HIGHLIGHTS
2018 ANNUAL REPORT

ATTORNEY REGISTRATION & DISCIPLINARY COMMISSION

The Full 2018
ARDC Annual Report

WHO WE ARE

ARDC MISSION STATEMENT

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.

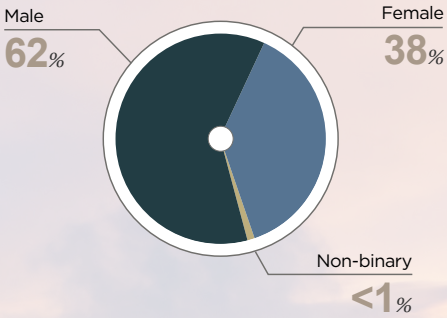
The ARDC handles discipline matters fairly and promptly, balancing the rights of the lawyers involved and the protection of the public, the courts and the legal profession. Grievances are investigated confidentially. Disciplinary prosecutions are adjudicated publicly and result in recommendations to 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.

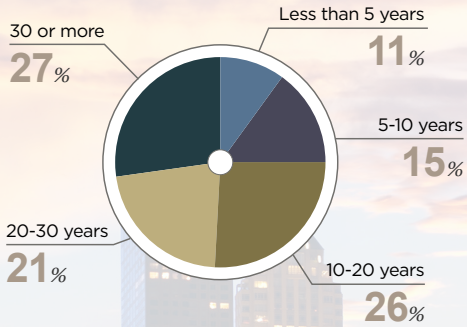
94,608 registered lawyers • **68%** located in Illinois • **48%** located in Cook County

ILLINOIS LAWYERS

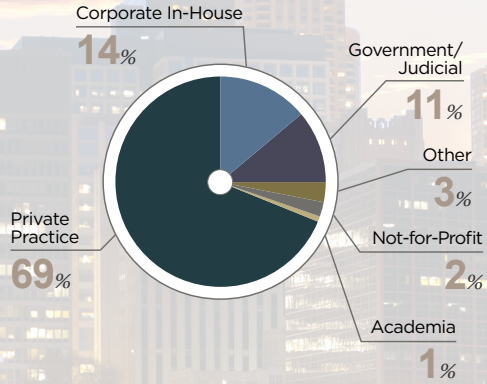
GENDER



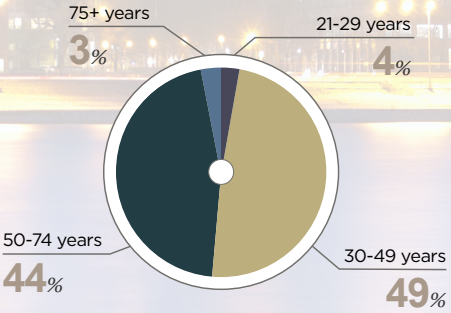
YEARS IN PRACTICE



PRACTICE SETTING

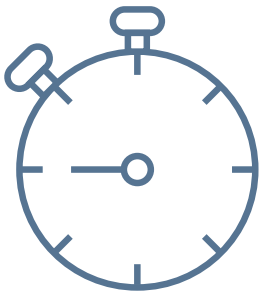


AGE



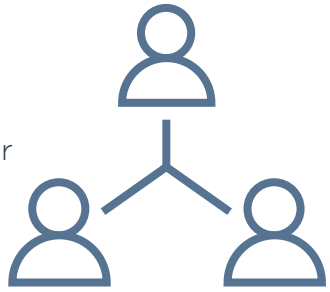
LAWYERS IN PRIVATE PRACTICE

PRO BONO SERVICE AND CONTRIBUTIONS



32,866 lawyers performed over **2 million** hours in pro bono legal services

19,871 lawyers donated over **$18 million** dollars to pro bono legal service organizations



REGULATORY ACTION

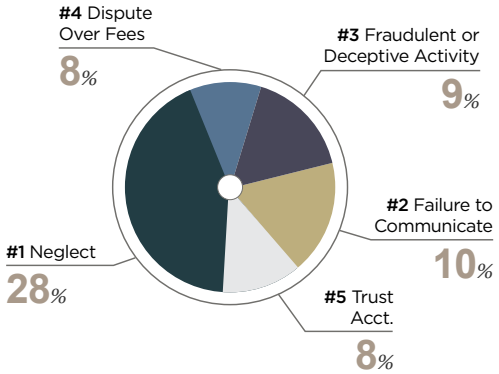
INVESTIGATIONS, PROSECUTIONS AND SANCTIONS

The Illinois Supreme Court granted the ARDC the sole authority to regulate the legal profession in Illinois. The ARDC investigates claims of misconduct and, if warranted by the evidence, brings formal disciplinary charges. The Supreme Court then ultimately decides whether a lawyer should be disciplined. Assisted by a diverse staff and volunteer board members, the mission of the ARDC is to protect the public and protect the integrity of the legal profession. Proceedings before the ARDC are governed by Supreme Court Rules 751-780 and the Rules of the ARDC.

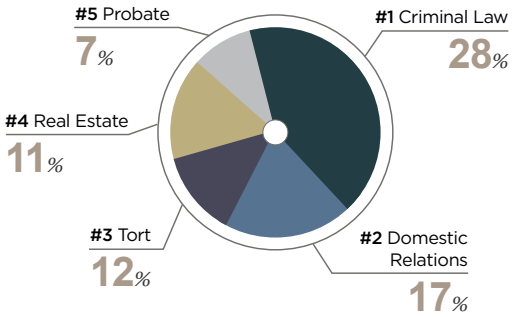
INVESTIGATIONS

5,029 grievances, a **3.3%** decrease over the prior year and a trend of decline since 2012.

64% of grievances arises out of a breakdown in attorney-client relations:



Top five practice areas are:



INVESTIGATIONS (CONT.)

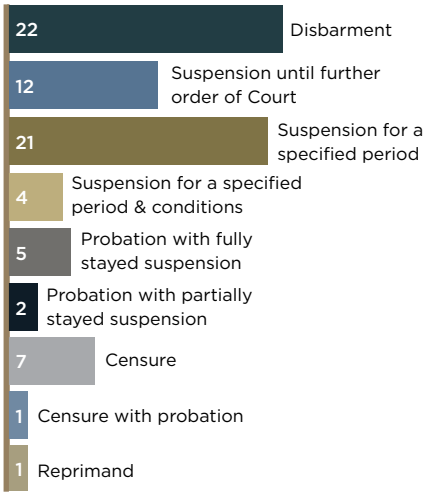
- **3,719** lawyers were the subject of an investigation and **18%** of those were the subject of more than one grievance docketed in **2018**.
- **10%** of grievances were received from an attorney report (aka "Himmel" report)
- **321** overdraft investigations, **6%** of all grievances
- **114** UPL investigations, **74** of which were made against unlicensed persons or entities.

PROSECUTIONS

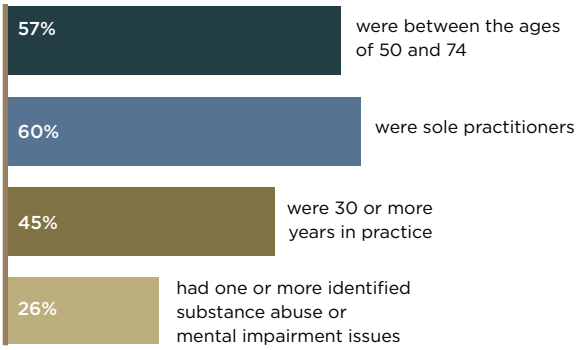
- **93** disciplinary and regulatory filing including **59** disciplinary complaints
- **67%** of disciplinary proceedings were concluded without a contested hearing
- **76%** of disciplinary complaints alleged fraudulent or deceptive activity
- **44%** of disciplinary complaints were the result of an attorney report (aka "Himmel" report)
- **13%** of disciplinary proceedings were concluded by default

SANCTIONS

75 sanctions entered by the Illinois Supreme Court against **74** lawyers in **2018**



DISCIPLINED LAWYERS IN 2018



EDUCATION & OUTREACH

Through seminars, publications and outreach on the ethical duties of lawyers, the ARDC helps lawyers serve their clients effectively and professionally, protects clients and the public from harm, and assists the public in understanding the legal system and the duties of lawyers.

Education and outreach efforts in **2018** include:

ARDC ON-DEMAND CLE WEBCASTS

A leading MCLE provider in Illinois, the ARDC produces recorded, MCLE-accredited webcasts, free of charge, and available on the ARDC website on a variety of ethics topics to help Illinois lawyers fulfill the six-hour MCLE professional responsibility requirement.

- **21** on-demand MCLE accredited webcast seminars with more than **70,000** orders
- Over **7,000** lawyers completed the Proactive Management-Based Regulation (PMBR) Series, an interactive, law office management self-assessment course required of lawyers in private practice with no malpractice insurance.
- Over **48,000** hours in Illinois MCLE professional responsibility credit earned by lawyers in **2018**

SPEAKING ENGAGEMENTS

315 presentations made by ARDC lawyers to bar associations, government agencies, law firms, law schools, public interest groups and other organizations, at no charge, throughout the state and country.

ARDC WEBSITE

1.5 million visitors to the ARDC website, a leading on-line resource for public information concerning all aspects of lawyer regulation in Illinois including the Lawyer Search function which enables users to search the Master Roll for certain basic public registration information about lawyers

ARDC DIVERSITY AND INCLUSION INITIATIVE

Established by the ARDC in July 2015, the Initiative provides leadership and direction for diversity and inclusion at all levels of the ARDC and increases diversity and inclusion in the legal profession and in the community in general by:

- Strengthening relationships with affinity bar associations
- Creating diversity and inclusion MCLE programming on the ARDC website.
- Promoting a more diverse ARDC staff and volunteer board members.
- Providing education and training for ARDC leadership and staff.

ARDC ETHICS INQUIRY HOTLINE

4,083 calls received from lawyers to the Hotline, a free, telephone inquiry resource to assist lawyers in resolving hypothetical, ethical dilemmas. Additional information about the Hotline can be obtained at: www.iardc.org/ethics.html.

ARDC STAFF SERVICE IN LEGAL ORGANIZATIONS

Our lawyers are actively involved in the legal community, serving as liaisons to and members of national, state, local and affinity bar associations. Our lawyers often serve in key leadership positions.

REMEDIAL ACTION

The ARDC advocates for restitution, seeks reimbursements through our Client Protection Program and utilizes other remedial actions in disciplinary matters as a way to meaningfully address some of the causes of lawyer misconduct. The ARDC continues to find practical and innovative ways to prevent future harm and restore the public's trust in the administration of justice and rule of law.

CLIENT PROTECTION PROGRAM

- **$2,324,786** on **99** claims approved against **35** lawyers in **2018**
- Nine approvals for the **$100,000** maximum and **27** approvals for **$2,500** or less
- **63%** of approved claims involved conversion

PROBATION

- **128** disciplined lawyers monitored in **2018** by the ARDC Probation Section for substance or mental illness impairments, law office management issues and/or restitution conditions.

REFERRALS TO LAP

- **46** referrals made by the ARDC to the Lawyers Assistance Program (LAP) in 2018. Supreme Court **Rule 766** permits the ARDC to make referrals to LAP during an otherwise confidential investigation where there is reason to believe the lawyer may be impaired by substance abuse or a mental health.

DIVERSION PROGRAM

- The ARDC Diversion Program, created under Com. **Rule 54**, allows for closure of an investigation by the ARDC in certain matters if the lawyer agrees to complete one or more activities, services or programs that address the issues that may be causing grievances.

REMEDIAL EDUCATION

- Trust account compliance education is required for lawyers with a trust account overdraft investigation.
- ARDC Professionalism Seminar attendance is required as a part of discipline, covering the basics of the Illinois Rules of Professional Conduct.

PERMANENT RETIREMENT/DISABILITY INACTIVE STATUS

- Permanent Retirement and Disability Inactive status allows for a reasonable and dignified way for lawyers facing minor misconduct charges to retire from the practice of law with no possibility of reinstatement. In **2018**, two lawyers were transferred to permanent retirement status and two to disability inactive status.

RECEIVERSHIPS

- **21** receivership investigations were initiated in **2018**. In four instances the ARDC was appointed as receiver of a lawyer's law practice where the lawyer's disability, disappearance or death rendered it necessary to protect the interests of clients

RESTITUTION

- The Court continued to order in **2018** restitution, when appropriate, as part of a lawyer's discipline, the payment of which is a condition for readmission.

ARDC

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