

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

In the Matter of:

JAMES DOUGLAS COTTRELL,

Attorney-Respondent,

No. 6184207.

Commission No. 2022PR00069

COMPLAINT

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorney, Rachel C. Miller, pursuant to Supreme Court Rule 753(b), complains of Respondent, James Douglas Cottrell ("Respondent"), who was licensed to practice law in Illinois on May 5, 1983, and alleges that Respondent has engaged in the following conduct which subjects him to discipline pursuant to Supreme Court Rule 770:

COUNT I

*(Conversion of at least \$2,902.34 in trust account funds)*

1. Beginning in 2014, Respondent has operated James D. Cottrell Law Office, P.C. in Champaign, and he has been the sole attorney operating and providing legal services in that practice. Respondent practices in the areas of real estate and estate planning.
2. Prior to April 2014, Respondent practiced as an associate attorney in a Champaign law firm.
3. On April 8, 2014, Respondent opened a trust account ending in 6729 at PNC Bank ("trust account 6729") in order to hold client trust funds for his sole practice.

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4. Respondent maintained and was the sole signatory on trust account 6729, which was titled “James D. Cottrell Law Office, P.C IOLTA Client Trust Fund.”

5. On or before April 8, 2014, Respondent purchased the law practice of a retiring attorney, Carl J. Sinder (“Sinder”). When Respondent purchased the practice, Sinder tendered a check to him for the remaining client funds in Sinder’s account in the amount of \$2,977.23 and a list of individuals or groups to whom the funds belonged.

6. On April 8, 2014, Respondent deposited Sinder’s client trust funds into trust account 6729.

7. At no time prior to March 6, 2022 did Respondent tender funds from trust account 6729 to the individuals or groups on the list Sinder provided to him.

8. On March 6, 2022, Respondent the balance of trust account 6729 was \$74.89.

9. Between April 8, 2014 and March 6, 2022, Respondent used \$2,902.34 belonging to Sinder’s former clients for Respondent’s own business or personal purposes.

10. By using the \$2,902.34 set forth in paragraph seven, above, without authority, Respondent engaged in conversion of those funds.

11. At the time Respondent converted the \$2,902.34, he knew he was using these funds without authority, and in doing so, he acted dishonestly.

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

- a. failure to hold property of clients or third persons that is in the lawyer’s possession in connection with a representation separate from the lawyer’s own personal property, by conduct including, causing the balance of trust account 6729 to fall to \$74.89, thereby converting \$2,902.34 in funds belonging to third parties for his own business or personal purposes, in violation of Rule 1.15(a) of the Illinois Rules of Professional Conduct (2010); and

- b. conduct including dishonest, fraud, deceit, or misrepresentation, by conduct including knowingly using at least \$2,902.34 in funds belonging third parties for his own business and personal purposes, without authorization, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Jerome Larkin, Administrator  
Attorney Registration and  
Disciplinary Commission

By: /s/ Rachel C. Miller  
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