

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

**FILED**

July 19, 2022

**ARDC CLERK**

In the Matter of:

**CHRISTOPHER ROBERT EMERALD,**

Attorney-Respondent,

No. 6269706.

Commission No. 2021PR00085

**REPORT AND RECOMMENDATION OF THE HEARING BOARD**

**DEFAULT PROCEEDING**

The hearing in this matter was held by videoconference on June 9, 2022, before a Hearing Board Panel consisting of Carl E. Poli, Chair, Cristin Keely McDonald Duffy, and Justine A. Witkowski. Rachel C. Miller appeared on behalf of the Administrator. Respondent appeared *pro se*. The Administrator asked that Respondent be suspended for one year and until he makes restitution to his client. We agree with the Administrator's recommendation.

We have considered the Administrator's three-count Complaint, a copy of which is attached as Exhibit 1, as well as the Order entered on December 2, 2021, deeming the allegations and charges of the Complaint admitted, a copy of which is attached as Exhibit 2.<sup>1</sup> We also have considered Respondent's testimony during his hearing to the extent it was relevant to our sanction recommendation.

The allegations deemed admitted establish as follows: Respondent agreed to represent a client in a probate matter arising out of the death of the client's son. Shortly after being hired, Respondent sent his client a text message falsely stating he had filed a petition with the court, knowing he had not yet opened a probate estate or filed a petition for letters of administration. In

addition, for months following that text, the client contacted Respondent periodically regarding the status of the estate, and he did not tell her that he had not yet opened the estate. When Respondent eventually filed the necessary documents, he signed his client's name without her knowledge or consent. He also signed his client's ex-husband's name to a disclaimer of interest form and notarized the false signature. By this conduct, Respondent violated Rules 1.3, 1.4(a)(3), 3.3(a)(1), 3.3(a)(3), and 8.4(c).

In aggravation, we find that Respondent has shown no recognition of the wrongfulness of his conduct, and has neither accepted responsibility nor shown remorse for his wrongdoing. In addition, Respondent committed his misconduct during a difficult time for his client, whose son had recently died. In mitigation, Respondent has no prior misconduct.

Based on Respondent's serious misconduct, combined with the substantial aggravation and minimal mitigation involved in the matter, we recommend that Respondent be suspended for one year. We further recommend, per the Administrator's request, that his suspension continue until he makes restitution to his client by refunding the \$2,500 retainer his client paid him, less any expenses he incurred and any amount he has already repaid to her.

Accordingly,

1. On October 14, 2021, a senior investigator with the ARDC sent to Respondent, via email as well as first-class U.S. mail to Respondent's law firm address in Crystal Lake, Illinois and residential address in the Dominican Republic, the Complaint and other related documents. A copy of the Affidavit of Service Pursuant to Commission Rule 214(b) is attached as Exhibit 3.
2. The allegations and charges of the Complaint were deemed admitted in an Order filed on December 2, 2021. A copy of that Order is attached as Exhibit 2.

3. In consideration of the Order deeming the allegations and charges of the Complaint admitted, this Panel finds Respondent committed the misconduct charged in the Complaint.
4. Given Respondent's misconduct, the serious aggravating factors present, and the case law cited by the Administrator, we recommend that Respondent be suspended for one year and until he makes restitution to his client as described above.
5. The Panel has concluded that this report format will adequately and appropriately communicate its recommendation to the Court.

Respectfully submitted,

Carl E. Poli  
Cristin Keely McDonald Duffy  
Justine A. Witkowski

### **CERTIFICATION**

I, Michelle M. Thome, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, hereby certifies that the foregoing is a true copy of the Report and Recommendation of the Hearing Board, approved by each Panel member, entered in the above entitled cause of record filed in my office on July 19, 2022.

/s/ Michelle M. Thome  
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Michelle M. Thome, Clerk of the  
Attorney Registration and Disciplinary  
Commission of the Supreme Court of Illinois

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<sup>1</sup> Respondent did not file an Answer to the Complaint, nor did he file a response to the Administrator's Motion to Deem the Allegations of the Administrator's Complaint Admitted Pursuant to Commission Rule 236.

# **Exhibit 1**

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

In the Matter of:

CHRISTOPHER ROBERT EMERALD,

Attorney-Respondent,

No. 6269706.

Commission No. 2021PR00085

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, Christopher Robert Emerald ("Respondent"), who was licensed to practice law in Illinois on November 4, 1999, and alleges that Respondent has engaged in the following conduct which subjects him to discipline pursuant to Supreme Court Rule 770:

COUNT I

*(misrepresentation to client, lack of diligence, and failure to communicate – Nancy Silver-Hacker)*

1. At all times alleged in this complaint, Respondent practiced law as a sole practitioner at CE Law, LLC. He currently maintains an office in Crystal Lake, and he concentrates his practice in the areas of business law, estate planning, and real estate transactions.

2. At all times related to this complaint, Respondent frequently traveled to the Dominican Republic, and he resided there seasonally. Respondent currently does not maintain a residence in Illinois and resides in the Dominican Republic permanently.

3. On September 28, 2017, Nancy Silver-Hacker's ("Nancy") son, Kirk Clawes ("Kirk"), passed away in Kane County.

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ARDC Clerk

4. On December 11, 2017, Respondent and Nancy agreed that Respondent would represent Nancy in opening a probate estate and legal work related to the estate. They agreed that Nancy would pay a \$2,500 security retainer to Respondent and that Respondent would bill at an hourly rate of \$250 per hour. Nancy paid the \$2,500 security retainer fee to Respondent with her credit card.

5. At no time prior to December 28, 2017 did Respondent open a probate estate or file a petition for letters of administration on behalf of Nancy in Kane County.

6. On or before December 28, 2017, Respondent sent Nancy a text message stating, “[t]he court is processing the petition I filed and we are waiting on the letters of office.”

7. Respondent’s text message to Nancy described in paragraph six, above, was false because Respondent had not filed a petition for letters of administration.

8. Respondent knew at the time he sent the text message to Nancy described in paragraph six, above, that his statement was false.

9. Between December 28, 2017 and May 9, 2018, Nancy contacted Respondent periodically regarding the status of the estate.

10. At no time between December 28, 2017 and May 9, 2018 did Respondent file a petition for letters of administration to open the probate estate nor did he tell Nancy that the estate was not open.

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

- a. failing to act with reasonable diligence and promptness in representing a client, by conduct including failing to open a probate estate on behalf of Nancy between December 11, 2017 and May 9, 2018, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010); and

- b. failing to keep the client reasonably informed about the status of a matter, by conduct including failing to communicate to Nancy that he had not filed the probate estate prior to May 10, 2018, in violation of Rule 1.4(a)(3) of the Illinois Rules of Professional Conduct (2010); and
- c. engage in conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including falsely stating in a text message to Nancy that he had filed a petition to open the probate estate, as described in paragraph six, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT II

*(affixing a client's signature to pleadings in Kane County case 2018 P 283  
without the client's knowledge or consent – Nancy Silver-Hacker)*

12. The Administrator re-alleges and incorporates the allegations set forth in paragraphs one through 10 above.

13. On May 10, 2018, Respondent filed a petition for letters of administration and an affidavit of heirship in a matter docketed as *In the matter of the Estate of Kirk Clawes*, 2018 P 283 (Kane County Circuit Court).

14. Respondent affixed Nancy's purported signature to the petition for letters of administration and to the affidavit of heirship in case number 2018 P 283 without her knowledge or consent underneath the verification paragraph stating:

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 he verily believes the same to be true.

15. Respondent knew at the time that he signed Nancy's purported signature to the petition for letters of administration and to the affidavit of heirship that the verification was false, because Nancy did not sign the petition for letters of administration or the affidavit of heirship.

16. Respondent also signed the petition for letters of administration and the affidavit of heirship as Nancy's attorney on the lines denoting "Attorney Signature/Certification pursuant to Supreme Court Rule 137."

17. Respondent knew at the time he affixed Nancy's purported signature to the petition for letters of administration and affidavit of heirship that he did so without her knowledge or consent.

18. On June 7, 2018, Respondent affixed Nancy's purported signature to an oath and bond of representative in case number 2018 P 283 without her knowledge or consent underneath the verification paragraph stating:

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 he verily believes the same to be true.

19. Respondent knew at the time that he signed Nancy's purported signature to the oath and bond of representative that the verification was false, because Nancy did not sign the petition for letters of administration or the affidavit of heirship.

20. Respondent also signed the oath and bond of representative on the line denoting "Attorney Signature/Certification pursuant to Supreme Court Rule 137."

21. Respondent knew at the time he affixed Nancy's purported signature to the oath and bond of representative that he did so without her knowledge or consent.

22. On June 7, 2018, the court entered an order in case number 2018 P 283 appointing Nancy as administrator of the estate and an order declaring heirship. Letters of office were issued on June 8, 2018.



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

- a. making a false statement of fact or law to a tribunal, by conduct including verifying a petition for letters of administration, affidavit of heirship, and oath and bond of representative in Kane County case number 2018 P 283 by affixing Nancy's signature to the documents, without Nancy's knowledge or consent, in violation of Rule 3.3(a)(1) of the Illinois Rules of Professional Conduct (2010);
- b. offering evidence the lawyer knows to be false, by conduct including affixing Nancy's purported signature to a petition for letters of administration, affidavit of heirship, and oath and bond of representative in Kane County case number 2018 P 283, without Nancy's knowledge or consent, in violation of Rule 3.3(a)(3) of the Illinois Rules of Professional Conduct (2010); and
- c. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including affixing Nancy's purported signature to a petition for letters of administration, affidavit of heirship, and oath and bond of representative in Kane County case number 2018 P 283, without Nancy's knowledge or consent, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

### COUNT III

*(affixing a signature to a probate document without an individual's knowledge or consent and improper notarization of a probate document – Richard Clawes)*

24. The Administration re-alleges and incorporates paragraphs 12 through 20, above.
25. Prior to July 30, 2018, Nancy terminated Respondent and retained new counsel, Jane Craddock Ryan ("Ryan"), to represent her in case number 2018 P 283.
26. On July 30, 2018, Respondent provided a copy of his case file for case number 2018 P 283 to Ryan at Ryan's request.
27. The case file included a copy of a letter dated April 18, 2018 and addressed to Richard Clawes ("Richard"), Nancy's ex-husband and Kirk's adoptive father. In the letter, he

asked Richard to sign the enclosed disclaimer of interest form for case number 2018 P 283 and return it to him.

28. The case file also included a disclaimer of interest form bearing a purported signature reading Richard Clawes and a date of April 16, 2018.

29. Respondent affixed Richard's purported signature to the disclaimer of interest form without Richard's knowledge or consent.

30. Respondent knew at the time he affixed Richard's purported signature to the disclaimer of interest form that he did so without his knowledge or consent.

31. Respondent then used his notary stamp to notarize the disclaimer of interest form bearing Richard's purported signature below a paragraph stating that he notarized Richard's signature after Richard "appeared before me this day in persona and acknowledged that he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth."

32. Respondent's notarization of the disclaimer of interest form was false, because Richard did not sign the form.

33. Respondent knew at the time he notarized the form that Richard had not signed the disclaimer of interest form.

34. By reason 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 affixing Richard's signature to the disclaimer of interest form without his knowledge or consent and then notarizing the form bearing Richard's purported signature, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to the panel of the Hearing Board, that a hearing be held, and that 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  
Rachel C. Miller

Rachel C. Miller  
Counsel for the Administrator  
3161 West White Oaks Drive, Suite 301  
Springfield, Illinois 62704  
Telephone: (217) 546-3523  
Email: [ARDCeService@iadc.org](mailto:ARDCeService@iadc.org)  
Email: [rmiller@iadc.org](mailto:rmiller@iadc.org)

# **Exhibit 2**

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

In the Matter of:

**CHRISTOPHER ROBERT EMERALD,**

Attorney-Respondent,

No. 6269706.

Commission No. 2021PR00085

**ORDER**

The Chair having considered the Administrator’s Motion To Deem The Allegations Of The Administrator’s Complaint Admitted Pursuant To Commission Rule 236 (“Motion”) and Respondent having filed no response to the Motion,

**IT IS ORDERED:**

1. The Administrator’s Motion is granted; and
2. The allegations of the Complaint are deemed admitted. No further proof of the allegations of the Complaint is required.

**CERTIFICATION**

I, Michelle M. Thome, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, certify that the foregoing is a true copy of the order, approved by the Hearing Board Chair, entered in the above entitled cause of record filed in my office on December 2, 2021.

/s/ Michelle M. Thome

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Michelle M. Thome,  
Clerk of the Attorney Registration and  
Disciplinary Commission of the  
Supreme Court of Illinois

**FILED**

December 02, 2021

**ARDC CLERK**

**PROOF OF SERVICE**

I, Andrea L. Watson, hereby certify that I served a copy of this Order on the Attorney-Respondent listed at the address shown below by regular mail by depositing it with proper postage prepaid, by causing the same to be deposited in the U.S. Mailbox in Oak Park, Illinois on December 2, 2021, at or before 5:00 p.m. At the same time, a copy of this Order was sent to Counsel for the Administrator by e-mail service.

Christopher Robert Emerald  
Attorney-Respondent  
CE Law, LLC  
905 Pinegree Road  
Suite C  
Crystal Lake, IL 60014

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/ Andrea L. Watson  
Andrea L. Watson

# **Exhibit 3**

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

In the Matter of:

CHRISTOPHER ROBERT EMERALD,

Attorney-Respondent,

No. 6269706.

Commission No. 2021PR00085

AFFIDAVIT OF SERVICE PURSUANT TO RULE 214(b)

I, James F. Burton, (“Affiant”) being duly sworn, hereby state:

1. Affiant possesses firsthand knowledge of the facts presented in this Affidavit and, if called as a witness, Affiant will testify to the truth of the facts as presented in this Affidavit.

2. Affiant is a Senior Investigator for the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (“The Commission”) and, as such, is authorized to serve process.

3. On Wednesday, October 6, 2021 at 8:00 A.M. Affiant sent an email to Respondent at his registered email address, as listed on the Master Roll, of [chris@celaw.net](mailto:chris@celaw.net) asking Respondent if he would agree to accepting the disciplinary complaint and associated paperwork via electronic means.

4. On Wednesday, October 6, 2021 at 9:30 A.M. Affiant called Respondent at Respondent’s listed phone number (ac/847-960-3070) from the Master Roll. Respondent did not answer the phone, but voicemail message indicated this was the phone of “Chris Emerald”. Affiant left a voicemail message asking Respondent if he would accept the documents via electronic service. Affiant asked Respondent to call back.

5. On Thursday, October 7, 2021 at 9:12 A.M. Affiant sent a second email to

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Respondent at his registered email address, as listed on the Master Roll, of [chris@celaw.net](mailto:chris@celaw.net) asking Respondent if he would agree to accepting the disciplinary complaint and associated paperwork via electronic means.

6. On Thursday, October 7, 2021 at 9:18 A.M. Affiant called Respondent a second time at Respondent's listed phone number (ac/847-960-3070) from the Master Roll. Respondent did not answer the phone, but voicemail message indicated this was the phone of "Chris Emerald". Affiant left a voicemail message asking Respondent if he would accept the documents via electronic service. Affiant asked Respondent to call back.

7. On Friday, October 8, 2021 at 9:25 A.M. Affiant called Respondent a third time at Respondent's listed phone number (ac/847-960-3070) from the Master Roll. Respondent did not answer the phone, but voicemail message indicated this was the phone of "Chris Emerald". Affiant left a voicemail message asking Respondent if he would accept the documents via electronic service. Affiant asked Respondent to call back.

8. On Tuesday, October 12, 2021 at 9:50 A.M. Affiant called Respondent a fourth time at Respondent's listed phone number (ac/847-960-3070) from the Master Roll. Respondent did not answer the phone, but voicemail message indicated this was the phone of "Chris Emerald". Affiant left a voicemail message asking Respondent if he would accept the documents via electronic service. Affiant asked Respondent to call back.

9. On Tuesday, October 12, 2021 at 9:54 A.M. Affiant sent a third email to Respondent at his registered email address, as listed on the Master Roll, of [chris@celaw.net](mailto:chris@celaw.net) asking Respondent if he would agree to accepting the disciplinary complaint and associated paperwork via electronic means.

10. On Wednesday, October 13, 2021 at 1:02 P.M. Affiant sent a fourth email to Respondent at his registered email address, as listed on the Master Roll, of [chris@celaw.net](mailto:chris@celaw.net) asking

Respondent if he would agree to accepting the disciplinary complaint and associated paperwork via electronic means.

11. On Wednesday, October 13, 2021 at 1:10 P.M. Affiant called Respondent a fifth time at Respondent's listed phone number (ac/847-960-3070) from the Master Roll. Respondent did not answer the phone, but voicemail message indicated this was the phone of "Chris Emerald". Affiant left a voicemail message asking Respondent if he would accept the documents via electronic service. Affiant asked Respondent to call back.

12. As of Thursday, October 14, 2021, at 9:00 A.M., Affiant had not received any return email or return phone call from Respondent indicating that the Respondent would participate in agreed electronic service of the disciplinary complaint and associated paperwork.

13. On Thursday, October 14, 2021 at 9:00 A.M. Affiant sent Respondent an email at Respondent's registered email address of [chris@celaw.net](mailto:chris@celaw.net) which contained, a letter from Litigation Counsel Rachel C. Miller, Notice of the Complaint, the Disciplinary Complaint (2021PR00085), Notice of the Complaint, Order appointing Carl E. Poli as Chairperson of a Panel of the Hearing Board, ARDC Filings and Procedures, listing of available ARDC defense attorneys and the January 2021 Rules of the Attorney Registration and Disciplinary Commission.

14. On Thursday, October 14, 2021 at 10:00 A.M. Affiant sent Respondent an envelope by first class mail, prepaid to Respondent's listed address of Christopher Robert Emerald, CE Law, LLC, 905 Pinegree Rd, Suite C, Crystal Lake, IL 60014 which contained, a letter from Litigation Counsel Rachel C. Miller, Notice of the Complaint, the Disciplinary Complaint (2021PR00085), Notice of the Complaint, Order appointing Carl E. Poli as Chairperson of a Panel of the Hearing Board, ARDC Filings and Procedures, listing of available ARDC defense attorneys and the January 2021 Rules of the Attorney Registration and Disciplinary Commission. This envelope was taken and deposited at the United States Postal Service substation at 1760 Wabash Avenue,

Springfield, IL by 10:00 AM on Thursday, October 14, 2021.

15. On Thursday, October 14, 2021 at 10:00 A.M. Affiant sent Respondent an envelope by first class mail, prepaid to Respondent's address of Christopher Robert Emerald, Calle Gaspar Polanco, Residential Terrasol #109, Efficacio B, Apartment 302, Santo Domingo, Dominican Republic which contained, a letter from Litigation Counsel Rachel C. Miller, Notice of the Complaint, the Disciplinary Complaint (2021PR00085), Notice of the Complaint, Order appointing Carl E. Poli as Chairperson of a Panel of the Hearing Board, ARDC Filings and Procedures, listing of available ARDC defense attorneys and the January 2021 Rules of the Attorney Registration and Disciplinary Commission. This envelope was taken and deposited at the United States Postal Service substation at 1760 Wabash Avenue, Springfield, IL by 10:00 A.M. on Thursday, October 14, 2021. This address was provided by Respondent to Litigation Counsel Rachel C. Miller during Respondent's sworn statement of April 20, 2021.

16. Further Affiant sayeth not.

/s/ James F. Burton  
James F. Burton, Senior Investigator

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 he verily believes the same to be true.

/s/ James F. Burton  
James F. Burton, Senior Investigator

Dated: October 14, 2021  
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