

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

CHARLES F. MORRISSEY,

Attorney No. 6243531,

Movant.

Supreme Court No. MR

Commission No. 2024PR00063

MOTION PURSUANT TO SUPREME COURT RULE 762(a)

Movant, Charles F. Morrissey, respectfully represents to the Court that:

1. Movant was licensed to practice law in Illinois on November 6, 1997.
2. Movant desires to have his name stricken from the Roll of Attorneys pursuant to Supreme Court Rule 762(a), effective immediately.
3. Filed contemporaneously with this motion is a statement of charges prepared by the Administrator and Movant's affidavit in support of this motion.

WHEREFORE, Movant respectfully requests that the Court enter an order striking his name from the Roll of Attorneys.



Charles F. Morrissey

Charles F. Morrissey
Morrissey & Donahue, LLC
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In the Matter of:

CHARLES F. MORRISSEY,

Attorney-Movant

No. 6243531.

Supreme Court No. MR

Commission No. 2024PR00063

STATEMENT OF CHARGES PURSUANT TO
SUPREME COURT RULE 762(a)

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission (“ARDC”), by her attorney, Evette L. Ocasio, pursuant to Supreme Court Rule 762(a), states that on the date Charles F. Morrissey (hereinafter “Movant”) filed a motion requesting that his name be stricken from the Roll of Attorneys, a two-count complaint was pending against Movant before the ARDC’s Hearing Board charging him with converting approximately \$388,064 from two separate client matters, and making misrepresentations to the clients and the Court about the availability of the funds he had converted. Had Movant’s conduct been the subject of a hearing, the evidence described below would clearly and convincingly establish the following facts and conclusions of misconduct:

I. FACTUAL BASIS

Movant’s admissions and testimony, bank records, and the testimony of various individuals would establish the following facts:

1. Movant is 55 years old and was licensed to practice law in Illinois on November 6, 1997. Movant was the principal and sole attorney of the Chicago law firm Morrissey & Donahue, LLC. Movant had sole signatory authority on the firm’s client trust account, which was held at JPMorgan Chase Bank (“Chase”) and titled “Morrissey Law Group LLC DBA CHARLES F. MORRISSEY, ATTORNEY AT LAW IOLTA TRUST ACCOUNT” (“IOLTA account”).

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2. Between October 2023 and June 2024, Movant converted at least \$388,064 in funds that belonged to his clients or their lienholders. Movant used those funds for his own personal purposes, without authority to do so, from either of his clients. The client matters, and the Movant's conversion of their funds, are described in detail below.

A. *Conversion of \$116,724 from Personal Injury Matter and Dishonesty*

3. In April 2021, Movant and a client with the initials C.S. agreed that Movant would represent C.S. in a personal injury action arising from a slip and fall. Movant and C.S. agreed that Movant's receipt of a fee would be contingent upon Movant recovering a settlement or award on her behalf, and that Movant would receive one-third of any such recovery, plus all reasonable costs Movant incurred pursuing C.S.'s case. In June 2022, Movant filed a personal injury action on behalf of C.S., and in September 2023, the parties reached a settlement in the amount of \$175,000.

4. On October 6, 2023, Movant received a settlement check made payable to Morrissey & Donahue LLC and C.S. in the amount of \$175,000. On that date, Movant deposited the \$175,000 settlement check into his IOLTA account. From the settlement, C.S. and her third-party lienholders were entitled to at least \$116,724. Between October 6, 2023, and January 22, 2024, prior to making any disbursement of the settlement proceeds to St. George, Movant drew the balance on his IOLTA account to \$1, as he made withdrawals in payment of his personal or business obligations. As a result, Movant had used for his own purposes \$116,724 of funds due to C.S. or her third-party lienholders. Movant's use of those funds constitutes conversion.

5. Between January 24, 2024, and February 8, 2024, C.S. and her adult children repeatedly called, texted, and emailed Movant regarding the status of the settlement proceeds. On February 9, 2024, Movant falsely told C.S.'s daughter in a text message that he had not and would not steal her mother's money. Then, on April 16, 2024, Movant texted C.S.'s daughter a screenshot

of his IOLTA account balance and falsely stated to her that her mother's settlement funds remained in the account.

B. *Conversion of \$271,339.73 in Real Estate Matter and Dishonesty*

6. In February 2024, Movant and a client with the initials P.M. agreed that Movant would represent P.M. and his business in the sale of a property located on Ashland avenue in Chicago. Movant and P.M. agreed that Movant's fee for the sale of the property would be \$1,500.

7. On March 12, 2024, the real estate closing for the Ashland property was finalized and Movant received two checks from the title company. One check was made payable to Charles F. Morrissey in the amount of \$1,500, which represented Movant's fee as the seller's attorney. The second check was made payable to CHARLES MORRISSEY IOLTA ACCOUNT in the amount of \$301,340.72, which represented the net proceeds of the sale of the property. On the same date, Movant deposited the net proceeds from the sale of the Ashland property into his IOLTA account, and texted P.M. a photo of the receipt which indicated the funds would be available on March 21, 2024.

8. On March 21, 2024, Movant texted P.M. that he was unable to make it to the bank to transfer the proceeds of the sale to P.M., but would do so the following day. Between March 22, 2024, and March 26, 2024, P.M. texted and called Movant multiple times regarding the status of the real estate proceeds, but Movant did not respond to P.M.'s communications. Between March 28, 2024, and April 24, 2024, Movant falsely stated to P.M. in multiple text messages that Chase had put a hold on all of Movant's accounts and that the bank was preventing him from delivering the real estate proceeds to P.M.

9. Between March 2024 and June 2024, prior to making any disbursement of the real estate proceeds to P.M., Movant drew the balance on his IOLTA account to \$30,000.99, as he

made withdrawals in payment of his personal or business obligations. As a result, Movant had used at least \$271,339.73 for his own purposes, without authority. Movant's use of those funds constitutes conversion.

10. In May 2024, P.M. and his company filed a complaint for a permanent injunction against Movant, as well as a motion for a temporary restraining order and preliminary injunction, seeking to bar Movant and his law firm from disbursing funds belonging to P.M. and his company. On June 5, 2024, Movant appeared for the hearing on the motion for temporary restraining order and preliminary injunction. During the hearing, Movant falsely told the Honorable D. Atkins that the \$301,340.72 in real estate proceeds from the Ashland property remained in his IOLTA account.

11. On June 7, 2024, the court granted the motion for temporary restraining order, in part, and ordered that Movant be enjoined until further order of court from transferring or otherwise disbursing the real estate proceeds. The court further ordered Movant to answer the complaint or otherwise plead by July 3, 2024, and continued the matter for further status hearing set on July 11, 2024. Movant failed to file an answer in those proceedings and failed to appear on July 11, 2024.

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

- a. failing 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 converting at least \$388,064 from two client matters for his own business and personal purposes, without authority, including converting at least \$116,724 in funds belonging to C.S. and third-party lienholders, and converting \$271,339.73 in funds belonging to P.M. and his company, in violation of Rule 1.15(a) of the Illinois Rules of Professional Conduct (2010);
- b. knowingly making a false statement of fact to a tribunal by making false statements to the court on June 6, 2024, that the full amount of the real estate proceeds from the sale of the

Ashland property was being held in Movant's IOLTA account, in violation of Rule 3.3(a)(1) of the Illinois Rules of Professional Conduct (2010);

- c. knowingly disobeying an obligation under the rules of a tribunal, by conduct including, failing to answer the complaint and failing to appear at the scheduled hearing on July 11, 2024, in the civil lawsuit brought against him by P.M. and his company, in violation of Rule 3.4(a) of the Illinois Rules of Professional Conduct (2010); and

- d. conduct including dishonesty, fraud, deceit, or misrepresentation, by conduct including by (1) knowingly using at least \$116,724 in funds belonging to C.S. and third-party lienholders for his own business and personal purposes, without authority; (2) falsely stating to C.S.'s daughter that he did not steal C.S.'s settlement and would never steal her settlement; (3) falsely stating to C.S.'s daughter that C.S.'s settlement proceeds were being held in Movant's IOLTA account; (4) knowingly using at least \$271,339.73 in funds belonging to P.M. and P.M.'s company for his own business and personal purposes, without authority; (5) making false statements to the court on June 5, 2024, that the full amount of the real estate proceeds from the sale of the Ashland property were being held in Movant's IOLTA account; and (6) making false statements to P.M. between March and April 2024 that Chase bank had put a hold on Movant's client trust account, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Evette L. Ocasio
Evette L. Ocasio

Evette L. Ocasio
Counsel for Administrator
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In the Matter of:

CHARLES F. MORRISSEY,

Attorney No. 6243531,

Movant.

Supreme Court No. MR

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AFFIDAVIT

Affiant, Charles F. Morrissey, being first duly sworn, states:

1. Affiant has filed with this Court a motion to strike his name from the Roll of Attorneys licensed to practice law in Illinois, pursuant to Supreme Court Rule 762(a).

2. Affiant has received and reviewed a copy of the Administrator's statement of charges that were pending against Affiant as of the filing of the instant motion. If the case proceeded to a hearing, the Administrator would present the evidence described in the statement of charges, and the evidence would clearly and convincingly establish the facts and conclusions of misconduct set forth in the statement of charges.

3. Affiant's motion is freely and voluntarily made.

4. Affiant understands the nature and consequences of this motion.



Charles F. Morrissey

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CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



Charles F. Morrissey

Dated: July 11, 2025

Charles F. Morrissey
Morrissey & Donahue, LLC
200 E. Randolph Street Suite 5100
Chicago, Illinois 60601
cfm@morrisseydonahue.com

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IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

CHARLES F. MORRISSEY,

Attorney-Respondent,

No. 6243531.

Commission No. 2024PR00063

NOTICE OF FILING

TO: Charles F. Morrissey
Attorney-Respondent
Email: cfm@morrisseydonahue.com

PLEASE TAKE NOTICE that on July 11, 2025, an electronic copy of Movant's MOTION PURSUANT TO SUPREME COURT RULE 762(a), Administrator's STATEMENT OF CHARGE and Movant's AFFIDAVIT, were submitted to the Clerk of the Supreme Court for filing. On that same date, copies were served via e-mail on Respondent, at cfm@morrisseydonahue.com at or before 4:00 p.m.

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Evette L. Ocasio
Evette L. Ocasio

Evette L. Ocasio
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PROOF OF SERVICE

The undersigned, an attorney, hereby certifies, pursuant to the Illinois Code of Civil Procedure, 735 ILCS 5/109, that the Administrator served copies of Movant's MOTION PURSUANT TO SUPREME COURT RULE 762(a), Administrator's STATEMENT OF CHARGES and Movant's AFFIDAVIT, by e-mail on Respondent at cfm@morrisseydonahue.com on July 11, 2025 at or before 4:00 p.m.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/ Evette L. Ocasio

Evette L. Ocasio

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