

In re Cynthia Jean Koroll
Attorney-Respondent

Commission No. 2024PR00016

Synopsis of Hearing Board Report and Recommendation
(October 2026)

The Administrator charged respondent with knowingly making false statements of fact or law to a tribunal, engaging in dishonest conduct, and engaging in conduct that is prejudicial to the administration of justice by knowingly misrepresenting her client's marital status in four pleadings and a discovery response, in violation of Rules 3.3(a)(1), 8.4(c), and 8.4(d). Based on respondent's admissions and the evidence, the Hearing Board found that the Administrator proved all of the charges. The Hearing Board recommended that respondent be suspended for one year and until further order of the court due to her serious rule violations, significant aggravating factors including her two prior disciplinary sanctions, some mitigating factors, and relevant caselaw.

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

FILED

October 08, 2026

ARDC CLERK

In the Matter of:

CYNTHIA JEAN KOROLL,

Attorney-Respondent,

No. 6275102.

Commission No. 2024PR00016

REPORT AND RECOMMENDATION OF THE HEARING BOARD

SUMMARY OF THE REPORT

Respondent misrepresented her client's marital status in a wrongful death complaint, three amended complaints, and a discovery response, despite her admitted knowledge that her client was not married or in a civil union. The Hearing Board found that respondent knowingly made false statements of fact to a tribunal, acted dishonestly, and prejudiced the administration of justice, in violation of Rules 3.3(a)(1), 8.4(c), and 8.4(d). In mitigation, respondent provided community and *pro bono* service, presented favorable character witnesses, and cooperated with the disciplinary process. The hearing panel found aggravating that respondent had been disciplined twice before, with the present misconduct occurring while the previous case was pending. In additional aggravation, she engaged in a pattern of conduct, caused harm, failed to make restitution, failed to recognize the wrongfulness of her acts, and lacked genuine remorse. The Hearing Board recommended that respondent be suspended for one year and until further order of the court.

INTRODUCTION

The hearing in this matter was held on June 26, 2026, at the Chicago office of the Attorney Registration and Disciplinary Commission (ARDC) before a panel of the Hearing Board consisting

of Rhonda Sallée, chair, John L. Borovicka IV, and Brian B. Duff. M. Katherine Boychuk and Matthew D. Lango represented the Administrator. Respondent was present and represented herself.

PLEADINGS AND MISCONDUCT ALLEGED

On March 12, 2024, the Administrator filed a one-count complaint charging respondent with violating Rules 3.3(a)(1), 8.4(c), and 8.4(d) of the Illinois Rules of Professional Conduct (2010) by knowingly making false statements of fact or law to a tribunal in four pleadings and a discovery response, which constituted dishonest conduct and prejudiced the administration of justice. On July 17, 2024, respondent filed an answer in which she admitted most of the factual allegations, while denying certain details, and neither admitted nor denied the alleged misconduct.

EVIDENCE

The Administrator called one witness, and Administrator's Exhibits 1-36 were admitted into evidence. (Tr. 37-43). Respondent testified and called three other witnesses. Respondent offered no exhibits into evidence.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Administrator bears the burden of proving the charges of misconduct by clear and convincing evidence. *In re Thomas*, 2012 IL 113035, ¶ 56. Clear and convincing evidence constitutes a high level of certainty, which is greater than a preponderance of the evidence but less stringent than proof beyond a reasonable doubt. *People v. Williams*, 143 Ill. 2d 477, 484-85 (1991). The Hearing Board assesses witness credibility, resolves conflicting testimony, makes factual findings, and determines whether the Administrator met the burden of proof. *In re Winthrop*, 219 Ill. 2d 526, 542-43 (2006).

Respondent is charged with knowingly making false statements of fact or law to a tribunal in a complaint, three amended complaints, and a discovery response, which

constituted dishonest conduct and prejudiced the administration of justice, in violation of Rules 3.3(a)(1), 8.4(c), and 8.4(d).

Summary

We find that the Administrator proved by clear and convincing evidence that respondent knowingly made false statements of fact or law to a tribunal, acted dishonestly, and prejudiced the administration of justice when she signed the complaint, amended complaint, second amended complaint, third amended complaint, and answers to interrogatories in her client's wrongful death lawsuit, when respondent knew those documents falsely stated that Jessica Wilson was the spouse of Matthew Cacioppi by marriage or civil union. We find that respondent's conduct violated Rules 3.3(a)(1), 8.4(c), and 8.4(d).

Admitted Facts and Evidence Considered

In October 2015, Matthew Cacciopi was admitted to a hospital, where he stayed until his death on January 13, 2016. (Answer ¶ 2; Adm. Ex. 26 at 48-49.) Respondent drafted a will for Cacioppi, who signed it two days before he died. (Answer ¶ 2; Adm. Ex. 1.) The will stated:

“On January 10, 2016, I and Jessica Wilson were married in a Civil Ceremony. Ill health precluded registering the marriage with the State of Illinois. But for all intents and purposes, I appoint Jessica Wilson as Executor of my Estate and intend for her to receive all benefits of myself as if I had been able to have the marriage registered.”

(Answer ¶ 2; Adm. Ex. 1 at 1.) Respondent testified that she realized in hindsight that the ceremony at Cacioppi's hospital bedside was not a legally recognized civil union ceremony. (Answer ¶ 14; Tr. 217, 232-33.)

In February 2016, respondent began representing Wilson in probating Cacioppi's estate in Winnebago County Circuit Court. (Answer ¶ 3; Adm. Ex. 2.) Respondent prepared and Wilson signed a verified petition for letters of administration (petition), which identified Wilson as Cacioppi's spouse, and an affidavit of heirship (affidavit), which stated that Cacioppi was married

during his lifetime to Wilson and listed her as an heir. (Answer ¶ 3; Tr. 232-33; Adm. Ex. 2.) Respondent's assistant testified that she prepared the petition at respondent's direction based on a death certificate provided by Wilson, which stated that Cacioppi and Wilson were husband and wife. (Tr. 172-75.)

On April 11, 2016, Judge Lisa Fabiano held a hearing on the petition. (Answer ¶ 4; Adm. Ex. 26 at 182-94.) Based on Wilson's testimony, including that she never obtained a certificate from the clerk's office to register the marriage, the judge determined that Wilson was not Cacioppi's spouse and that they were never married. (Answer ¶ 4.) Judge Fabiano amended the petition and affidavit, noting that Cacioppi was not married and changing Wilson's role from spouse and heir to legatee. (Tr. 218, 234; Adm. Ex. 3.) The judge stated, "if, if you can get [the marriage] recognized, I think you can do a, an amended affidavit of heirship ... [n]aming her as the spouse." (Adm. Ex. 26 at 190.) Wilson initialed the changes, and the judge appointed her the executor. (Adm. Ex. 3.) Another attorney appeared in court for respondent that day, and respondent learned what happened immediately after the hearing. (Answer ¶ 4, 11; Tr. 217-19.)

On January 12, 2018, respondent signed and filed a lawsuit on behalf of Wilson, both individually and as the executor of Cacioppi's estate, against a hospital and a physician who treated him in 2015. (Answer ¶ 5; Adm. Ex. 4.) The complaint alleged wrongful death, negligence, and loss of consortium claims, including:

“[COMMON FACTS]

4. That JESSICA WILSON has suffered grief and despair and has been deprived of her husband's comfort, care, advice, society and support and as such has a right to bring an action on her own behalf. ...

[COUNT III – LOSS OF CONSORTIUM]

34. That at all times relevant MATTHEW CACIOPPI and JESSICA WILSON were wedded as husband and wife.

35. That as a direct and proximate result of the aforesaid negligent acts of Defendant [hospital], Plaintiff's husband sustained severe and permanent injuries and died.

36. Plaintiff, JESSICA WILSON, has been deprived of the care, comfort, society, companionship and relationship with her husband."

Count VI repeated the loss of consortium allegations against the physician. (Answer ¶ 6; Adm. Ex. 4 at 2, 8, 11.)

Over the following year, the defendants filed motions to dismiss the complaint and the substantially similar amended complaint and second amended complaint, which respondent signed and filed on July 19, 2018, and February 7, 2019, respectively. (Answer ¶¶ 7-8; Tr. 63-71; Adm. Ex. 5-15.) Respondent admitted that these three pleadings falsely alleged that Wilson and Cacioppi were married. (Answer ¶ 10; Tr. 219, 237.) She further admitted that she knew, based on the April 2016 probate hearing and the consistent testimony of Wilson and other witnesses, that those statements were false when she made them. (Answer ¶ 11; Tr. 225, 237.) However, she claimed that each pleading became "a nullity" once an amended version was filed. (Tr. 235, 238.)

On May 14, 2019, respondent signed and filed a third amended complaint. (Answer ¶ 9; Adm. Ex. 17-18.) This pleading did not include the loss of consortium counts but kept Wilson as the plaintiff, both individually and as the executor, and maintained as common facts: "That JESSICA WILSON has suffered grief and despair and has been deprived of her husband's comfort, care, advice, society and support and as such has a right to bring an action on her own behalf." (Answer ¶ 9; Adm. Ex. 18 at 1-2.) Respondent testified that her failure to remove this incorrect reference to the marriage was "sloppy lawyering ... not deceit." (Tr. 223, 227, 235.) She testified that she did not intend to seek damages for Wilson as a spouse in the third amended complaint, and she thought that removing the loss of consortium claims accomplished that. (Tr. 219-20, 223-25.)

The hospital's attorney Gregory Snyder testified that his client's motions to dismiss the complaint and amended complaint were "based primarily on a lack of information concerning who was targeted by the claim." (Tr. 63-68, 92; Adm. Ex. 5-6, 8, 12.) The next motion to dismiss added a new argument that, to avoid double recovery, the loss of consortium count must be dismissed because it was subsumed within the wrongful death claim. (Tr. 69-70, 92; Adm. Ex. 14 at 4.) After that part of the motion to dismiss was granted, respondent did not include the loss of consortium counts in her third amended complaint. (Adm. Ex. 17-18.) However, Snyder testified that those claims continued to exist as part of the wrongful death claims, "as long as Jessica Wilson was indeed married to this Matthew Cascioppi [*sic*] at the time of his death," which respondent alleged in the common facts. (Tr. 71-72, 94-95.)

Both defendants eventually filed answers and began discovery. (Tr. 72-73; Adm. Ex. 15-16, 19-20.) On March 28, 2019, respondent signed and filed Wilson's verified answers to interrogatories from the physician, identifying Wilson as Cacioppi's "fiance" and stating, "Matt was never married, but Matt and Jessica did have a civil union ceremony prior to Matt's death." (Answer ¶¶ 13-14; Adm. Ex. 16 at 4.) On January 29, 2020, Wilson testified at her deposition that she was not married to or in a civil union with Cacioppi and that the ceremony at his hospital bedside did not give her the status of spouse because she could not obtain the documents to record the marriage. (Answer ¶¶ 12, 15; Tr. 73-74; Adm. Ex. 26 at 26, 30, 74.) Respondent was present at the deposition and aware of Wilson's testimony. (Answer ¶ 15.) Nonetheless, on October 14, 2020, respondent signed and filed Wilson's verified answers to interrogatories from the hospital, stating that Wilson and Cacioppi "[h]ad a Civil Union ... prior to his death." (Answer ¶ 13; Tr. 75-77, 236; Adm. Ex. 21 at 4, 5.)

On April 15 and 16, 2021, the hospital and the physician filed motions to dismiss the third amended complaint with prejudice due to Wilson’s fraudulent misrepresentations of her marital status in the probate and wrongful death cases. (Answer ¶ 16; Adm. Ex. 22-25.) Judge Fabiano heard the motions to dismiss. (Tr. 78-79, 122.) Then, on her own motion, the judge held a hearing on August 26, 2021, to determine whether there had been violations of Supreme Court Rule 137, and she consolidated the two cases for that limited purpose. (Answer ¶ 16; Adm. Ex. 31 at 1.) At the Rule 137 hearing, the judge found that respondent and Wilson had knowingly filed multiple materially false pleadings and took the matter under advisement. (Answer ¶ 17.) The parties filed written arguments, and the defendants filed fee petitions. (Adm. Ex. 26-30.)

On May 4, 2022, Judge Fabiano issued a memorandum opinion, finding:

“it is indisputable that attorney Koroll and Jessica Wilson knew before any pleadings were filed in either [the probate case] or [the wrongful death case] that Jessica Wilson was never married to or in a civil union with Matthew Cacioppi. In fact, it is clear from the Will that she herself drafted that attorney Koroll knew on January 11, 2016, well before any pleadings were filed in any case, that Jessica Wilson and Matthew Cacioppi were not legally married nor joined in a civil union.”

(Answer ¶ 18; Adm. Ex. 31 at 3.) She found that respondent and Wilson violated Rule 137 by “over the course of six years ... knowingly and blatantly lying about the marital status of Jessica Wilson and Matthew Cacioppi.” (Adm. Ex. 31 at 4.) Specifically, the judge found that respondent’s misrepresentations occurred in the complaint, amended complaint, second amended complaint, third amended complaint, and answers to interrogatories from the hospital. (Answer ¶ 18; Adm. Ex. 31 at 4.) She further found that respondent caused the defendants to “expend[] significant resources in unraveling her falsehoods, and even when they did, she persisted in the lies,” which respondent failed to acknowledge, explain, or correct. (Adm. Ex. 31 at 6.)

As sanctions, Judge Fabiano dismissed the wrongful death case with prejudice, ordered respondent to pay \$9,000 in attorney fees to each defendant, and ordered Wilson to pay \$1,000 in

attorney fees to each defendant. (Answer ¶ 19; Adm. Ex. 31 at 4-6.) The judge noted that dismissal with prejudice should not be imposed lightly but found this harsh sanction appropriate for the “clear, blatant and repeated” Rule 137 violations. (Answer ¶ 19; Adm. Ex. 31 at 4.)

Respondent represented Wilson in appealing Judge Fabiano’s decisions to temporarily consolidate the two cases, dismiss the wrongful death case with prejudice, and award attorney fees to the defendants. (Answer ¶ 20; Adm. Ex. 32-34.) During oral argument before the Illinois Appellate Court, respondent stated:

“Under 137, I absolutely agree that the documents that I placed my signature on in the ... Complaint, the Amended Complaint, and then the Second Amended Complaint, that each one of those asserted that [Wilson] was the spouse by civil union, and they did ask for damages under the consortium. Those statements are incorrect; therefore, I did violate 137 in answering and filing those pleadings.”

(Answer ¶ 21; Adm. Ex. 35 at 12:10-12:46.) On October 12, 2023, the Illinois Appellate Court issued an order affirming the circuit court on all three issues. (Answer ¶ 22; Adm. Ex. 36.)

Analysis and Conclusions

Rule 3.3(a)(1)

Rule 3.3(a)(1) prohibits a lawyer from knowingly making a false statement of fact or law to a tribunal. Ill. R. Pro. Conduct (2010) R. 3.3(a)(1). “Knowingly” means actual knowledge of the fact in question, which can be inferred from circumstances. *Id.* at R. 1.0(f). The Administrator charged respondent with violating this rule by signing four pleadings plus interrogatory answers in the wrongful death case, which respondent knew falsely represented Wilson’s marital status. Respondent admitted these facts as to all of the documents except the third amended complaint. “[A]n admission in a pleading is a formal judicial admission that is conclusively binding on the party making it ... and dispenses with the need for any proof of that fact.” *In re Mills*, 07 SH 2, M.R. 23070 (May 18, 2009) (Hearing Bd. at 14). Based on respondent’s admissions and the

evidence, we find that respondent violated Rule 3.3(a)(1) by her knowingly false statements in all five court documents.

We begin by acknowledging that the circuit court found, and the appellate court affirmed, that respondent knowingly made materially false statements about Wilson's marital status in the wrongful death complaint, amended complaint, second amended complaint, third amended complaint, and answers to interrogatories from the hospital. We may take judicial notice of a court's findings and consider them along with all of the other evidence when determining whether the Administrator has proven misconduct in this case. *In re Owens*, 144 Ill. 2d 372, 378-79 (1991); *In re Duric*, 2015PR00052, M.R. 030734 (May 18, 2021) (Hearing Bd. at 34-35). We take judicial notice of the circuit court's finding and reach the same conclusion about respondent's knowingly false statements, based on respondent's admissions and the evidence presented at the hearing in this disciplinary matter.

Respondent admitted that she drafted Cacioppi's January 2016 will, which acknowledged that his "[i]ll health precluded registering the marriage with the State of Illinois" and expressed his intent for Wilson to receive spousal benefits "as if [he] had been able to have the marriage registered." Statutory law requires both parties to appear before a county clerk to obtain a marriage or civil union license and certificate, solemnize the marriage or certify the civil union before an authorized officiant, and return the completed certificate to the county clerk for registration. 750 ILCS 5/201-210; 750 ILCS 75/5-40. Respondent should have known there was no legal marriage or civil union because the will that she drafted said the required registration did not occur. Yet there was some evidence of uncertainty about the couple's marital status shortly after Cacioppi's death, as Wilson provided a death certificate stating that they were husband and wife, and respondent's assistant relied on that to prepare the probate petition in February 2016.

We find that any initial doubt was dispelled at the April 2016 probate hearing. After Wilson testified that the purported marriage was never registered, Judge Fabiano determined Wilson was not Cacioppi's spouse and amended the probate petition and affidavit accordingly. Because respondent admitted that she learned what happened at that hearing immediately afterward, we are clearly convinced that respondent knew, as of that day, that Wilson and Cacioppi had no legal marriage or civil union.

Nonetheless, between January 2018 and May 2019, respondent signed and filed the complaint and three amended complaints in the wrongful death case, all of which sought damages for Wilson as Cacioppi's spouse. We find that Respondent knowingly made a false statement of fact or law to a tribunal when she misrepresented Wilson's marital status in those four pleadings.

Respondent also admitted that she was present for Wilson's January 2020 deposition, at which Wilson confirmed that she was not Cacioppi's spouse by marriage or civil union. Yet, in October 2020, respondent signed and filed the answers to interrogatories from the hospital, which falsely claimed that Wilson and Cacioppi had a civil union. We find that respondent knew this statement was false when she made it, based on her admitted knowledge of Cacioppi's will in January 2016, the probate hearing in April 2016, and Wilson's deposition in January 2020. For all of the foregoing reasons, we find that respondent violated Rule 3.3(a)(1) by knowingly misrepresenting Wilson's marital status in the four wrongful death pleadings and a discovery response.

We considered respondent's counterarguments, but we find none to be persuasive. First, respondent argued that she did not misrepresent Wilson and Cacioppi's marital status in the probate petition and affidavit because she prepared but did not sign those documents. She also argued that Wilson did not become the executor of Cacioppi's estate under false pretenses because

the judge appointed Wilson after discovering and correcting the petition and affidavit's misstatements. We find these arguments irrelevant to the issues in this disciplinary matter because all of the alleged misconduct occurred in the wrongful death case, not the probate case, and because respondent's false statements related to Wilson's status as a spouse, not as the executor of the estate.

Second, respondent argued that, when she alleged a spousal relationship in the wrongful death case, she relied on Judge Fabiano's April 2016 statement that Wilson could amend her status in the probate case if she returned to court with proof that she was Cacioppi's spouse. However, respondent filed the wrongful death pleadings nearly two to three years later, and there was no evidence that any such proof arose during that time. On the contrary, respondent admitted knowing that the couple never obtained the necessary documentation to register their marriage or civil union, based on Cacioppi's January 2016 will, the April 2016 probate hearing, and Wilson's January 2020 deposition. Given this knowledge, we find that the judge's statement provided no reasonable explanation for respondent to misrepresent her client's marital status.

Third, respondent argued that the amended wrongful death complaints nullified or superseded the previous ones, rendering them legally inoperable. However, the procedural effect of amending pleadings in the wrongful death case is irrelevant to the issue in this disciplinary case, which is whether respondent knew her statements were false at the time she made them, thereby violating the Rules of Professional Conduct. The Hearing Board rejected a similar argument by an attorney who knowingly aided a client in underreporting personal income to the IRS and later filed amended tax returns to correct the misrepresentations:

“Our focus is Respondent's conduct and knowledge when he filed Luis's tax returns between 2012 through 2017. The amended returns may have resolved the tax consequences of the distributions for the IRS's purposes, but for our purposes they

did not retroactively undo the underreporting of income prior to 2018, with the intent to hide [business] payments of Luis's known personal expenses.”

In re Messner, 2021PR00094, M.R. 032210 (May 23, 2024) (Hearing Bd. at 18-20). We have found that respondent had actual knowledge since at least April 2016 that Wilson was not Cacioppi's spouse. Therefore, when respondent stated otherwise in five subsequent court documents, she repeatedly made a false statement of fact or law to a tribunal, in violation of Rule 3.3(a)(1).

Fourth, respondent testified that she did not knowingly misrepresent Wilson's marital status in the third amended complaint. She claimed that removing the loss of consortium counts evidenced her intent to stop seeking spousal damages for Wilson and that she inadvertently left a reference to Cacioppi as Wilson's husband in the common facts. We are not convinced that this was a mistake because of the circumstances leading up to her filing the third amended complaint and her conduct afterward.

Respondent filed the third amended complaint after opposing counsel successfully argued that a spouse's loss of consortium claim is subsumed within a wrongful death claim and should not be pled separately, in order to avoid double recovery. Accordingly, respondent removed the loss of consortium counts, but she maintained the wrongful death counts and the allegation that Wilson was entitled to relief because Cacioppi was her husband. We find that respondent made this amendment to address the double recovery issue raised by opposing counsel, not because she had a change of heart and decided to stop misrepresenting Wilson's marital status at that time. Importantly, this was not respondent's last misrepresentation. Over a year later, she signed and filed answers to interrogatories that falsely claimed the couple had a civil union.

Considering all of these circumstances, we conclude that respondent knew she was misrepresenting Wilson's marital status in the third amended complaint. Ill. R. Pro. Conduct

(2010) R. 1.0(f) (“knowing” conduct may be inferred from circumstances); *In re Discipio*, 163 Ill. 2d 515, 524 (1994) (Hearing Board may make reasonable inferences from circumstantial evidence when determining whether misconduct occurred).

Overall, we find that the Administrator proved by clear and convincing evidence that respondent violated Rule 3.3(a)(1) by knowingly making false statements of fact or law to a tribunal about Wilson’s marital status in four pleadings and a discovery response in the wrongful death case.

Rule 8.4(c)

Rule 8.4(c) prohibits conduct involving dishonesty, fraud, deceit, or misrepresentation. Ill. R. Pro. Conduct (2010) R. 8.4(c). This includes any conduct that is calculated to deceive, including the suppression of truth and the suggestion of what is false. *In re Gerard*, 132 Ill. 2d 507, 528 (1989). The Administrator charged respondent with violating this rule by falsely representing Wilson’s marital status in the four pleadings and a discovery response in the wrongful death case, while knowing that the court had previously found otherwise.

Making a knowingly false statement to a tribunal, in violation of Rule 3.3(a), also constitutes a violation of Rule 8.4(c). *In re Hernandez*, 2017PR00121, M.R. 029954 (Sept. 16, 2019) (Hearing Bd. at 11). Because we found that respondent’s knowingly false statements in the five court documents violated Rule 3.3(a), we further find that the Administrator proved by clear and convincing evidence that respondent engaged in dishonest conduct in violation of Rule 8.4(c).

Rule 8.4(d)

Rule 8.4(d) prohibits engaging in conduct that is prejudicial to the administration of justice. Ill. R. Pro. Conduct (2010) R. 8.4(d). The Administrator charged respondent with violating this rule by her knowingly false statements in the wrongful death case pleadings and interrogatory answers.

The Administrator must establish that there was actual prejudice to the administration of justice in order to prove a violation of Rule 8.4(d). *In re Jackson*, 2021PR00102, M.R. 031932 (Jan. 17, 2024) (Hearing Bd. at 18). Actual prejudice occurs when an attorney’s conduct “has an impact on the representation of a client or the outcome of a case, undermines the judicial process or jeopardizes a client’s interests.” *In re Wiley*, 2016PR00062, M.R. 029417 (Sept. 20, 2018) (Hearing Bd. at 12). Causing a court to expend needless time and resources addressing an attorney’s improper behavior constitutes actual prejudice. *Jackson*, 2021PR00102 (Hearing Bd. at 18).

We find that respondent prejudiced the administration of justice by knowingly making false statements in the five court documents, which resulted in the expenditure of circuit and appellate court resources because of her misconduct. It is undisputed that, after the defendants raised the issue of Wilson’s misrepresented marital status, Judge Fabiano held a hearing on her own motion to determine whether respondent’s and Wilson’s false statements merited Rule 137 sanctions. The parties also filed written arguments and fee petitions, and the judge issued a detailed memorandum opinion explaining her sanction decision. When respondent represented Wilson on appeal, the appellate court reviewed briefs, heard oral arguments, and affirmed the circuit court in a 17-page written order. All of these judicial resources were expended to determine the consequences of respondent’s misconduct.

In addition, we find that respondent prejudiced the administration of justice because her behavior negatively impacted the outcome of the wrongful death case. It is undisputed that Judge Fabiano dismissed that case with prejudice and ordered respondent and Wilson to pay \$18,000 and \$2,000, respectively, as sanctions for their false statements. Because of respondent’s conduct, Wilson ended up personally owing \$2,000 to the defendants, and Cacioppi’s estate lost the

opportunity to pursue damages for his alleged wrongful death before the merits of the case were ever heard. Judge Fabiano acknowledged that dismissal with prejudice should not be imposed lightly but was appropriate in this situation because of the “clear, blatant and repeated” Rule 137 violations.

For all of these reasons, we find that Administrator proved by clear and convincing evidence that respondent prejudiced the administration of justice in violation of Rule 8.4(d).

EVIDENCE OFFERED IN MITIGATION AND AGGRAVATION

Mitigation

Respondent testified that she served in the military and worked as a nurse before she became a lawyer. She testified about her commitment to justice and to caring for those who are marginalized. (Tr. 216.)

A husband and a wife testified that respondent represented them *pro bono* as victims in a criminal matter, including traveling to numerous court hearings in Ogle County over one to two years. (Tr. 150-56, 163-65, 168.) Respondent also represented their granddaughter *pro bono* in an order of protection case lasting 13 months and in a worker’s compensation case. (Tr. 156-57, 167-69.) The clients testified that respondent conducted herself truthfully, professionally, and respectably during their interactions. (Tr. 156, 161-62, 165-69.)

Respondent’s assistant testified that she has worked for respondent for over 20 years, but the firm was closing due to respondent’s retirement. (Tr. 171, 186-87.) The assistant testified that respondent was never dishonest in any cases, pleadings, or discovery, and respondent’s reputation has been “very trustworthy and very honest.” (Tr. 182-84.)

Aggravation

The hospital and physician defendants in the wrongful death case each filed fee petitions for over \$30,000, and attorney Snyder testified that the hospital paid his firm approximately \$29,000 in attorney fees. (Tr. 136-38; Adm. Ex. 27, 31 at 6.) Judge Fabiano found that all of the petitioned fees were “reasonable and necessary,” even though her Rule 137 sanction order only required respondent and Wilson to pay a total of \$10,000 to each defendant. (Adm. Ex. 31 at 6.) Snyder testified that the hospital also paid his firm to successfully oppose respondent’s appeal. (Tr. 85.) His firm still represents the hospital in a collection matter against respondent, who has not paid the fees ordered by Judge Fabiano. (Tr. 85-87.)

Respondent testified that she wished she had looked closer at the third amended complaint to ensure that it was correct, rather than inadvertently leaving in a reference to Cacioppi as Wilson’s husband. (Tr. 227-28.) She testified, “I think I was a good lawyer. I think I tried to do what was right. And I am very sad that this has happened.” (Tr. 229.)

In her opening statement and closing argument, respondent stated that she plans to retire because she is “so disillusioned” and “law has begun to bring out the worst in me.” (Tr. 214, 254.) However, she wants to keep providing *pro bono* services. (Tr. 257.)

Prior Discipline

Respondent has been licensed to practice law in Illinois since 2001. She was previously disciplined two times.

First, respondent was reprimanded for engaging in the unauthorized practice of law, conduct that is prejudicial to the administration of justice, and conduct which tends to defeat the administration of justice or bring the courts or legal profession into disrepute, in violation of Rules of Professional Conduct 5.5 and 8.4(a)(5) (1990) and Supreme Court Rule 770. *In re Cynthia J.*

Hedrick Koroll, 04 CH 30 (reprimand issued Dec. 3, 2004). While working as a law clerk and nurse consultant during law school, respondent appeared as the only representative of a firm's clients at two depositions, during which she questioned expert witnesses and made objections. *Id.*

Next, respondent was suspended for six months, stayed after 60 days by one year of probation with conditions including mental health treatment. *In re Cynthia Jean Koroll*, 2016PR00079, M.R. 030810 (Sept. 23, 2021) (complaint filed July 29, 2016). Over a three-week period in 2015, respondent sent dozens of messages to attorneys and an agent for a former business client with whom she had a billing dispute. *Id.* (Petition to Impose Discipline on Consent at 3). Many of these contained vulgar and profane language, racial slurs, antisemitic remarks, personal insults, and threats that served no purpose other than to embarrass, delay, or burden the recipients, in violation of Rule of Professional Conduct 4.4(a) (2010). *Id.* at 3, 5. Additionally, in 2013, respondent engaged in a conflict of interest that resulted in her disqualification from a litigation matter in which her former law partner represented one of the parties, and she attempted to represent the other. *Id.* at 4-5. This conflict of interest prejudiced the administration of justice, in violation of Rules 1.10(b) and 8.4(d). *Id.* at 5.

RECOMMENDATION

Summary

Based on the serious misconduct, substantial amount of aggravation, including respondent's two prior disciplinary sanctions, some mitigating factors, and relevant caselaw, the Hearing Board recommends that respondent be suspended for one year and until further order of the court.

Analysis

The purpose of the disciplinary process is not to punish attorneys, but to protect the public, maintain the integrity of the legal profession, and safeguard the administration of justice from reproach. *In re Edmonds*, 2014 IL 117696, ¶ 90. When recommending discipline, we consider the nature of the misconduct and any factors in mitigation and aggravation. *In re Gorecki*, 208 Ill. 2d 350, 360-61 (2003). We seek to recommend similar sanctions for similar types of misconduct, but we must decide each case on its own unique facts. *Edmonds*, 2014 IL 117696, ¶ 90.

We find mitigating that respondent has served the community in the military, as a nurse, and as a *pro bono* attorney. *In re Lenz*, 108 Ill. 2d 445, 453-54 (1985). Her *pro bono* clients and assistant testified about her truthfulness, based on their personal experience and knowledge of her reputation. *Id.* Additionally, respondent cooperated with the disciplinary process by participating in several prehearing conferences and the hearing.

However, we find that these mitigating factors are outweighed by the substantial amount of aggravation in this case. Most significantly, this is respondent's third disciplinary proceeding during her 25-year career as an attorney. Respondent's prior discipline should have heightened her awareness of her ethical obligations, but instead she engaged in the misconduct at issue here while her second disciplinary matter was pending. *In re Storment*, 203 Ill. 2d 378, 401 (2002). The previous complaint was filed on July 29, 2016, and the court entered its sanction order on September 23, 2021. Meanwhile, respondent made knowingly false statements in five court documents between January 2018 and October 2020. This time overlap makes her prior discipline more aggravated. *In re Banks*, 2020PR00068, M.R. 031115 (Mar. 25, 2022) (Hearing Bd. at 12); *In re Loprieno*, 2019PR00101, M.R. 030996 (Nov. 16, 2021) (Petition to Impose Discipline on Consent at 7-8). Although respondent's three disciplinary cases involved different types of

misconduct, we find that her recidivism demonstrates an unwillingness or inability to abide by the rules, to the detriment of the administration of justice.

Additionally, we find aggravating that respondent engaged in a pattern of behavior across five separate court filings over nearly three years. Even after Wilson affirmed at her January 2020 deposition that she was not Cacioppi's spouse, respondent continued to falsely claim otherwise in the October 2020 discovery response. This was not a momentary lapse in judgment or a single mistake but rather a deliberate course of serious misconduct. *In re Masters*, 98 CH 60, M.R. 17674 (Nov. 28, 2001) (Hearing Bd. at 42); *In re Thebeau*, 111 Ill. 2d 251, 256 (1986).

Respondent's repeated misrepresentations harmed those involved in the wrongful death case, which is aggravating. *In re Saladino*, 71 Ill. 2d 263, 276 (1978). As discussed in the Rule 8.4(d) analysis above, respondent's conduct caused the expenditure of circuit and appellate court resources, resulted in a monetary sanction against her client, and prevented Cacioppi's estate from pursuing its wrongful death claims. Moreover, the undisputed evidence showed that the hospital paid approximately \$29,000 in attorney fees to defend the wrongful death case in the circuit court, of which respondent was ordered to pay \$9,000 as a sanction. We are concerned that nearly three years have passed since the appellate court upheld the sanction order, yet respondent still has not paid her portion to the hospital.¹ Her failure to make restitution has resulted in collection litigation, causing the expenditure of even more judicial and opposing party resources. Respondent's failure to pay court-ordered restitution is another aggravating factor. *In re Stolfo*, 2016PR00133, M.R. 029728 (Mar. 19, 2019) (Hearing Bd. at 41-42).

Although respondent took some responsibility by admitting that she knowingly misrepresented Wilson's marital status in three of the five documents at issue, she gave no

¹ Respondent did not dispute the hospital's attorney's testimony about the unpaid sanction to his client, but there was no evidence presented as to whether respondent has paid her \$9,000 sanction to the physician.

reasonable explanation for any of her misconduct. Instead, she attempted to shift the focus away from herself by emphasizing irrelevant facts about the probate case, even though none of the charges arose from that case, and Judge Fabiano's statement about the possible effect of new evidence on Wilson's marital status, even though respondent knew such evidence did not exist. She also made the meritless argument that amending the wrongful death complaints nullified her false statements in the prior pleadings. While respondents are entitled to defend themselves in good faith, making baseless arguments to deflect responsibility is aggravating. *In re Casey*, 2022PR00071, M.R. 031928 (Jan. 17, 2024) (Hearing Bd. at 13). Respondent expressed some regret for what happened, but her testimony and demeanor showed no remorse for her own misconduct or the harm she caused. Thus, we find in aggravation that respondent failed to recognize the wrongfulness of her acts and lacked genuine remorse. *In re Lewis*, 138 Ill. 2d 310, 347-48 (1990).

As for the recommended sanction, the Administrator requested a suspension for at least one year and until further order of the court (UFO). In support, she cited cases resulting in suspensions between nine months and two years, with or without UFO, and disbarment. *Loprieno*, 2019PR00101 (suspension for one year UFO); *In re Laz*, 07 CH 121, M.R. 23831 (Sept. 20, 2010) (suspension for one year UFO); *In re Mann*, 06 CH 38, M.R. 23935 (Sept. 20, 2010) (suspension for two years UFO); *In re Barry*, 00 SH 54, M.R. 18782 (Sept. 19, 2003) (suspension for nine months); *Masters*, 98 CH 60 (suspension for one year); *In re Clifton*, 94 SH 469, M.R. 12533 (May 28, 1996) (disbarment). Respondent requested no suspension or, alternatively, a short suspension without UFO. She cited no caselaw.

Respondent's serious misconduct and aggravating factors, especially her recidivism, significantly outweigh the mitigating factors and do not assure us that she is willing or able to meet

professional standards of conduct in the future. *In re Houdek*, 113 Ill. 2d 323 (1986). Respondent stated that she plans to retire, as affirmed by her assistant's testimony, but she wants to keep providing *pro bono* services. We are concerned that respondent's continued practice of law poses a risk of harm to the public, the profession, and the administration of justice. Therefore, we believe that a suspension UFO is necessary. Upon considering the relevant caselaw, we also recommend an initial suspension of one year, which falls within the sanction range for similar misconduct.

Among the Administrator's cited cases, we find *Masters* to be the most applicable. Masters was suspended for one year for making statements of material fact to a tribunal and to a third person that he knew or reasonably should have known were false; offering evidence to a court that he knew was illegal or fraudulent; and engaging in conduct that was dishonest, prejudiced the administration of justice, and brought the legal profession into disrepute. *Masters*, 98 CH 60 (Hearing Bd. at 30, 36-37). He filed a motion for sanctions based on the alleged harassment of his client, including three recorded phone conversations between the opposing party's employee and his client. *Id.* at 30-31. Subsequently, two experts' reports, a police investigation, and a sworn statement from the person who had pretended to be the employee overwhelmingly established that his client fabricated the allegations and evidence. *Id.* at 31-34. Nonetheless, Masters continued to pursue the motion for sanctions, including filing his own affidavit and testifying in court about the conversations' authenticity. *Id.* He also wrote a letter to his client's landlord containing false statements about a forthcoming settlement check that did not exist. *Id.* at 36-37.

Both respondent and Masters repeatedly misrepresented facts that they knew to be false in a client's court case. *Id.* at 44. As a result, the judges dismissed their clients' cases with prejudice and issued monetary sanctions against the attorneys and clients. *Id.* (Review Bd. at 8). Like respondent, Masters served the community and presented favorable character testimony in

mitigation, and he had prior discipline, failed to recognize the seriousness of his misconduct, and lacked remorse in aggravation. *Id.* (Hearing Bd. at 38-41). However, the Hearing Board found that Masters' prior discipline was "not a significant aggravating factor" because the two disciplinary cases involved completely different facts and rule violations and because seven years had passed since his first sanction. *Id.* at 39. In contrast, we found respondent's prior discipline to be significant because she has two prior disciplinary sanctions, and the misconduct at issue here occurred while her previous disciplinary matter was pending. Additionally, respondent has repaid none of her monetary sanctions, whereas Masters repaid some of his. *Id.* (Review Bd. at 8). For these reasons, we conclude that respondent should be suspended for one year UFO.

Our recommended sanction is also consistent with *Barry*, in which an attorney was suspended for nine months for knowingly making false statements in a frivolous complaint against his former clients and in three court documents and a letter to an insurer in another case. *Barry*, 00 SH 54 (Hearing Bd. at 35-38, 44-51). This conduct was dishonest, served merely to harass or maliciously injure another, prejudiced the administration of justice, and tended to bring the courts or legal profession into disrepute. *Id.* at 38, 51. The Hearing Board considered in aggravation the "extremely serious" nature of misconduct, as making misrepresentations in documents filed with a court "cannot be tolerated or excused." *Id.* at 52. Like respondent, Barry also engaged in a pattern of dishonesty, did not understand the wrongfulness or gravity of his misconduct, and showed no genuine remorse in aggravation, and he performed *pro bono* and community service, presented favorable character testimony, and cooperated in the disciplinary proceeding in mitigation. *Id.* at 52-54. However, a major difference is that Barry had no prior discipline, whereas respondent has been disciplined twice. *Id.* at 52-53. For this reason, respondent merits a more severe sanction.

Although we will not discuss *Loprieno*, *Laz*, *Mann*, or *Clifton* in detail because they are factually less similar to the present matter than *Masters* and *Barry*, all of these cases support a lengthy or indefinite suspension for serious misconduct, especially when it involves dishonesty or recidivism. See, *e.g.*, *Loprieno*, 2019PR00101 (Petition to Impose Discipline on Consent at 1, 7-8) (suspension for one year UFO for attorney who falsely denied fabricating estate planning documents while another disciplinary matter concerning his fabricated loan documents was pending; UFO may be imposed “where a previous sanction was not successful in motivating an attorney to change their ways.”)

Overall, considering the serious misconduct, significant aggravating factors, some mitigating factors, and relevant case law, we recommend that respondent, Cynthia Jean Koroll, be suspended for one year and until further order of the court. This sanction will protect the public, the profession, and the administration of justice until respondent demonstrates through the reinstatement process that she is fit to practice law again.

Respectfully submitted,

Rhonda Sallée
John L. Borovicka IV
Brian B. Duff

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 October 8, 2026.

/s/ Michelle M. Thome

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