



## INFORMATION RELEASE FRIDAY APRIL 29, 2011

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# ANNUAL LAWYER REPORT RELEASED

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The Attorney Registration and Disciplinary Commission (ARDC), the administrative agency that regulates licensed Illinois lawyers, has filed its year 2010 Annual Report with the Supreme Court of Illinois. The report was released to the public this morning when a copy was posted on the ARDC website: [www.iardc.org](http://www.iardc.org).

A summary of the annual report entitled *Highlights from the Annual Report* is attached to this information release.

The ARDC annually evaluates the effectiveness of the disciplinary system. Complete and comprehensive statistics concerning the disciplinary caseload are submitted to the Illinois Supreme Court and are published in the annual report. Few professions account for their regulatory activity in such detail. In addition, the annual report also includes the findings of an independent auditor that the agency's financial statements were accurate and that the ARDC employs appropriate accounting procedures.

In its annual report, the ARDC accounts to the Supreme Court for money received and spent. No tax money is used to fund the agency. All operating funds are taken from an annual registration fee paid by Illinois attorneys. Most lawyers now pay an annual fee of \$289. Of that amount, \$205 is used by the ARDC to pay for lawyer regulation, \$42 is remitted to the Lawyers Trust Fund to fund legal services for the poor, \$7 is sent to the Lawyers' Assistance Program Fund, \$10 is submitted to the Supreme Court's Commission on Professionalism, and \$25 funds the Client Protection Program. The Supreme Court of Illinois created the Client Protection Program in 1994 to reimburse clients who lose money because of the dishonest conduct of a lawyer.

Annual reports for the prior ten reporting periods are published at the ARDC website under the tab marked: **ARDC Organizational Information**. The website also includes the Master Roll of Attorneys in Illinois and permits a user to search for certain basic public registration information, including the business address and public disciplinary record, of Illinois lawyers. The site attracts up to 112,000 visits each month and, in 2009, visitors totaled more than 1.1 million. It has a searchable database of disciplinary decisions.

The ARDC consists of four members of the Illinois Bar and three non-lawyers appointed by the Supreme Court. The ARDC Chairman is R. Michael Henderson of Peoria. The Vice Chair is Joan Myers Eagle of Chicago. The Commissioners receive no compensation for their services. The Commissioners create ARDC policies, establish an operating budget, appoint members of the Inquiry and Hearing Boards, and manage the Client Protection Program. Subject to the approval of the Supreme Court, the Commissioners appoint the ARDC's chief executive officer, the Administrator. The Administrator is Jerome Larkin.

There are two ARDC offices: One Prudential Plaza in Chicago and One North Old Capitol Plaza in Springfield.

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THE ARDC WEBSITE: [WWW.IARDC.ORG](http://WWW.IARDC.ORG)



## HIGHLIGHTS FROM THE 2010 ANNUAL REPORT

### ■ Public Outreach Efforts

The ARDC continues to be a national leader in providing ethics training to the profession and to the public. In 2010, Commission personnel made over 200 presentations to bar associations, government agencies, law firms, law schools, public interest groups and other organizations. As a result of these efforts, thousands of Illinois lawyers had the opportunity to pose questions and learn more about lawyer regulation in this state and throughout the country. The ARDC also released two self-produced webcasts on its website, [WWW.IARDC.ORG](http://WWW.IARDC.ORG), that served to educate Illinois lawyers about ethics and regulation. In 2010, over 6,600 lawyers earned four hours of continuing legal education credit in ethics and professionalism at no cost by viewing the webcasts.

### ■ Lawyer Population

The names of 86,657 lawyers were contained on the Master Roll of Attorneys as of October 31, 2010. That number does not include the 2,117 attorneys who took the oath of office in late 2010. The lawyer population in Illinois saw an increase of 2.2% over 2009, continuing a trend of steady increases in the lawyer population since 2001, and the largest one-year increase in the Illinois lawyer population since 2005. The number of newly admitted lawyers continues at a steady pace, with at least 2,000 more lawyers each year. The percentage of attorneys reporting a principal address outside Illinois continues to increase, at 27%, a 1% increase over 2009. The counties with the greatest increase in attorney population include McHenry (3.2%), Will (2.5%), Lake (2.4%), and Cook (2.4%).

### ■ Pro Bono Legal Services

Despite the recent economic downturn, 2010 was an increase in the number of lawyers providing *pro bono* legal services, the hours dedicated to providing free legal services, the number of lawyers making monetary contributions to legal aid organizations, and the amount contributed to legal service causes. A total of 29,276 attorneys indicated that they had provided *pro bono* legal services, as defined by Illinois Supreme Court rule, a 7.6% increase over the prior year. Those lawyers reported a total of 2,328,770 *pro bono* legal service hours, an increase of 6% over 2009, including 1,238,967 hours of legal service provided directly to persons of limited means, an increase of 11%. The number of lawyers making monetary contributions increased by 6% as well as the total amount contributed in 2010, \$15,266,660, which increased by 2.4% over 2009.

### ■ Grievances and Formal Disciplinary Charges

During 2010, the Commission docketed 5,617 investigations into alleged ethics violations, a 3.7% decrease from the year before and the fewest number of docketed investigations in 18 years. Consistent with historic trends, the top three areas of a grievance involve problems with the client-attorney relationship including allegations of neglect (38% of all investigations), failing to communicate (21%), and conduct involving fraud or deceit (15%). Consistent with prior years, the top areas of practice most

likely to lead to a grievance include criminal law, domestic relations, tort, and real estate. Approximately 75% of grievances were concluded within 90 days after they were initiated.

### ■ Disciplinary Sanctions

During 2010, the Supreme Court entered 148 sanctions against 148 lawyers and another 7 lawyers were reprimanded by the Hearing Board. A little over 43% of the sanctioned lawyers practiced in Cook County where more than 45% of Illinois lawyers practice. The county with the second highest percentage of sanctioned practitioners was DuPage (5%). More lawyers were disciplined for engaging in fraudulent or deceptive conduct than any other offense. Of those disciplined, 90% were men and almost 75% of all lawyers disciplined were between the ages of 50 and 74.

### ■ Client Protection Program

The Supreme Court of Illinois established the Client Protection Program (CPP) in 1994 to reimburse clients who lose money due to the dishonest conduct of lawyers who have been disciplined or have died. Through the end of 2010, the program has made \$9,269,412 in total awards. The current maximum available award is \$75,000 per claim and \$750,000 in aggregate awards per lawyer. In 2010, CPP approved 89 claims against 30 lawyers and paid a total of \$705,168 to claimants. Four awards were for the \$75,000 maximum, and 51 were for \$2,500 or less. Unearned fee claims constituted 73% of all award approvals and misappropriation of funds claims comprised 27% of approvals.

### ■ Ethics Assistance to the Bar

The ARDC's *Ethics Inquiry Program*, a telephone inquiry resource, continues to serve Illinois attorneys who seek help in resolving hypothetical, ethical dilemmas. In 2010, ARDC staff lawyers responded to 4,606 ethics inquiries, an increase of 11% over the prior year and more than a 40% increase in the number of inquiries since 2006. Questions about a lawyer's obligation to report professional misconduct continues to be the greatest area of inquiry.

### ■ ARDC Website

The ARDC web site attracts up to 112,000 visits each month and, in 2010, visitors totaled more than 1.1 million. The most visited page at the site is ***Lawyer Search***, a search engine that enables visitors to review the Master Roll of Attorneys for certain basic public registration data regarding any individual lawyer, including the lawyer's principal address and telephone number, the year of admission, any public disciplinary history about the lawyer, and information as to whether or not the lawyer carries malpractice insurance. Another popular page is ***Clerk's Office Filings and Public Hearings***, where viewers may obtain detailed information on disciplinary cases decided by the Supreme Court, and learn about recently filed public disciplinary complaints and reports issued by the ARDC Hearing and Review Boards, as well as the schedule of proceedings scheduled in public disciplinary and reinstatement cases. Finally, the percentage of lawyers who registered online at the ARDC website increased significantly over the past three years, from 37% in 2009 to 70% for the 2011 registration year.