	Kankakee	107,502	104	92	55	0.51
34.	Clark	15,455	14	12	8	0.52
35.	Ford	13,534	13	10	7	0.52
36.	Randolph	30,163	25	21	16	0.53
37.	Jasper	9,287	8	7	5	0.54
38.	Knox	49,967	50	43	27	0.54
39.	Hardin	3,649	2	2	2	0.55
40.	McDonough	27,238	36	30	15	0.55
41.	Fayette	21,488	20	18	12	0.56
42.	Alexander	5,240	5	4	3	0.57
43.	Menard	12,297	12	9	7	0.57
44.	Ogle	51,788	48	44	30	0.58
45.	Christian	34,032	35	28	20	0.59
46.	Henry	49,284	44	36	29	0.59
47.	Lawrence	15,280	13	12	9	0.59
48.	Scott	4,949	6	4	3	0.61
49.	Hancock	17,620	17	15	11	0.62
50.	Vermilion	74,188	80	67	46	0.62
51.	Wabash	11,361	16	12	7	0.62
52.	Bureau	33,244	33	29	21	0.63
53.	Hamilton	7,993	9	7	5	0.63
54.	Henderson	6,387	7	5	4	0.63
55.	Crawford	18,679	18	15	12	0.64
56.	Perry	20,945	23	21	14	0.67
57.	Stephenson	44,630	47	41	30	0.67
58.	Dewitt	15,516	15	12	11	0.71
59.	Edgar	16,866	18	16	12	0.71
60.	Massac	14,169	14	13	10	0.71
61.	Grundy	52,533	65	54	38	0.72
62.	Schuyler	6,902	9	8	5	0.72
63.	Washington	13,761	16	13	10	0.73
64.	Franklin	37,804	53	41	28	0.74
65.	Dekalb	100,420	158	126	76	0.76
66.	Richland	15,813	20	17	12	0.76
67.	Warren	16,835	17	16	13	0.77
68.	Livingston	35,815	37	33	28	0.78

Least to Most Private Practice Lawyer Population Per 1,000 Residents	County	Total County Population	Total Active Status Lawyers in County	Total Active Status and Actively Practicing Lawyers in County	Total Lawyers in Private Practice in County	# of Private Practice Lawyers Per 1,000 Residents in County
69.	Brown	6,244	10	9	5	0.8
70.	Marion	37,729	40	34	30	0.80
71.	Morgan	32,915	39	36	27	0.82
72.	Saline	23,768	38	31	20	0.84
73.	Effingham	34,668	55	47	30	0.87
74.	Will	696,355	1,068	877	608	0.87
75.	Coles	46,863	72	66	43	0.92
76.	Stark	5,400	7	6	5	0.93
77.	Whiteside	55,691	76	68	52	0.93
78.	Monroe	34,962	44	37	34	0.97
79.	Adams	65,737	108	90	66	1.00
80.	Greene	11,985	17	14	12	1
81.	Jo Daviess	22,035	38	28	22	1.00
82.	Rock Island	144,672	320	264	149	1.03
83.	LaSalle	109,658	201	171	114	1.04
84.	Macon	103,998	177	150	110	1.06
85.	Putnam	5,637	10	10	6	1.06
86.	McLean	170,954	543	424	191	1.12
87.	Champaign	205,865	510	398	249	1.21
88.	Gallatin	4,946	8	7	6	1.21
89.	McHenry	310,229	561	479	382	1.23
90.	Piatt	16,673	25	24	21	1.26
91.	Williamson	67,153	142	118	86	1.28
92.	Kane	516,522	1,115	917	675	1.31
93.	Winnebago	285,350	668	564	396	1.39
94.	Jackson	52,974	178	150	80	1.51
95.	Jefferson	37,113	110	91	57	1.54
96.	St. Clair	257,400	662	566	405	1.57
97.	Sangamon	196,343	1,085	912	348	1.77
98.	Lake	714,342	3,084	2,287	1,330	1.86
99.	Madison	265,859	703	622	521	1.96
100.	Peoria	181,830	638	532	363	2.00
101.	DuPage	932,877	4,444	3,550	2,400	2.57
102.	Cook	5,275,541	46,398	39,197	27,294	5.17
		<b>12,812,508</b>	<b>65,002</b>	<b>54,278</b>	<b>37,142</b>	

**Chart 4**

**Attorney Removals from the Master Roll: 2013 – 2023 Registration Years**

<i>Reason for Removal</i>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Registration non-compliance	833	1,228	1,155	1,135	1,644	1,286	981	946	1,009	1,103	987
Deceased	277	348	475	288	223	287	238	237	245	240	277
Retired	815	833	1,334	1,354	1,262	1,458	1,331	1,419	1,369	1,753	1,609
Disciplined	74	68	57	52	52	61	62	46	47	36	36
MCLE General non-compliance	76	70	109	111	128	120	148	197	292	160	69
MCLE Basic Skills non-compliance	15	7	33	24	22	16	14	0	27	51	22
<b>Total</b>	<b>2,090</b>	<b>2,554</b>	<b>3,163</b>	<b>2,964</b>	<b>3,331</b>	<b>3,228</b>	<b>2,774</b>	<b>2,845</b>	<b>2,989</b>	<b>3,343</b>	<b>3,000</b>

**Chart 5**

**Pro Hac Vice Admission: 2019\*-2023**

	<i>Number of Lawyer Pro Hac Vice Submissions</i>	<i>Number of Lawyers Registered</i>	<i>Number of Proceedings</i>	<i>Total AJC Per-Proceeding Fees</i>	<i>Total ARDC Per-Proceeding Fees</i>
<b>2019</b>	977	1,780	1,221	\$215,433	\$92,325
<b>2020</b>	899	1,640	1,109	\$196,000	\$83,925
<b>2021</b>	1,172	2,065	1,489	\$259,666	\$111,012
<b>2022</b>	1,300	2,235	1,662	\$282,172	\$121,000
<b>2023</b>	1,288	2,514	1,580	\$274,976	\$118,349

\* Supreme Court Rule 707 permits an eligible out-of-state attorney to appear *pro hac vice* in an Illinois proceeding if the out-of-state lawyer meets certain licensure and other eligibility requirements, registers annually with the ARDC, and pays a one-time, nonrefundable \$250 per-proceeding fee and an annual \$121 registration fee. \$175 of this per-proceeding fee is remitted to the Illinois Supreme Court Commission on Access to Justice (AJC) and \$75 is retained by the ARDC. The chart above shows *pro hac vice* activity for 2019-2023, including the total AJC and ARDC per-proceeding fees collected.

**Chart 6A**

**2019-2023 Practice Setting: Active Status Lawyers and Currently Practicing Law**

Practice Setting	Practice Size % of Total Active Status and Currently Practicing				
	2019	2020	2021	2022	2023
Private Practice	67.8% 49,996	66.7% 48,798	66.1% 48,650	66.5% 49,108	66.0% 49,361
Corporate In-House	14.8% 10,901	15.4% 11,231	15.5% 11,379	15.5% 11,464	16.0% 12,011
Government/Judge	11.6% 8,607	12.1% 8,874	12.4% 9,164	11.9% 8,802	11.9% 8,923
Other	3.0% 2,220	3.0% 2,177	3.1% 2,271	3.2% 2,317	3.1% 2,305
Not-for-profit	2.2% 1,607	2.2% 1,628	2.3% 1,728	2.4% 1,737	2.4% 1,796
Academia	0.6% 456	0.6% 448	0.6% 434	0.6% 433	0.6% 428
<b>Total</b>	<b>73,787</b>	<b>73,156</b>	<b>73,626</b>	<b>73,861</b>	<b>74,824</b>

**Chart 6A-1**

**2019-2023 Practice Size: Active Status Lawyers, Currently Practicing Law and In Private Practice**

Practice Size of Lawyers in Private Practice	Practice Size % of Total Engaged in Private Practice				
	2019	2020	2021	2022	2023
Solo Firm	26.9% 13,443	27.4% 13,356	27.2% 13,244	25.8% 12,692	25.1% 12,395
Firm of 2-10 Attys.	26.0% 12,985	25.6% 12,513	25.4% 12,376	24.7% 12,129	24.2% 11,923
Firm of 11-25 Attys.	9.7% 4,848	9.4% 4,575	9.4% 4,555	9.4% 4,615	9.2% 4,537
Firm of 26-100 Attys.	11.5% 5,779	11.6% 5,662	11.7% 5,668	12.3% 6,025	12.5% 6,187
Firm of 100 + Attys.	25.9% 12,941	26.0% 12,692	26.3% 12,807	27.8% 13,647	29.0% 14,319
<b>Total</b>	<b>49,996</b>	<b>48,798</b>	<b>48,650</b>	<b>49,108</b>	<b>49,361</b>

Chart 6B-1

2022 vs. 2023 Practice Setting: Active Status Lawyers and Currently Practicing Law By Age

PRACTICE SETTING	21-29 YRS.		30-39 YRS.		40-49 YRS.		50-59 YRS.		60-69 YRS.		70-79 YRS.		80-89 YRS.		90+ YRS.	
	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023
Private Practice	4.3%	4.5%	22.6%	22.2%	22.2%	22.4%	20.3%	20.0%	18.2%	18.0%	10.6%	10.6%	1.8%	2.1%	0.1%	0.1%
Corporate In-House	1.4%	1.4%	22.5%	22.0%	34.0%	34.6%	27.0%	26.9%	13.0%	12.9%	2.0%	1.9%	0.1%	0.1%	0.03%	0.04%
Government/Judge	5.6%	5.4%	30.5%	28.9%	29.4%	30.1%	20.5%	21.0%	11.3%	11.9%	2.4%	2.5%	0.2%	0.2%	0.01%	0.01%
Other	4.2%	3.3%	26.5%	25.0%	25.5%	26.7%	19.8%	19.6%	16.6%	16.5%	6.3%	7.3%	1.2%	1.4%	0.04%	0.1%
Not-for-profit	6.6%	7.5%	31.7%	31.1%	25.6%	26.6%	16.5%	15.4%	13.0%	13.4%	5.9%	5.5%	0.5%	0.5%	0.1%	0.0%
Academia	0.7%	1.4%	10.9%	12.2%	26.6%	25.2%	24.9%	24.5%	25.4%	23.8%	9.7%	10.5%	1.9%	2.3%	0.0%	0.0%

Chart 6B-2

2022 vs. 2023 Practice Size: Active Status Lawyers, Currently Practicing Law and In Private Practice By Age

Increase ■ Decrease ■

PRACTICE SETTING	21-29 YRS.		30-39 YRS.		40-49 YRS.		50-59 YRS.		60-69 YRS.		70-79 YRS.		80-89 YRS.		90+ YRS.	
	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023
Solo Firm	0.3%	0.3%	7.4%	6.9%	16.0%	15.8%	21.7%	21.1%	28.6%	28.2%	22.0%	22.8%	3.8%	4.6%	0.2%	0.3%
Firm of 2-10 Attys.	3.9%	3.7%	20.61%	19.4%	23.9%	24.4%	21.4%	21.4%	18.1%	18.3%	10.3%	10.6%	1.8%	2.1%	0.1%	0.1%
Firm of 11-25 Attys.	5.8%	5.7%	26.6%	25.5%	24.0%	24.6%	19.7%	19.6%	15.3%	15.8%	7.3%	7.3%	1.2%	1.4%	0.1%	0.1%
Firm of 26-100 Attys.	5.2%	6.4%	29.7%	28.3%	25.0%	25.6%	20.3%	19.6%	13.2%	13.5%	5.5%	5.4%	1.0%	1.1%	0.1%	0.1%
Firm of 100 + Attys.	7.4%	7.8%	34.1%	34.2%	24.8%	24.5%	18.1%	18.0%	11.7%	11.6%	3.5%	3.4%	0.4%	0.5%	0.02%	0.01%

**Chart 7A**

**Succession Planning of Active Status Lawyers, Currently Practicing Law and In Private Practice (2019-2023)**

	<b>% Succession Planning Responses By Practice Size</b>														
	<b>Yes by Practice Size</b>					<b>No by Practice Size</b>					<b>Not Sure by Practice Size</b>				
	2019	2020	2021	2022	2023	2019	2020	2021	2022	2023	2019	2020	2021	2022	2023
<b>Solo Firm</b> 12,395	2,563 19.1%	2,657 19.9%	2,812 21.3%	2,784 21.9%	2,822 22.8%	10,104 75.1%	9,954 74.5%	9,647 72.8%	9,170 72.3%	8,848 71.4%	776 5.8%	745 5.6%	785 5.9%	738 5.8%	725 5.8%
<b>Firm of 2-10</b> 11,922	3,642 28.0%	3,565 28.5%	3,639 29.4%	3,713 30.6%	3,723 31.2%	4,725 36.4%	4,511 36.1%	4,354 35.2%	4,210 34.7%	4,074 34.2%	4,618 35.6%	4,437 35.4%	4,383 35.4%	4,206 34.7%	4,125 34.6%
<b>Firm of 11- 25</b> 4,537	1,510 31.1%	1,467 32.1%	33.0% 1,504	1,572 34.1%	1,545 34.1%	876 18.1%	810 17.7%	787 17.3%	745 16.1%	741 16.3%	2,462 50.8%	2,298 50.2%	2,264 49.7%	2,298 49.8%	2,251 49.6%
<b>Firm of 26-100</b> 6,187	2,311 40.0%	2,312 40.9%	2,360 41.6%	2,575 42.7%	2,588 41.8%	815 14.1%	850 15.0%	856 15.1%	843 14.0%	840 13.6%	2,653 45.9%	2,499 44.1%	2,452 43.3%	2,607 43.3%	2,759 44.6%
<b>Firm of 100 +</b> 14,319	7,751 59.9%	7,757 61.1%	7,890 61.6%	8,247 60.4%	8,577 59.9%	997 7.7%	979 7.7%	1,011 7.9%	1,062 7.8%	1,079 7.5%	4,193 32.4%	3,956 31.2%	3,906 30.5%	4,338 31.8%	4,663 32.6%
<b>Total</b>	<b>17,777</b> <b>35.6%</b>	<b>17,758</b> <b>36.4%</b>	<b>18,205</b> <b>37.4%</b>	<b>18,891</b> <b>38.5%</b>	<b>19,255</b> <b>39.0%</b>	<b>17,517</b> <b>35.0%</b>	<b>17,104</b> <b>35.0%</b>	<b>16,655</b> <b>34.2%</b>	<b>16,030</b> <b>32.6%</b>	<b>15,582</b> <b>31.6%</b>	<b>14,702</b> <b>29.4%</b>	<b>13,935</b> <b>28.6%</b>	<b>13,790</b> <b>28.4%</b>	<b>14,187</b> <b>28.9%</b>	<b>14,523</b> <b>29.4%</b>

**Chart 7B**

**Solo Practitioners, Active Status, Currently Practicing Law and In Private Practice with No Succession Planning and No Malpractice Insurance (2023)**

<b>% OF 3,683 TOTAL BY AGE</b>	
<b>21-29 YRS..</b>	9 0.2%
<b>30-39 YRS.</b>	196 5.4%
<b>40-49 YRS.</b>	461 12.5%
<b>50-59 YRS.</b>	671 18.2%
<b>60-69 YRS.</b>	1,083 29.4%
<b>70-79 YRS.</b>	1,039 28.2%
<b>80+ YRS.</b>	224 6.1%

**Chart 8A**

**2023 Trust Account Disclosure Reports**

<b>A. Lawyers with Trust Accounts: .....47,940</b>	
% with IOLTA trust accounts .....	82%
% with non-IOLTA trust accounts .....	18%
<b>B. Lawyers without Trust Accounts: .....48,500</b>	
Full-time employee of corporation or governmental agency (including courts) with no outside practice .....	
	25,214
Not engaged in the practice of law .....	
	12,843
Engaged in private practice of law (to any extent), but firm handles no client or third-party funds.....	
	8,003
Other explanation.....	
	2,440

**Chart 8B**

**2023 Trust Account Reports:  
Active Status Lawyers, Currently Practicing Law and in Private Practice**

Practice Size	“Yes” Trust Account Responses		“No” Trust Account Responses
	IOLTA Trust Account* * Lawyers may report multiple trust accounts but only one is counted.	Non-IOLTA Trust Account** ** Lawyers who reported maintaining only a non-IOLTA trust account.	
Solo Firm	8,132	366	3,897
Firm of 2-10 Attys.	10,364	412	1,147
Firm of 11-25 Attys.	4,001	194	342
Firm of 26-100 Attys.	5,448	324	415
Firm of 100 + Attys.	12,902	718	699
<b>Total</b>	<b>40,847</b>	<b>2,014</b>	<b>6,500</b>



**Chart 9A**

**Malpractice Disclosure Reports: 2019-2023**

Lawyer Malpractice Insurance	2019	2020	2021	2022	2023
Yes	51,940 55.0%	51,748 54.5%	52,030 54.5%	52,483 54.8%	52,906 54.9%
No	42,559 45.0%	43,159 45.5%	43,450 45.5%	43,228 45.2%	43,534 45.1%

**Chart 9B**

**Malpractice Disclosure Reports: 2019-2023  
Active Status Lawyers, Currently Practicing Law and in Private Practice**

Practice Size	% Malpractice Responses By Practice Size									
	Yes					No				
	2019	2020	2021	2022	2023	2018	2019	2020	2022	2023
Solo Firm	8,346 62.1%	8,138 60.9%	8,249 62.3%	7,979 62.9%	7,894 63.7%	5,097 37.9%	5,218 39.1%	4,995 37.7%	4,713 37.1%	4,501 36.3%
Firm of 2-10 Attys.	12,209 94.0%	11,730 93.8%	11,596 93.7%	11,411 94.1%	11,248 94.5%	776 6.0%	783 6.2%	780 6.3%	718 5.9%	659 5.5%
Firm of 11- 25 Attys.	4,750 98.0%	4,477 97.9%	4,451 97.7%	4,526 98.1%	4,435 97.8%	98 2.0%	98 2.2%	104 2.3%	89 1.9%	101 2.2%
Firm of 26-100 Attys.	5,643 97.6%	5,532 97.7%	5,515 97.3%	5,896 97.9%	6,045 97.7%	136 2.4%	130 2.4%	153 2.7%	129 2.1%	142 2.3%
Firm of 100 + Attys.	12,738 98.4%	12,463 98.2%	12,476 97.4%	13,384 98.1%	14,097 98.3%	203 1.6%	229 1.8%	331 2.6%	263 1.9%	239 1.7%
<b>Total</b>	<b>43,686 87.4%</b>	<b>42,340 86.7%</b>	<b>42,287 86.9%</b>	<b>43,196 88.0%</b>	<b>43,719 88.6%</b>	<b>6,310 12.6%</b>	<b>7,237 13.3%</b>	<b>6,364 13.1%</b>	<b>5,912 12.0%</b>	<b>5,642 11.4%</b>

# INVESTIGATIONS, PROSECUTIONS and SANCTIONS

**Chart 10**  
**Types of Investigations Docketed (2013-2023)**

Type of Investigation	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Disciplinary charge against Illinois lawyer	5,410	5,168	4,925	4,788	4,592	4,419	4,195	3,375	3,344	3,951	4,197
Overdraft notification of client trust account	336	357	283	241	265	321	282	194	204	185	169
Unauthorized Practice of Law	104	112	104	104	105	74	224	56	42	54	46
Monitoring disciplinary compliance	N/A	N/A	71	88	83	73	67	57	49	40	53
Disciplinary charge against out-of-state lawyer	67	65	44	44	48	53	52	138	167	39	46
Receivership	13	20	14	31	33	21	17	28	29	24	12
Reciprocal	12	22	13	32	21	44	30	24	19	13	14
Impairment	N/A	0	4	1	0	0	0	0	0	0	0
Conditional Admission monitoring	1	2	2	1	0	1	0	0	4	3	1
Investigation related to Petition for Reinstatement	N/A	N/A	N/A	2	0	1	0	3	0	1	0
<b>Total: New Docketed Investigations</b>	<b>5,943</b>	<b>5,746</b>	<b>5,460</b>	<b>5,332</b>	<b>5,147</b>	<b>5,007</b>	<b>4,867</b>	<b>3,875</b>	<b>3,858</b>	<b>4,309</b>	<b>4,538</b>
Reopened investigations	130	89	94	69	52	22	70	61	23	50	37
<b>TOTAL:</b>	<b>6,073</b>	<b>5,835</b>	<b>5,554</b>	<b>5,401</b>	<b>5,199</b>	<b>5,029</b>	<b>4,937</b>	<b>3,936</b>	<b>3,881</b>	<b>4,359</b>	<b>4,575</b>

### Chart 11

#### Demographics of Lawyers the Subject of Investigations Docketed in 2023

Total # of Attorneys: 3,250	
<i>Investigations per Attorney</i>	
1 .....	81.5%
2 .....	12.7%
3 .....	3.4%
4 or more.....	2.4%
<i>Gender</i>	
Female .....	28.8%
Male.....	71.1%
Non-Binary .....	0.1%
<i>Years in Practice</i>	
Fewer than 5 .....	4.9%
Between 5 and 10 .....	27.2%
Between 10 and 20 .....	20.5%
Between 20 and 30 .....	34.5%
30 or more .....	12.9%

### Chart 12

#### Investigations By Complainant Category in 2023

Complainant	# of Investigations	
Client/Former Client	2,466	53.3%
Opposing Party	1,013	21.9%
Other (e.g. witness, relative, acquaintance)	499	10.8%
Administrator	306	6.6%
Opposing Counsel	142	3.1%
Judge/Tribunal	46	1.0%
Lawyer self-report	30	0.65%
Anonymous	28	0.61%
Financial Institution	22	0.48%
Undeterminable	21	0.45%
Prosecutor/Law enforcement	18	0.39%
Lienholder	12	0.26%
Lawyer's law firm/employer	11	0.24%
Service provider/vendor	8	0.17%
Other disciplinary agency	4	0.09%
<b>Total</b>	<b>4,626*</b>	

\*Some investigations had more than one complainant.

## Chart 13

### Classification of Charges Docketed in 2023 by Allegations

<i>Type of Misconduct</i>	<i>Number*</i>	<i>Type of Misconduct.....</i>	<i>Number*</i>
Neglect (Rule 1.3).....	1,392	Failing to report misconduct of another lawyer or judge (Rule 8.3(a)-(b)).....	34
Failing to provide competent representation (Rule 1.1).....	672	Failing to properly withdraw from representation, including failing to return client files or documents (Rule 1.16(a), (b) and (c)).....	34
Failing to communicate with client, including failing to communicate the basis of a fee (Rule 1.4(a)(1)-(5) and (b), and 1.5(b)).....	525	Improper commercial speech (Rules 7.1-7.3).....	33
Excessive or improper fees, including failing to refund unearned fees (Rule 1.5 and 1.16(d)).....	514	Not abiding by a client’s decision concerning the representation or improperly limiting scope of representation (Rule 1.2(a), (c) and (e)).....	28
Improper management of client or third-party funds, including commingling, conversion, failing to promptly pay litigation costs or client creditors or issuing NSF checks (Rule 1.15).....	348	Failing to preserve client confidences or secrets (Rule 1.6(a) and 1.18(b)).....	27
Criminal conduct, assisting a client in a crime or fraud, and counseling illegal or fraudulent conduct (Rules 1.2(d) and 8.4(b)).....	192	Investigation relating to a charge of DUI.....	21
Filing frivolous or non-meritorious claims or pleadings (Rule 3.1).....	173	Improper communications with a represented person (Rule 4.2).....	19
Fraudulent or deceptive activity including misrepresentation to a tribunal, clients, and non-clients (Rules 3.3(a)(1)-(3), 3.4(a)-(c), 4.1(a), 8.4(c)).....	132	Threatening criminal prosecution or disciplinary proceedings to gain advantage in a civil matter (Rule 8.4(g)).....	18
Improper trial conduct, assertion of frivolous pleadings or false claims, using means to embarrass, delay or burden another or suppressing evidence where there is a duty to reveal (Rules 3.1, 3.2, 3.4(d)-(e), 3.5(a), 3.6, 3.7 and 4.4(a)-(b)).....	129	Failing to supervise subordinates (Rules 5.1 and 5.3).....	15
Conduct prejudicial to the administration of justice, including conduct that is the subject of a contempt finding or court sanction (Rule 8.4(d)).....	127	Failing to maintain appropriate attorney-client relationship with client with diminished capacity (Rule 1.14).....	9
Conflict of Interest:.....	75	Improper communication with an unrepresented person (Rule 4.3).....	6
Rule 1.7: Concurrent clients.....	41	Incapacity due to chemical addiction or mental condition (S.Ct. Rules 757-758).....	5
Rule 1.8(a): Improper business transaction with client.....	3	False statements in bar admission or disciplinary matter (Rule 8.1(a)-(b)).....	4
Rule 1.8(e): Improper financial assistance to client.....	1	Violation of anti-discrimination statute/ordinance (Rule 8.4(j)).....	4
Rule 1.8(h): Improper agreement to limit liability.....	1	Judicial candidate’s violation of Judicial Code (Rule 8.2(b)).....	3
Rule 1.8(j): Improper sexual relations with client.....	5	False statements about a judge, judicial candidate or public official (Rule 8.2(a)).....	2
Rule 1.9: Successive conflicts.....	13	Use of public office to obtain advantage in legislative matters (Rule 8.4(b)(1)).....	2
Rule 1.10(a): Imputed disqualification.....	1	Improper use of public office to obtain an advantage in legislative matter (Rule 8.4(b)(1)).....	2
Rule 1.13: Organizational client.....	1	Improper division of fees with a nonlawyer (Rule 5.4(a)).....	2
Rule 1.18: Representation adverse to prospective client.....	8	Improper practice after failure to register under Rule 756.....	1
Prosecutorial misconduct (Rule 3.8).....	57	No allegation of misconduct warranting investigation.....	694
Failure to comply with S.Ct.Rule 764 following discipline.....	55		
Practicing in a jurisdiction where not authorized (Rule 5.5).....	42		

\*Totals exceed the number investigations docketed in 2023 because in many more than one type of misconduct is alleged.

### Chart 14

#### Classification of Charges Docketed in 2023 by Area of Law\*

<i>Area of Law</i>	<i>Number</i>
Criminal/Quasi-Criminal .....	1,171
Domestic Relations.....	791
Tort (Personal Injury/Property Damage).....	465
Real Estate/Landlord-Tenant.....	363
Probate.....	357
Labor Relations/Workers' Comp.....	198
Contract .....	116
Immigration .....	90
Civil Rights.....	81
Debt Collection.....	72
Local Government Problems .....	69
Bankruptcy .....	64
Corporate Matters .....	52
Patent and Trademark.....	19
Tax.....	13
Social Security.....	4
Adoption .....	8
Mental Health .....	2

\* Does not include charges classified with no area of law indicated or alleged misconduct not arising out of a legal representation.

## Chart 15

### Investigations Concluded in 2023

#### Concluded by the Administrator:

Closed after initial review .....1,623  
(No misconduct alleged)

Closed after investigation .....2,480

Filed at Supreme Court pursuant to  
Supreme Court Rules 757,  
762(a), and 763 ..... 10

#### Concluded by the Inquiry Board:

Closed after panel review .....27

Complaint or impairment petition voted.....90

Closed upon completion of conditions  
of Rule 108 supervision ..... 16

**Total**.....4,246

**Chart 16**

**Timeliness of Investigations Concluded in 2023**

<b>1,623 Investigations Concluded After Initial Review in 2023</b>			
<i>Number of Days Pending Prior to Closure:</i>			
Fewer than 10 days	10 - 20 days	21 - 60 days	More than 60 days
1,321 (81.4%)	187 (11.5%)	85 (5.2%)	30 (1.9%)

<b>1,909 Investigations Concluded in 2023 by the Intake Staff After Investigation</b>			
<i>Number of Days Pending Prior to Closure:</i>			
Fewer than 90 days	Between 90 - 180 days	Between 180 - 365 days	More than 365 days
1,179 (61.8%)	414 (21.7%)	189 (9.9%)	127 (6.6%)

<b>571 Investigations Concluded in 2023 by the Litigation Staff After Investigation</b>			
<i>Number of Days Pending Prior to Closure:</i>			
Fewer than 90 days	Between 90 - 180 days	Between 180 - 365 days	More than 365 days
144 (25.2%)	95 (16.6%)	114 (20.0%)	218 (38.2%)

**Chart 17**

**Overdraft Trust Account Notification Investigations (2019-2023)**

<i>Overdraft Notification Investigations</i>	2019	2020	2021	2022	2023
Opened	282	194	204	185	169
Closed	266	161	212	196	167
Formal Complaints Filed	3	2	2	2	1

### Chart 18A

#### Rule 779 Unauthorized Practice of Law Investigations (2019-2023)

<i>Type</i>	2019	2020	2021	2022	2023
UPL by unlicensed person	69	44	29	24	30
UPL by unlicensed entity	14	5	8	10	9
UPL by out-of-state lawyer*	22	1	4	9	12
UPL by disbarred lawyer	9	4	1	7	6
UPL by suspended lawyer	3	0	0	1	3
<b>Total</b>	117	54	42	52	60

\* Beginning in 2020, investigations involving out-of-state lawyers for allegedly failing to pay Rule 707 *pro hac vice* fees are no longer classified as UPL investigations and are now counted with disciplinary investigations involving out-of-state lawyers in Chart 10.

### Chart 18B

#### Area of Law Involved in Rule 779(b) UPL Investigations in 2023 (Unlicensed Persons or Entities and Disbarred or Suspended Lawyers)

<i>Subject Area</i>	<i>Number of 779(b) Investigations*</i>	<i>Subject Area</i>	<i>Number of 779(b) Investigations*</i>
Real Estate .....	10 ..... 18%	Local Government .....	2 ..... 4%
Probate .....	8 ..... 13%	Labor/Workers Comp .....	1 ..... 2%
Immigration .....	7 ..... 12%	Civil Rights .....	1 ..... 2%
Criminal .....	6 ..... 11%	Patent and Trademark .....	1 ..... 2%
Domestic Relations .....	6 ..... 11%	Bankruptcy .....	1 ..... 2%
Corporate Matters .....	3 ..... 5%	Contract .....	1 ..... 2%
Tort .....	3 ..... 5%	Tax .....	1 ..... 2%

\* Total less than 60 investigations because nine investigations did not arise out of an area of law.



### Chart 18C

#### Rule 779(b) UPL Actions Filed in the Circuit Court: 2013-2023

<i>Rule 779(b) UPL Complaints</i>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Filed Against Disbarred Lawyer	1	0	1	1	0	0	0	0	0	2	0	6
Filed Against Non-Lawyer	6	4	2	5	4	4	2	0	0	0	0	32
Filed Against Out-of-State Lawyer	0	0	1	1	0	0	0	0	0	0	0	2
<b>Total</b>	<b>7</b>	<b>4</b>	<b>4</b>	<b>7</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>40</b>

### Chart 19

#### Proceedings Filed Directly with the Illinois Supreme Court: 2019-2023

<i>Type</i>	2019	2020	2021	2022	2023
Rule 762(a) Motion for Disbarment on Consent	7	6	7	4	7
Rule 763 Petition for Reciprocal Discipline	31	26	34	12	10
Rule 774 Petition for Interim Suspension	1	0	2	2	4
Rule 757 Transfer to Disability Inactive Status	1	0	0	0	1
Rule 756(a)(8) Petition for Permanent Retirement	0	4	3	3	1
<b>Total</b>	<b>40</b>	<b>36</b>	<b>46</b>	<b>21</b>	<b>23</b>

## Chart 20A

### Matters Before the Hearing Board in 2023

<b>Cases Pending on January 1, 2023</b> .....	53
<b>Cases Filed or Reassigned in 2023:</b>	
<i>Disciplinary Complaints Filed:*</i>	
➤ Rules 753, 761(d) .....	42
<i>Disability Inactive Petition</i>	
➤ Rule 758 .....	1
<b>Total New Cases Filed or Reassigned</b> .....	43
<b>Cases Concluded During 2023</b> .....	53
<b>Cases Pending December 31, 2023</b> .....	43
<p>* The number of cases filed at Hearing is significantly lower than the number of matters voted by Inquiry because multiple investigations against a particular attorney in which the Inquiry Board has voted a complaint are consolidated into a single complaint for purposes of filing at the Hearing Board.</p>	

## Chart 20B

### Years in Practice, Age and Gender of Lawyers Charged in the 42 Disciplinary Complaints Filed in 2023

	# of Complaints Filed	% of Complaints Filed	% of Lawyer Population
<b>Years in Practice</b>			
Fewer than 5 .....	1	2.4%	10.2%
Between 5 and 10.....	8	19.0%	14.9%
Between 11 and 20.....	10	23.8%	26.9%
Between 21 and 30 .....	5	11.9%	20.5%
Between 31 and 40.....	13	31.0%	16.4%
Between 41 and 50.....	5	11.9%	9.1%
50+.....	0	0%	2.0%
<b>Age:</b>			
21-29 years old.....	1	2.4%	3.6%
30-39 years old.....	10	23.8%	21.3%
40-49 years old.....	7	16.7%	26.0%
50-59 years old.....	4	9.5%	22.0%
60-69 years old.....	15	35.7%	17.2%
70-79 years old.....	5	11.9%	8.3%
80 or more years old .....	0	0%	1.6%
<b>Gender:</b>			
Female .....	6	14.3%	40.4%
Male .....	36	85.7%	59.5%
Non-binary.....	0	0%	0.12%

**Chart 20C**

**Types of Misconduct Alleged in the 42 Disciplinary Complaints\* Filed Before Hearing Board in 2023**

<i>Type of Misconduct</i>	<i>Number of Cases*</i>	<i>% of Cases Filed**</i>	<i>Type of Misconduct</i>	<i>Number of Cases*</i>	<i>% of Cases Filed**</i>
Fraudulent or deceptive activity (8.4(c)).....	28	67%	Improper trial conduct (3.4) .....	3	7%
Criminal conduct/conviction of lawyer (8.4(b)).....	13	31%	Misrepresentation to a third person (4.1(a))....	3	7%
Neglect (1.3) .....	11	26%	Assertion of frivolous pleadings (3.1 and 3.2)..	2	5%
Failure to communicate with client (1.4).....	10	24%	Improperly seeking to influence a judge (3.5)..	2	5%
False statement or failure to respond in disciplinary matter (8.1).....	10	24%	Unauthorized practice after removal from Master Roll for failure to comply with MCLE requirements (5.5(a)).....	2	5%
Conduct prejudicial to the administration of justice (8.4(d)) .....	9	21%	Failure to provide competent representation (1.1).....	1	2%
Improper handling of trust funds (1.15).....	7	17%	False/reckless statements about a judge (8.2)..	1	2%
Misrepresentations to a tribunal (3.3(a)).....	7	17%	Unauthorized practice after assuming retired status (5.5(a)) .....	1	2%
Improper withdrawal from employment, incl. failure to refund unearned fees (1.16) ...	6	14%			
Conflicts of interest.....	6	14%			
Rule 1.7: concurrent conflicts .....	2				
Rule 1.8(a): improper business transition with client .....	1				
Rule 1.8(c): improper financial assistance to client .....	1				
Rule 1.8(h): improper agreement limiting liability .....	1				
Rule 1.8(j): improper sexual relationship with client.....	1				
Excessive or unauthorized legal fees (1.5).....	4	10%			

\* Based on complaint initially filed and not on amended charges.

\*\*Totals exceed 42 disciplinary cases and 100% because most complaints allege more than one type of misconduct.

**Chart 20D**

**Subject Area Involved in the 42 Disciplinary Complaints Filed Before Hearing Board in 2023**

<i>Subject Area</i>	<i>Number of Cases*</i>	<i>% of Cases Filed*</i>	<i>Subject Area</i>	<i>Number of Cases*</i>	<i>% of Cases Filed*</i>
Criminal Conduct/Conviction.....	12	28.5%	Real Estate .....	4	9.5%
Tort.....	9	21.4%	Contract.....	4	9.5%
Probate.....	7	16.7%	Labor/Workers Comp .....	1	2.4%
Personal Misconduct.....	6	14.3%	Immigration .....	1	2.4%
Criminal.....	5	11.9%	Local Government .....	1	2.4%
Domestic Relations.....	5	11.9%			

\*Totals exceed 42 disciplinary complaints and 100% because many complaints allege several counts of misconduct in different practice areas.

**Chart 20E**  
**Activity Before the Review Board in 2023**

<b>Cases pending on January 1, 2023</b>	<b>5</b>
<b>Cases filed in 2023</b>	
<b>Exceptions filed by Respondent Lawyer</b>	4
<b>Exceptions filed by Administrator</b>	4
<b>Exceptions filed by both</b>	2
<b>Total</b>	<b>10</b>
<b>Cases concluded in 2023</b>	
<b>Hearing Board affirmed</b>	5
<b>Hearing Board reversal on findings or sanction</b>	3
<b>Notice of Exceptions withdrawn or stricken</b>	1
<b>Total</b>	<b>9</b>
<b>Cases pending on December 31, 2023</b>	<b>6</b>

**Chart 21A**

**Disciplinary Sanctions Ordered by the Supreme Court in 2023**

Disbarment.....	21
Suspension until further order of Court.....	12
Suspension for a specified period.....	12
Suspension for a specified period & conditions .....	3
Probation with partially stayed suspension .....	5
Probation with fully stayed suspension .....	6
Censure .....	4
Censure with conditions.....	1
Reprimand.....	<u>2</u>
Total	<b>66*</b>

\*In addition to the 27 suspensions above, the Court also ordered four interim suspensions, as reported in Chart 22 at I.

**Chart 21B**

**Location of Practice of the 66 Lawyers Disciplined by the Supreme Court in 2023**

<b>County</b>	<b>Number Disciplined</b>	<b>County</b>	<b>Number Disciplined</b>
Cook.....	30	Madison .....	1
Out-of-State.....	15	McHenry .....	1
DuPage .....	3	McLean .....	1
Kane .....	3	Rock Island .....	1
Peoria.....	2	Saint Clair .....	1
Boone .....	1	Whiteside .....	1
Champaign .....	1	Will .....	1
Lake.....	1	Williamson.....	1
Macon.....	1	Winnebago .....	1

**Chart 21C**

**Years in Practice, Age and Gender of 66 Lawyers Disciplined in 2023**

<b>Years in Practice</b>	<b># of Lawyers Disciplined</b>	<b>% of Lawyers Disciplined</b>	<b>% of Lawyer Population</b>
Fewer than 5.....	1 .....	1.5%.....	10.2%
Between 5 and 9.....	5 .....	7.6%.....	14.9%
Between 10 and 19.....	21 .....	31.8%.....	26.9%
Between 20 and 29 .....	13 .....	19.7%.....	20.5%
Between 30 and 39.....	15 .....	22.7%.....	16.4%
Between 40 and 49.....	10 .....	15.2%.....	9.1%
50 or more .....	1 .....	1.5%.....	2.0%
<b>Age:</b>			
21-29 years old.....	0 .....	0%.....	3.6%
30-39 years old.....	5 .....	7.6%.....	21.3%
40-49 years old .....	15 .....	22.7%.....	26.0%
50-59 years old.....	17 .....	25.8%.....	22.0%
60-69 years old .....	17 .....	25.8%.....	17.2%
70-79 years old .....	11 .....	16.6%.....	8.3%
80 or more years old .....	1 .....	1.5%.....	1.6%
<b>Gender:</b>			
Female.....	15 .....	22.7%.....	40.4%
Male .....	50 .....	75.8%.....	59.5%
Non-binary .....	1 .....	1.5%.....	0.12%

**Chart 21D**

**Practice Setting of 66 Lawyers Disciplined in 2023**

<b>Practice Setting</b>	<b>Solo Firm</b>	<b>Firm 2-10</b>	<b>Firm 11-25</b>	<b>Firm 26+</b>	<b>Gov't/ Judicial</b>	<b>In-House Corporate</b>	<b>Academia</b>	<b>Not Engaged in Practice</b>
<b>66 Lawyers Sanctioned</b>	<b>40</b>	<b>11</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>6</b>

**Chart 21D-1**

**Representation of 66 Lawyers Disciplined in 2023**

<b>Pro Se</b>	<b>Represented by Counsel</b>
34	32

**Chart 21E**

**Impairments Identified for Lawyers Disciplined in 2023 By Practice Setting**

<i>Practice Setting</i>	<i>Solo Firm</i>	<i>Firm 2-10</i>	<i>Firm 11-25</i>	<i>Firm 26+</i>	<i>Gov't/ Judicial</i>	<i>In-House Corporate</i>	<i>Academia</i>	<i>Not Engaged in Practice</i>	<b>Total</b>
<b>22 Lawyers* with Impairments</b>	15	4	1	1	0	1	0	0	
<b><i>Impairment</i></b>									
<b>Substances:</b>									<b>22</b>
Alcohol	6	1	1						8
Cocaine	1		1						2
Cannabis	1		1						2
Amphetamine	2		1						3
Heroin/Opioids	1		1						2
Other Substance	3	1	1						5
<b>Mental Illness:</b>									<b>16</b>
Depression	8	2		1		1			12
Bipolar			1						1
Schizophrenia	1								1
Personality Disorder									
Gambling									
Sexual Disorder	1								1
Cognitive Decline	1								1
Other									

\* Five lawyers had more than one identified impairment.

Chart 21F

Demographics of Disciplined Lawyers with Identified Impairments in 2023

22 Lawyers with Impairments by Age		<i>Solo Firm</i> (15)	<i>Firm 2-10</i> (4)	<i>Firm 11-25</i> (1)	<i>Firm 26+</i> (1)	<i>Corporate/In-House</i> (1)
21-29 years old						
30-39 years old	2	1			1	
40-49 years old	11	7	3			1
50-59 years old	3	1	1	1		
60-69 years old	2	2				
70-79 years old	4	4				
80-89 years old						
90+ years old						



Chart 22

Orders Entered by Supreme Court in Disciplinary Cases in 2023

<p><b>A. <u>Motions for disbarment on consent: Rule 762(a)</u></b>  Allowed..... 11  Denied..... <u>0</u>  Total ..... 11</p>	<p><b>E. <u>Motions to approve and confirm report of Hearing Board: Rule 753(d)(2)</u></b>  Allowed .....14  Denied ..... <u>0</u>  Total.....14</p>
<p><b>B. <u>Petitions for discipline on consent: Rule 762(b)</u></b>  Allowed:  Suspension ..... 8  Suspension until further order of Court.... 4  Suspension stayed in part,  probation ordered ..... 4  Suspension stayed in its entirety,  probation ordered ..... 4  Censure ..... <u>1</u>  Total.... 21  Denied..... <u>0</u>  Total ..... 21</p>	<p><b>F. <u>Petitions for reciprocal discipline: Rule 763</u></b>  Allowed .....11  Denied ..... <u>0</u>  Total.....11</p>
<p><b>C. <u>Petitions for leave to file exceptions to report and recommendation of Review Board: Rules 753(e)(1) and 761</u></b>  Denied and same discipline imposed as recommended by Review Board..... 7  Allowed and more discipline imposed than recommended by Review Board ..... 0  Allowed and less discipline imposed as recommended by Review Board..... <u>0</u>  Total ..... 7</p>	<p><b>G. <u>Petitions for reinstatement: Rule 767</u></b>  Allowed with conditions..... 1  Petition denied..... 2  Petition withdrawn/stricken..... <u>1</u>  Total..... 4</p>
<p><b>D. <u>Motions to approve and confirm report of Review Board: Rule 753(e)(6)</u></b>  Allowed..... <u>1</u>  Total ..... 1</p>	<p><b>H. <u>Motions to revoke probation: Rule 772</u></b>  Allowed, probation revoked and respondent suspended ..... <u>1</u>  Total..... 1</p>
	<p><b>I. <u>Petitions for interim suspension: Rules 761 &amp; 774</u></b>  Rule enforced and lawyer suspended..... <u>4</u>  Total..... 4</p>
	<p><b>-J. <u>Petition for permanent retirement status: Rule 756(a)(8)</u></b>  Allowed..... <u>1</u>  Total ..... 1</p>

**Chart 23**

**ARDC-Appointed Receiverships: 2019-2023**

2019	2020	2021	2022	2023
4	2	2	2	4

**Chart 24**

**Non-Disciplinary Actions by the Supreme Court in 2023**

<b>Rule 756(a)(8) Permanent Retirement Status</b>	
Motion to transfer to permanent retirement status allowed .....	1
<b>Rule 757 Transfer to Disability Inactive Status .....</b>	
	0
<b>Rule 759 Restoration to Active Status</b>	
<b>After Transfer to Disability Inactive Status .....</b>	0
<b>Rule 767 Petition for Reinstatement Following Discipline .....</b>	
Petition for reinstatement to the practice of law denied.....	2
Petition for reinstatement to the practice of law with conditions allowed .....	1
Petition for reinstatement withdrawn.....	1

Summary of Registration and Caseload Trends (2009-2023)

**Chart 25A**

**Registration Growth and Disciplinary Investigations (2009-2023)**

Year	Registered Attorneys	% of Growth Over Prior Year	Investigations Docketed	Closure By Administrator: No Misconduct Alleged	Closure By Administrator After Investigation	Closure By Inquiry Board After Investigation	Investigations Voted as a Complaint By Inquiry Board*
2009	84,777	1.0%	5,834	1,322	3,891	79	226
2010	86,777	2.2%	5,617	1,354	3,914	50	271
2011	87,943	1.3%	6,155	1,405	4,293	83	156
2012	89,330	1.6%	6,397	1,649	4,598	75	273
2013	91,083	2.0%	6,073	1,544	3,974	50	142
2014	92,756	1.8%	5,835	1,442	4,468	46	198
2015	94,128	1.5%	5,554	1,343	3,993	52	158
2016	94,610	0.5%	5,401	1,321	3,967	41	142
2017	94,778	0.2%	5,199	1,191	3,657	97	118
2018	94,608	-0.2%	5,029	1,233	3,542	53	101
2019	94,662	0.6%	4,937	1,147	3,520	48	68
2020	94,907	0.3%	3,936	1,222	2,936	54	54
2021	95,480	0.6%	3,881	1,097	3,004	44	69
2022	95,711	0.2%	4,359	1,621	2,590	26	90
2023	96,440	0.8%	4,575	1,623	2,480	27	90

\*Complaints may be based on more than one investigation.

**Chart 25B**

Data as of 11/30/23 received from the Illinois Board of Admissions to the Bar

**Trend of Admissions v. Retirement Removals (2009-2023)**

Year	New Admittees*	Out-of-State Lawyer Admittees**	Lawyers Moving to Retired Status
2009	2,776	363	996
2010	2,637	418	970
2011	2,541	424	822
2012	2,541	502	853
2013	2,541	533	815
2014	2,354	511	833
2015	2,139	428	1,334
2016	1,853	434	1,354
2017	1,639	397	1,262
2018	1,623	464	1,458
2019	1,671	686	1,331
2020	1,857	651	1,419
2021	1,572	634	1,369
2022	1,645	709	1,753
2023	1,597	624	1,609

\*"New Admittees" refers to law school graduates who were admitted to the bar in the given year after having passed the Illinois bar exam.

\*\*"Out-of-State Admittees" refers to lawyers already licensed in another jurisdiction and admitted pursuant to Supreme Court Rules 715 (graduates of foreign law schools), 705 (reciprocal admission on motion), 716 (limited admission as house counsel), 717 (legal services program lawyers) or 719 (military spouse attorneys).

**Chart 25C**

**Disciplinary and Regulatory Proceedings (2009-2023)**

Year	Matters Filed With Supreme Court or Circuit Court	Matters Filed With Hearing Board	Matters Concluded at Hearing Board	Matters Filed With Review Board	Matters Concluded at Review Board	Sanctions Ordered By Supreme Court
2009	39	137	135	30	31	130
2010	49	122	115	27	32	148
2011	45	106	147	35	31	156
2012	30	120	113	36	32	103
2013	40	95	120	29	48	149
2014	31	126	105	29	29	112
2015	28	86	130	31	26	126
2016	34	83	93	21	22	104
2017	41	79	88	23	24	118
2018	38	64	64	17	22	75
2019	41	51	71	19	17	96
2020	32	40	46	7	11	81
2021	41	53	55	12	7	84
2022	16	56	56	11	16	63
2023	18	43	53	10	9	66

**Chart 26**

**Attorney Reports: 2009-2023**

Year	Number of Grievances	Number of Attorney Reports	Percent of Attorney Reports to Grievances	Number of Grievances Voted into Complaints	Number of Attorney Reports Voted into Complaints	Percent of Attorney Reports to Formal Complaints
2009	5,837	489	7.7%	226	60	26.5%
2010	5,617	497	8.8%	271	73	26.9%
2011	6,155	536	8.7%	156	33	21.2%
2012	6,397	651	10.2%	273	86	31.5%
2013	6,073	485	9.2%	144	48	33.3%
2014	5,835	581	9.4%	199	52	26.1%
2015	5,554	583	9.4%	159	62	39.2%
2016	5,401	606	11.1%	142	67	47.2%
2017	5,199	551	10.6%	118	55	46.6%
2018	5,029	479	9.6%	101	44	43.6%
2019	4,937	557	11.4%	68	29	42.7%
2020	3,936	404	10.4%	53	28	52.8%
2021	3,881	322	8.4%	76	31	40.8%
2022	4,359	408	9.5%	82	35	42.7%
2023	4,575	390	8.5%	77	39	50.6%
<b>Totals for 2009-2023</b>	78,785	7,539	--	2,145	742	--
<b>Average For 2009-2023</b>	5,252	503	9.5%	143	50	38.1%

# CLIENT PROTECTION PROGRAM

Chart 27A

Client Protection Program Claims: 2009-2023

Year	Claims filed In Year	# Claims Approved In Year	# Claims Denied In Year	For Claims Approved, # Respondent Attys.	Total Amounts Paid in Year
2009	188	81	125	35	\$1,091,473
2010	207	89	108	30	\$705,168
2011	184	89	96	38	\$1,006,013
2012	350	70	124	34	\$986,771
2013	256	247	91	38	\$2,016,669
2014	256	95	106	40	\$1,300,775
2015	541	366	152	34	\$2,488,651
2016	277	146	132	48	\$3,094,187
2017	229	152	144	48	\$1,776,419
2018	219	99	107	35	\$2,324,786
2019	132	56	112	26	\$1,392,321
2020	128	81	76	18	\$1,094,454
2021	124	58	94	31	\$715,311
2022	106	53	63	32	\$1,098,821
2023	136	46	60	25	\$562,699

## Chart 27B

### Classification of Approved Client Protection Claims in 2023

<b>Type of Misconduct:</b>	
Failure to refund unearned fees.....	36
Intentional misappropriation of client funds ...	9
Improper loan to attorney .....	1
<b>Area of Law</b>	
Domestic Relations.....	14
Criminal/Quasi criminal .....	13
Real Estate/Loan Modification .....	6
Labor/Workers' Comp.....	5
Tort.....	3
Contract .....	2
Debt Collection.....	2
Probate/Trusts.....	1

**ATTORNEY REGISTRATION AND DISCIPLINARY  
COMMISSION OF THE SUPREME COURT OF ILLINOIS**

FINANCIAL STATEMENTS

DECEMBER 31, 2023

**REPORT OF INDEPENDENT AUDITORS**

To the Commissioners of  
Attorney Registration and  
Disciplinary Commission of the  
Supreme Court of Illinois

***Opinion***

We have audited the accompanying financial statements of Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (the Commission), which comprise the statements of financial position as of December 31, 2023 and 2022, and the related statements of activities and of cash flows for the years then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois as of December 31, 2023 and 2022, and the changes in its net assets and its cash flows for the years then ended, in accordance with accounting principles generally accepted in the United States of America.

***Basis for Opinion***

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the *Auditors' Responsibilities for the Audit of the Financial Statements* section of our report. We are required to be independent of the Commission and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

***Responsibilities of Management for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.



***Responsibilities of Management for the Financial Statements (continued)***

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Commission's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

***Auditors' Responsibility for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards we:

- Exercise professional judgment and maintain professional skepticism throughout the audits;
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements;
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, no such opinion is expressed;
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements; and
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Commission's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

*Legacy Professionals LLP*

Westchester, Illinois

April 25, 2024

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION  
OF THE SUPREME COURT OF ILLINOIS**

**STATEMENTS OF FINANCIAL POSITION**

DECEMBER 31, 2023 AND 2022

ASSETS	<u>2023</u>	<u>2022</u>
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	\$ 2,206,292	\$ 1,991,411
Short-term investments	66,260,453	41,520,454
Accrued interest receivable	164,074	111,454
Accounts receivable - net	13,538	500
Prepaid expenses and deposits	<u>226,382</u>	<u>227,802</u>
Total current assets	68,870,739	43,851,621
PROPERTY AND EQUIPMENT - net	2,943,270	1,311,401
RIGHT-OF-USE ASSET - OPERATING LEASES	3,037,319	3,523,209
LONG-TERM INVESTMENTS	<u>14,088,832</u>	<u>35,452,936</u>
Total assets	<u>\$ 88,940,160</u>	<u>\$ 84,139,167</u>
<b>LIABILITIES AND NET ASSETS</b>		
<b>CURRENT LIABILITIES</b>		
Accounts payable and accrued expenses	\$ 655,750	\$ 509,077
Amounts held for others	4,486,335	4,684,172
Accrued vacation	595,242	562,604
Deferred registration and program fees	15,884,732	14,835,564
Postretirement benefit obligation - current portion	59,411	58,786
Operating lease liability - current portion	636,088	584,506
Deposits	<u>1,504</u>	<u>7,503</u>
Total current liabilities	<u>22,319,062</u>	<u>21,242,212</u>
<b>LONG-TERM LIABILITIES</b>		
Postretirement benefit obligation - net of current portion	1,478,986	2,415,693
Operating lease liability - net of current portion	<u>3,578,086</u>	<u>4,214,174</u>
Total long-term liabilities	<u>5,057,072</u>	<u>6,629,867</u>
Total liabilities	27,376,134	27,872,079
NET ASSETS WITHOUT MEMBER RESTRICTIONS	<u>61,564,026</u>	<u>56,267,088</u>
Total liabilities and net assets	<u>\$ 88,940,160</u>	<u>\$ 84,139,167</u>

See accompanying notes to financial statements.

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION  
OF THE SUPREME COURT OF ILLINOIS**

**STATEMENTS OF ACTIVITIES**

YEARS ENDED DECEMBER 31, 2023 AND 2022  
WITH BREAKDOWN BY PROGRAM FOR 2023

	2023			2022
	Registration and <u>Discipline</u>	Client Protection <u>Program</u>	<u>Total</u>	<u>Total</u>
<b>REVENUE</b>				
Investment income (loss) - net	\$ 2,455,968	\$ 183,325	\$ 2,639,293	\$ (629,597)
Registration and program fees	18,146,613	1,836,148	19,982,761	20,354,610
Cost reimbursements collected	42,558	-	42,558	59,094
Client Protection Program expense reimbursement	378,058	-	378,058	352,688
Transfer from Registration and Discipline	-	53,952	53,952	-
Client Protection Program reimbursements	-	6,569	6,569	627,730
Total revenue	<u>21,023,197</u>	<u>2,079,994</u>	<u>23,103,191</u>	<u>20,764,525</u>
<b>EXPENSES</b>				
Salaries and related expenses	12,387,753	-	12,387,753	11,461,985
Travel	169,280	-	169,280	171,033
Continuing education	210,752	-	210,752	148,620
General expenses and office support	1,453,970	-	1,453,970	3,340,040
Computer	1,234,972	-	1,234,972	1,032,813
Other professional and case-related expenses	712,269	-	712,269	580,206
Client Protection Program direct expenses				
Awards	-	560,199	560,199	1,101,322
Administrative	-	4,933	4,933	4,302
Expense reimbursement	-	378,058	378,058	352,688
Transfers to sibling entities	360,345	-	360,345	-
Depreciation and amortization	333,722	-	333,722	404,261
Total expenses	<u>16,863,063</u>	<u>943,190</u>	<u>17,806,253</u>	<u>18,597,270</u>
<b>CHANGE IN NET ASSETS</b>	4,160,134	1,136,804	5,296,938	2,167,255
<b>NET ASSETS WITHOUT MEMBER RESTRICTIONS</b>				
Beginning of year	<u>52,435,314</u>	<u>3,831,774</u>	<u>56,267,088</u>	<u>54,099,833</u>
End of year	<u>\$ 56,595,448</u>	<u>\$ 4,968,578</u>	<u>\$ 61,564,026</u>	<u>\$ 56,267,088</u>

See accompanying notes to financial statements.

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION  
OF THE SUPREME COURT OF ILLINOIS**

**STATEMENTS OF CASH FLOWS**

YEARS ENDED DECEMBER 31, 2023 AND 2022

	<u>2023</u>	<u>2022</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Change in net assets	\$ 5,296,938	\$ 2,167,255
Adjustments to reconcile change in net assets to net cash provided by operating activities		
Net (gain) loss on investments	(903,433)	1,046,806
Loss on disposal of property and equipment	129,800	526,536
Depreciation and amortization	333,722	404,261
Reduction in carrying amount of right-of-use asset	485,890	476,693
Changes in assets and liabilities		
Accounts receivable and accrued interest receivable	(65,658)	(2,882)
Prepaid expenses and deposits	1,420	43,150
Accounts payable and accrued expenses	146,673	(220,135)
Amounts held for others	(197,837)	(7,588)
Accrued vacation	32,638	(15,804)
Deferred registration and program fees	1,049,168	(310,456)
Deposits	(5,999)	(6,500)
Postretirement benefit obligation	(936,082)	71,592
Deferred rent expense	-	(1,507,647)
Operating lease liability	(584,506)	798,778
Net cash provided by operating activities	<u>4,782,734</u>	<u>3,464,059</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Purchases of investment securities	(12,102,762)	(20,194,419)
Maturities of investment securities	9,630,300	17,239,519
Purchases of property and equipment	(2,095,391)	(136,311)
Net cash (used in) investing activities	<u>(4,567,853)</u>	<u>(3,091,211)</u>
<b>NET INCREASE IN CASH AND CASH EQUIVALENTS</b>	<b>214,881</b>	<b>372,848</b>
<b>CASH AND CASH EQUIVALENTS</b>		
Beginning of year	<u>1,991,411</u>	<u>1,618,563</u>
End of year	<u>\$ 2,206,292</u>	<u>\$ 1,991,411</u>
<b>SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION</b>		
Establishment of operating lease right-of-use asset	\$ -	\$ 3,999,902
Establishment of operating lease liability	\$ -	\$ 5,507,549

See accompanying notes to financial statements.

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION  
OF THE SUPREME COURT OF ILLINOIS**

**NOTES TO FINANCIAL STATEMENTS**

DECEMBER 31, 2023 AND 2022

**NOTE 1. GENERAL PURPOSE DESCRIPTION**

Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (the Commission) was established by the Supreme Court of Illinois (the Court) pursuant to Article VII(B) of its rules, effective February 1, 1973. The Commission appoints an Administrator, with approval of the Court, to serve as its principal executive officer. Commission duties include maintenance of the Master Roll of Attorneys and administration of the disciplinary fund. The Administrator conducts investigations and prosecutes complaints against attorneys and non-lawyers pursuant to rules of the Court and Commission.

Amendments to those rules and additional significant rules of the Court impacting the Commission's operations are as follows:

- Rule 756(a), as amended (the Rule), has set the annual registration and program fees for active lawyers licensed to practice law for three years or more at \$385 (the full fee) and the annual registration fees for active lawyers licensed to practice between one and three years and inactive lawyers at \$121. The full fee was increased from \$382 to \$385 effective with the 2017 registration season, with the \$3 increase being allocated in full to the Illinois Lawyers' Assistance Program. Prior to this, the last fee increase occurred effective with the 2015 registration season. The charge for late payment of annual registration fees during 2022 was \$25 per month for every month that fees were delinquent. Effective in 2023, the late payment fee was replaced with a \$25 per month reinstatement fee subject to a \$600 cap. The reinstatement fee applies to attorneys returning to the practice of law from multiple statuses, including removed status. This change also eliminated the application of any prior year registration fees. The Rule requires that the Commission, as part of the annual \$385 fee, collect and remit the following amounts to the following other entities that are not administered by the Commission: \$95 to the Lawyers Trust Fund of Illinois, \$25 to the Illinois Supreme Court Commission on Professionalism, \$20 to the Illinois Lawyers' Assistance Program, and \$10 to the Illinois Supreme Court Commission on Access to Justice. The Commission's share of the \$385 full fee is \$210. Effective July 1, 2021, the Commission's share of the full fee decreased from \$230 to \$210 as a result of a \$10 reallocation to the Illinois Lawyers' Assistance Program and \$10 to the Illinois Supreme Court Commission on Access to Justice.
- Rule 780(b) provided for the establishment of the Client Protection Program (CPP) and set forth that the purpose of the CPP "is to promote public confidence in the administration of justice and the integrity of the legal profession by reimbursing losses caused by the dishonest conduct" of Illinois lawyers who have been disciplined. The Commission has administered the CPP since its inception and has maintained a separate Client Protection Fund account. Amended Rule 756 provides that \$25 of the \$385 registration fee be set aside to fund awards made by the CPP. Prior to the Rule 756 amendment, the Commission funded payment of these awards by making an annual allocation from the Disciplinary Fund.

## NOTE 1. GENERAL PURPOSE DESCRIPTION (CONTINUED)

- The Commission includes in its general budget allocations for the administrative expenses of the CPP to be paid from the Disciplinary Fund. The CPP reimburses the Commission for said administrative expenses.
- Rule 707, as amended, provides that eligible out-of-state attorneys may appear in an Illinois proceeding upon meeting certain requirements, including the payment of a \$250 per proceeding fee and an annual registration fee, which is currently \$121. The \$250 per proceeding fee is allocated between the Illinois Supreme Court Commission on Access to Justice (\$175) and the Commission (\$75). The registration fee is allocated to the Commission.

## NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

**Method of Accounting** - The accompanying financial statements of the Commission have been prepared using the accrual basis of accounting, in accordance with generally accepted accounting principles.

**New Accounting Pronouncement** - In June 2016, the Financial Accounting Standards Board (FASB) issued Accounting Standards Update (ASU) No. 2016-13, *Financial Instruments - Credit Losses* (Topic 326), which is effective for the year ended December 31, 2023. This new standard provides financial statement users with more decision-useful information about the expected credit losses on financial instruments and other commitments to extend credit held by a reporting entity at each reporting date. The standard replaced the incurred loss impairment model with a methodology that reflects expected credit losses and requires consideration of a broader range of reasonable and supportable information to inform credit loss estimates. The standard had no material impact on the Commission's financial statements.

**Basis of Presentation** - In order to conform to provisions of generally accepted accounting principles, the Commission is required to report information regarding its financial position and activities in two classes of net assets: without member restrictions and with member restrictions. Net assets that are not subject to member-imposed restrictions are available to finance the general operations of the Commission. The only limits on the use of net assets without member restrictions are the broad limits resulting from the nature of the Commission, the environment in which it operates and the purposes specified in its governing rules. Net assets are generally reported as without member restrictions unless assets are received from members with explicit stipulations that limit the use of the asset. As of December 31, 2023 and 2022, the Commission did not have any net assets with member restrictions.

**Cash and Cash Equivalents** - For purposes of the statements of cash flows, cash and cash equivalents include all deposits in checking and savings accounts.

## NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

### **Accounts Receivable - Cost Reimbursements and Client Protection Program**

**Reimbursements** - Accounts receivable primarily represent reimbursements owed by attorneys under its Cost Reimbursement Program and the Client Protection Program (CPP). Such reimbursements receivable are net of \$22,330,079 and \$21,885,261 at December 31, 2023 and 2022, respectively of an allowance for doubtful accounts, since the Commission fully reserves reimbursements owed by attorneys under its Cost Reimbursement Program and the CPP. Whether the Commission can collect all reimbursements is dependent upon each identified attorney's ability to pay. Historically, the Commission and CPP have collected a relatively low percentage of these reimbursements receivable.

**Property and Equipment** - Property and equipment are stated at cost. Major additions are capitalized while replacements, maintenance and repairs which do not improve or extend the lives of the respective assets are expensed currently. Depreciation and amortization are provided over the estimated useful lives of the assets or asset groups, based on the straight-line method. Upon disposal of assets, gains or losses are included in the statement of activities. Leasehold improvements are amortized over the shorter of their estimated useful lives or the remaining lease period.

The estimated useful lives of the property and equipment are as follows:

Computer and related equipment	3-5 years
Office furniture and equipment	3-10 years
Leasehold improvements	5-15 years

**Investments** - The investments of the Commission are reported at fair value. The fair value of a financial instrument is the amount that would be received to sell that asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date (the exit price).

Purchases and sales of the investments are reflected on a trade-date basis.

Interest income is recorded on the accrual basis. Dividend income is recorded on the ex-dividend date.

**Leases** - As required by generally accepted accounting principles, the Commission determines if a contract is a leasing arrangement at inception. Operating lease right-of-use (ROU) assets represent the right to control the use of an identified asset for the lease term, and lease liabilities represent the obligation to make lease payments arising from the lease. Operating lease ROU assets and liabilities are recognized at the adoption date based on the present value of lease payments over the lease term. As permitted by generally accepted accounting principles, and consistent with industry practices, the Commission used the risk-free rate of return for the present value calculation. Operating lease ROU assets also include reclassifications related to lease incentives received at or before the commencement date. The Commission recognizes operating lease expense for operating leases on a straight-line basis over the term of the lease.

**NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Amounts Held for Others** - Amounts held for others at December 31, 2023 and 2022 consist of funds collected for the Illinois Lawyers' Assistance Program in the amount of \$595,740 and \$621,897 respectively; the Lawyers Trust Fund of Illinois in the amount of \$2,829,780 and \$2,953,957 respectively; the Illinois Supreme Court Commission on Professionalism in the amount of \$744,725 and \$777,268 respectively; and the Illinois Supreme Court Commission on Access to Justice in the amount of \$316,090 and \$331,050 respectively. All amounts were remitted subsequent to year end.

**Deferred Registration and Program Fees** - The Commission is primarily funded by an annual registration fee assessed on Illinois attorneys which includes a \$25 Client Protection Program (CPP) fee applied to attorneys admitted for greater than three years. The annual fees for the subsequent year are billed before November 1 and are due January 1. Deferred registration and program fees represent the fees received in the current year for the following year.

Deferred revenue as of December 31, 2023, 2022, and 2021 was comprised of the following:

	<u>2023</u>	<u>2022</u>	<u>2021</u>
Deferred registration fees	\$ 14,382,007	\$ 13,413,491	\$ 13,678,246
Deferred program fees - CPP	<u>1,502,725</u>	<u>1,422,073</u>	<u>1,467,774</u>
Total	<u>\$ 15,884,732</u>	<u>\$ 14,835,564</u>	<u>\$ 15,146,020</u>

**Deposits** - A portion of deposits is the reinstatement deposit that accompanies the petition of any attorney who is filing for reinstatement under Rule 767. The amount the attorney actually owes is assessed at the conclusion of the proceedings. Reinstatement deposits held at December 31, 2023 and 2022 totaled \$1,504 and \$7,503 respectively.

**Revenue Recognition** - The Commission receives a significant portion of its operating revenue from registration and program fees. Registration and program fee revenue is considered an exchange transaction and is recognized on January 1 or the date of the payment each calendar year, as such fees enable the attorney to practice law for the respective year as defined by Rule 756. Registration and program fees paid in advance are deferred to the calendar year to which they relate. Such amounts deferred are recognized on January 1 of the following year.

Cost Reimbursements and Client Protection Program reimbursement revenues represent reimbursements owed by attorneys as a result of discipline imposed by the Court and for the related investigation and disciplinary costs. Amounts owed are fully reserved until the time of collection.

**Transfers to Sibling Entities** - In 2023, the Commission transferred \$360,345 to its Rule 756(a) (1) sibling entities per direction from the Supreme Court as a result of a revenue shortfall associated with the October 24, 2022 amendments to Rule 756 (Registration and Fees).

**Income Taxes** - The Internal Revenue Service has determined that the Commission is exempt from federal income taxes as an instrumentality of the State of Illinois.



## **NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Functional Allocation of Expenses** - The Commission has allocated certain administrative expenses, such as salary costs, among the various programs and services benefited. Expenses are allocated to programs and administration and support services according to actual use, wherever practical. Indirect expenses that benefit more than one program or services are allocated to the benefited programs or services based on estimates of time and effort. The allocation of expenses by function is presented in Note 6.

**Reclassifications** - Certain prior year amounts have been reclassified to conform to the current year presentation.

**Use of Estimates** - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires the Commission to make estimates and assumptions that affect certain reported amounts and disclosures in the financial statements. Actual results may differ from those estimates.

**Subsequent Events** - Subsequent events have been evaluated through April 25, 2024, which is the date the financial statements were available to be issued.

## **NOTE 3. LIQUIDITY AND AVAILABILITY OF RESOURCES**

The Commission's liquidity plan is to maintain sufficient cash and cash equivalents, money market funds and other high quality short-term securities to fund its operations for a period of at least one year. The Commission utilizes checking accounts, money market funds, short-term U.S. Treasury securities and Federal Deposit Insurance Corporation (FDIC) insured certificates of deposit for this purpose. Excess cash is invested in longer-dated investment grade debt securities with varying maturities designed to fund the Commission's operations beyond the one-year interval and maximize its income over time.

The Commission also maintains sufficient liquidity in the Client Protection Program's (CPP) financial accounts to fund award payments to the CPP's beneficiaries. This liquidity provision is normally established at the end of each calendar year based on a projection of award payments for the next 12 months. The amount invested in cash and cash equivalents, money market funds and other short-term securities is dependent on the projected timing and size of these award payments and may vary from year to year. Any excess funds that are not needed for disbursement are invested in longer-dated investment grade debt securities with varying maturities designed to meet the CPP's future obligations and maximize its income over time.

Cash levels can increase significantly when the Commission is collecting attorney registration fees during the annual registration season. The Commission collects approximately 75% of its annual registration fee income during the fourth quarter of each calendar year, with the bulk of the remainder in the month of January. Cash collected during these months is invested as soon as practicable. The cash collected in the fourth quarter temporarily inflates the Commission's year-end holdings of short-term liquid securities.

Specific investment allocation decisions about the Commission's portfolio are made by a third-party investment manager, subject to a set of formal investment guidelines.

**NOTE 3. LIQUIDITY AND AVAILABILITY OF RESOURCES (CONTINUED)**

The following is a breakdown of the Commission’s financial assets available for general expenditures, which primarily represent most program, administrative and general expenses expected to be paid in the subsequent year, as of December 31, 2023 and 2022:

	<u>2023</u>	<u>2022</u>
Cash and cash equivalents	\$ 2,206,292	\$ 1,991,411
Short-term investments	66,260,453	41,520,454
Accrued interest receivable	164,074	111,454
Accounts receivable - net	13,538	500
Total	<u>\$ 68,644,357</u>	<u>\$ 43,623,819</u>

**NOTE 4. CONCENTRATION OF CASH**

Cash consists of monies held in checking and highly liquid interest bearing accounts without significant withdrawal restrictions. The Commission places its cash with financial institutions deemed to be creditworthy. Balances are insured by the FDIC up to \$250,000 per financial institution. Balances may at times exceed the federally insured limits by a modest amount. As such, management believes this credit risk to be minimal.

**NOTE 5. COST REIMBURSEMENTS AND CLIENT PROTECTION PROGRAM REIMBURSEMENTS**

The Commission receives reimbursements from disciplined attorneys for costs incurred as a result of the investigative and disciplinary process. Cost reimbursements are billed at the time that discipline is imposed by the Court. Such billings may not reflect the total costs or match the period in which the investigative disciplinary costs were incurred. The Commission is limited to \$1,500 in cost reimbursements for each discipline case, absent exceptional circumstances. During the years ended December 31, 2023 and 2022, the Commission regularly sought entry of judgments by the Court. Interest accrues upon the unsatisfied portions of those judgments at a rate of 9% per annum, from 30 days after the date of judgment until satisfied, as provided by 735 ILCS 5/2-1303. The Commission has also established payment plans for certain disciplined attorneys.

The Client Protection Program (CPP) receives reimbursements from disciplined attorneys for award payments by the CPP. Pursuant to Illinois Supreme Court Rule 780(e), an attorney who is the subject of a claim that results in a reimbursement to a claimant is liable to the CPP for restitution. The Commission bills the subject attorneys for the CPP award payments but doesn’t pursue judgments. Interest does not accrue on any debt to the CPP. Any recovered amounts are credited to the CPP.

## NOTE 6. FUNCTIONAL EXPENSES BY NATURAL CLASSIFICATION

The following tables represent an analysis of the Commission's functional expenses, by natural classification, for the years ended December 31, 2023 and 2022:

	2023			
	Program Services		Supporting Services	
	Registration and Discipline	Client Protection	Administration and Support	Total
Salaries and related expenses	\$ 9,359,066	\$ 306,381	\$ 2,696,306	\$ 12,361,753
Travel	74,396	1,503	93,381	169,280
Continuing education	164,569	4,029	42,154	210,752
General expenses and office support	1,180,321	23,876	249,773	1,453,970
Computer	964,354	23,612	247,006	1,234,972
Other professional and case-related expenses	643,253	8,290	86,726	738,269
Client Protection Program direct expenses:				
Awards	-	560,199	-	560,199
Administrative	-	4,933	-	4,933
Expense reimbursement	-	378,058	-	378,058
Transfers to sibling entities	281,383	6,890	72,072	360,345
Depreciation and amortization	260,594	6,381	66,747	333,722
Total	<u>\$ 12,927,936</u>	<u>\$ 1,324,152</u>	<u>\$ 3,554,165</u>	<u>\$ 17,806,253</u>

	2022			
	Program Services		Supporting Services	
	Registration and Discipline	Client Protection	Administration and Support	Total
Salaries and related expenses	\$ 8,793,997	\$ 270,497	\$ 2,397,491	\$ 11,461,985
Travel	120,337	2,658	48,038	171,033
Continuing education	116,049	2,882	29,689	148,620
General expenses and office support	2,643,379	61,645	635,016	3,340,040
Computer	806,463	20,029	206,321	1,032,813
Other professional and case-related expenses	519,323	5,387	55,496	580,206
Client Protection Program direct expenses:				
Awards	-	1,101,322	-	1,101,322
Administrative	-	4,302	-	4,302
Expense reimbursement	-	352,688	-	352,688
Depreciation and amortization	315,663	7,840	80,758	404,261
Total	<u>\$ 13,315,211</u>	<u>\$ 1,829,250</u>	<u>\$ 3,452,809</u>	<u>\$ 18,597,270</u>

## NOTE 7. INVESTMENTS

The following summary presents the fair values of each of the investment categories at December 31, 2023 and 2022:

	<u>2023</u>	<u>2022</u>
Short-term		
U.S. Treasury notes and bills	\$ 11,956,567	\$ 11,453,612
Certificates of deposit	16,022,000	8,318,000
Money market funds	30,375,857	19,851,857
Mutual funds and exchange traded funds	<u>7,906,029</u>	<u>1,896,985</u>
	<u>66,260,453</u>	<u>41,520,454</u>
Long-term		
U.S. Treasury notes and bills	11,190,832	16,532,936
Certificates of deposit	<u>2,898,000</u>	<u>18,920,000</u>
	<u>14,088,832</u>	<u>35,452,936</u>
Total	<u>\$ 80,349,285</u>	<u>\$ 76,973,390</u>

The following presents a summary of net investment income (loss) for the years ended December 31, 2023 and 2022:

	<u>2023</u>	<u>2022</u>
Interest income	\$ 1,833,638	\$ 530,190
Net gain (loss) on investments	903,433	(1,046,807)
Investment fees	<u>(97,778)</u>	<u>(112,980)</u>
Net investment income (loss)	<u>\$ 2,639,293</u>	<u>\$ (629,597)</u>

## NOTE 8. FAIR VALUE MEASUREMENTS

The *Fair Value Measurements and Disclosures* Topic of the FASB Accounting Standards Codification established a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy are described below:

### Basis of Fair Value Measurement

- |         |   |
|---------|---|
| Level 1 | Unadjusted quoted prices in active markets that are accessible at the measurement date for identical, unrestricted assets or liabilities                              |
| Level 2 | Quoted prices in markets that are not considered to be active or financial instruments for which all significant inputs are observable, either directly or indirectly |
| Level 3 | Prices or valuations that require inputs that are both significant to the fair value measurement and unobservable   |

**NOTE 8. FAIR VALUE MEASUREMENTS (CONTINUED)**

The following tables set forth, by level within the fair value hierarchy, the Commission's investment assets at fair value as of December 31, 2023 and 2022. As required, assets and liabilities are classified in their entirety based on the lowest level of input that is significant to the fair value measurement.

	<u>Fair Value Measurements at 12/31/23 Using</u>			
	Total	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
U.S. Treasury notes and bills	\$ 23,147,399	\$ 23,147,399	\$ -	\$ -
Certificates of deposit	18,920,000	-	18,920,000	-
Money market funds	30,375,857	30,375,857	-	-
Mutual funds and exchange traded funds				
Fixed income	6,993,810	6,993,810	-	-
Equity:				
Small cap	114,865	114,865	-	-
Mid cap	117,234	117,234	-	-
Large cap	512,598	512,598	-	-
Emerging market	56,586	56,586	-	-
International	110,936	110,936	-	-
Total	<u>\$ 80,349,285</u>	<u>\$ 61,429,285</u>	<u>\$ 18,920,000</u>	<u>\$ -</u>

	<u>Fair Value Measurements at 12/31/22 Using</u>			
	Total	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
U.S. Treasury notes and bills	\$ 27,986,548	\$ 27,986,548	\$ -	\$ -
Certificates of deposit	27,238,000	-	27,238,000	-
Money market funds	19,851,857	19,851,857	-	-
Mutual funds and exchange traded funds				
Fixed income	1,138,297	1,138,297	-	-
Equity:				
Small cap	99,294	99,294	-	-
Mid cap	102,217	102,217	-	-
Large cap	410,400	410,400	-	-
Emerging market	49,575	49,575	-	-
International	97,202	97,202	-	-
Total	<u>\$ 76,973,390</u>	<u>\$ 49,735,390</u>	<u>\$ 27,238,000</u>	<u>\$ -</u>

## NOTE 8. FAIR VALUE MEASUREMENTS (CONTINUED)

### Level 1 Measurements

U.S. Treasury notes and bills are traded in active markets on national and international securities exchanges and are valued at closing prices on the last business day of each period presented.

The fair values of the mutual funds and exchange traded funds are determined by reference to the funds' underlying assets, which are principally marketable equity and fixed income securities. Shares held in mutual funds and exchange traded funds are traded on national securities exchanges and are valued at the net asset value on the last business day of each period presented.

Money market funds represent shares held in mutual funds.

### Level 2 Measurements

Certificates of deposit are valued at cost, which approximates fair value due to their short-term nature. At December 31, 2023, the certificates of deposit had interest rates ranging from 0.15% to 5.00% with maturity dates between January 2024 and December 2025. At December 31, 2022, the certificates of deposit had interest rates ranging from 0.10% to 5.00% with maturity dates between January 2023 and December 2025.

## NOTE 9. PROPERTY AND EQUIPMENT

Property and equipment at December 31, 2023 and 2022 consisted of the following:

	<u>2023</u>	<u>2022</u>
Computer and related equipment	\$ 3,313,150	\$ 4,210,023
Office furniture and equipment	1,446,272	427,932
Leasehold improvements	<u>1,448,887</u>	<u>1,133,571</u>
	6,208,309	5,771,526
Less accumulated depreciation and amortization	<u>(3,265,039)</u>	<u>(4,460,125)</u>
Property and equipment - net	<u>\$ 2,943,270</u>	<u>\$ 1,311,401</u>

During the year ended December 31, 2022, the Commission downsized its Chicago office space and disposed of approximately \$2,000,000 in property and equipment at cost, for a non-cash bookkeeping loss of \$526,536. Most of the property and equipment were purchased decades ago and were fully depreciated. The Commission is saving approximately \$700,000 a year in office lease expenditures as a result of the downsizing or approximately \$5,500,000 in constant dollars over the term of its recently renegotiated lease.

During the year ended December 31, 2023, the Commission incurred capital expenditures of approximately \$875,000 in Chicago office renovation costs and approximately \$852,000 and \$309,000 in new furniture and equipment purchases in Chicago and Springfield, respectively. The primary purpose of this investment is to modernize the Commission's offices to make it more competitive and efficient.

## NOTE 10. OPERATING LEASES

The Commission leases its Chicago and Springfield offices under operating lease agreements.

Effective July 31, 2022, the Chicago office lease was extended from May 31, 2027 through May 31, 2030. The total square footage under the lease was reduced by approximately 40%, from 38,349 square feet to 23,125 square feet.

The Chicago office lease calls for monthly payments for pro-rata operating expenses and real estate taxes in addition to the scheduled rent payments

Effective November 1, 2012, the Commission entered into a 15-year agreement for office space in Springfield, Illinois. The agreement, which included an allowance of \$20,000 for leasehold improvements, requires escalating rental payments of 2% per annum over the life of the lease. The Commission's scheduled rent payments for this lease include operating expenses and real estate taxes.

The leases include renewal and termination options that the Commission is not reasonably certain to exercise. Therefore, the payments associated with the potential extensions are not included in the lease liabilities as of December 31, 2023 and 2022.

For the years ended December 31, 2023 and 2022, total operating lease expense under all agreements was \$1,074,880 and \$1,425,707 respectively. Included in these amounts are \$519,555 and \$870,382 respectively, of variable non-lease payments. Cash paid for operating leases for the years ended December 31, 2023 and 2022 was \$653,941 and \$787,501 respectively. As of December 31, 2023, the weighted-average remaining lease term and discount rate for the two operating leases was approximately 6 years and 1.46%, respectively.

The operating lease right-of-use asset and lease liability as of December 31, 2023 and 2022 were as follows:

	<u>2023</u>	<u>2022</u>
Right-of-use asset:		
Operating leases	<u>\$ 3,037,319</u>	<u>\$ 3,523,209</u>
Lease liability:		
Current operating lease liability	\$ 636,088	\$ 584,506
Noncurrent operating lease liability	<u>3,578,086</u>	<u>4,214,174</u>
Total operating lease liability	<u>\$ 4,214,174</u>	<u>\$ 4,798,680</u>

**NOTE 10. OPERATING LEASES (CONTINUED)**

Future minimum rental payments under the terms of these leases, net of scheduled rent abatements, are as follows:

	<u>Springfield</u>	<u>Chicago</u>	<u>Total</u>
Year ending December 31,			
2024	\$ 121,363	\$ 574,825	\$ 696,188
2025	123,790	589,196	712,986
2026	126,266	603,925	730,191
2027	106,969	619,023	725,992
2028	-	634,499	634,499
Thereafter	-	924,127	924,127
	<u>                    </u>	<u>                    </u>	<u>                    </u>
Total lease payments	\$ 478,388	\$ 3,945,595	\$ 4,423,983
Less interest	<u>(12,752)</u>	<u>(197,057)</u>	<u>(209,809)</u>
Present value of lease liability	<u>\$ 465,636</u>	<u>\$ 3,748,538</u>	<u>\$ 4,214,174</u>

**NOTE 11. POSTRETIREMENT BENEFIT OBLIGATION**

On August 9, 1985, the Commission formed a trust to replace the Medicare coverage lost by its employees when the Social Security Administration ruled that certain Commission employees were ineligible for benefits.

The Commission committed to pay the future cost of Medicare premiums for former employees who met certain criteria and were employed by the Commission before March 31, 1986. Furthermore, the Commission agreed to pay reimbursement credits to eligible former employees for supplemental medical and hospitalization insurance coverage beginning at age 65. Therefore, the Commission records a liability associated with its employees' lost Medicare coverage and supplemental health benefits for retirees.

The following sets forth information with respect to this benefit obligation as of and for the years ended December 31, 2023 and 2022:

	<u>2023</u>	<u>2022</u>
Benefit obligation at beginning of year	\$ 2,474,479	\$ 2,402,887
Service cost	30,581	54,282
Interest cost	78,490	61,895
Benefits paid	(48,361)	(28,083)
Actuarial (gain)	<u>(996,792)</u>	<u>(16,502)</u>
Benefit obligation at end of year	<u>\$ 1,538,397</u>	<u>\$ 2,474,479</u>



**NOTE 11. POSTRETIREMENT BENEFIT OBLIGATION (CONTINUED)**

Net periodic benefit costs for 2023 and 2022 are comprised of the following:

	<u>2023</u>	<u>2022</u>
Service cost	\$ 30,581	\$ 54,282
Interest cost	78,490	61,895
Actuarial (gain)	<u>(996,792)</u>	<u>(16,502)</u>
Net periodic benefit cost	<u>\$ (887,721)</u>	<u>\$ 99,675</u>

The key methods and assumptions are as follows:

Actuarial cost method	Projected unit credit method
Mortality table	PriH-2012 Employee and Healthy Retiree tables projected generationally with MP-2021 for 2023 PriH-2012 Employee and Healthy Retiree tables projected generationally with MP-2020 for 2022
Discount rate	2023 - 5.40% 2022 - 2.60%
Retirement age	Between ages 55 and 75
Medical trend rate ultimate	5%

Assumed health care cost trend rates have a significant effect on the amounts reported for health care benefits. The actuary noted in its 2022 valuation that the effect of a 1% increase in health care cost trend rates (medical trend ultimate) would be an increase of \$120,243 on total service cost and interest cost components and an increase of \$112,021 on the postretirement benefit obligation, and management believes that the effect of a 1% increase in health care trend rates in 2023 would approximate the estimate made for 2022.

The liability will increase or decrease in future years due to changes in eligible employees, benefits paid, and possible changes in assumptions based on experience factors and applicable discount rates.

The discount rate used to measure the accumulated postretirement benefit obligation (APBO) increased by 280 basis points compared to the prior valuation, which decreased the net periodic cost and caused the benefit obligation to significantly decrease.

Actuarially determined net benefit payments for each of the next five years and the five years thereafter are as follows:

2024	\$ 60,994
2025	70,726
2026	78,695
2027	86,953
2028	95,434
2029-2033	<u>589,378</u>
Total	<u>\$ 982,180</u>

#### **NOTE 11. POSTRETIREMENT BENEFIT OBLIGATION (CONTINUED)**

The Commission maintains investments in a separate trust account for the Medicare replacement reserve. The assets are invested using prudent asset allocation parameters, with the goal of minimizing risk and achieving asset returns that will help the trust meet its future obligations. The trust's returns should be competitive with like institutions employing similar investment strategies. Because these investments are not considered to be assets established under a separate benefit plan, they are included in the total investment balances on the statements of financial position. The fair values of these investments totaled \$3,037,194 and \$2,779,246 at December 31, 2023 and 2022, respectively.

#### **NOTE 12. EMPLOYEE BENEFIT PLANS**

The Commission maintains a defined contribution retirement plan and trust for the benefit of all eligible employees. The Commission provides enhanced retirement plan contributions due to a Social Security Administration ruling that Commission employees are not eligible for Social Security benefits. Employee contributions are not permitted under the plan's provisions. The Commission contributes 18% of compensation for eligible employees, plus additional contributions for eligible employees earning less than the Commission's median salary. The purpose of these incremental contributions is to ensure that the Commission's lower income earners receive the same aggregate contributions as its median salaried employee. The Commission's contributions to the retirement plan and trust totaled \$1,600,642 in 2023 and \$1,481,189 in 2022. The Commission also pays the plan's administrative expenses, which totaled \$95,462 in 2023 and \$46,628 in 2022.

The Commission also maintains a Section 457 savings plan which is funded by voluntary pre-tax employee and employer matching contributions. The Commission matches employee contributions equal to 100% of the employee deferral amount, up to a maximum of 5% of salary. Matching contributions totaled \$316,751 in 2023 and \$300,152 in 2022. The Commission also pays the savings plan's administrative expenses, which totaled \$5,061 in 2023 and \$4,018 in 2022.

#### **NOTE 13. LITIGATION**

Various complaints and actions are periodically filed against the Commission. At December 31, 2023, the Commission believes that pending matters do not present any serious prospect for negative financial consequences.

#### **NOTE 14. RISKS AND UNCERTAINTIES**

The Commission invests in various investment securities. Investment securities are exposed to various risks such as interest rate, market, and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could affect the amounts reported in the statements of financial position. The Commission believes that any such changes will not be material to the financial statements given that the majority of its investment portfolio is conservatively invested in short-term investment grade fixed income securities.

The actuarial present value of postretirement benefit obligations is reported based on certain assumptions pertaining to interest rates, health care inflation rates and employee demographics, all of which are subject to change. Due to uncertainties inherent in the estimations and assumptions process, it is at least reasonably possible that changes in these estimates and assumptions in the near term would be material to the financial statements.

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