In re Brandon John Zanotti
Attorney-Respondent

Commission No. 2024PR00076

Synopsis of Hearing Board Report and Recommendation
(December 2025)

The Administrator charged Respondent with knowingly assisting another lawyer to violate the Rules of Professional Conduct, committing a criminal act that reflects adversely on his fitness as a lawyer, and engaging in dishonest conduct in violation of Rules 8.4(a), (b), and (c) due to his knowing participation in a fraudulent commercial loan transaction, which involved another attorney. The Hearing Board found that the Administrator proved all of the alleged misconduct by clear and convincing evidence. The Hearing Board recommended a four-month suspension due to Respondent's misconduct, the factors in aggravation, the substantial amount of mitigation, and relevant caselaw.

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

In the Matter of:

BRANDON JOHN ZANOTTI,

Attorney-Respondent,

No. 6298030.

Commission No. 2024PR00076

REPORT AND RECOMMENDATION OF THE HEARING BOARD

SUMMARY OF THE REPORT

The charges in this matter arose from a loan transaction in which a bank president, Respondent's company as the real estate seller, and another lawyer's company as the buyer knowingly caused the bank to approve a commercial loan based on false information. Respondent pled guilty to the federal crime of aiding and abetting false entry in bank records with the intent to defraud or deceive. The Hearing Board found that Respondent's criminal and dishonest conduct, which involved another attorney, violated Rules 8.4(a), (b), and (c). In aggravation, Respondent acted knowingly and selfishly, caused a risk of harm, and was an elected state's attorney at the time of the misconduct. The Hearing Board also found substantial mitigation, concluding that this was an aberration from an otherwise remarkable career of service to the public and the profession, and that Respondent had learned his lesson, as evidenced by his genuine remorse, acceptance of responsibility, and constructive life changes since then.

INTRODUCTION

The hearing in this matter was held on September 23, 2025, at the Springfield office of the Attorney Registration and Disciplinary Commission (ARDC) and on October 8, 2025, by

videoconference before a panel of the Hearing Board consisting of Janaki H. Nair, Chair, Mitchell H. Frazen, and Sherri Miller. Rachel C. Miller represented the Administrator. Respondent was present and was represented by William F. Moran, III.

PLEADINGS AND MISCONDUCT ALLEGED

On December 12, 2024, the Administrator filed a one-count Complaint charging Respondent with violating Rules 8.4(a), (b), and (c) of the Illinois Rules of Professional Conduct (2010) by knowingly participating in a fraudulent commercial loan transaction, which resulted in his pleading guilty to a federal crime and which involved another lawyer. On January 13, 2025, Respondent filed an Answer in which he admitted some factual allegations, denied some factual allegations, and neither admitted nor denied the alleged misconduct.

EVIDENCE

The Administrator presented testimony from two witnesses, including Respondent as an adverse witness. Administrator's Exhibits 1-2 were admitted. (Tr. 5). Respondent testified on his own behalf and called four other witnesses. Respondent's Exhibits 1-6 were admitted. (Id.).

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, 577 N.E.2d 762 (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, 848 N.E.2d 961 (2006).

Respondent is charged with violating Rules 8.4(a), (b), and (c) due to his knowing participation in a fraudulent commercial loan transaction involving another lawyer and resulting in Respondent's criminal conviction for aiding and abetting false entry in bank records with intent to defraud or deceive.

A. Summary

We find that the Administrator proved by clear and convincing evidence that Respondent knowingly assisted another lawyer in violating the Rules of Professional Conduct, committed a criminal act that reflects adversely on his fitness as a lawyer, and engaged in dishonest conduct by his participation in the fraudulent commercial loan transaction. We find that Respondent's conduct violated Rules 8.4(a), (b), and (c).

B. Admitted Facts and Evidence Considered

In 2017, while working as the Williamson County State's Attorney, Respondent became a silent partner in Results Home Buyers 2, LLC ("Results"), a real estate holding and rental company located in Williamson County. (Ans. at pars. 2-3; Tr. 34, 117-18). In spring 2021, he bought out the partner who had handled the business decisions and day-to-day operations, and he began managing approximately 24 properties. At that time, the company also lost its two support staff due to lack of funds, so Respondent was handling "virtually everything" including rent collection, tenant complaints, building repairs, and banking, in addition to his full-time job. (Tr. 34-37, 118-20, 177-78). Respondent testified that he was foolish and naïve to think that expanding his role in Results would not be that stressful, but it turned out to be overwhelming. (Tr. 36-37, 120).

In early 2022, Respondent heard that a private attorney, David Lawler, and the Williamson County Circuit Clerk, Justin Maze, had become equal partners in a company similar to Results and were looking to buy investment properties. (Ans. at par. 4; Tr. 37, 39-40, 136). Respondent grew up knowing these men, and they were friends. In addition, Lawler and Respondent had been

opposing counsel on criminal cases, and Maze had worked with Respondent in local politics. (Tr. 37-39, 145).

Around March 26, 2022, Respondent approached Maze and offered to sell seven of Results' single-family rental homes to Lawler and Maze Properties, LLC ("Lawler & Maze"). (Tr. 40-41, 136-37, 140; Adm. Ex. 1 at 17-18). Respondent and Maze agreed upon a total purchase price of $436,122 for the seven properties. (Tr. 42). They and Lawler agreed to finance the purchase with a loan through SouthernTrust Bank. (Ans. at par. 5; Adm. Ex. 1 at 17). Respondent testified that he only met with Lawler once but worked with Maze "90 plus percent" of the time on the transaction. (Tr. 140).

On April 6, 2022, Respondent and Maze met at SouthernTrust Bank with bank president Steven Cook, one of the few commercial bankers in the area. (Tr. 43-45, 140-41, 216; Adm. Ex. 1 at 17-18). Cook told them that the bank would require a 20 percent down payment. After Maze contacted Lawler to confirm that they did not have those funds, Cook suggested they "find some ways around this." (Tr. 45-46, 141-42). Respondent offered to transfer immediate legal ownership of the properties to Lawler & Maze, before the bank made the loan, so that a down payment would not be required. Although Lawler & Maze could not pay until after they obtained the loan, and there was no documentation of the debt, he trusted that they would follow through with payment. (Ans. at par. 6; Tr. 46-47, 143-45, 154-55). Respondent believed this approach was lawful, and Cook affirmed that it had been done before. (Tr. 47, 143-44).

At some point during or after this meeting, Cook advised Respondent that the bank would not approve the loan unless it appeared to be a refinance, as opposed to a new purchase, and unless the documents were backdated to appear as if Lawler & Maze had owned the properties since February 1, 2022. (Tr. 47, 145, 155; Adm. Ex. 1 at 18). Respondent testified that "an alarm bell

went off," and he questioned whether this was allowed. Cook assured him that Cook could get in trouble with the bank examiners, but "it's not that big of a deal," and Respondent and the buyers would not have liability. (Ans. at par. 6; Tr. 47, 146, 160-61). Respondent testified that he should have verified this representation, but he did not because "[t]he need for me at that time in my mind to get rid of these [properties] superseded everything. It was like I had an obsession, I had to get out of this mess." (Ans. at par. 6; Tr. 48, 146-47).

Respondent knowingly agreed to participate in Cook's refinance plan so that the loan would be approved, which would relieve some of his property management stress. (Tr. 47-48, 120-21, 147-48; Adm. Ex. 1 at 18-19). In May 2022, Respondent drafted and backdated the Assignment of Beneficial Interests, which falsely stated that legal ownership of the properties transferred to Lawler & Maze on February 1, 2022. (Ans. at par. 6; Tr. 48-49, 156-58, 163; Adm. Ex. 1 at 19). In June 2022, Respondent prepared a backdated Purchase and Sales Agreement, which falsely stated that the purchase price for the properties was $545,152, with 80% to be financed by the bank, when he, "Cook, and the other individuals well knew" the actual purchase price was the loan amount of $436,122 with no down payment. (Ans. at par. 6; Tr. 48-51, 161-63; Adm. Ex. 1 at 3, 19). Respondent testified that he knew of the false backdating and refinance aspects at that time. Although he did not fully understand the false nature of the purchase price and down payment terms until later, he knew both documents contained misrepresentations, which he intended for the bank to rely on in approving the loan. (Tr. 48-51, 153-56, 159-62, 186; Adm. Ex. 1 at 5, 18-19). Respondent did not draft or review any other loan documents, nor did he see the closing documents or attend the closing in August 2022. (Ans. at par. 6; Tr. 49-52, 158-59, 222).

In September 2022, federal law enforcement agents began contacting Respondent about the fraudulent loan transaction. He cooperated with the investigation by speaking with the agents

several times and, in December 2023, by participating in a proffer. (Tr. 53-55, 129-34). When Respondent learned that the U.S. Attorney intended to charge him, he agreed to waive an indictment and enter a plea agreement simultaneously. On March 21, 2024, Respondent pled guilty to a one-count felony violation of 18 U.S.C. §§ 2 and 1005. He admitted that he, "with the intent to defraud SouthernTrust Bank, or to deceive its officers, knowingly aided and abetted Cook and one or more individuals in making or causing to be made one or more false entries in the books, reports, or records of SouthernTrust Bank." (Ans. at par. 10; Tr. 54-57, 108-109; Adm. Ex. 1 at 3). Respondent was sentenced to two years' probation, a $5,000 fine, and $100 in court costs. He complied with the sentence and was released from probation a year early. (Ans. at par. 11; Tr. 57-59; Resp. Ex. 2 at 5).

Cook pled guilty to three felony violations of 18 U.S.C. §§ 2 and 1005 for aiding and abetting false entry in bank records. The charges and admitted facts in his first count mirrored those in Respondent's criminal case. Cook pled guilty to two additional counts arising from similar fraudulent loans he facilitated in August and November 2022 for Lawler & Maze to purchase real estate from sellers unrelated to Respondent and his company. (Tr. 149-51; Resp. Ex. 3 at 1-10).

C. Analysis and Conclusions

Rule 8.4(a) prohibits violating the Rules of Professional Conduct or knowingly assisting or inducing another to do so. Ill. R. Prof'l Cond. R. 8.4(a). The Administrator charged Respondent with violating this Rule by knowingly assisting another attorney, David Lawler, in obtaining a commercial real estate loan based on false documents. Rule 8.4(b) prohibits committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects. Id. at R. 8.4(b). Rule 8.4(c) prohibits conduct involving dishonesty, fraud, deceit, or misrepresentation. Id. at R. 8.4(c). The Administrator charged Respondent with violating the latter two Rules by engaging in the fraudulent loan transaction.

First, we address the Rule 8.4(a) charge. The evidence showed that Respondent primarily worked with Cook and Maze but met with Lawler once regarding the transaction. Respondent knew that Lawler was an Illinois-licensed attorney and SouthernTrust Bank would not have approved Lawler & Maze's loan to purchase the properties without the false documents provided by Respondent. These documents backdated Lawler & Maze's ownership of the properties by several months and falsely stated that the buyer was making a down payment of over $100,000. Lawler was an equal partner in Lawler & Maze who agreed to finance the purchase through SouthernTrust Bank and reported to Maze that their company did not have sufficient funds to make the bank's required down payment. Yet, despite Lawler's awareness of the insufficient funds, the loan and sale went through. Moreover, the criminal charge to which Respondent pled guilty stated that he, "Cook, and the other individuals well knew" about the false information in the loan documents. It is reasonable to infer that the "other individuals" were Maze and Lawler when the record before us mentions no other participants in this fraudulent transaction.

The Hearing Board can make reasonable inferences from circumstantial evidence when determining whether misconduct occurred. In re Discipio, 163 Ill. 2d 515, 524, 645 N.E.2d 906 (1994). Considering the evidence as a whole, we conclude that Respondent knowingly assisted Lawler in defrauding the bank. Therefore, we find that the Administrator proved that Respondent violated Rule 8.4(a).

Next, we address the Rule 8.4(b) and (c) charges. Respondent admitted in his Answer that he pled guilty to violating 18 U.S.C. §§ 2 and 1005. Section 1005 outlines the criminal offense of false entry in bank records, and Section 2 states that an individual who aids or abets such an offense is punishable as a principal. According to Respondent's Plea Agreement, the essential elements of his crime are: (1) he aided and abetted one or more individuals in making or causing to be made

false entries in the books, reports, or records of SouthernTrust Bank; (2) he knew the entries were false; (3) he did so with the intent to defraud the bank and deceive its officers; and (4) SouthernTrust Bank's deposits were insured by the Federal Deposit Insurance Corporation.

We find that Respondent's admissions in the Answer in this matter and in the Plea Agreement in his criminal case constitute "a formal judicial admission that is conclusively binding on the party making it," which "dispenses of the need for any proof of that fact." In re Mills, 07 SH 2, M.R. 23070 (May 18, 2009) (Hearing Bd. at 14).* It is evident, based on the admittedly dishonest nature of Respondent's offense, that he engaged in a criminal act that reflects adversely on his honesty, trustworthiness, or fitness as a lawyer in other respects and that he engaged in dishonest conduct. Accordingly, we find that the Administrator proved by clear and convincing evidence that Respondent violated Rules 8.4(b) and (c).

EVIDENCE OFFERED IN MITIGATION AND AGGRAVATION

Aggravation

Respondent was appointed and elected as the Williamson County State's Attorney between September 2014 and July 2022. (Ans. at par. 1; Tr. 32-33). The loan transaction at issue occurred between March and August 2022. (Adm. Ex. 1 at 3). Respondent testified that he had no way of knowing at the time he made the false statements that Lawler & Maze would make timely payments on the loan. (Tr. 59).

Mitigation

During his nearly eight years as a state's attorney, Respondent led the implementation of the First Judicial Circuit's Drug and Veterans Court, spoke at conferences about child abuse and the opioid crisis, and wrote articles for legal publications. (Tr. 80-88, 100-102, 106-107; Resp. Ex. 1 at 1, 3-4). At the time of the misconduct in 2022, Respondent was also managing Results,

teaching at Southern Illinois University School of Law, serving in 13 professional and non-profit organizations, and raising two young children. (Tr. 55-56, 96, 102-105, 111-21, 181-82; Resp. Ex. 1 at 2-4). He felt overwhelmed by these pressures, along with stress related to family members' health issues and from pursuing his political ambitions. (Tr. 55-56, 110-11, 115-17, 126-27; Adm. Ex. 2 at 2).

Between 2017 and 2022, Respondent increasingly used alcohol outside of work to cope with his stress and depressed feelings. (Tr. 121-25, 182; Adm. Ex. 2 at 2). Respondent described this period of his life as "a gray awful area" and "the dark ages." (Tr. 48). His usual cautious mentality had become rash, which resulted in "a lot of bad decisions at this time." (Tr. 126). This included his willingness to participate in the fraudulent loan transaction, which was motivated by reducing his level of stress caused by the demands of property management, not by profit. He knew he would lose money on the sale of the properties after paying the liens, real estate taxes, and capital gains taxes. (Tr. 166-67).

In hindsight, with the benefit of counseling and the support of family and friends, Respondent acknowledged that his pride and arrogance drove him to take on too much at once while denying that he needed help. (Tr. 91, 116-17, 122, 125-29). He now manages his stress by reading philosophy, meditating, exercising, spending time with his wife and children, serving his community, talking regularly with a sober friend, and receiving mental health treatment. (Tr. 125, 128-29, 169-70). Respondent apologized for his foolish mistake, which tarnished the profession and which he deeply regrets and will never repeat. (Tr. 164-65). He testified that he has relearned the importance of doing his due diligence and of prioritizing his family and the practice of law. (Tr. 168-69). In Respondent's Plea Agreement, the U.S. Attorney recommended a reduced sentence because Respondent "voluntarily demonstrated a recognition and affirmative acceptance

of personal responsibility for this criminal conduct." (Adm. Ex. 1 at 8). Respondent now tells his story to law students and other professionals so they can avoid making the same mistakes. (Tr. 107-108, 173).

Rakesh Chandra, M.D., J.D., LLM, knew Respondent professionally as the state's attorney, and he and his colleagues have met with Respondent approximately once a month since he voluntarily sought mental health treatment over a year ago. (Tr. 244, 253, 349; Resp. Ex. 2 at 5-7). Dr. Chandra diagnosed Respondent with a mental health disorder that occurs when an individual faces a stressor or combination of stressors and makes a maladjustment in his lifestyle and thinking. That condition is now in remission; however, it occurred during the period at issue, when Respondent faced a plethora of challenging life circumstances, including a stressful campaign for and job as state's attorney, the disappointment of not achieving certain political aspirations, raising two young children, and greatly increasing responsibilities in his side real estate business. (Tr. 256-61, 269-71, 278-79, 283-86; Resp. Ex. 2 at 1-5).

Dr. Chandra testified that Respondent turned to alcohol to cope with this cluster of stressors, increasing his consumption as his tolerance increased. (Tr. 262-64; Resp. Ex. 2 at 3-4). Meanwhile, Respondent became so impaired by stress that he was not thinking straight. Respondent's disorder did not interfere with his ability to distinguish truth from lies, but it caused him to make an error of judgment because he was intent on selling the properties as a way to reduce his stress. Dr. Chandra opined that Respondent would not have agreed to the fraudulent plan to obtain the commercial loan to finance the purchase of the properties if he were not so impaired by stress at that time. Thus, Respondent's misconduct was causally connected to his medical condition. (Tr. 248-49, 261-62, 272-73, 279-80, 286; Resp. Ex. 2 at 4, 6-7).

Dr. Chandra declined to recommend abstinence from alcohol because Respondent had no pattern of alcohol abuse before or after the period when he was impaired by his disorder. (Tr. 264, 274-75, 280-82). Throughout his treatment, Respondent has never shown evidence of intoxication or desire to drink to excess, and he has fully complied with all medical recommendations, including limiting his alcohol intake to a couple of glasses of wine per week. Dr. Chandra opined that Respondent has shown sincere remorse for his actions and has gained new coping skills and supports, including therapy, that he would utilize if faced with extreme stress in the future. (Tr. 253, 264-69, 274-75; Resp. Ex. 2 at 5-7). Therefore, Dr. Chandra found no need for monitoring Respondent's alcohol consumption or for continued therapy. (Tr. 276-77; Resp. Ex. 2 at 5).

Lisa A. Rone, M.D., conducted an hour-and-a-half-long psychiatric evaluation of Respondent in August 2025, approximately one month before the hearing. (Tr. 330-31, 338; Adm. Ex. 2 at 1). Dr. Rone diagnosed Respondent with a history of alcohol-related disorders which occurred during the time of the misconduct. (Tr. 331, 333-34; Adm. Ex. 2 at 2-3). She opined that he made the decision to engage in this conduct, so it was not directly caused by a medical condition. However, "his alcohol use, feeling overwhelmed with the burden of the property management, and generally poor coping skills during that time" contributed to his impulsivity and less careful scrutiny of the banking transaction. (Tr. 334-35, 340-46; Adm. Ex. 2 at 3). Dr. Rone disagreed with Dr. Chandra's diagnosis, finding that Respondent's cumulative stressors, which he took on voluntarily, did not meet the criteria for that disorder. (Tr. 335-37, 342).

Dr. Rone noted Respondent's genuine remorse for his misconduct and the positive life changes he has made since then, including bolstering his support system. Nonetheless, she opined that he is not in remission because he continues to drink one to two glasses of wine a week, whereas she would expect abstinence based on his history of heavy drinking with negative consequences.

(Tr. 332, 339, 347-49; Adm. Ex. 2 at 3-4). Dr. Rone recommended monitoring whether Respondent is drinking more than he reports, especially during periods of stress. (Tr. 333, 346). She also testified that his mental health condition is resolved but recommended that he continue with psychotherapy to better understand what caused him to take on so many responsibilities in the years leading up to the alleged misconduct and to help monitor his coping skills as his workload increases over time. (Tr. 333-34, 347, 349-51; Adm. Ex. 2 at 4-5).

Travis Clem is the current president and CEO of SouthernTrust Bank and was the CEO during the loan transaction at issue. (Tr. 214). Between November 2022 and February 2023, federal law enforcement agents spoke with bank employees and subpoenaed records. This had little impact on the bank, as it commonly fulfills subpoenas, and the interviews only took a few hours. (Tr. 222-24). The bank prepared a public statement in anticipation that publicity surrounding the criminal charges against Respondent might damage customer perception of the bank. Despite wide local publicity, however, very few customers mentioned the criminal matter, so the bank declined to issue its statement. (Tr. 225-26, 231-32). Overall, the bank has not lost money or business, faced fines or reprimands, or changed loan procedures because of this situation. Lawler & Maze has made all of its payments on the loan. Respondent remains a customer of the bank and still has a good reputation in the community. (Tr. 226-28). Clem has no question about Respondent's integrity. (Tr. 229).

Character witnesses included First Circuit Associate Judge Tyler R. Edmonds, retired Williamson County Presiding Judge Brad Bleyer, and attorneys David Robinson, Andrew Wilson, and Mark Prince. All have known Respondent professionally for at least eight years. (Tr. 191-92, 204-206; Resp. Ex. 4 at 5; Resp. Ex. 5 at 7-8; Resp. Ex. 6 at 8). They testified about their personal experiences with Respondent and his excellent reputation as an honest and reliable person, a

prepared and hard-working lawyer, a well-respected arbitrator for a state agency, an engaged prosecutor who addressed their community's opioid crisis on a national platform, an outstanding supervisor, and a collaborative leader. (Tr. 193-97, 208-10; Resp. Ex. 4 at 6-11; Resp. Ex. 5 at 9-13; Resp. Ex. 6 at 6-11, 13-14). Robinson, who previously hired Respondent as a contractor, and Wilson, who knew Respondent as opposing counsel and later as a supervisor in the state's attorney's office, would not hesitate to work alongside him again. Wilson noted the shortage of attorneys in southern Illinois and the need for experienced advocates such as Respondent. (Tr. 210-11; Resp. Ex. 5 at 9-13). Prince testified that Respondent "is as remorseful as anybody I have ever seen," and each of the other witnesses expressed that Respondent has taken responsibility for or learned from his mistake. (Tr. 198, 210; Resp. Ex. 4 at 11, 14-16; Resp. Ex. 5 at 11; Resp. Ex. 6 at 12).

Since July 2022, Respondent has been in private practice in southern Illinois. Currently, he is a sole practitioner who handles routine transactional matters, including real estate matters for a local title company, trusts, and wills. (Tr. 29-30, 88-96; Resp. Ex. 1 at 1). He plans to continue this work because of the great need for estate planning among the "baby boomer" generation and the "abysmal" lack of lawyers in rural southern Illinois. (Tr. 99-100, 171). He also does "a lot of pro bono work" and has made plans to begin volunteering with a local legal aid organization once his disciplinary matter concludes. (Tr. 30, 171-72).

Prior Discipline

Respondent has been licensed to practice law in Illinois since 2008 and has no prior discipline.

RECOMMENDATION

A. Summary

Based on the proven misconduct, the factors in aggravation, and the substantial amount of mitigation, the Hearing Board recommends that Respondent be suspended from the practice of law for four months.

B. 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, 802 N.E.2d 1194 (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.

First, we address whether Respondent's prior medical condition is a mitigating factor. We considered the testimony and reports of the parties' experts, and we found both witnesses to be credible. Although Dr. Chandra's and Dr. Rone's diagnoses differed, they agreed that all of the disorders occurred at the time of Respondent's misconduct and are currently resolved, aside from Dr. Rone's concern about Respondent's continued occasional consumption of alcohol. The doctors disagreed as to whether their diagnoses were causally connected to the misconduct and whether Respondent requires ongoing treatment and monitoring.

In order for a medical condition to be a mitigating factor, it must have been causally connected to the misconduct, and there must be supporting medical evidence. In re Deer, 2015PR00037, M.R. 029565 (Jan. 29, 2019) (Hearing Bd. at 30); In re Rocawich, 95 CH 924,

M.R. 13660 (May 30, 1997) (Review Bd. at 8). In this case, the doctors provided credible evidence that supported and opposed a causal connection between Respondent's medical condition and his misconduct. Because we do not find one doctor to be more credible than the other, we decline to find that Respondent's medical condition is a mitigating factor.

Nonetheless, we find significantly mitigating that Respondent's misconduct was an isolated incident and an aberration from his distinguished career of public and community service. In re Jordan, 157 Ill. 2d 266, 276-77, 623 N.E.2d 1372 (1993). He has no prior misconduct in his 17 years in practice. He spent nearly 10 of those years serving as an arbitrator for a state agency and as the Williamson County State's Attorney. He has continued giving back to the legal profession and to his community by teaching law courses, authoring legal articles, presenting at conferences on issues such as child abuse and the opioid crisis, and serving on the boards of numerous professional associations and non-profit organizations.

We also acknowledge that Respondent's misconduct occurred during a time when he was facing a plethora of stressful circumstances and mental health issues, which he has since addressed by making positive life changes, including voluntarily obtaining mental health treatment. These facts contributed to our conclusion that his misconduct was an aberration. In re Koenig, 2020PR00076, M.R. 031267 (Sept. 21, 2022) (Hearing Bd. at 8; Review Bd. at 5-6).

Additionally, we find mitigating that Respondent was not the principal architect of the fraudulent scheme and that he did not unilaterally deceive the other parties in the transaction. In re Gabriele and Villadonga, 89 CH 469, M.R. 8236 (Mar. 20, 1992) (Review Bd. at 9); In re Chandler, 161 Ill. 2d 459, 477, 641 N.E.2d 473 (1994). In this case, as in Gabriele and Villadonga, the bank representative, buyer, and seller were working together to deceive the bank into approving a commercial loan by claiming that the buyer was making a downpayment when that was not true.

Respondent agreed to help by falsifying documents, but Cook came up with the plan and the methods for defrauding the bank and then continued his scheme in two more transactions without Respondent's involvement.

We further find mitigating that Respondent fully cooperated with this disciplinary proceeding and the federal criminal case. He expedited the adjudication of his criminal matter by waiving an indictment and entering a guilty plea on the same day. Respondent accepted responsibility, recognized the seriousness of his wrongdoing, and expressed remorse, which we find to be genuine based on our observations of his testimony and demeanor during the hearing. These findings were affirmed by the compelling testimony of Respondent's character witnesses and treating doctor about how he has responded positively to this situation. Overall, the facts persuade us that Respondent is unlikely to repeat his misconduct and that he does not pose a threat to the public. In re Mason, 122 Ill. 2d 163, 172-74, 522 N.E.2d 1233 (1988).

Finally, we note that Respondent has spent the majority of his career in rural southern Illinois, where he currently practices civil law. He testified that he intends to continue his private practice and expand his pro bono services after this disciplinary matter is resolved. We find credible Respondent's and Wilson's testimony about the lack of lawyers in southern Illinois. We find mitigating Respondent's history of providing legal services in an underserved area of the state, both in private practice and as a volunteer. Jordan, 157 Ill. 2d at 276-77; In re Stroth, 2019PR00065, M.R. 030839 (Sept. 23, 2021) (Hearing Bd. at 19-20).

Next, we consider aggravating factors. We find that Respondent knowingly participated in the fraud. Even though Respondent did not profit from the sale, his business benefited by obtaining funds to pay the liens and taxes on the properties. He also benefited from his conduct by reducing

the number of rental properties he managed and the related stress. Thus, we find in aggravation that his conduct was selfishly motivated. In re Howard, 69 Ill. 2d 343, 354, 372 N.E.2d 371 (1977).

We find credible Clem's testimony about the lack of actual harm to SouthernTrust Bank, but Respondent's misconduct still caused a risk of harm, which is aggravating. In re Saladino, 71 Ill. 2d 263, 276, 375 N.E.2d 102 (1978). The bank would not have approved the loan without the falsified documents, so the fraudulent transaction created a risk of financial loss to the bank if the loan was not repaid. There was also a risk of damaging the bank's reputation, as evidenced by the bank's preparation of a public statement in response to the criminal charges against Respondent. Although the potential for nonpayment, damaged reputation, and resulting lost business did not come to fruition, the bank anticipated these real risks.

We also find aggravating that Respondent committed a crime while he was the Williamson County State's Attorney, an elected public figure and the highest-ranking law enforcement officer in that county. In re Sims, 144 Ill. 2d 323, 325, 579 N.E.2d 865 (1991); In re Crisel, 101 Ill. 2d 332, 342-43, 461 N.E.2d 994 (1984). Holding this position at the time of Respondent's misconduct is a serious factor in aggravation, but we find it to be outweighed by the substantial factors in mitigation in this case.

As for the sanction, the Administrator requested a two-year suspension without probation. She cited cases that resulted in two-year or three-year suspensions for attorneys who engaged in dishonest conduct, some of whom were convicted criminally. In re Garcia, 2012PR00080, M.R. 26276 (Nov. 20, 2013); In re Khan, 2012PR00131, M.R. 25990 (May 22, 2013); Chandler, 161 Ill. 2d 459; In re Armentrout, 99 Ill. 2d 242, 457 N.E.2d 1262 (1983). Respondent requested a 30-day suspension and expressed willingness to comply with any probationary terms that the panel deemed necessary. He cited cases that resulted in censure, 30-day suspension, and 24-month

suspension fully stayed by probation. Armentrout, 99 Ill. 2d 242; In re Myers, 99 SH 88, M.R. 17766 (Jan. 28, 2002); In re Kakac, 07 CH 86, M.R. 23785 (May 18, 2010); Rocawich, 95 CH 924.

We decline to recommend probation with mental health treatment or alcohol monitoring conditions because we do not find that Respondent's misconduct was causally connected to any of the doctors' diagnoses. See Rocawich, 95 CH 924 (Review Bd. at 2-3, 11-12) (probation with ongoing psychological treatment was necessary for the protection of the public and the integrity of the legal system when an attorney's mental health condition was causally connected to her repeated shoplifting over a 12-year period).

Most of the parties' other cited cases are distinguishable based on the egregiousness of the misconduct and the amount of mitigation and aggravation. The misconduct in Khan and Garcia was more egregious because it occurred during their representation of clients and because they took a more active role in their dishonest crimes. Khan acted more like Cook than Respondent, as she concocted a plan to resolve a client's loan processing issues with a series of false statements, and she proceeded after informing the individuals involved that she and they could face civil and criminal liability. Khan, 2012PR00131 (Petition to Impose Discipline on Consent at 2-4). Garcia made multiple false statements to hide his conflict of interest in a corporate client's bankruptcy over 17 months, which was longer than Respondent's 5-month loan transaction. Garcia, 2021PR00080 (Petition to Impose Discipline on Consent at 1). In addition, Garcia was solely responsible for deceiving the court, and he caused actual harm to his client, his law firm, and the court, which are aggravating factors not present here. Id. at 1, 6-7. For these reasons, we believe it would be excessive to suspend Respondent for two or three years as in Garcia and Khan.

On the other end of the spectrum, Myers and Kakac received a censure and a 30-day suspension for making false statements during court proceedings. Myers is distinguishable, however, because of the "extensive and unusual" mitigating evidence, including that his dishonesty was motivated by what he believed to be in the best interests of his deceased cousin's minor children and grandchild in a guardianship case. Myers, 99 SH 88 (Review Bd. at 1, 18). Likewise, Kakac lacked an improper motive, which was "a significant mitigating factor." Kakac, 07 CH 86 (Review Bd. at 21). In contrast, Respondent was motivated by his self-interest in reducing stress from his property management workload, and his company benefited by obtaining funds to pay debts and expenses. Thus, a censure or 30-day suspension is also inadequate here.

Both parties cited Armentrout, which involved multiple attorneys who engaged in a fraudulent scheme to forge thousands of voter signatures on a referendum petition. Armentrout, 99 Ill. 2d at 245. The Court suspended the primary leader for two years, suspended the secondary leader for six months, and censured the other participants. Id. at 254-56. We find Respondent's level of responsibility in the fraudulent loan transaction to be more than a mere participant because he prepared some of the documents, but less than a leader because Cook, not Respondent, came up with the plan and methods for defrauding the bank. Respondent's level of responsibility supports a sanction greater than a censure but less than a six-month suspension.

The Administrator also cited Chandler, but we find it to be inapplicable because that attorney was the principal architect of an elaborate fraudulent scheme to obtain a mortgage, and she engaged in other dishonesty related to her pending bar application. Chandler, 161 Ill. 2d at 463-64, 475-76. She was suspended for three years and until further order of the Court. Id. at 478. The Administrator did not request a suspension until further order, which we agree is not warranted

here. Moreover, we find that the more egregious misconduct and additional aggravating factors in Chandler demonstrate that a multi-year suspension would be excessive for Respondent.

Instead, we find another case, which was briefly mentioned in Chandler, to be more similar to the present matter. Id. at 477. In Gabriele and Villadonga, two attorneys were suspended for five months after pleading guilty to a federal crime for aiding and abetting a scheme to obtain funding for a condominium development by making false statements in three separate but related loan applications. Gabriele and Villadonga, 89 CH 469 (Review Bd. at 1). The Court affirmed the Review Board, which found mitigating that "the criminal acts committed by respondents involved facilitating a scheme that they neither conceived nor disguised from the purchasers." Id. at 9. Similarly, Respondent went along with but did not devise the fraudulent plan, and the buyers knowingly participated in the scheme.

Moreover, like Gabriele and Villadonga, Respondent has practiced for around 20 years without prior discipline, fully cooperated in the disciplinary proceeding and the criminal case, presented favorable character evidence, and serves his community. Id. at 2, 8. Unlike Gabriele and Villadonga, Respondent was an elected state's attorney, which is more aggravating, but he did not cause actual harm, which is less aggravating. Id. at 2, 7-8. In additional mitigation, Respondent engaged in only one false loan application rather than three, and he has a more extensive history of service to the public, the profession, and an underserved geographic area. His genuine remorse and constructive life changes over the past three years also assured us that his misconduct will not recur.

On balance, we determine that a four-month suspension would appropriately acknowledge the seriousness of Respondent's misconduct while recognizing the aggravating and mitigating factors in this case. The proven misconduct merits a suspension, albeit limited in length due to the

substantial mitigation. Our recommended sanction falls within the range found in Armentrout and Gabriele and Villadonga, the most applicable cases among those cited by the parties and reviewed in our research. Therefore, we recommend that Respondent, Brandon John Zanotti, be suspended from the practice of law for four months.

Respectfully submitted,

Janaki H. Nair
Mitchell H. Frazen
Sherri Miller

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 December 10, 2025.

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

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[*] This Complaint was brought pursuant to Supreme Court Rules 753(b) and 761(c). In such a matter, we would expect the Administrator to present the judgment of conviction from the respondent's criminal case, as "proof of conviction is conclusive of the attorney's guilt of the crime." Ill. S.Ct. R. 761(f). Nonetheless, Respondent's uncontroverted admissions in his Answer and testimony are sufficient to establish by clear and convincing evidence that he violated Rule of Professional Conduct 8.4(b).