

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

In the Matter of:

SALENA RACHELLE YOUNG,

Attorney-Respondent,

No. 6279523

Commission No. 2024PR00037

NOTICE OF ELECTRONIC FILING

TO: Rachel C. Miller
Attorney Registration and Disciplinary
Commission of the Supreme Court of Illinois
3161 W. White Oaks Drive, Suite 301
Springfield, IL 62704
Email: rmiller@iardc.org
Email: ARDCeService@iardc.org

On July 16, 2024, I shall electronically file with the Clerk of the Illinois Attorney Registration and Disciplinary Commission the foregoing Notice of Filing and the Attached Answer to Complaint.

Respectfully submitted,

/s/ Salena R. Young
Salena R. Young, Attorney-Respondent

PROOF OF SERVICE

I, Salena R. Young, on oath, certify that I served a copy of the foregoing Notice of Filing and Answer to Complaint by emailing a copy to rmiller@iardc.org and ARDCeService@iardc.org on July 16, 2024.

/s/ Salena R. Young
Salena R. Young, Attorney-Respondent

FILED
7/15/2024 10:31 PM
ARDC Clerk

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ANSWER TO COMPLAINT

NOW COMES, Attorney-Respondent, SALENA RACHELLE YOUNG, and for her
Answer to the Complaint hereby states the following:

COUNT I

(Dishonesty in Employment at the Illinois Attorney General's Office)

1. Prior to November 16, 2021, Respondent operated Young Law Office as a sole practitioner. Beginning in December 2017 and continuing through August 2023, she served as a part-time Sangamon County Assistant Public Defender handling juvenile abuse and neglect cases.

ANSWER: Respondent admits that she practiced law as a sole practitioner prior to November 16, 2021 and that Respondent served as a Sangamon County Assistant Public Defender handling juvenile abuse and neglect cases from December of 2017 to August of 2023.

2. On November 16, 2021, Respondent began working in a full-time position as an Assistant Attorney General in the General Law Bureau in Springfield.

ANSWER: Respondent admits the allegation in paragraph 2 of the Complaint that she was working in a full-time position and clarifies that the position was a remote position and that the hours were somewhat fluid.

3. At all times related to this complaint, the Illinois Attorney General policy and procedures manual, section 8.1.7, stated, that, “Assistant Attorneys General shall not engage in the private practice of law.” Section 4.1.10(b)(2)(D) of the Illinois Attorney General policy and procedure manual further stated that, “An employee may not engage in any paid or non-paid employment outside the office which may create an actual conflict of interest or an appearance of conflict of interest. An employee may not use office time, equipment, resources, or personnel in any outside paid or non-paid employment.”

ANSWER: Respondent admits that there are some policies at the Illinois Attorney General’s office that limit certain outside employment as alleged in paragraph 3 of the Complaint but asserts that there are other policies that allow for outside employment for employees with permission.

4. Between November 16, 2021, and June 12, 2023, Respondent appeared on Wednesdays and Thursdays in Sangamon County for her juvenile abuse and neglect cases in her role as a Sangamon County Assistant Public Defender.

ANSWER: Respondent admits that she appeared in Court in Sangamon County for juvenile abuse and neglect cases; and denies the allegations in paragraph 4 of the Complaint to the extent it is alleged that she appeared on every Wednesday and Thursday between November 16, 2021 and June 12, 2023.

5. At no time when appearing in Sangamon County as a Sangamon County Assistant Public Defender between November 16, 2021, and June 13, 2023, did Respondent use benefit time

or reflect on her timekeeping log that she was not engaged in work for the Illinois Attorney General.

ANSWER: Respondent denies any implication in Paragraph 5 of the Complaint that the use of benefit time was necessary as Respondent was multitasking both jobs and completing the work for both jobs every working day and weekends and receiving high praise and promotions for same.

6. On at least 36 occasions, Respondent submitted timekeeping records which showed she clocked in and worked on Wednesdays and Thursdays for the Illinois Attorney General's Office.

ANSWER: Respondent admits the allegations in paragraph 6 of the Complaint because Respondent was working for both of her employers on each day of the week from the early morning until late at night until all of the tasks for both jobs were complete.

7. Respondent's timekeeping logs reflecting that she worked full days for the Illinois Attorney General's office on Wednesdays and Thursdays was false, because she worked as a Sangamon County Assistant Public Defender at least part of the day on Wednesdays and Thursdays.

ANSWER: Respondent denies the allegations in paragraph 7 of the Complaint because Respondent began working very early in the morning until late at night on weekdays and weekends to complete the work for both of the jobs.

8. Respondent knew at the time that she submitted the timekeeping logs to the Illinois Attorney General's office reflecting that she was clocked in and working for the Illinois Attorney General, as described in paragraph 6, above, that the timekeeping logs were false.

ANSWER: Respondent denies the allegations in paragraph 8 of the Complaint because she was working on both jobs throughout each day and night including weekends.

9. By reasons of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by conduct including knowingly submitting false timesheets to the Illinois Attorney General's Office, as described in paragraphs four and five, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent denies the allegations contained in paragraph 9 and subparagraph (a) of paragraph 9 of the Complaint. Respondent worked early mornings, nights, and weekends from 2021 to 2023 to ensure that the requisite hours were furnished and assignments for both of her employers were completed. Respondent asserts that the clients were highly satisfied with the work product.

COUNT II

*(Conflict of Interest by Simultaneously working as an Assistant Attorney General
And Sangamon County Assistant Public Defender)*

10. The Administrator realleges and incorporates paragraphs one through eight [sic], above.

ANSWER: Respondent restates and incorporates her answers to paragraphs one through nine of the Complaint for her response to paragraph 10.

11. As part of Respondent's duties as an Assistant Attorney General, she represented employees of the Department of Children and Family Services (DCFS).

ANSWER: Respondent admits she represented some employees of DCFS while an Assistant Attorney General.

12. In at least six separate matters between November 2021 and November 2022, Respondent represented DCFS as an agency or DCFS employees in various matters, including

domestic relations matters, a probate matter, a guardianship matter, an administrative review of an indicated finding, and a civil lawsuit.

ANSWER: Respondent admits the allegations in paragraph 12 of the Complaint.

13. In Respondent's juvenile abuse and neglect matters in Sangamon County, DCFS routinely served as a witness in the cases.

ANSWER: Respondent admits that some employees of DCFS were occasionally witnesses as stated in the allegations in paragraph 13 of the Complaint but denies that they were the same DCFS employees that she had represented as an Assistant Attorney General.

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

- a. representing a client when there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a person interest of the lawyer, by conduct including representing clients in Sangamon County while employed by, and using office time for, the Illinois Attorney General, in violation of the Illinois Attorney General policy and procedures manual and Rule 1.7(a)(2) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent denies the allegations contained in paragraph 14 and subparagraph (a) of paragraph 14 of the Complaint and asserts that there was not a substantial risk in the representations of the Public Defender clients and the DCFS employees as they were not in the same county or jurisdiction and never actually conflicted from 2021 to 2023. Respondent's representation was never limited in any way in any case; and this allegation calls for a legal conclusion. Respondent would have made any actual conflict known to the Court and either employer if one had ever arisen.

AFFIRMATIVE DEFENSES

Respondent did not act with any dishonesty or fraudulent intent, as she worked beyond regular hours, including early mornings, nights and weekends, on her Attorney General and Public Defender legal work and had no conflict of interest, or the appearance of, existed between her Public Defender work and work for the Attorney General's Office.

WHEREFORE, Respondent requests that the Complaint be dismissed with prejudice and for such other relief as the Commission deems just and equitable.

RULE 231 DISCLOSURE

Respondent has been admitted to practice law in Illinois since May 2003 and is not admitted in any other State. Respondent is also admitted to practice before the United States Central District of Illinois and United States Southern District of Illinois since 2021.

The law license of Respondent has never been subject to any professional discipline.

Respondent does not hold other professional licenses.

Respectfully Submitted,

Salena Young

Attorney-Respondent

By: /s/ Salena Young
Salena Young

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