

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

In the Matter of:

ROBERT KENT GRAY, JR.,  
  
Attorney-Respondent,  
  
No. 6277565.

Commission No. 2025PR00035

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Tammy L. Evans, pursuant to Supreme Court Rule 753(b), complains of Respondent, Robert Kent Gray, Jr., who was licensed to practice law in Illinois on November 7, 2002, and alleges that Respondent has engaged in the following conduct which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

*(Dishonesty, Practicing Law After Removal from the Roll of Attorneys, and Engaging in Conduct that is Prejudicial to the Administration of Justice)*

1. At all times alleged in this complaint, Supreme Court Rule 794 required that, subject to certain exceptions that do not apply to Respondent in this matter, every Illinois attorney was required to complete 30 hours of continuing legal education (“CLE”) activity during the attorney’s two-year reporting period ending on June 30. For attorneys whose last names started with the letter “G,” including Respondent, the most recent two-year reporting requirement ran from July 1, 2022 through June 30, 2024.

2. Respondent has registered successfully since 2002 and therefore was familiar with the registration process, including for the entire time that the Minimum Continuing Legal

Education (“MCLE”) requirement has been in place since 2005.

3. Certain attorneys, including Respondent, who were required to comply with the 2022-2024 CLE reporting period were eligible to obtain a grace period extension from the MCLE Board until October 30, 2024 to complete their CLE requirements. To obtain the grace period extension, a qualifying attorney would need to enter certain information online and pay the MCLE Board a \$100 fee no later than July 31, 2024. On July 23, 2024, Respondent requested that the MCLE Board grant him a grace period extension until October 31, 2024 to complete his CLE requirements and paid the \$100 fee.

4. As of October 31, 2024, Respondent had completed only four hours of the 30 hours of CLE activity required by Supreme Court Rule 794.

5. At all times set forth in this complaint, Supreme Court Rule 796(e) required the Administrator to remove from the Roll of Attorneys authorized to practice law in Illinois the name of any attorney who had not complied with their CLE requirement.

6. Pursuant to Supreme Court Rule 756(h), “any person whose name is not on the master roll and who practices law or who holds himself or herself out as being authorized to practice law pursuant to the attorney's Illinois law license is engaged in the unauthorized practice of law and may also be held in contempt of the Court.”

7. Respondent received at least the following messages from the MCLE Board concerning his compliance with Supreme Court Rules 794 and 796 during the 2022-2024 MCLE reporting period:

<b>DATE</b>	<b>METHOD OF CORRESPONDENCE</b>	<b>DESCRIPTION</b>
April 14, 2023	E-mail* (*the MCLE Board sent every email communication to each of Respondent's two registered email addresses)	Information about Respondent's online transcript with the Illinois MCLE Board.
January 10, 2024	E-mail	5 tips for Respondent's first transcript reporting period with the transcript system. The five tips were: (1) the check-the-box compliance report was gone, (2) to check Respondent's online transcript promptly, (3) to contact the course provider if Respondent was missing a CLE course on his transcript, (4) to check the Illinois accreditation for CLE courses before you take them, and (5) applying for Illinois MCLE credit for an out of state CLE course. Respondent's MCLE transcript reflected fewer than 10 CLE credit hours as of January 10, 2024.
February 22, 2024	E-mail	Respondent's MCLE transcript reflected fewer than 10 CLE credit hours as of February 22, 2024.
April 8, 2024	E-mail	Respondent's MCLE transcript reflected fewer than 10 CLE credit hours as of April 8, 2024
April 29, 2024	Email	Reminder to comply with MCLE requirements by June 30, 2024 and information about requesting an extension.
May 21, 2024	E-mail	Respondent's MCLE transcript reflected fewer than 10 CLE credit hours as of May 21, 2024. Reminder that Respondent must complete his credits by the June 30, 2024 completion deadline.
May 24, 2024	Postcard mailed to Respondent via U.S. Mail	Reminder of the Illinois MCLE deadlines for 2022-2024 reporting period.
June 20, 2024	E-mail	Respondent's MCLE transcript reflected fewer than 10 CLE credit hours as of June 20, 2024. Reminder that the deadline to complete his CLE credits is June 30, 2024.
June 25, 2024	E-mail	Reminder that June 30, 2024 is the MCLE compliance deadline. Respondent's top five tips which were: (1) June 29-30 is a weekend, so check your online transcript now and contact the Board by Friday June 28, 2024 at noon with questions, (2) Respondent's two deadlines: June 30 (complete your credits or qualify for an exemption) and July

		31, 2024 (Respondent's transcript must display his timely compliance, exemption, or entry of grace period extension), (3) Information about what to do if Respondent's transcript is missing credits, (4) Report out-of-state exemption by July 31, 2024 to avoid a \$250 late fee, and (5) If Respondent is unable to finish his credits by June 30, 2024, he must enter a grace period extension no later than July 31, 2024 and pay a \$100 late fee rather than \$250 later fee without that entry.
July 9, 2024	E-mail	Respondent's transcript reflected that he was not in compliance with, or exempted from, earning credits for the 2022-2024 reporting period by June 30, 2024 or that Respondent had entered and paid for a grace period extension. Reminder that Respondent could enter and pay a \$100 late fee for a grace period extension no later than July 31, 2024.
July 23, 2024	E-mail	Confirmation of Respondent's request for a grace period extension and payment of the \$100 late fee. Grace period extension was reflected on Respondent's transcript.
August 16, 2024	E-mail	Reminder of final deadlines for the 2022-2024 reporting period: Respondent must complete his CLE credits by October 31, 2024, and his transcript must reflect his October 31, 2024 compliance.
September 11, 2024	E-mail	Respondent's MCLE transcript reflected that he had fewer than 30 CLE credit hours as of September 11, 2024. Reminder that Respondent has until October 31, 2024 to complete the required hours and until November 30, 2024 to confirm that his transcript includes those credits.
October 9, 2024	E-mail	Respondent's MCLE transcript reflected that he had not yet completed the MCLE requirements for the 2022-2024 reporting period and reminded him of the deadlines for the 2022-2024 grace period.
October 24, 2024	E-mail	Reminder that the final deadline was approaching and that Respondent's MCLE transcript reflected that he had not yet completed the MCLE requirements for the 2022-2024 reporting period and reminded him of the deadlines for the 2022-2024 grace period.
October 30, 2024	E-mail	Reminder that the final grace period credit completion deadline was the following day, and that Respondent's MCLE transcript did not reflect that he had completed the MCLE requirements for the 2022-2024 reporting period.

November 6, 2024	E-mail	Reminder to Respondent that, as of 3:40 p.m. on Wednesday, November 6, 2024, his MCLE transcript did not reflect that he had completed all CLE credits by October 31, 2024 or that he had qualified for an exemption by June 30, 2024, and that all CLE credits earned by the October 31, 2024 grace period completion deadline should now appear on his transcript.
November 18, 2024	Email	Reminder to Respondent that, as of 11:50 a.m. on November 18, 2024, Respondent's transcript did not reflect that he had completed the MCLE requirements for the 2022-2024 reporting period by the October 31, 2024 deadline or that he had reported an exemption that he had qualified for by June 30, 2024, and that, if he had questions about his compliance, he should contact the MCLE Board that day, and provided Respondent with the dates the office would be closed for upcoming holidays.
November 25, 2024	E-mail	Reminder to Respondent that, as of 9:15 a.m. on November 25, 2024, his MCLE transcript did not reflect that he had completed the MCLE requirements for the 2022-2024 reporting period by October 31, 2024, or that he had qualified for an exemption by June 30, 2024, and that Saturday, November 30, 2024 was the deadline for his transcript to reflect that he had completed all CLE credits by October 31, 2024, or that he had qualified for an exemption by June 30, 2024. Informed Respondent that he should contact the MCLE Board on November 25, 2024 or November 26, 2024 to address his compliance since the office would be closed November 27-30, 2024.
December 1, 2024	Letter dated December 1, 2024, and sent via USPS on December 2, 2024 (the first business date after removal)	Notice of removal from the Roll of Attorneys for MCLE non-compliance pursuant to Illinois Supreme Court Rule 796(e).
December 2, 2024	Email	Notice of removal from the Roll of Attorneys for MCLE non-compliance pursuant to Illinois Supreme Court Rule 796(e).

8. On December 1, 2024, the MCLE Board electronically sent a removal referral for Respondent for MCLE noncompliance to the Administrator of the ARDC. On the same day, the Administrator removed Respondent's name from the Roll of Attorneys authorized to

practice law in Illinois.

9. On or about December 2, 2024, Respondent received notice of his removal from the Roll of Attorneys from the MCLE Board which resulted from Respondent's failure to comply with the MCLE requirements. As of at least this date, Respondent knew that he was no longer authorized to practice law in Illinois as a result of his removal from the Roll of Attorneys.

10. Between January 3, 2025 and January 8, 2025, Respondent logged on to his "My MCLE" page on the MCLE Board's website 34 times. The following is a list of the dates and times that Respondent logged on to his "My MCLE" page and the information that was reflected on his "My MCLE" page each of the 34 times that he logged on to the MCLE Board website:

<b>DATE(S) AND TIME(S) OF LOGIN</b>	<b>2022-2024 REPORTING PERIOD DETAIL</b>	<b>COMPLIANCE STATUS SUMMARY</b>
<u>January 3, 2025</u> : 8:00 a.m., 11:50 a.m., 1:29 p.m., 5:02 p.m., and 10:12 p.m.  <u>January 5, 2025</u> : 7:51 p.m., and 8:15 p.m.  <u>January 6, 2025</u> : 9:18 a.m. and 9:25 a.m.	Reporting Stage: Removed; Credit Completion Deadline and Credit Reporting & Fee Deadline: Overdue; Fee Owed: \$400	\$400 Reinstatement Fee Unpaid; 8.00 Total Credits Earned.
<u>January 6, 2025</u> : 11:28 a.m., 11:43 a.m., 2:18 p.m., 2:47 p.m., 3:54 p.m., and 7:41 p.m.  <u>January 7, 2025</u> : 9:08 a.m., 9:45 a.m., 10:28 a.m., 10:33 a.m., 12:41 p.m., 1:30 p.m., 4:33 p.m., and 5:26 p.m.  <u>January 8, 2025</u> : 10:18 a.m., 10:45 a.m., 10:52 a.m., 11:25 a.m., 11:48 a.m., 1:17	Reporting Stage: Removed; Credit Completion Deadline and Credit Reporting & Fee Deadline: Overdue; Fee Owed: \$400	\$400 Reinstatement Fee Unpaid; 12.00 Total Credits Earned.

p.m., 1:45 p.m., 2:30 p.m., and 3:01 p.m.		
<u>January 8, 2025</u> , 3:23 p.m.	Reporting Stage: Removed; Credit Completion Deadline and Credit Reporting & Fee Deadline: Overdue; Fee Owed: \$400	\$400 Reinstatement Fee Unpaid; 23.00 Total Credits Earned.
<u>January 8, 2025</u> , 3:38 p.m.	Reporting Stage: Removed; Credit Completion Deadline and Credit Reporting & Fee Deadline: Overdue; Fee Owed: \$400	\$400 Reinstatement Fee Unpaid; 34.50 Total Credits Earned.
<u>January 8, 2025</u> , 3:40 p.m.	Compliance Status: Complied; Reporting Stage: Pending Reinstatement	34.50 Total Credits Earned

11. Since being removed from the Roll of Attorneys and knowing that he was not authorized to practice law in Illinois, Respondent represented clients in at least the following two (2) matters, Sangamon County case number 2022DC134 and Morgan County case number 2024MR8.

12. On January 7, 2025, Respondent, on behalf of his client, caused three subpoenas for testimony in a civil matter to be filed with the Sangamon County Circuit Clerk for case number 2022DC134, a dissolution of marriage proceeding that is currently pending in the Sangamon County Circuit Court. Respondent represents the respondent in case number 2022DC134.

13. At the time Respondent caused the three subpoenas to be filed with the Sangamon County Circuit Clerk in case number 2022DC134, he knew that he had been removed from the Roll of Attorneys and was not authorized to practice law in Illinois because on January 7, 2025, he logged on to his “My MCLE” page eight times and each time that he logged on to his “My MCLE” page, his transcript reflected that he had been

removed from the Roll of Attorneys, his credit completion deadline and credit reporting and fee deadline were overdue, his \$400 reinstatement fee was unpaid, and his total credit hours earned was 12.00 hours. On January 6, 2025, the day before he caused the three subpoenas to be filed in case number 2022DC134, Respondent logged on to his “My MCLE” page eight times and each time that he logged on to his “My MCLE” page, his transcript reflected that he had been removed from the Roll of Attorneys.

14. On January 7, 2025, at 4:31 p.m., Respondent sent an email to attorney Peggy Ryan, his opposing counsel in case number 2022DC134, that contained proposed exhibits for the upcoming trial that had been scheduled for the matter.

15. At the time Respondent sent the email to Ms. Ryan described in paragraph 14, above, he knew that he had been removed from the Roll of Attorneys and was not authorized to practice law in Illinois because before he sent the email to Ms. Ryan at 4:31 p.m. on January 7, 2025, he logged on to his “My MCLE” page six times, and each time that he logged on to his “My MCLE” page, his transcript reflected that he had been removed from the Roll of Attorneys, his credit completion deadline and credit reporting and fee deadline were overdue, his \$400 reinstatement fee was unpaid, and his total credit hours earned was 12.00 hours.

16. On January 8, 2025, at 10:30 a.m., Respondent appeared on behalf of his clients before Judge Daniel Wright for a motion to dismiss the complaint that had been filed in case number 2024MR8, a civil action that had been filed in the Morgan County Circuit Court. After Respondent appeared and identified himself as counsel for the defendants in case number 2024MR8, the following exchange occurred between Judge Wright and



Respondent:

JUDGE WRIGHT: “Mr. Gray, are you currently authorized to practice law in the State of Illinois?”

RESPONDENT: “I believe I am. I finished my CLE credits for the year. I haven’t – I don’t know if there is something that’s a lag on the other stuff, but if there is, it’s – it’s been done. And I’m just waiting for something to process. If that’s the case, maybe we can continue this to a short continuance, to a different date.”

17. Respondent’s statements to Judge Wright that are described in paragraph 16, above, were false because at the time he appeared before Judge Wright, he was not authorized to practice law because he was not in compliance with the MCLE requirements and had not paid the \$400 reinstatement fee. Respondent knew his statements were false because at 10:18 a.m. on January 8, 2025, 12 minutes before Respondent appeared before Judge Wright, he logged on to his “My MCLE” page, which, at that time, reflected that he had been removed from the Roll of Attorneys, that his credit completion deadline and credit reporting and fee deadline were overdue, that his \$400 reinstatement fee was unpaid, and that his total credits earned was 12.00 hours.

18. On January 8, 2025, Judge Wright issued a rule against Respondent to show cause why he should not be held in direct criminal contempt for the unauthorized practice of law for appearing in court on behalf of the defendants on a motion to dismiss in case number 2024MR8, and ordered Respondent to appear in person on January 22, 2025 at 1:00 p.m. for a hearing on the rule to show cause.

19. On January 22, 2025, at 12:14 p.m., Respondent sent an email to Judge Wright in which he stated that he was not available to attend the hearing in person but

offered to be available by telephone. Judge Wright was unable to contact Respondent by telephone because the county telephone system was experiencing a service disruption, so he continued the matter for a hearing on the rule to show cause on February 3, 2025, at 1:00 p.m., and ordered Respondent to appear in person.

20. On February 3, 2025, Respondent appeared in person for the hearing on the rule to show cause and made an oral motion to dismiss the matter. Judge Wright denied Respondent's motion, found him guilty of direct criminal contempt, and fined him in the amount of \$200.

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

- a. knowingly making a false statement of fact or law to a tribunal or failing to correct a false statement of material fact or law previously made to the tribunal by the lawyer, by conduct including making false statements to Judge Wright described in paragraph 16, above, in violation of Rule 3.3(a) of the Illinois Rules of Professional Conduct (2010);
- b. practicing law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, by conduct including causing three subpoenas to be filed and sending an email to opposing counsel with supplemental evidence for the trial that had been scheduled for Sangamon County case number 2022D134, and appearing in court on a client's behalf in Morgan County case number 2024MR8, when Respondent's name had been removed from the Roll of Attorneys and he was not authorized to practice law, in violation of Rule 5.5(a) of the Illinois Rules of Professional Conduct (2010);
- c. committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, by conduct including committing and being found guilty of direct criminal contempt, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010);

- d. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including knowingly holding himself out as being able to practice law although unauthorized to do so, and making false statements to Judge Wright described in paragraph 16, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and
- e. conduct that is prejudicial to the administration of justice, by conduct including holding himself out as authorized to practice law to clients, opposing counsel, and the court when he was not so authorized, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and that the panel make findings of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Lea S. Gutierrez, Administrator  
Attorney Registration and  
Disciplinary Commission

By: /s/ Tammy L. Evans  
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