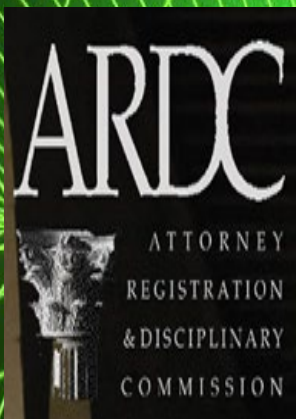


Annual Report of 2020

Attorney Registration & Disciplinary Commission



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2020 Board Member Roster

2020 ARDC Commission Staff



ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
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Chicago
April 30, 2021

To the Honorable the Chief Justice
and Justices of the Supreme Court
of Illinois:

The annual report of the Attorney Registration and Disciplinary Commission for 2020 is submitted to the Court, to the members of the Bar of Illinois, and to the public in accordance with Supreme Court Rule 751.

The report is a statement of activities of the Commission for calendar year 2020 and an accounting and audit of the monies received and expended during the twelve-month period that ended December 31, 2020.

Respectfully submitted,

David F. Rolewick, Chairperson
Timothy L. Bertschy, Vice-Chairperson
LaShana T. Jackson
Drinda L. OConnor
John H. Simpson
Cedric D. Thurman
J. Nelson Wood, Commissioners

Jerome Larkin, Administrator
Scott Renfroe, Deputy Administrator, Appeals
Peter L. Rotskoff, Deputy Administrator, Litigation
Althea K. Welsh, Deputy Administrator, Intake & Administration

ARDC MISSION STATEMENT

As an administrative agency of the Supreme Court of Illinois, the ARDC assists the Court in regulating the legal profession through attorney registration, education, investigation, prosecution and remedial action.

Through our annual registration process, we compile a list of lawyers authorized to practice law. We provide ready access to that list so that the public, the profession and courts may access lawyers' credentials and contact information.

We educate lawyers through seminars and publications to help them serve their clients effectively and professionally within the bounds of the rules of conduct adopted by the Court. We provide guidance to lawyers and to the public on ethics issues through our confidential Ethics Inquiry telephone service.

The ARDC handles discipline matters fairly and promptly, balancing the rights of the lawyers involved and the protection of the public, the courts and the legal profession. Grievances are investigated confidentially. Disciplinary prosecutions are adjudicated publicly and result in recommendations to the Court for disposition. Our boards consist of independent, diverse groups of volunteer lawyers and non-lawyers who make recommendations in disciplinary matters.

We advocate for restitution and other remedial action in disciplinary matters. We seek to provide reimbursements through our Client Protection Program to those whose funds have been taken dishonestly by Illinois lawyers who have been disciplined.



ARDC Annual Report of 2020 and Highlights produced, written and compiled by Mary F. Andreoni, Ethics Education Senior Counsel, ARDC.

A Report of the Activities of the ARDC in 2020

Initiatives, Statistical Summaries and Trends Impacting the Regulation of Lawyers in Illinois

ARDC INITIATIVES IN 2020

Educational Initiative

A significant part of the ARDC's mission is the development of quality education and outreach programs. Through seminars, publications and outreach on the ethical duties of lawyers, the ARDC Education Group is responsible for creating, producing and supporting innovative instructional e-learning webcasts, the ARDC Annual Report, hundreds of hours of in-person and virtual CLE presentations, the Ethics Inquiry Program and various publications and training courses.

E-Learning MCLE Accredited Seminars

As a leading CLE provider in Illinois, the ARDC produces recorded MCLE-accredited webcasts, free of charge, and available 24/7 on the ARDC website. During the pandemic, the ARDC was able to meet the demand for high-quality professional responsibility training and ethics education for the profession. In 2020, there were 30 on-demand, recorded webcasts available on the ARDC website, providing 23.75 hours of professional responsibility CLE credit. 80,410 certificates of CLE completion were issued in 2020, totaling 58,771 hours of professional responsibility CLE credit earned.



30 free, on-demand webcasts

23.75 hours of professional
responsibility CLE credit

80,410 CLE certificates issued

58,771 hours of CLE credit earned

Included in the ARDC webcast 2020 offerings were Proactive Management-Based Regulation (PMBR) course, a four-hour interactive, online self-assessment required of lawyers in private practice without malpractice insurance (see IL Supreme Court Rule 756(e)(2)) as well as a hosting a live, town-hall webcast on the ARDC's Intermediary Connecting Services Proposal. Information on the ARDC proposal can be found on the ARDC website.

All ARDC CLE on-demand recorded webcasts, including the PMBR course, can be accessed from the ARDC website at www.iardc.org/CLE_Opening_Page.pdf.



Speaking Engagements

An important part of the ARDC's outreach efforts and as a service to the Illinois bar, the ARDC offers experienced presenters to speak to lawyer and citizen groups at no charge. Each year ARDC Commissioners

**108 presentations by ARDC
staff lawyers in 2020**

**2,774 calls to the Ethics
Inquiry Phonenumber**

and staff members present to bar associations, government agencies, law-related organizations, schools and civic organizations throughout the state and country on a variety of subjects related to lawyer regulation. ARDC staff lawyers gave 108 presentations in 2020, most of which were done remotely during the pandemic shutdown.

Ethics Inquiry Program

The ARDC Ethics Inquiry Program assists attorneys and the general public with general questions about a lawyer's professional responsibilities. In 2020, staff lawyers responded to 2,774 calls from lawyers providing research assistance and guidance regarding ethics issues and the Illinois Rules of Professional Conduct, free of charge. Since the Program began in October 1995, the Program has received over 73,000 inquiries from lawyers seeking guidance in resolving important issues in their practice. A lawyer's mandatory duty to report lawyer or judicial misconduct under Rule 8.3 of the Illinois Rules of Professional Conduct continues to be the greatest area of inquiry posed to the ARDC's Ethics Inquiry Program. See Chart 26 Attorney Reports (2006-2020), Appendix, which shows the trend of lawyer reports for the past fifteen years from 2006 through 2020.

Lawyers with inquiries are requested to present their questions in the hypothetical form, and callers may remain anonymous if they so choose. An inquiry can be made by calling the Commission offices in Chicago (312-565-2600) or Springfield (217-546-3523). Additional information about the Program can be obtained at: www.iardc.org/ethics.html.

Publications

ARDC lawyers frequently write alerts, e-blasts, newsletters and articles on a wide range of legal ethics topics and emerging trends for publication, including authoring a series of articles that appear in the Illinois Supreme Court's monthly newsletter, [Illinois Courts Connect](http://IllinoisCourts.Connect). During the pandemic the ARDC sent out e-blasts with reminders on where Illinois lawyers can earn CLE credit before the end of their reporting period as well as a short article to assist lawyers navigating the first few months of the shutdown, *Our Ethical Obligations During the Coronavirus Shutdown*. These publications and resources can be explored on the ARDC website at www.iardc.org. The ARDC website also provides links to the rules governing Illinois lawyers as well as press releases on the latest developments concerning lawyer regulation.

Hosting International Conference of Legal Regulators (ICLR)

On October 26-30, 2020, the ARDC hosted the ICLR 2020 Virtual Conference to 211 registrants from around the world. The ICLR (www.iclr.net) seeks to bring legal regulators from around the globe to share knowledge and best practices and to find solutions to

common challenges. The conference, originally scheduled for October 2020 in Chicago, was held virtually over the course of five days across international time zones. Justice Lloyd A. Karmeier welcomed the conference attendees and the keynote speaker was Chief Justice Anne M. Burke. The next Conference is scheduled to be in-person in Chicago, with a virtual component, on September 26-28, 2021.

ARDC Website

The ARDC website (www.iardc.org) serves as an important source of information to the public and the legal profession about all aspects of the regulation of the legal profession in Illinois and is a vital tool in the ARDC's education and outreach efforts. There were 1,439,848 million visits to the ARDC website in 2020. 88% of visits was to the Lawyer Search function, which provides ready access to the public, the profession, and the judiciary to lawyers' credentials and contact information.



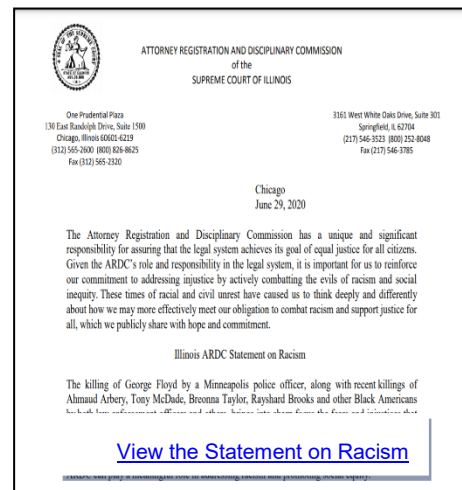
The ARDC website also handles all registration matters for over 94,000 lawyers each year and is a portal for connecting the legal profession to important updates impacting Illinois lawyers, educational resources to assist lawyers in their practice, and CLE programming,

Diversity, Equity and Inclusion Initiative

The ARDC Diversity, Equity and Inclusion (DE&I) initiative provides leadership and direction for diversity, equity and inclusion at the ARDC, enhances the diversity and cultural competence at all levels of the Commission, and contributes to efforts to increase diversity and inclusion in the legal profession and in the community in general. The ARDC is committed to incorporating diversity, equity and inclusion into the ARDC's work both within the organization and through its outreach work in the legal community and the public.

The ARDC is focused on improving the disciplinary process and the delivery of its services in a way that promotes inclusion, equality and fairness and facilitates a high level of trust and public confidence in the administration of justice and the legal profession.

Advancing those efforts, the ARDC issued a Statement on Racism, released in June 2020, reaffirming the ARDC's mission to identify and address bias within the disciplinary system as well as engaging in discussions with affinity and other bar leaders after issuance of statement and following up with internal discussions with staff regarding the Statement.



DE&I additional efforts in 2020 included:

- continuing DE & I education to staff and volunteer board members;
- delivering DE & I education to the profession;
- cultivating relationships with affinity bar associations; and
- increasing representation of attorneys of color in upper levels of the organization.

Lawyer Well-Being Initiative

Responding to the challenges presented by the Covid-19 shutdown, the ARDC doubled down on its well-being initiatives. The ARDC worked to adopt and prioritize strategies to improve the mental health and well-being of the legal profession as well as the entire ARDC staff. Well-being efforts continue to focus on presenting educational seminars for the legal profession and ARDC staff on issues of wellness. There are three CLE-accredited webcasts on the ARDC website on the topic of well-being. In keeping with the ABA Well-Being Pledge¹ and the ARDC's commitment to promoting well-being in the workplace, a staff well-being committee was formed to act as a resource for staff in managing the remote work environment and assist staff in transitioning back into the workplace post-pandemic.

ARDC Pandemic Shutdown Response and Office Reorganization Initiative

The ARDC was able to function effectively despite the statewide pandemic shutdown, in part, because of several changes the ARDC implemented pre-pandemic which facilitated its ability to continue operations with minor interruption. Those changes included adoption in January 2019 of Commission Rule 213, requiring all filings before the Hearing Board and Review Board to be done electronically via the ARDC's e-filing system, utilizing WebEx for prehearing conferences as early as 2018, and moving toward a substantially paperless work environment, all of which allowed for remote work of staff. Since April 2016, the Clerk of the ARDC has maintained only an electronic record of all proceedings and has designated the electronic record as the official record of proceedings.

The ARDC also implemented several contingency measures during the COVID-19 pandemic to maintain the health and safety of ARDC staff and the public while maintaining operations including:

1. accepting email requests for investigation, which prior to the shutdown, were only accepted by mail or facsimile;
2. handling investigations via email and conducting sworn statements via WebEx; and
3. conducting disciplinary proceedings before the Hearing and Review Boards remotely via WebEx.

Following Illinois Supreme Court's guidelines issued after the stay-at-home orders, disciplinary proceedings proceeded remotely and effectively. Between May and December 2020, there were 32 disciplinary hearings held virtually including 11 contested hearings, some of which were held

¹ The ABA Well-Being Pledge is part of the ABA Well-Being [Campaign](#) to improve the substance use and mental health landscape of the legal profession, with an emphasis on helping legal employers support healthy work environment. The Pledge calls upon legal employers (including law firms, corporate entities, government agencies and legal aid organizations) to work to adopt and prioritize its seven-point framework which includes providing enhanced and robust education to attorneys and staff on topics related to well-being, mental health, and substance use disorders. The ARDC is one of 202 legal employers taking the Pledge.

over the course of several days, 16 consent hearings, and five default hearings. The ARDC will continue to assess the utility of these and other measures to inform any further changes post-pandemic.

The ARDC continued its multi-year reorganization initiative in response to ongoing caseload decreases, the anticipated retirement of senior staff lawyers, and the need to reassign existing legal staff in order to implement new strategies and efficiencies particularly as they relate to proactive and education efforts. The ARDC's entire legal staff decreased from 51 lawyers in 2013 to 35 as of April 2021, a 31.4% reduction. The number of litigation counsel staff declined during that same seven-year period from 28 to 17 litigators, a 39.3% decrease as well as Adjudication counsel legal staff which decreased from 11 counsel in 2013 to five in 2020. Additionally, during the last year, two lawyers were added to the ARDC's Intake division. The goal of the organizational changes is to have a positive impact on case and investigation outcomes by allowing litigators to be able to focus more effectively on a reduced number of serious disciplinary matters and by enabling Intake counsel to act more immediately to help lawyers address practice issues through early education, diversion and deferrals.



ILLINOIS LAWYER POPULATION

Master Roll Demographics

Attorney Population in 2020

The 2020 Master Roll of Attorneys for the state of Illinois numbered 94,907 attorneys at the end of the 2020 registration year, comprised mostly of Active and Inactive status lawyers, a 0.3% increase over 2019. This closely tracks the virtually static rate of growth in overall lawyer population in the United States in the last five years. In 2020, there were 1.32 million lawyers in the U.S. – a -1.7% decrease over 2019.² Looking at the rate of growth between 2010 and 2020, of active lawyers living in each state, Illinois had a much slower rate of growth (4.4%) as compared to the rate of growth in other states with the largest number of lawyers: New York (17.0%); California (10.1%); Texas (20.5%); and Florida (26.2%).³ Continuing a trend noted in the 2019 ARDC Annual Report, there was a small but consistent shift in the gender, years in practice and age demographics for Illinois lawyers.⁴ Lawyers 30+ years in practice and 50 to 74 years old increased 1%, while lawyers between 5 and 10 years in practice and 30 to 49 years old decreased by 1% over 2019.

Gender

	Male	Female	Non-binary
2010	64%	36%	N/A
2019	61%	39%	>1%
2020	61%	39%	>1%

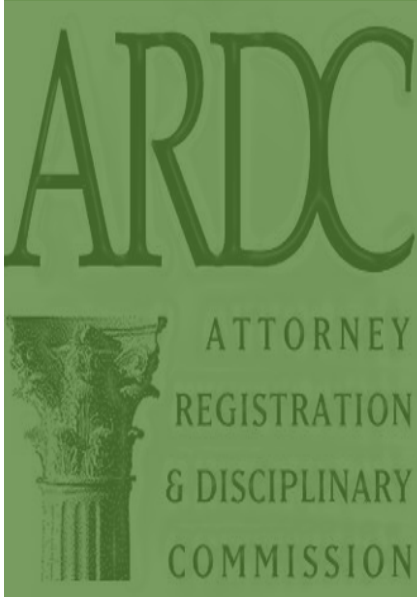
Age

	21-29 yrs.	30-49 yrs.	50-74 yrs.	+75 yrs.
2010	7%	51%	40%	2%
2019	4%	49%	44%	3%
2020	4%	48%	45%	3%

Years in Practice

	<5 yrs.	5-10 yrs.	11-20 yrs.	21-30 yrs.	+30 yrs.
2010	16%	17%	26%	22%	19%
2019	10%	15%	27%	21%	27%
2020	10%	14%	27%	21%	28%

Year	Lawyer Population	% Growth Over Prior Year
2020	94,907	0.3%
2019	94,662	0.6%
2018	94,608	-0.18%
2017	94,778	0.17%
2016	94,610	0.5%



2 See [ABA National Lawyer Population Survey: Historical Trend in Total National Lawyer Population \(1878-2020\)](#).

3 See [ABA Lawyer Population By State \(2010-2020\)](#).

4 See [2019 ARDC Annual Report](#), at pages 11-12.

Principal Business Location

All Active and Inactive Registered Lawyers

Of the 94,907 lawyers registered in 2020, 65,723 or 69.3% of Active and Inactive attorneys reported a principal business address in Illinois, a net gain of 616 lawyers or 0.5% increase over 2019. See Chart 1A Principal Business Location: In-State vs. Out-of-State Lawyers 2000-2020, Appendix.

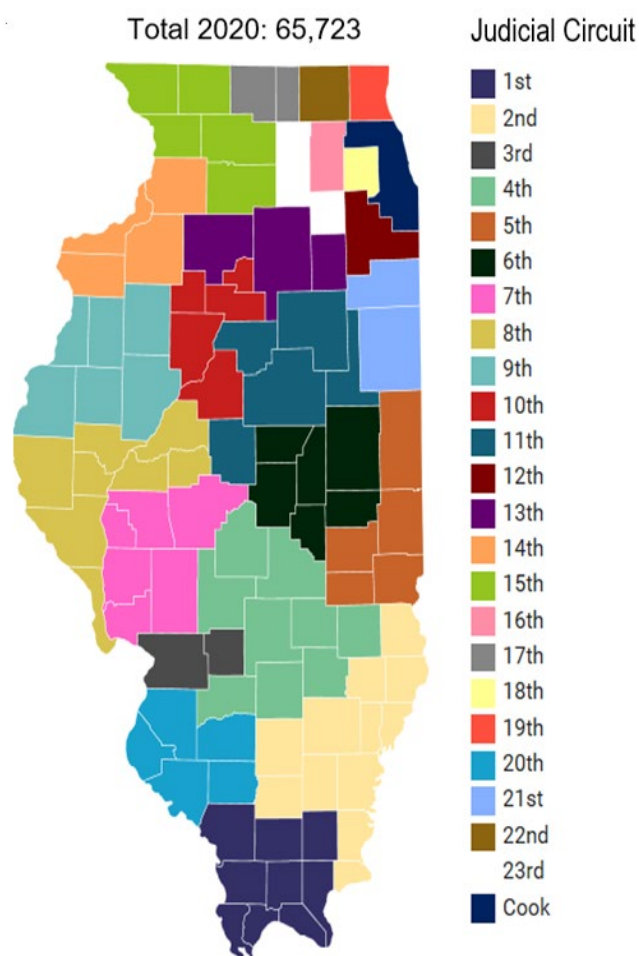
29,184 or 30.7% of registered attorneys reported a principal address outside Illinois in 2020. This breakdown is fairly consistent with the average percentage reported since 2014, where lawyers practicing principally in Illinois averaged around 68.5% versus out-of-state state lawyers at 31.5%. See Chart 1A, Appendix.

68.2% of these 29,184 lawyers hold a license in another jurisdiction in addition to their Illinois license. The top five jurisdictions where these out-of-state lawyers are located in 2020 are: Missouri, District of Columbia, California, New York, and Wisconsin. 65.3% of these 29,184 attorneys registered as Active and able to practice under the auspices of their Illinois license and 34.7% as Inactive.

Active and Inactive Registered Lawyers Located in Illinois: By County

Of the 65,723 Active and Inactive lawyers in 2020 located in Illinois, 86.7% or 57,007 lawyers in Illinois are situated within the six most populous counties in the state (Cook, DuPage, Kane, Lake, McHenry and Will). 82.4% or 46,951 lawyers in Illinois are found in Cook County. Of the five judicial districts, only the First District (Cook County) has more lawyers within its district than it did five years prior in 2016. See Chart 2, Active and Inactive Lawyers By Judicial District and Circuit (2016-2020).

13.3% or 8,716 lawyers in Illinois are located in the remaining 96 counties of the state. There was little overall change in the 102 counties in Illinois over the prior year. See Chart 3, Registered Active and Inactive Attorneys By County (2019-2020), Appendix.



Practice Demographics

Since the 2016 registration year, lawyers on Active status and engaged in the practice of law must report *pro bono*, trust account, malpractice insurance information, and other practice-related information during the annual registration process. See IL Supreme Court Rule 756(c) through (g). Other than a lawyer's contact information provided in most lawyers' listings on the Master Roll and whether a lawyer maintains malpractice insurance, data collected under the rule is confidential and is reported in the aggregate under the rule.

Practice Setting: Active Status

There were 82,636 lawyers with an Active registration status in 2020. 73,156 or 88.5% reported that they are currently practicing law and 66.7% or 48,798 are in a private practice setting.⁵ See Chart 6A 2016-2020 Practice Setting: Active Status and Currently Practicing,

Appendix. By gender, the largest percentage of Active status female lawyers is in the not-for-profit practice setting in which female lawyers comprise 63.7% of all not-for-profit lawyers. Most male lawyers are in private practice and constitute the majority of lawyers in this practice setting at 69.5%. The biggest percentage of non-binary lawyers practice in the not-for-profit setting at 0.5% of all not-for-profit lawyers. By age, the largest percentage of 20-29 years is in the not-for-profit setting (3.6%), 30-49 years old in the government and judicial setting (50.7%), and 50-74 years and those 75 years and older in academia (56.3% and 6.9% respectively).

Practice Setting	2016	2020
Private Practice	68.2% 47,456	66.7% 48,798
Corporate In-House	13.9% 9,662	15.4% 11,231
Government/Judicial	11.4% 7,911	12.1% 8,874
Other	3.2% 2,220	3.0% 2,177
Not-for-Profit	2.0% 1,360	2.2% 1,628
Academia	1.3% 963	0.6% 448

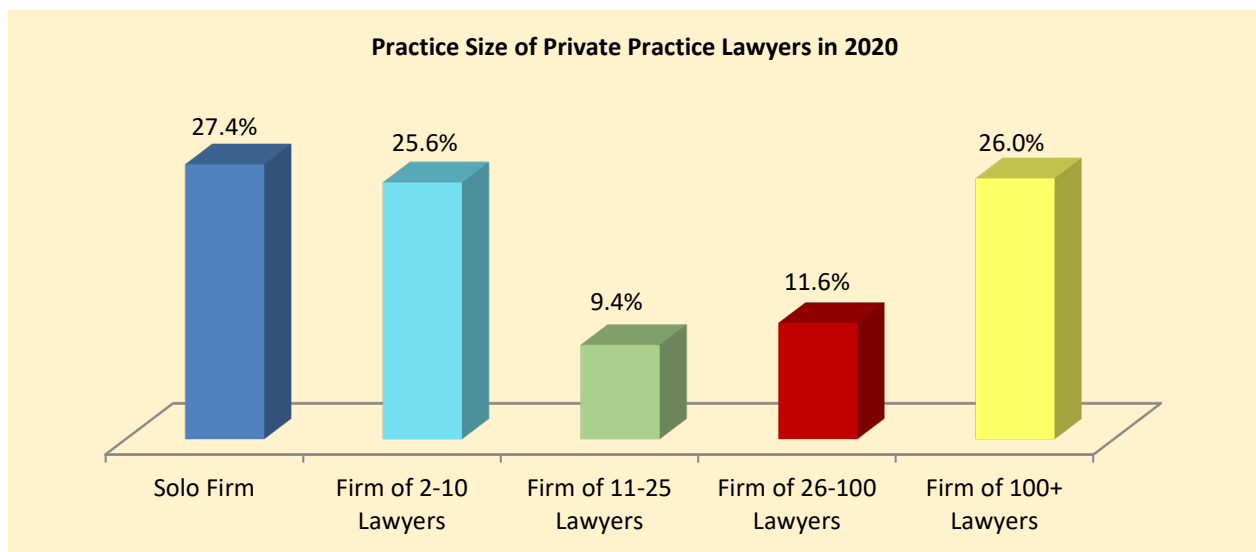
Practice Setting	Female	Male	Non-Binary
Private Practice	30.4%	69.5%	0.1%
Corporate In-House	43.7%	56.3%	0.04%
Government/Judicial	49.7%	50.3%	0.03%
Other	46.9%	53.0%	0.1%
Not-for-Profit	63.7%	35.8%	0.5%
Academia	43.2%	56.8%	0.00%

Practice Setting	20-29 Yrs.	30-49 Yrs.	50-74 Yrs.	75+ Yrs.
Private Practice	2.6%	44.8%	46.9%	5.7%
Corporate In-House	0.7%	55.0%	43.7%	0.6%
Government/Judicial	3.3%	60.7%	35.2%	0.8%
Other	2.8%	52.9%	40.9%	3.4%
Not-for-Profit	3.6%	57.8%	35.8%	2.8%
Academia	0.2%	36.6%	56.3%	6.9%

⁵ Not included in the practice setting demographics are the 9,480 lawyers, or 11.5% of all Active status lawyers, who reported that they are not currently engaged in the practice of law and are not required under Ill. S.Ct.R. 756(g)(4) to provide practice setting information.

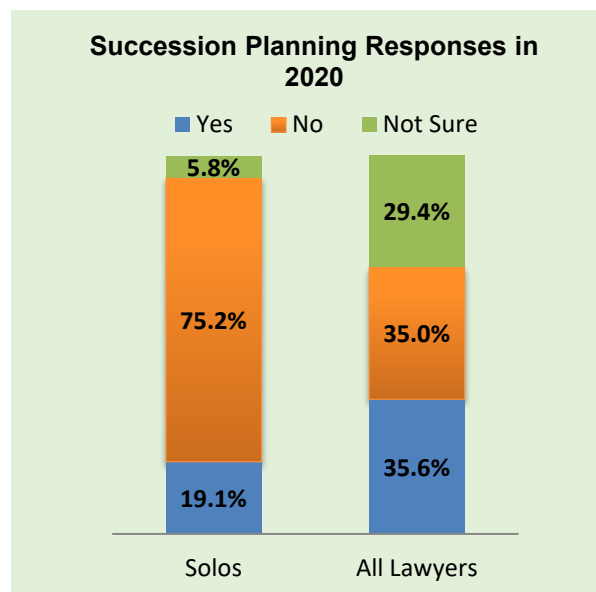
Practice Size: Private Practice

Of the 48,798 of lawyers with an Active status license, engaged in the practice of law and in private practice, sole practitioners make up the largest practice size setting at 27.4%. The next largest practice size setting are lawyers at law firms with 100+ lawyers at 26%. The smallest practice size setting are lawyers in law firms of 11 to 25 lawyers at 9.4%. Sole practitioners and lawyers in firms of 2 to 10 lawyers account for 53% of lawyers actively practicing in private practice. See Chart 6B 2016-2020 Practice Size: Active Status, Currently Practicing, and in Private Practice, Appendix.



Succession Planning

Active status lawyers engaged in the practice of law must disclose whether the entity at which they practice law has established a written succession plan. See IL Supreme Court Rule 756(g). A succession plan is a plan for how the law firm will function in the event of the lawyer's death, disability or other inability to continue a law practice. At a minimum, such a plan should identify another person, preferably a lawyer, who agrees to assume responsibilities for notifying clients and disposing of client-related materials and other property. This is particularly critical for lawyers in a solo practice who work alone.



Of the 13,356 Active status lawyers that identify as solo practitioners engaged in the private practice of law, 19.9% reported that they have a written succession plan, a slight increase over the prior year; 74.5% reported that they do not have a written succession plan; and 5.6% indicated that they are not sure of whether they have a plan in place. See Chart 7A 2016-2020 Succession Planning: Active Status, Currently Practicing, and in Private Practice, Appendix. 21.5% of sole practitioners that identify real estate as their practice area do not have a written succession plan. See Chart 7B Top Five Practice Areas of Solo Firm Lawyers Who Responded “No” to Written Succession Plan, Appendix.

Report on *Pro Bono* Activities

All registered lawyers are required to report voluntary *pro bono* service and monetary contributions on their registration forms even though *pro bono* activities are voluntary. See IL Supreme Court Rule 756(f). Of the 94,907 lawyers registered for 2020, 31,325 or 33% reported that they had provided a total of 1,883,613 *pro bono* legal service hours. Of those, the average lawyer provided 60 hours of *pro bono* time during 2020, above the aspirational goal of ABA Model Rule 6.1 of providing at least 50 hours of *pro bono* legal services per year. See ABA Model Rule 6.1, Comment [1]. 63,582 attorneys reported that they had not provided *pro bono* legal services. 9,440 or 14.8%, indicated that they were prohibited from providing *pro bono* legal services because of their employment. The information reported by individual attorneys concerning voluntary *pro bono* service and trust accounts is confidential under Supreme Court Rule 766 and is not reported as part of a lawyer’s individual listing under “Lawyer Search” on the ARDC website (www.iardc.org).

Report on *Pro Bono* Hours (2016-2020)

	2016	2017	2018	2019	2020
Type of <i>Pro Bono</i> Services	Service Hours	Service Hours	Service Hours	Service Hours	Service Hours
<i>Legal services to persons of limited means</i>	1,022,811	1,051,684	1,129,983	1,096,544	1,076,943
<i>Legal services to enumerated organizations designed to address needs of persons of limited means</i>	326,961	335,118	355,969	333,371	316,254
<i>Legal services to enumerated organizations in furtherance of their purposes</i>	462,419	471,646	473,603	444,546	439,032
<i>Training intended to benefit legal service organizations or lawyers providing pro bono services</i>	43,572	54,874	48,051	44,001	51,384
Total:	1,855,763	1,913,322	2,007,606	1,918,462	1,883,613

17,936 lawyers made \$17,116,265 in monetary contributions in 2020, for an average amount of \$954 contributed per lawyer in 2020.

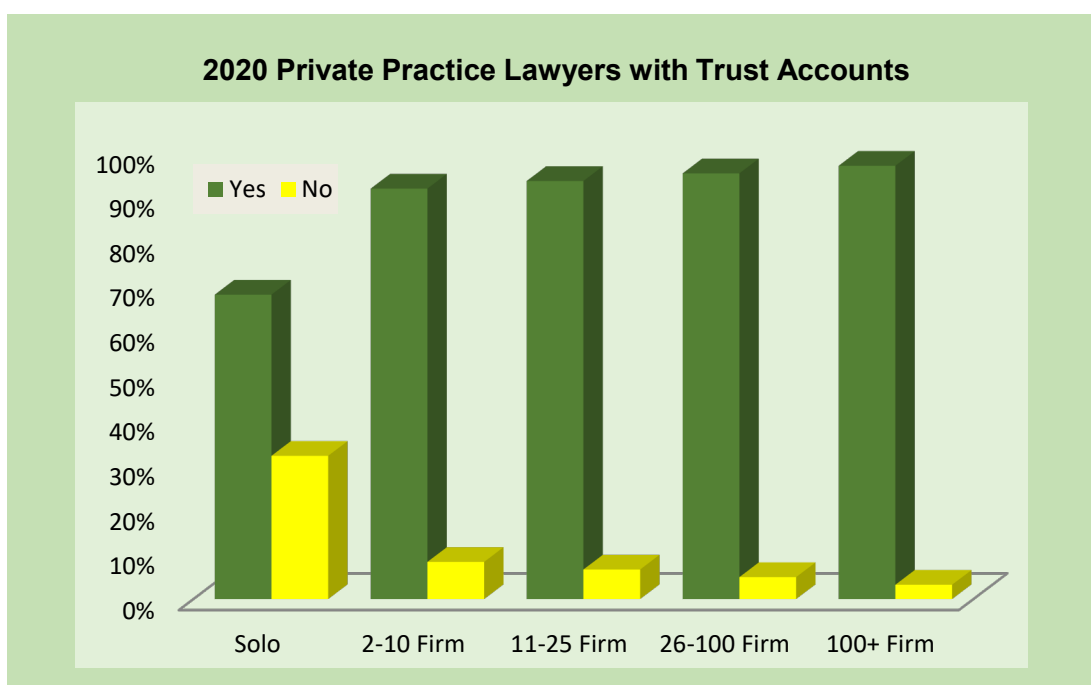
Monetary Contributions to *Pro Bono* Service Organizations (2016-2020)

	2016	2017	2018	2019	2020
<i>Amount Contributed</i>	\$16,005,396	\$17,858,268	\$18,223,917	\$16,930,744	\$17,116,265
<i>Number of lawyers who made contributions</i>	18,619	19,871	20,709	18,206	17,936
<i>% of lawyers who made contributions</i>	19.7%	21.0%	21.9%	19.2%	18.9%

Not reflected in the above chart is the fact that most Illinois lawyers contribute to the funding of legal aid through the \$95 portion of the full annual registration fee paid by Active status lawyers that is remitted to the Lawyers Trust Fund of Illinois, as well as the contributions lawyers have made to other charitable and not-for-profit organizations. For the 2020 registration year, \$7,132,629 was remitted through registration fees to the Lawyers Trust Fund in 2020. A total of \$81,301,971 has been remitted to the Lawyers Trust Fund since the 2003 registration year, the first year the ARDC began the collection and remittance of this fee as provided in Supreme Court Rules 751(e)(6) and 756(a)(1).

Trust Accounts

Every Active and Inactive status lawyer is required to disclose in their registration under Supreme Court Rule 756(d), whether they or their law firm maintained a trust account during the preceding year and to disclose whether the trust account was an IOLTA (Interest on Lawyer Trust Account) account, as defined in Rule 1.15(f) of the Rules of Professional Conduct. Most lawyers in private practice need to have a trust account because they handle client or third-party funds at some point in the course of their practice. Lawyers should understand which funds are client and third-party funds that must be held in trust pursuant to Rule 1.15. If a lawyer did not maintain a trust account during the preceding 12 months, the lawyer is required to disclose the reason why no trust account was maintained.



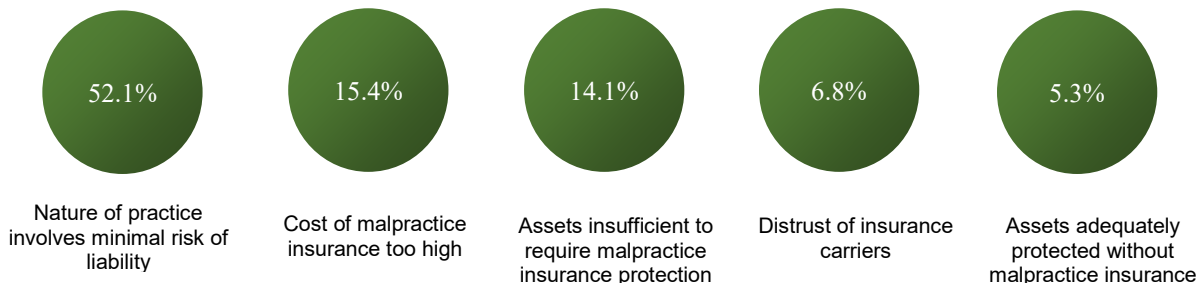
From the 94,907 lawyers who were registered for 2020, 50.3% or 47,745 of all registered lawyers reported that they or their law firm maintained a trust account sometime during the preceding 12 months. 81.7% of these trust accounts were IOLTA accounts and 18.3% were non-IOLTA accounts. Of the 47,162 lawyers who reported that they or their law firm did not maintain a trust account, slightly more than half, 50.6%, reported that they had no outside practice because of their full-time employment in a corporation or governmental agency. See Chart 8A, Trust Account Disclosure Reports in 2020, Appendix. For sole practitioners in private practice, 32.0% reported that they did not maintain a trust account as compared to the average of 5.7% in all other private practice settings that responded in the negative. See Chart 8B, 2016-2020 Trust Account Disclosure Reports, Appendix.

Malpractice Insurance

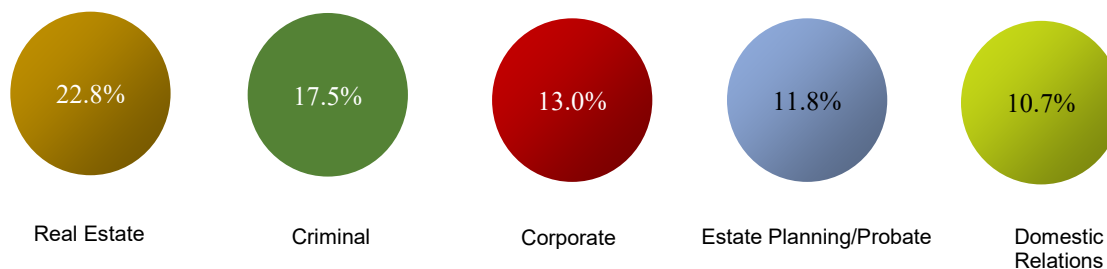
Supreme Court Rule 756(e) requires most Illinois lawyers to disclose whether they carry malpractice insurance coverage and, if so, the dates of coverage. The Rule does not require Illinois lawyers to carry malpractice insurance in order to practice law based upon their Illinois license.⁶ Clients may assume, however, that all lawyers have malpractice insurance. The disclosure of malpractice coverage in a lawyer's registration report is part of the publicly available information about a lawyer on the ARDC website. Lawyers not currently engaged in the practice of law, in-house counsel and government lawyers likely may not require malpractice insurance.

In 2020, 54.5% of all 94,907 registered lawyers reported that they have malpractice insurance, a figure that has remained generally consistent over the past five years. See Chart 9A Malpractice Disclosure: 2016-2020, Appendix. Of the 48,798 lawyers with an Active status license currently engaged in private practice (who most likely may have the need to carry malpractice), that number increases significantly. 86.7% of lawyers in private practice reported that they carried malpractice insurance. In terms of practice size, 60.9% of sole practitioners reported that they carried malpractice insurance as compared to at least 94% of firms with 2 or more lawyers. See Chart 9B Malpractice Disclosure: Active Status, Currently Practicing Law and in Private Practice: 2016-2020, Appendix.

The top five reasons given by solo practitioners who responded "No" to the malpractice question:



The top five practice areas identified by solo practitioners who responded "No" to the malpractice question:



⁶ See Ill. S.Ct.R. 756(e)(2) (eff. Jan. 25, 2017), becoming the first state in the United States requiring lawyers in private practice reporting no malpractice insurance to complete every other year the Proactive Management-Based Regulation (PMBR) course.

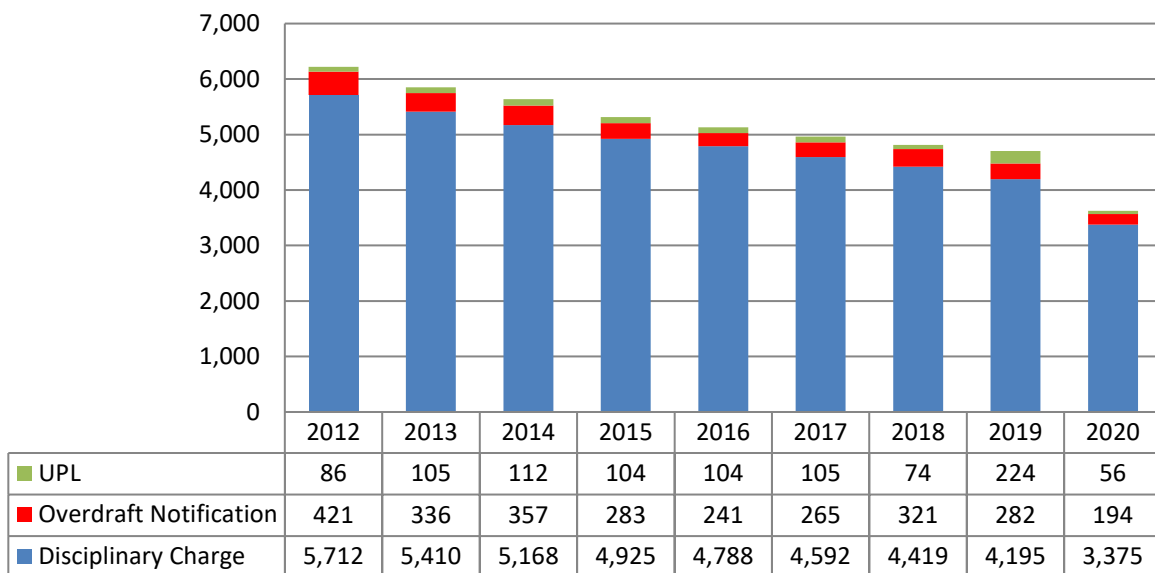
2020 Investigations, Prosecutions and Sanctions

Investigations

Investigations Initiated in 2020

During 2020, the Commission docketed 3,936 investigations, 1,001 fewer investigations than in 2019; a 20.3% drop from the previous year and the largest single-year decline. See Chart 10 Trend of Types of Investigations: 2013-2020, Appendix. The sharp decline in 2020 over 2019 is likely due to the impact of the pandemic and the slowdown of the legal system; however, this continues a trend of declining caseload pre-pandemic beginning in 2013. Other probable factors impacting caseload might be the reported five-year decline in the number of new cases filed in Illinois courts,⁷ a significant rise in the number of consumers with legal matters who are self-represented,⁸ a graying of the legal profession, and the continuing decline in the Illinois population.⁹

Trend of Top Three Categories of Investigations: 2012-2020



Those 3,936 investigations involved charges against 3,027 different attorneys, representing 3.2%

7 The 2019 Annual Report of the Illinois Supreme Court reports that the number of cases filed in the Circuits of Illinois declined from 2,708,414 in 2015 to 2,099,110 in 2019. See Report, Circuit Courts of Illinois Five-Year Trend (2015-2019), at p.103.

8 According to the Illinois Supreme Court Commission on Access to Justice, three out of five litigants in civil cases are *pro se* and, in some family courts, 80 to 100% of cases includes at least one self-represented litigant. See Illinois Supreme Court Commission on Access to Justice, [Illinois Justice for All Final Report \(Dec. 2020\)](#), at page 14.

9 [Data](#) released by the U.S. Census Bureau in December 2020, shows Illinois experienced a seventh consecutive year in population decline and has witnessed the second-largest population loss of all U.S. states since 2010. Illinois lost almost 2% of its residents from 2010 to 2020.

of all registered attorneys. Out of these 3,027 attorneys, 464 or 15.3% were the subject of more than one investigation docketed in 2020, and 420 or 13.9% had been disciplined by the Court in the past. See Chart 11, Demographics of Lawyers the Subject of Investigations Docketed in 2020, Appendix.

Grievances that stem from a breakdown in the attorney-client relationship (neglect of a client's cause, failure to communicate, billing and fee issues, and failure to provide competent representation) are consistently the top areas of grievance each year and account for 66.4% of all grievances. Neglect of a client's matter was alleged in 32.1% of all grievances in 2020. Consistent with prior years, the top subject areas most likely to lead to a grievance of attorney misconduct are criminal law, domestic relations, tort, real estate, and probate. See Chart 12 2020 Classification of Charges and Chart 13 2020 Area of Law, Appendix



Investigations Concluded in 2020

In 2020, 4,284 investigations were concluded. Of the 4,284 closed investigations in 2020, 4,158 were concluded by the Administrator's staff: 1,222 grievances were closed after initial review of the complainant's concerns and 2,936 were closed after investigation did not reveal sufficiently serious, provable misconduct. See Chart 14 Investigations Docketed and Concluded: 2016-2020, Appendix.

If an investigation produces evidence of serious misconduct, the case is referred to the Inquiry Board, unless the matter is filed directly with the Supreme Court under Rules 757, 761, 762(a), or 763. The Inquiry Board operates in panels of three, composed of two attorneys and one nonlawyer, all appointed by the Commission, and has authority to vote a formal complaint if it finds sufficient evidence to support a charge, to close an investigation if it does not so find, or to place an attorney on supervision under the direction of the panel pursuant to Commission Rule 108. The Administrator cannot pursue formal charges without authorization by an Inquiry Board panel.

In 2020, 16 grievances resulted in the filing of a petition for discipline directly with the Supreme Court, 54 grievances were voted as disciplinary complaints by the Inquiry Board against 35 lawyers, and an additional 55 files were closed after Inquiry Board review. One grievance was concluded upon compliance in 2020 with Commission Rule 108 conditions. See Chart 15 Investigations Concluded in 2020, Appendix.

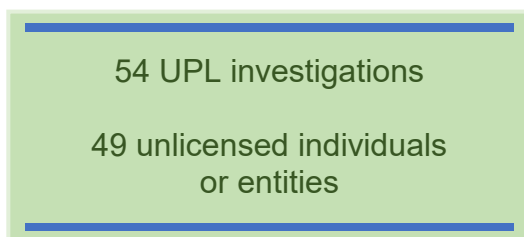
Despite the pandemic shutdown and remote work environment, ARDC staff lawyers were able to maintain the Commission's policy that disciplinary matters be handled expeditiously. More than 95% of grievances where no misconduct was alleged were concluded within 60 days of the

docketing of the grievance and 53% requiring investigation were closed within 90 days of receipt. See Chart 16 Timeliness of Investigations Concluded in 2020, Appendix.

Unauthorized Practice of Law Investigations

Under the authority of Supreme Court Rule 779, the ARDC investigates allegations of engaging in the unauthorized practice of law (UPL) by suspended and disbarred Illinois lawyers, out-of-state lawyers licensed in another jurisdiction, and persons not licensed in any jurisdiction.

In 2020, there were 54 investigations opened involving UPL charges against 49 unlicensed individuals or entities, four investigations involving three disbarred Illinois lawyers, and one against an out-of-state lawyer. See Chart 18A Rule 779 Unauthorized Practice of Law Investigation (2016-2020), Appendix. Immigration (15%), real estate (11%) and criminal (11%) were the top three areas of law involved in UPL investigations in 2020. See Chart 18B Area of Law in 779 Investigations in 2020, Appendix.



Civil or contempt actions alleging UPL may be brought against a disbarred Illinois attorney or against an unlicensed person, entity or association pursuant to the Supreme Court's rules and its inherent authority over the practice of law, and other state laws related to the unauthorized practice of law. Since authority was granted to the ARDC in 2011 to investigate and prosecute UPL matters, there have been 38 cases filed in the circuit court mostly against unlicensed persons. See Chart 18C Rule 779(b) UPL Actions Filed in the Circuit Court (2012-2020), Appendix.

In addition, ARDC staff coordinates with other regulators and provides outreach regarding UPL matters. ARDC staff liaison with the Illinois State Bar Association's Task Force on the Unauthorized Practice of Law, the Chicago Bar Association's Unauthorized Practice & Multidisciplinary Practice Committee and have served on the American Bar Association's Standing Committee on Public Protection in the Provision of Legal Services. The ARDC also regularly communicates with the Illinois Attorney General's Office, counsel from various state's attorneys' offices, and the Federal Trade Commission about these UPL matters. For investigations involving out-of-state attorneys, the ARDC frequently coordinates with attorney regulators from other states.

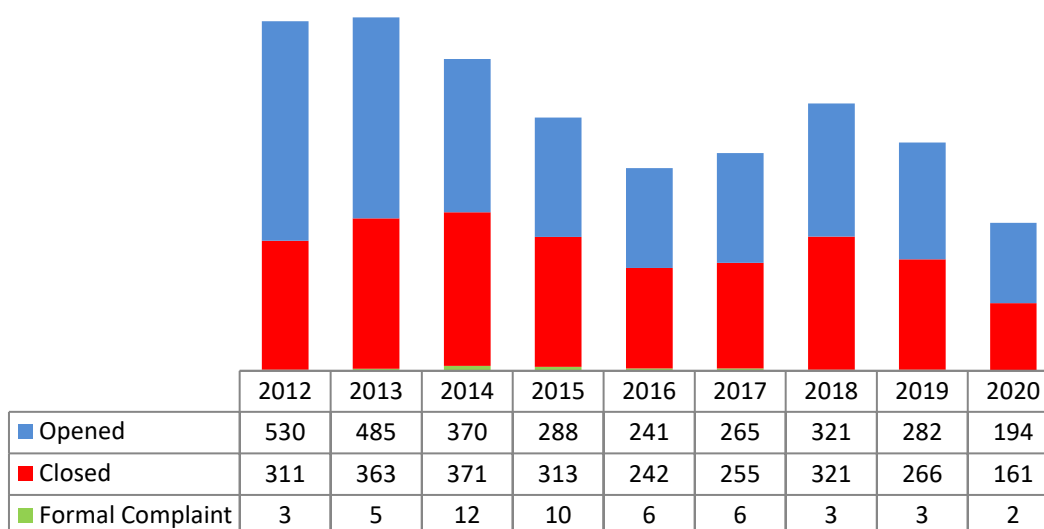
Overdraft Trust Account Notification Investigations

Pursuant to Rule 1.15(h) of the Rules of Professional Conduct, financial institutions are required to notify the ARDC of a client trust account overdraft. In most overdraft investigations, the lawyer is required to provide a written explanation of the facts and circumstances that caused the account shortage, together with copies of relevant financial records.

Many overdraft investigations show that the overdraft was the result typically of a mathematical, clerical or accounting error rather than intentional misuse of client funds; however, some overdraft investigations reveal problems with the lawyer's handling of trust funds or the lawyer's recordkeeping practices. In these situations, the ARDC's focus is to educate the attorney regarding the requirements of Rule 1.15 and to ensure that necessary practice corrections are made such as ARDC counsel directing lawyers to review sections of the ARDC's [Client Trust Account Handbook](#) or to view the ARDC's webinars covering the requirements of Rule 1.15 (see ARDC [CLE Seminars](#)). Lawyers may also be provided with sample recordkeeping forms or may receive informal one-on-one instruction on trust account recordkeeping.

Since the overdraft notification rule took effect in 2012, there has been an average of 460 investigations opened each year. 194 overdraft investigations were opened in 2020, 88 fewer investigations than the prior year. Evidence that client funds were converted can result in the filing of a formal complaint against the lawyer. Two investigations resulted in the filing of formal disciplinary complaints in 2020. Of the 2,976 investigations opened since 2012, only 50 formal complaints or 1.7% of overdraft investigations have resulted in formal disciplinary charges.

Trend of Overdraft Notification Investigations: 2012-2020



Receivership of a Lawyer's Practice Under Supreme Court Rule 776

If a practice is closing due to the lawyer's death, disability or disappearance and if “no partner, associate, executor or other responsible party capable of conducting the lawyer's affairs is known to exist,” Supreme Court Rule 776 provides for the appointment of a receiver to inventory the law firm files and fulfill the duties necessary to close the practice.

The ARDC has provided assistance to the family, friends, and professional colleagues who have undertaken to close a lawyer's practice as well as to those appointed as a receiver. In the event that there is no one to assume this responsibility, the ARDC will seek to be appointed receiver to ensure that clients' interests are not prejudiced by the lawyer's absence from the practice.



In 2020, the ARDC was appointed receiver of a lawyer's law practice in two matters. Between 2016 and 2020, the ARDC has been appointed a receiver of a lawyer's practice in 16 instances, six of which were still pending in 2020. In addition, the ARDC conducted 28 investigations in 2020 to determine if a receivership was appropriate and provided assistance to others acting as a receiver. See Chart 23, ARDC-Appointed Receiverships (2016-2020), Appendix.


Disciplinary and Regulatory Proceedings

Hearing Board Filings

Most disciplinary prosecutions begin with the filing of a formal complaint. A formal complaint is initiated against the attorney when an Inquiry Board panel authorizes the filing of charges. The matter then proceeds before a panel of the Hearing Board which functions much like a trial court in a civil case. Each panel is comprised of three members, two lawyers and one nonlawyer, appointed by the Commission. Upon filing and service of the complaint, the proceedings are public with the exception of hearings held pursuant to Supreme Court Rule 758 to determine whether a lawyer is incapacitated and should be transferred to disability inactive status. In addition to complaints alleging misconduct filed pursuant to Supreme Court Rule 753, and complaints alleging conviction of a criminal offense under Rule 761, the Hearing Board also entertains petitions for reinstatement pursuant to Rule 767, petitions for transfer to Inactive status because of impairment pursuant to Rule 758, and petitions for restoration to Active status pursuant to Rule 759.

40 cases were added to the Hearing Board's docket in 2020, a 21.6% decrease over 2019, and continuing a trend of declining investigative and prosecutorial caseload since 2013 (see Chart 25B Disciplinary and Regulatory Proceedings (2006-2020), Appendix), as well as the reduction in the number of litigation staff counsel over the past seven years. See Page 11.

Hearing Board Caseload	Pending 1/1/20	Filed	Concluded	Pending 12/31/20
2020	61	40	46	55
2019	81	51	71	61
2018	81	64	64	81
2017	90	79	88	81
2016	97	83	92	88



Of the 40 cases filed before the Hearing Board in 2020, 37 were initiated by the filing of a new disciplinary complaint and three were filed by lawyers seeking reinstatement to the practice of law. See Chart 20A Matters Before the Hearing Board in 2020, Appendix.

Most lawyers charged with misconduct were 30 or more years in practice (43%), 50 to 74 years of Age (65%), and male (92%). See Chart 20B Demographics of Lawyers Charged in 2020, Appendix. Fraudulent or deceptive activity was the basis for 81% of the misconduct charges, followed by criminal conduct or conviction of the lawyer at 24%, and improper handling of trust funds and failure to communicate at 22% each. See Chart 20C Types of Misconduct Alleged in 2020, Appendix.

The top five subject areas involved in the complaints were: the lawyer's own criminal conduct or conviction (22%), real estate (19%), probate (14%), criminal law (14%), and domestic relations (11%). See Chart 20D Subject Area Involved, Appendix.

Hearing Board Dispositions

2020 Disciplinary Cases: Rules 553 & 761(d)	43
Case closed by filing of petition for discipline on consent other than disbarment	19
Recommendation of discipline after contested hearing	10
Recommendation of discipline after default hearing	7
Case closed by filing of motion for disbarment on consent	3
Case closed by administration of a reprimand to respondent by consent	1
Complaint dismissed before hearing	1
Case closed by death of respondent	2

The Hearing Board concluded a total of 46 matters, 43 disciplinary cases and three reinstatement petitions during 2020. 12 cases (26.1%) proceeded as contested hearings and involved the filing of a comprehensive report and recommendation. The remaining 34 cases (73.9%) concluded without the need to prepare a detailed report and recommendation from the Hearing Board: 23 cases closed by the filing of discipline on consent; 7 cases proceeded as a default hearing; and four cases were dismissed or closed prior to hearing.


2020 Reinstatement Petitions: Rule 767	3
Recommendation of denial after contested hearing	2
Petition stricken	1

Review Board Dispositions

Once the Hearing Board files its report in a case, either party may file a notice of exceptions to the Review Board, which serves as an appellate tribunal.

The Review Board is composed of nine lawyer members appointed by the Supreme Court to three-year terms. The Supreme Court designates one member of the Board as Chair. The Review Board is assisted by a legal staff, separate from the Administrator's office and the Hearing Board's adjudication staff. Of the seven cases filed in 2020, review was sought by the respondent-lawyer in five. See Chart 20E, Appendix.

Review Board Caseload	Pending 1/1/20	Filed	Concluded	Pending 12/31/20
2020	9	7	11	5
2019	7	19	17	9
2018	17	12	22	7
2017	17	23	24	16
2016	18	21	22	17




Supreme Court Matters

Disciplinary Cases

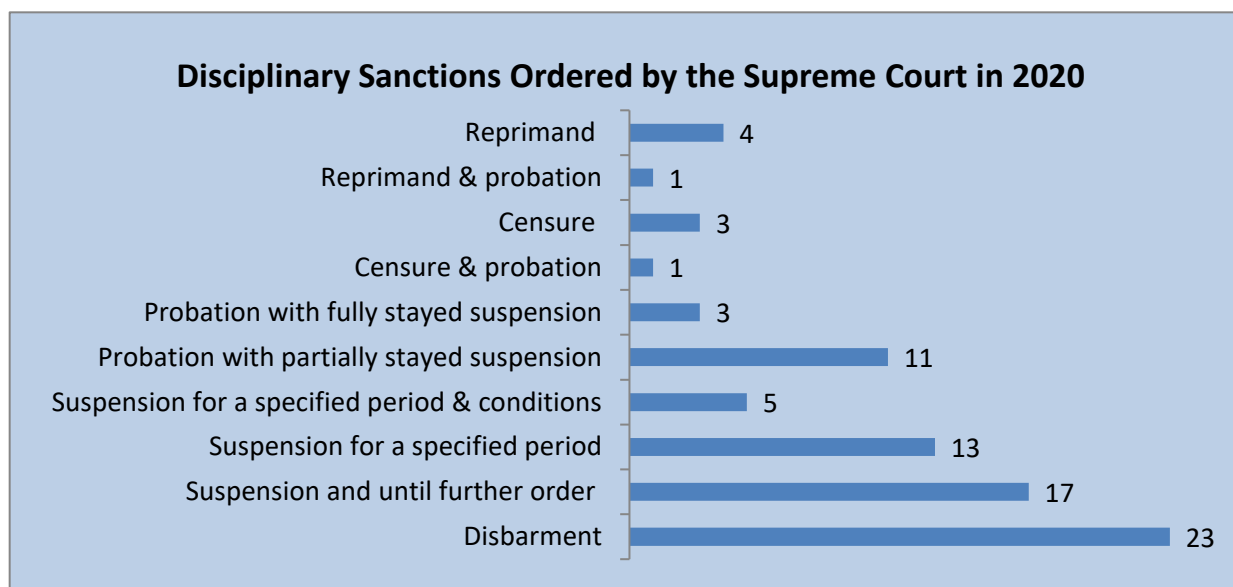
The Supreme Court has sole authority to sanction attorneys for misconduct, except for a reprimand which can be imposed in a disciplinary case without order of the Court by either the Hearing or Review Board. In 2020, the Court entered 81 sanctions against 81 lawyers. The Hearing Board reprimanded one lawyer.

Disciplinary cases reach the Court in several different ways. Some disciplinary matters are filed directly with the Court upon petition and others are initiated by the filing of an action before the Hearing Board. In 2020, the ARDC initiated the filing of 32 disciplinary matters filed directly with the Illinois Supreme Court. Disciplinary matters such as disbarment on consent and petitions for reciprocal discipline are filed directly in the Supreme Court. See Chart 19 Proceedings Filed Directly with the Illinois Supreme Court (2016-2020), Appendix. This is in addition to the 40 disciplinary proceedings filed before the Hearing Board in 2020. See Chart 20A Matters Before the Hearing Board in 2020, Appendix.

Filings in the Supreme Court	Total Filings	Direct Filings in the Court: 762(a), 763 & 757	Disciplinary Proceedings Awaiting Disposition by the Court	Permanent Retirement Petitions Filed	Petitions for Reinstatement Awaiting Disposition by the Court	Sanctions Entered
2020	95	32	55	4	4	81
2019	111	41	60	0	10	96
2018	116	38	70	2	6	75
2017	137	41	89	2	5	118
2016	136	34	90	5	7	104

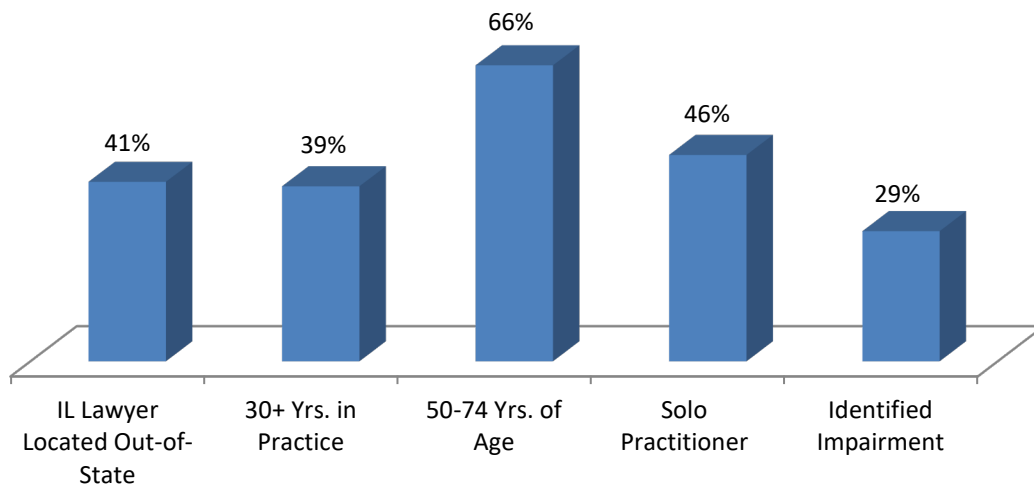


Of the 81 lawyers sanctioned by the Court in 2020, 29 matters (35.8%) were concluded by the filing of a petition for discipline on consent, and 28 matters (34.6%) were filed directly in the Court on petitions seeking discipline reciprocal to what was imposed against the lawyer in another jurisdiction. See Chart 22 Orders Entered by The Supreme Court in Disciplinary Cases in 2020, Appendix.



41% of the 82 lawyers disciplined in 2020 (81 by the Supreme Court and one by the Hearing Board) had their principal business location outside of Illinois. Sole practitioners accounted for 46% of the 82 lawyers disciplined in 2020. See Charts 21A-21C, Appendix, for demographic information on the 82 lawyers disciplined in 2020.

Lawyers Sanctioned in 2020



It is frequently seen in discipline cases that an attorney-respondent is impaired by addiction to alcohol or other substance or suffers some mental illness or disorder. 24 out of the 82 lawyers disciplined in 2020, or 29%, had at least one substance abuse or mental impairment issues, and seven lawyers or 29% had more than one identified impairment. In addition, 14 out of the 24 disciplined lawyers with identified impairments, or 58%, were sole practitioners at the time of the misconduct. These statistics reflect only those cases in which one or more impairments were raised either by the lawyer or otherwise known by staff counsel. It is likely that many cases involving impaired lawyers are never so identified. See Chart 21E, Impairments Identified, Appendix.

CLIENT PROTECTION PROGRAM

The Client Protection Program was established by the Supreme Court under Supreme Court Rule 780 to reimburse clients who lost money as the result of the dishonest conduct of an Illinois lawyer who has been disciplined or is deceased. Funded by a \$25 annual assessment paid by most Active status lawyers and remitted to the Client Protection Program Trust Fund, the maximum per-award limit is \$100,000 and the per-lawyer limit is \$1 million. The Program does not cover losses resulting from professional negligence or malpractice and does not consider claims involving fee or contract disputes.

In 2020, 128 claims were filed, and the Commission approved payment of \$1,094,454 on 81 claims against 18 lawyers. Seventy-six claims were denied. One approval was for the \$100,000 maximum, and 51 were for \$10,000 or less. The Commission awarded \$699,096 on 46 claims involving one lawyer who had several claims filed around the time of his death asserting the misuse of settlement funds from tort cases.

The numbers of claims filed and the amounts paid out in the last two years were lower than those of other recent years, when the Program received a large volume of claims involving large dollar misappropriation of client funds. The five-year average amount paid per year from 2016 to 2020 was \$1,936,433. See Chart 27A 15-Year Trend of Client Protection Claim, Appendix.

75% of claims approved in 2020 involved claims of intentional misappropriation of client funds and 68% arose out of tort matters. See Chart 27B 2020 Classification of Client Protection Claims, Appendix.

A lawyer who is the subject of a claim that results in reimbursement to a claimant is liable to the Program for restitution. Disciplinary orders imposing suspension or probation include a provision requiring the lawyer to reimburse the Program for any payments arising from his or her conduct prior to the termination of the period of suspension or probation. A lawyer petitioning for reinstatement or restoration to active practice must reimburse the Program for all payments arising from the lawyer's conduct. See IL S.Ct. R. 780(e). \$56,621 in reimbursements was received in 2020.

Commission Rules 501 through 512 govern the administration of the Program. More information about the Client Protection Program is [available online](#) on the ARDC website.

DIVERSION AND PROBATION PROGRAM

The ARDC is committed to exploring practical and innovative approaches to meaningfully address some of the causes of lawyer misconduct particularly involving mental health and addiction impairments and law office management issues. The ARDC utilizes several remedial options in investigations and disciplinary matters in order to prevent future harm and restore the public's trust in the administration of justice and the rule of law. The ARDC Probation Department monitors lawyers who must complete certain conditions in order to continue to practice law or to be able to resume the practice of law after discipline. In 2020, the ARDC Probation Department monitored 165 lawyers through the following programs:

- **Referrals to the Illinois Lawyers' Assistance Program (LAP).** Through its collaboration with the Lawyers Assistance Program (LAP), the ARDC is allowed under a change to Supreme Court Rule 766 to make referrals to LAP during an otherwise confidential investigation where there is reason to believe the lawyer may be impaired by substance abuse or a mental health issue. This includes referrals of lawyers subject to a DUI or criminal case investigation involving suspected impairment as well as all lawyers who fail to respond in investigations or default in their disciplinary proceedings. In 2020, the ARDC made 52 referrals to LAP. ARDC's referrals were the source of 11% of all LAP's referrals according to LAP's last annual report. See 2018-2019 LAP Annual Report, at page 2.
- **Commission Rule 108 Deferral of Investigation.** Under Commission Rule 108, the ARDC and the lawyer with a pending investigation may enter into an agreement, with approval of the Inquiry Board, to defer further proceedings pending the lawyer's compliance with conditions imposed by the Inquiry Board. Supervision of the lawyer is for a specified period of time not to exceed one year unless extended by the Inquiry Board. In 2020, 21 lawyers were monitored under Commission Rule 108 and one investigation was closed in 2020 after completion of Commission Rule 108 conditions. See Chart 15 Investigations Concluded in 2020, Appendix.
- **Diversion Program under Commission Rules 54 and 56.** Under the ARDC Diversion Program, the ARDC and the lawyer may agree to a diversion of the lawyer to a program designed to afford the lawyer under investigation an opportunity to address concerns identified in the investigation. Such programs or conditions may include completion of a mentoring or law office management program, testing, evaluation and/or treatment by LAP or audit of the lawyer's financial accounts. The diversion program is more flexible than deferral under ARDC Commission Rule 108, which requires admission of misconduct by the attorney and approval by the Inquiry Board. Diversion offers incentives to an attorney to enter into an agreement, including the immediate closure of the investigation and the offering of resources for the

2020 Monitoring

Probation Conditions Imposed by Reciprocal Jurisdiction	58
Suspension Pending Restitution	42
Probation Conditions Imposed by IJSCT	20
Conditional Admission	5
Conditional Reinstatement	4
Com. R. 108 Supervision	21
Com. R. 56 Diversion	15

attorney to improve practices. Fifteen lawyers entered into diversion in 2020; only two did not comply with the terms of diversion and their investigations were reopened for further proceeding.

- ARDC Intermediary Program.** Under the program, lawyers experienced in dealing with impaired lawyers were hired to act as an intermediary to reach out to lawyers who do not respond to repeated ARDC contacts during investigations and proceedings. Statistics suggest that lawyers that fail to participate in a disciplinary matter likely do so because of mental health illness, addiction or other impairment. The intermediary acts independent of the ARDC Administrator and his staff and communications between the intermediary and subject lawyer are privileged and protected under Rules 1.6(d) and 8.3(c). The goal is to decrease the number of lawyers who are unresponsive in a disciplinary matter, provide them with the assistance they may need, and save ARDC time and resources. Since the program began in June 2019, 13 lawyers were referred to the program, with successful contact being made with 12 lawyers, and of those eight cooperated in the ARDC investigation and those investigations were ultimately closed.
- Permanent Retirement Status.** Permanent Retirement status under Supreme Court Rule 756(a)(8) allows lawyers facing minor misconduct charges to petition the Court for permanent retirement status with no possibility of reinstatement. This non-disciplinary option provides a reasonable and dignified way for lawyers who may wish to retire from the practice of law while preserving their dignity and hard-earned reputations. In 2020, two lawyers were transferred to permanent retirement status. See Chart 24 Non-Disciplinary Actions by the Supreme Court for 2020, Appendix.

Of the 165 lawyers monitored in 2020, 58 lawyers had conditions imposed as the result of discipline imposed on a reciprocal basis by a jurisdiction other than Illinois, 42 lawyers were suspended by the Illinois Supreme Court with the condition of making restitution, 65 lawyers were required to complete one or more activities, services or programs that address issues that led to disciplinary issues. Nine lawyers were required to complete certain requirements as a condition to either their reinstatement to the practice of law or admission to the Illinois bar. As shown below, 45 lawyers or over 69% were being monitored for substance abuse or mental conditions.

Type of Matter	Substance Abuse or Mental Illness Conditions	Law Office Management Conditions	Both Substance Abuse and Law Office Management Conditions	Restitution	Total
Probation/conditional admission/conditional reinstatement	16	9	1	3	29
Commission Rule 108 Supervision	17	4	0	0	21
Commission Rule 56 Deferral of Investigation	9	3	2	1	15
Total					65

RECENT RULE CHANGES AND AMENDMENTS

Supreme Court Rule 711 Representation by Supervised Law Students or Graduates

Temporary Amendment Rule 711(g) Provisions Relating to the COVID-19 Pandemic

In light of the pandemic and its impact on the economy and legal system, the Illinois Supreme Court temporarily amended Supreme Court Rule 711, on July 2, 2020, effective immediately. The amendment temporarily adds paragraph (g) which expands the class of employers eligible to supervise recent law school graduates to include private law firms and other for-profit entities.

The temporary provision applies to 2019 and 2020 law school graduates or those from prior years who have been serving as judicial law clerks since their graduation who have not yet taken a bar examination in any jurisdiction. The applicant must have successfully completed all educational requirements to be eligible to take the Illinois bar examination and applied to take the September 2020 or February 2021 Illinois bar examinations.

Although the implementation of new Rule 711(g) is a short-term pilot program, the Supreme Court has stated it will assess its effect on access to justice concerns, the bar exam success of participants, and the value of the postgraduate experience for graduates among other aspects in its consideration of any further changes to 711. See [Ill S.Ct. Press Release, July 2, 2020](#).

IL Rule of Professional Conduct 7.3 Solicitation of Clients

New Rule 7.3(b)(3) Prohibited Solicitation in Ex Parte Order of Protection Cases Prior to Service

On July 17, 2020, effective immediately, the Supreme Court amended Rule 7.3 adding new paragraph (b)(3), which prohibits the solicitation of a respondent in a case brought under any law providing for an *ex parte* protective order for personal protection when the solicitation is made prior to the respondent having been served with the order. Also added was accompanying Comment [10] which explains that Paragraph (b)(3) is meant to address lawyers' contact with prospective clients at a point in an *ex parte* proceeding when contact poses a substantial risk of physical harm to the party seeking the protective order.

All Supreme Court rule changes can be found on the Illinois Supreme Court website at <http://illinoiscourts.gov/SupremeCourt/Rules/default.asp>.

ARDC COMMISSION DEVELOPMENTS IN 2020

Supreme Court's Liaison Officer to the ARDC



Justice Rita B. Garman became the Supreme Court's liaison officer to the ARDC upon the retirement of Justice Lloyd A. Karmeier on December 6, 2020, having served 15 years in that role. As the Court's liaison, she will continue to provide support and guidance to the ARDC. Born in Aurora, Illinois, she was valedictorian of Oswego High School in 1961, received her B.S. degree in economics with highest honors from the University of Illinois in 1965, Bronze Tablet, and her J.D. degree with distinction from the University of Iowa College of Law in 1968. Justice Garman first served as an Assistant State's Attorney in Vermilion County (1969-73) and was later engaged in private practice with Sebat, Swanson, Banks, Lessen & Garman (1973). She was an Associate Circuit Judge for 12 years. She was a Circuit Judge in the Fifth Judicial Circuit (1986-95) and Presiding Circuit Judge (1987-95). She was assigned to the Appellate Court, Fourth District, in July 1995, and was elected to the position in November 1996. Justice Garman was appointed to the Supreme Court on February 1, 2001 and elected to the Court on November 5, 2002. She is a member of the Vermilion County, Illinois State and Iowa Bar Associations, and the Illinois Judges' Association.

ARDC Commissioners

The Commission is composed of seven members appointed by the Court for three-year terms, four Illinois lawyers and three nonlawyers. The Commission has administrative responsibility for the registration and discipline of Illinois lawyers. The Commission acts as a board of directors for the disciplinary agency, setting general policy and overseeing its implementation. The Commission also makes Client Protection claim determinations.



Appointment of Drinda L. OConnor

Drinda L. OConnor was appointed by the Illinois Supreme Court to serve as a public member Commissioner, for a term expiring on December 31, 2023. She also serves on the Commission's Special Counsel Committee, which is charged with reviewing reports from Special Counsel. Ms. OConnor is retired after having worked for 24 years in Illinois state government, most recently as the Deputy Chief of Operations for the Illinois Department of Human Services (DHS). Prior to her work at DHS, she served as the Director of Citizens Assistance and Consumer Affairs for Illinois Governors James R. Thompson and James Edgar. Additionally, she has served as a commissioner of the Springfield Airport Authority, as president

of the World Affairs Council of Central Illinois, and as president and a board member of Women in Management, Inc. Ms. OConnor is currently an appointed trustee of the Springfield Metro Sanitary Board and previously served on the ARDC Hearing Board. She received her bachelor's degree in communications from the University of Illinois, Springfield.

Ms. OConnor replaces Karen Hasara, a public member Commissioner, who completed her term on December 31, 2020. Ms. Hasara was a Commissioner since January 1, 2012 and also served on the Commission's Special Counsel Committee. Ms. Hasara will continue to serve as a member on the ARDC Inquiry Board, as of March 2021.

ARDC Review Board

The ARDC Review Board is composed of nine members, all of whom are lawyers appointed by the Illinois Supreme Court. The Review Board sits in panels of three and considers appeals from reports of the ARDC Hearing Board.

Scott J. Szala Appointment



Scott J. Szala was appointed by the Illinois Supreme Court to serve as a member of the Review Board effective January 1, 2021, for a term expiring December 31, 2023. Mr. Szala currently teaches trial practice and legal ethics at both Northwestern Pritzker School of Law and the University of Illinois College of Law (Chicago Program). He also teaches Illinois Constitutional Law and Policy at the University of Illinois College of Law in Champaign. Additionally, he serves on several Illinois Supreme Court committees, including the Illinois (Criminal) Pattern Jury Instruction Committee, the Professional Responsibility Committee, and the Judicial Performance Evaluation Committee. From 1980 until 2014, Mr. Szala was a capital partner at the law firm of *Winston & Strawn* LLP. He received his bachelor's degree from Knox College and earned his law degree from Northwestern University Pritzker School of Law.

Mr. Szala replaces Jill W. Landsberg, whose term expired on December 31, 2020.

2020 FINANCIAL REPORT

The ARDC engaged the services of Legacy Professionals LLP to conduct an independent financial audit as required by Supreme Court Rule 751(e)(6). The audited financial statements for the year ended December 31, 2020, including comparative data from the 2019 audited statements are attached. In addition, a five-year summary of revenues and expenditures as reported in the audited statements appears after the text in this section. The ARDC is also subject to a bi-annual audit conducted by the State of Illinois Office of the Auditor General (OAG). The OAG audit report for the two years ended December 31, 2019 can be found on the OAG website at www.auditor.illinois.gov/. The next OAG audit report is expected to be released in the spring or summer of 2022 and will cover the two years ended December 31, 2021.

The ARDC has successfully maintained its operations through careful expense management, which has more than offset the negative revenue impact from historically low interest rates and a reallocation of \$5 from the ARDC to the Commission on Professionalism in 2012.

The number of attorneys who paid registration fees did not change materially from 2019 to 2020.

The Court approved a \$3 increase in the registration fee structure effective with the 2017 registration season. This increase applied to attorneys admitted for more than three years and was allocated in full to the Illinois Lawyers' Assistance Program (LAP). LAP is a not-for-profit organization that helps attorneys, judges and law students get confidential assistance with substance abuse, addiction and mental health issues.

Prior to the \$3 increase, the last fee increase was made effective with the 2015 registration year.

The total fee paid by attorneys admitted for more than three years was \$385 in 2020. The \$385 fee was allocated as follows:

- ARDC - \$230;
- Lawyers Trust Fund - \$95;
- Commission on Professionalism - \$25;
- Client Protection Program - \$25; and
- Lawyers' Assistance Program - \$10.

The fee paid to the ARDC by inactive attorneys, Rule 707 attorneys and attorneys admitted between one and three years was \$121 in 2020.

Since 2007, funding for Client Protection Program (CPP) award payments comes from the \$25 allocation referenced above. During 2009, the ARDC determined that CPP expenses should also

be paid from that separate Client Protection Fund instead of the ARDC Disciplinary Fund. For 2020 and 2019, the Client Protection Fund reimbursed the Disciplinary Fund \$341,150 and \$313,766 respectively for the administrative costs of the Program.



of the Supreme Court of Illinois

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ILLINOIS**

FIVE YEAR SUMMARY OF OPERATIONS

	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
REVENUE					
Investment income - net	\$ 1,234,207	\$ 1,508,366	\$ 701,496	\$ 435,633	\$ 317,124
Registration and program fees	21,716,237	21,945,876	21,954,971	21,725,223	21,588,524
Cost reimbursements collected	40,547	34,542	81,675	89,142	111,971
Client Protection Program reimbursements	53,621	37,157	216,158	260,049	175,165
Total revenue	<u>23,044,612</u>	<u>23,525,941</u>	<u>22,954,300</u>	<u>22,510,047</u>	<u>22,192,784</u>
EXPENSES					
Salaries and related expenses	11,942,876	11,649,421	11,997,483	12,153,114	11,889,727
Travel	72,515	152,301	147,652	111,074	127,337
Continuing education	137,014	235,971	158,995	201,888	150,463
General expenses and office support	2,652,280	2,393,115	2,461,422	2,346,941	2,317,051
Computer	1,225,495	658,217	504,532	515,197	542,478
Other professional and case-related expenses	512,827	545,027	590,756	602,010	636,352
Client Protection Program direct expenses	1,096,556	1,394,147	2,327,765	1,776,951	3,098,343
Depreciation and amortization	215,045	218,542	258,203	379,888	390,611
Total expenses	<u>17,854,608</u>	<u>17,246,741</u>	<u>18,446,808</u>	<u>18,087,063</u>	<u>19,152,362</u>
CHANGE IN NET ASSETS	5,190,004	6,279,200	4,507,492	4,422,984	3,040,422
NET ASSETS WITHOUT MEMBER RESTRICTIONS					
Beginning of year	<u>44,371,116</u>	<u>38,091,916</u>	<u>33,584,424</u>	<u>29,161,440</u>	<u>26,121,018</u>
End of year	<u>\$ 49,561,120</u>	<u>\$ 44,371,116</u>	<u>\$ 38,091,916</u>	<u>\$ 33,584,424</u>	<u>\$ 29,161,440</u>
OTHER INFORMATION AT YEAR END					
Number of active and registered attorneys	96,114	95,687	94,608	94,997	94,461
Registration fees					
More than one year and less than three years	\$ 121	\$ 121	\$ 121	\$ 121	\$ 121
More than three years	\$ 230	\$ 230	\$ 230	\$ 230	\$ 230
Inactive/out of state	\$ 121	\$ 121	\$ 121	\$ 121	\$ 121



ARDC

ATTORNEY
REGISTRATION
& DISCIPLINARY
COMMISSION

Appendix

Statistical Charts

Registration

Chart 1

Registration Categories for 2020

<i>Category</i>	<i>Number of Attorneys</i>
Admitted between January 1, 2019, and October 31, 2020	1,875
Admitted between January 1, 2017, and December 31, 2018	3,223
Admitted before January 1, 2017	73,216
Serving active military duty	388
Spouse of active military attorney under Rule 719	5
Serving as judge or judicial clerk	1,840
In-House Counsel under Rule 716	593
Foreign Legal Consultant under Rule 713.....	13
Legal Service Program Counsel under Rule 717.....	20
<i>Pro Bono</i> Authorization under Rule 756(k)	148
<i>Pro Hac Vice</i> under Rule 707.....	1,345
Inactive status.....	<u>12,241</u>
Total Active and Inactive Attorneys Currently Registered	94,907

Chart 1A

Principal Business Location: In-State vs. Out-of-State Lawyers 2000-2020

Year	Out-of-State lawyers		In-State Illinois Lawyers		Total # of Registered Lawyers
2020	29,184	30.7%	65,723	69.3%	94,907
2019	29,555	31.2%	65,107	68.8%	94,662
2018	29,929	31.6%	64,679	68.4%	94,608
2017	30,603	32.2%	64,175	67.8%	94,778
2016	30,315	32.0%	64,295	68.0%	94,610
2015	29,379	31.2%	64,749	68.8%	94,128
2014	28,317	30.5%	64,439	69.5%	92,756
2013	26,373	29.0%	64,710	71.0%	91,083
2012	24,095	27.0%	65,235	73.0%	89,330
2011	23,667	26.9%	64,276	73.1%	87,943
2010	23,019	26.6%	63,638	73.4%	86,657
2009	22,303	26.3%	62,474	73.7%	84,777
2008	21,466	25.6%	62,442	74.4%	83,908
2007	20,914	25.4%	61,466	74.6%	82,380
2006	20,776	25.6%	60,370	74.4%	81,146
2005	18,911	23.6%	61,130	76.4%	80,041
2004	18,274	23.4%	59,827	76.6%	78,101
2003	17,860	23.3%	58,811	76.7%	76,671
2002	17,470	23.2%	57,951	76.8%	75,421
2001	17,175	23.1%	57,136	76.9%	74,311
2000	17,201	23.4%	56,460	76.6%	73,661

Chart 2

Registered Active and Inactive Attorneys by Judicial Districts: 2016-2020

	2016	2017	2018	2019	2020		2016	2017	2018	2019	2020
First District											
Cook County.....	45,210	45,292	45,834	46,345	46,951						
Second District						Fourth District					
15 th Circuit	196	185	186	189	191	5 th Circuit.....	235	223	225	225	220
16 th Circuit	1,157	1,144	1,140	1,139	1,135	6 th Circuit.....	830	820	825	821	802
17 th Circuit	778	784	787	763	768	7 th Circuit.....	1,280	1,265	1,256	1,249	1,245
18 th Circuit	4,308	4,299	4,307	4,312	4,331	8 th Circuit.....	179	176	177	176	172
19 th Circuit	3,100	3,021	2,986	3,023	3,032	11 th Circuit.....	674	673	669	646	648
22 nd Circuit.....	570	572	569	568	562	Total	3,198	3,157	3,152	3,117	3,087
23 rd Circuit+	266	263	268	268	270						
Total	10,375	10,268	10,243	10,262	10,289						
+circuit eff. 12/3/12											
Third District						Fifth District					
9 th Circuit	173	170	168	159	159	1 st Circuit.....	448	432	435	439	442
10 th Circuit	916	890	875	858	856	2 nd Circuit	285	288	291	274	277
12 th Circuit	950	957	964	981	996	3 rd Circuit	759	762	761	739	737
13 th Circuit	308	306	304	306	305	4 th Circuit	248	248	245	236	240
14 th Circuit	486	470	460	460	454	20 th Circuit.....	806	801	808	799	800
21 st Circuit.....	133	134	139	132	130	Total	2,546	2,531	2,540	2,487	2,496
Total	2,966	2,927	2,910	2,896	2,900						
						Grand Total	64,295	64,175	64,679	65,107	65,723

Chart 3

Registered Active and Inactive Attorneys by County: 2019-2020

Same ● Increase ● Decrease ●

Principal Office	2019	2020	Principal Office	2019	2020	Principal Office	2019	2020
Adams	111	109	Hardin	3	3	Morgan	39	38
Alexander	7	7	Henderson	9	9	Moultrie	13	13
Bond	14	14	Henry	45	44	Ogle	52	54
Boone	45	47	Iroquois	21	20	Peoria	722	720
Brown	11	9	Jackson	189	190	Perry	23	21
Bureau	28	27	Jasper	9	8	Piatt	23	23
Calhoun	5	5	Jefferson	109	108	Pike	11	11
Carroll	13	13	Jersey	17	18	Pope	5	5
Cass	9	9	Jo Daviess	34	32	Pulaski	3	4
Champaign	539	525	Johnson	11	10	Putnam	9	9
Christian	35	38	Kane	1,139	1,135	Randolph	27	26
Clark	13	13	Kankakee	111	110	Richland	22	23
Clay	11	12	Kendall	100	99	Rock Island	330	327
Clinton	23	20	Knox	51	52	Saline	43	43
Coles	84	83	Lake	3,023	3,032	Sangamon	1,137	1,133
Cook	46,345	46,951	LaSalle	205	204	Schuyler	9	8
Crawford	19	19	Lawrence	13	15	Scott	5	6
Cumberland	7	7	Lee	37	39	Shelby	16	17
DeKalb	168	171	Livingston	43	43	St. Clair	694	698
DeWitt	17	17	Logan	22	23	Stark	6	6
Douglas	19	18	Macon	210	206	Stephenson	53	53
DuPage	4,312	4,331	Macoupin	34	32	Tazewell	112	112
Edgar	20	20	Madison	725	723	Union	29	27
Edwards	4	6	Marion	42	41	Vermilion	101	97
Effingham	56	58	Marshall	9	9	Wabash	14	13
Fayette	22	22	Mason	10	10	Warren	19	17
Ford	13	12	Massac	15	16	Washington	21	21
Franklin	49	48	McDonough	38	38	Wayne	12	12
Fulton	29	28	McHenry	568	562	White	12	12
Gallatin	7	7	McLean	543	544	Whiteside	79	78
Greene	17	18	Menard	10	11	Will	981	996
Grundy	73	74	Mercer	6	5	Williamson	137	140
Hamilton	10	11	Monroe	34	34	Winnebago	718	721
Hancock	13	15	Montgomery	22	24	Woodford	25	26

Chart 4

Attorney Removals from the Master Roll: 2009 – 2020 Registration Years

<i>Reason for Removal</i>	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Registration non-compliance	1,132	1,034	1,186	1,019	833	1,228	1,155	1,135	1,644	1,286	981	946
Deceased	322	307	304	318	277	348	475	288	223	287	238	237
Retired	996	970	822	853	815	833	1,334	1,354	1,262	1,458	1,331	1,419
Disciplined	44	77	75	81	74	68	57	52	52	61	62	46
MCLE General non-compliance	680*	154	133	75	76	70	109	111	128	120	148	197
MCLE Basic Skills non-compliance	52	26	20	18	15	7	33	24	22	16	14	0
Total	3,226	2,568	2,540	2,364	2,090	2,554	3,163	2,964	3,331	3,228	2,774	2,845

* First year of reporting MCLE compliance.

Chart 5

Pro Hac Vice Admission: 2014*-2020

	<i>Number of Lawyer Pro Hac Vice Submissions</i>	<i>Number of Lawyers Registered</i>	<i>Number of Proceedings</i>	<i>Total AJC Per-Proceeding Fees</i>	<i>Total ARDC Per-Proceeding Fees</i>
2014	772	864	1,097	\$159,540	\$70,800
2015	782	1,078	1,199	\$184,508	\$78,379
2016	946	1,500	1,084	\$190,988	\$81,750
2017	925	1,592	1,134	\$187,283	\$80,471
2018	898	1,617	1,060	\$171,021	\$73,471
2019	977	1,780	1,221	\$215,433	\$92,325
2020	899	1,640	1,109	\$196,000	\$83,925

* 2014 was the first full calendar year after amended Supreme Court Rule 707 became effective July 1, 2013.

Supreme Court Rule 707 permits an eligible out-of-state attorney to appear *pro hac vice* in an Illinois proceeding if the out-of-state lawyer meets certain licensure and other eligibility requirements, registers annually with the ARDC, and pays an annual registration fee (\$121) as well as a \$250 per-proceeding fee to the ARDC. \$175 of this per-proceeding fee is remitted to the Illinois Supreme Court Commission on Access to Justice (AJC) and \$75 is retained by the ARDC. The chart above shows *pro hac vice* activity for 2014-2020, including the total AJC and ARDC per-proceeding fees collected.

Practice Demographics: 2016-2020

Chart 6A

2016-2020 Practice Setting: Active Status Lawyers and Currently Practicing Law

Practice Setting	Practice Size				
	% of Total				
	2016	2017	2018	2019	2020
Private Practice	68.2% 47,456	68.6% 49,444	68.5% 49,970	67.8% 49,996	66.7% 48,798
Corporate In-House	13.9% 9,662	14.0% 10,080	14.3% 10,423	14.8% 10,901	15.4% 11,231
Government/Judge	11.4% 7,911	11.4% 8,209	11.4% 8,321	11.6% 8,607	12.1% 8,874
Other	3.2% 2,220	3.2% 2,297	3.1% 2,233	3.0% 2,220	3.0% 2,177
Not-for-profit	2.0% 1,360	2.0% 1,428	2.1% 1,544	2.2% 1,607	2.2% 1,628
Academia	1.3% 963	0.8% 604	0.6% 461	0.6% 456	0.6% 448
Total	69,572	72,062	72,952	73,787	73,156

Chart 6B

2016-2020 Practice Size: Active Status Lawyers, Currently Practicing Law and In Private Practice

Practice Size of Lawyers in Private Practice	Practice Size				
	% of Total Engaged in Private Practice				
	2016	2017	2018	2019	2020
Solo Firm	28.8% 13,646	27.9% 13,798	27.4% 13,699	26.9% 13,443	27.4% 13,356
Firm of 2-10 Attys.	27.4% 13,027	26.9% 13,282	26.5% 13,224	26.0% 12,985	25.6% 12,513
Firm of 11- 25 Attys.	9.6% 4,537	9.8% 4,854	9.6% 4,817	9.7% 4,848	9.4% 4,575
Firm of 26-100 Attys.	9.9% 4,724	10.4% 5,150	11.2% 5,605	11.5% 5,779	11.6% 5,662
Firm of 100 + Attys.	24.3% 11,522	25.0% 12,360	25.3% 12,625	25.9% 12,941	26.0% 12,692
Total	47,456	49,444	49,970	49,996	48,798

Chart 7A

**Succession Planning of Active Status Lawyers, Currently Practicing Law
and In Private Practice (2016-2020)**

	% Succession Planning Responses By Practice Size														
	Yes					No					Not Sure				
	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020
Solo Firm	2,199 16.1%	2,369 17.2%	2,425 17.7%	2,563 19.1%	2,657 19.9%	10,494 76.9%	10,587 76.7%	10,431 76.1%	10,104 75.1%	9,954 74.5%	953 7.0%	842 6.1%	843 6.2%	776 5.8%	745 5.6%
Firm of 2-10 Attys.	3,076 23.6%	3,372 25.4%	3,497 26.4%	3,642 28.0%	3,565 28.5%	4,699 36.1%	4,926 37.1%	4,921 37.2%	4,725 36.4%	4,511 36.1%	5,252 40.3%	4,984 37.5%	4,806 36.4%	4,618 35.6%	4,437 35.4%
Firm of 11-25 Attys.	1,295 28.6%	1,535 31.6%	1,521 31.5%	1,510 31.1%	1,467 32.1%	741 16.3%	850 17.5%	851 17.7%	876 18.1%	810 17.7%	2,501 55.1%	2,469 50.9%	2,445 50.8%	2,462 50.8%	2,299 50.2%
Firm of 26-100 Attys.	1,539 32.6%	1,867 36.2%	2,212 39.5%	2,311 40.0%	2,312 40.9%	638 13.5%	770 15%	806 14.4%	815 14.1%	850 15.0%	2,547 53.9%	2,513 48.8%	2,587 46.1%	2,653 45.9%	2,499 44.1%
Firm of 100 + Attys.	5,815 50.4%	7,101 57.5%	7,475 59.2%	7,751 59.9%	7,757 61.1%	928 8.1%	963 7.7%	999 7.9%	997 7.7%	979 7.7%	4,779 41.5%	4,296 34.8%	4,151 32.9%	4,193 32.4%	3,956 31.2%
Total	13,924 29.3%	16,244 32.9%	17,130 34.3%	17,777 35.6%	17,758 36.4%	17,500 36.9%	18,096 36.6%	18,008 36.0%	17,517 35.0%	17,104 35.0%	16,032 33.8%	15,104 30.5%	14,832 29.7%	14,702 29.4%	13,936 28.6%

Chart 7B

**2020 Top Five Practice Areas of Law of Solo Firm Lawyers
Who Responded "No" to Written Succession Plan***

Practice Area of Law	% of Responses
Real Estate	21.5%
Criminal	13.1%
Estate Planning/Probate	12.4%
Corporate	10.4%
Domestic Relations	10.0%

Chart 8A

2020 Trust Account Disclosure Reports

A. Lawyers with Trust Accounts:		47,745
% with IOLTA trust accounts		81.7%
% with non-IOLTA trust accounts		18.3%
B. Lawyers without Trust Accounts:		47,162
Full-time employee of corporation or governmental agency (including courts) with no outside practice		23,885
Not engaged in the practice of law		12,735
Engaged in private practice of law (to any extent), but firm handles no client or third party funds		8,082
Other explanation		2,460

Chart 8B

Trust Account Reports: 2016-2020 Active Status Lawyers, Currently Practicing Law and in Private Practice

Practice Size	“Yes” Trust Account Responses										“No” Trust Account Responses				
	IOLTA Trust Account					Non-IOLTA Trust Account									
	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020
Solo Firm	8,997 65.9%	8,727 63.3%	8,554 62.4%	8,301 61.7%	8,913 66.7%	257 1.9%	610 4.4%	762 5.6%	884 6.6%	169 1.3%	4,392 32.2%	4,461 32.3%	4,383 32.0%	4,258 31.7%	4,274 32.0%
Firm of 2-10 Attys.	11,437 87.8%	10,903 82.1%	10,403 78.7%	9,897 76.2%	11,246 89.9%	194 1.5%	952 7.2%	1,466 11.1%	1,855 14.3%	232 1.9%	1,396 10.7%	1,427 10.7%	1,355 10.2%	1,233 9.5%	1,035 8.2%
Firm of 11-25 Attys.	4,265 94.0%	4,137 85.2%	3,880 80.6%	3,694 76.2%	4,173 91.2%	33 0.7%	418 8.6%	665 13.8%	832 17.2%	100 2.2%	239 5.3%	299 6.2%	272 5.6%	322 6.6%	302 6.6%
Firm of 26-100 Attys.	4,415 93.5%	4,370 84.9%	4,452 79.5%	4,352 75.3%	5,139 90.8%	53 1.1%	475 9.2%	837 14.9%	1,077 18.6%	247 4.4%	256 5.4%	305 5.9%	316 5.6%	350 6.1%	276 4.8%
Firm of 100 + Attys.	11,059 96.0%	10,234 82.8%	9,855 78.1%	9,444 73.0%	11,493 90.6%	62 0.5%	1,590 12.9%	2,301 18.2%	2,996 23.1%	794 6.3%	401 3.5%	536 4.3%	469 3.7%	501 3.9%	405 3.1%
Total	40,173 84.6%	38,371 77.6%	37,144 74.3%	35,688 71.4%	40,964 83.9%	599 1.3%	4,045 8.2%	6,031 12.1%	7,644 15.3%	1,542 3.2%	6,684 14.1%	7,028 14.2%	6,795 13.6%	6,664 13.3%	6,292 12.9%

Chart 9A

Malpractice Disclosure Reports: 2016-2020

Lawyer Malpractice Insurance	2016	2017	2018	2019	2020
Yes	49,727 (52.0%)	50,664 (53.5%)	51,538 (54.5%)	51,940 (54.9%)	51,748 (54.5%)
No	44,883 (48.0%)	44,114 (46.5%)	43,070 (45.5%)	42,722 (45.1%)	43,159 (45.5%)

Chart 9B

Malpractice Disclosure Reports: 2016-2020 Active Status Lawyers, Currently Practicing Law and in Private Practice

Practice Size	% Malpractice Responses									
	Yes					No				
	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020
Solo Firm	8,046 59.0%	8,074 58.5%	8,187 59.8%	8,346 62.1%	8,138 60.9%	5,600 41.0%	5,724 41.5%	5,512 40.2%	5,097 37.9%	5,218 39.1%
Firm of 2-10 Attys.	11,766 90.3%	12,070 90.9%	12,288 92.9%	12,209 94.0%	11,730 93.8%	1,261 9.7%	1,212 9.1%	936 7.1%	776 6.0%	783 6.2%
Firm of 11- 25 Attys.	4,367 96.3%	4,695 96.7%	4,713 97.8%	4,750 98.0%	4,477 97.9%	170 3.7%	159 3.3%	104 2.2%	98 2.0%	98 2.2%
Firm of 26-100 Attys.	4,548 96.3%	5,007 97.2%	5,484 97.8%	5,643 97.6%	5,532 97.7%	176 3.7%	143 2.8%	121 2.2%	136 2.4%	130 2.4%
Firm of 100 + Attys.	11,158 96.8%	11,985 97.0%	12,445 98.6%	12,738 98.4%	12,463 98.2%	364 3.2%	375 3.0%	180 1.4%	203 1.6%	229 1.8%
Total	39,885 84.0%	41,831 84.6%	43,117 86.3%	43,686 87.4%	42,340 86.7%	7,571 16.0%	7,613 15.4%	6,853 13.7%	6,310 12.6%	6,458 13.3%

Investigations, Prosecutions and Sanctions

Investigations

Chart 10

Types of Investigations Docketed (2013-2020)

Type of Investigation	2013	2014	2015	2016	2017	2018	2019	2020
Disciplinary charge against Illinois lawyer	5,410	5,168	4,925	4,788	4,592	4,419	4,195	3,375
Overdraft notification of client trust account	336	357	283	241	265	321	282	194
Unauthorized Practice of Law	104	112	104	104	105	74	224	56
Monitoring disciplinary compliance	N/A	N/A	71	88	83	73	67	57
Disciplinary charge against out-of-state lawyer	67	65	44	44	48	53	52	138
Receivership	13	20	14	31	33	21	17	28
Reciprocal	12	22	13	32	21	44	30	24
Impairment	N/A	0	4	1	0	0	0	0
Conditional Admission monitoring	1	2	2	1	0	1	0	0
Investigation related to Petition for Reinstatement	N/A	N/A	N/A	2	0	1	0	3
Total: New Docketed Investigations	5,943	5,746	5,460	5,332	5,147	5,007	4,867	3,875
Reopened investigations	130	89	94	69	52	22	70	61
TOTAL:	6,073	5,835	5,554	5,401	5,199	5,029	4,937	3,936

Chart 11

Demographics of Lawyers the Subject of Investigations Docketed in 2020

<i>Investigations per Attorney</i>	<i>Number of Attorneys</i>
1	2,563
2	329
3	94
4 or more	41
	Total: 3,027
<i>Gender</i>	<i>Years in Practice</i>
Female	Fewer than 5
Male	Between 5 and 10
Non-Binary	Between 10 and 20
	Between 20 and 30
	30 or more

Chart 12

Classification of Charges Docketed in 2020 by Allegations

<i>Type of Misconduct</i>	<i>Number*</i>	<i>Type of Misconduct.....Number*</i>	
Neglect (Rule 1.3).....	1,265	Practicing in a jurisdiction where not authorized (Rule 5.5) 55	
Failing to communicate with client, including failing to communicate the basis of a fee (Rule 1.4(a)(1)-(5) and (b), and 1.5(b))	534	Not abiding by a client’s decision concerning the representation or improperly limiting scope of representation (Rule 1.2(a) and (c))	33
Fraudulent or deceptive activity including misrepresentation to a tribunal, clients, and non-clients (Rules 3.3(a)-(b), 3.4(a)-(b), 4.1(a), 8.4(a)(4) and (c))	527	Threatening criminal prosecution or disciplinary proceedings to gain advantage in a civil matter (Rule 8.4(g))..	32
Excessive or improper fees, including failing to refund unearned fees (Rule 1.5).....	402	Improper communications with a represented person (Rule 4.2) .	30
Criminal conduct, assisting a client in a crime or fraud, and counseling illegal or fraudulent conduct (Rules 1.2(d), 4.1(b) and 8.4(b)).....	373	Failing to preserve client confidences or secrets (Rule 1.6(a) and 1.18(b)).....	22
Failing to provide competent representation (Rule 1.1)	373	Improper commercial speech (Rules 7.1-7.5)	17
Improper management of client or third party funds, including commingling, conversion, failing to promptly pay litigation costs or client creditors or issuing NSF checks (Rule 1.15(a), (d) and (e)).....	325	Failing to report misconduct of another lawyer or judge (Rule 8.3(a)-(b)).....	11
Filing frivolous or non-meritorious claims or pleadings (Rule 3.1, 3.2).....	231	Failing to supervise subordinates (Rules 5.1 and 5.3).....	11
Prosecutorial misconduct (Rule 3.8).....	140	False statements in bar admission or disciplinary matter (Rule 8.1(a)-(b)).....	10
Conduct prejudicial to the administration of justice, including conduct that is the subject of a contempt finding or court sanction (Rule 8.4(d)).....	138	Violation of anti-discrimination statute/ordinance (Rule 8.4(j))....	10
Failing to properly withdraw from representation, including failing to return client files or documents (Rule 1.16(a)(1), (3), (c) and (d))	138	Improper communication with an unrepresented person (Rule 4.3)	6
Improper trial conduct, including using means to embarrass, delay or burden another or suppressing evidence where there is a duty to reveal (Rules 3.4(c)-(f) 3.5(d) and 4.4(a)).....	123	Ex parte or improper communication with judge or juror (Rule 3.5).....	6
Conflict of Interest:.....	109	False statements about a judge, judicial candidate or public official (Rule 8.2(a)).....	5
Rule 1.7: Concurrent clients	59	Improper extrajudicial statement (Rule 3.6).....	4
Rule 1.8(a): Improper business transaction with client	9	Improper representation where lawyer is a witness (Rule 3.7).....	4
Rule 1.8(b): Improper use of information related to representation..	2	Failing to maintain appropriate attorney-client relationship with client with diminished capacity (Rule 1.14)	4
Rule 1.8(c): Improper financial assistance to client	2	Incapacity due to chemical addiction or mental condition (SCt Rules 757-758).....	4
Rule 1.8(f): Accepting compensation from third person	1	Improper practice after failure to register under Rule 756	3
Rule 1.8(g): Aggregate settlement for multiple clients.....	1	Improper division of legal fees/partnership with nonlawyer (Rule 5.4).....	2
Rule 1.8(i): Acquisition of propriety interest in cause of action.....	2	Improper use of public office to gain an advantage in matter (Rule 8.4(b)(1))	1
Rule 1.8(j): Improper sexual relations with client	6	Stating or implying ability to improperly influence authority (Rule 8.4(e))	1
Rule 1.9: Successive conflicts	18	No misconduct alleged.....	300
Rule 1.10(a): Imputed disqualification.....	1		
Rule 1.11: Public lawyer’s violation of Rule 1.7 or 1.9	4		
Rule 1.13: Organizational client	1		
Rule 1.18: Representation adverse to prospective client	3		
Failing to comply with S.Ct.Rule 764 following discipline	57		

* Totals exceed the number investigations docketed in 2020 because in many more than one type of misconduct is alleged.

* Totals exceed the number investigations docketed in 2020 because in many more than one type of misconduct is alleged.

Chart 13

Classification of Charges Docketed in 2020 by Area of Law*

<i>Area of Law</i>	<i>Number</i>
Criminal/Quasi-Criminal	991
Domestic Relations.....	528
Tort (Personal Injury/Property Damage)	380
Real Estate/Landlord-Tenant.....	308
Probate.....	239
Labor Relations/Workers' Comp.....	140
Contract	132
Immigration	93
Bankruptcy	78
Civil Rights.....	67
Local Government Problems	45
Corporate Matters	43
Debt Collection.....	37
Tax.....	11
Patent and Trademark	10
Social Security	10
Adoption	4

* Does not include charges classified with no area of law indicated or alleged misconduct not arising out of a legal representation.

Chart 14

Investigations Docketed* and Concluded: 2016-2020

* includes reopened investigations

Year	Pending January 1 st	Docketed During Year *	Concluded During Year	Pending December 31 st
2016	1,826	5,401	5,496	1,731
2017	1,731	5,199	5,102	1,828
2018	1,828	5,029	4,958	1,899
2019	1,899	4,867	4,802	1,964
2020	1,964	3,875	4,284	1,555

Chart 15

Investigations Concluded in 2020

Concluded by the Administrator:

Closed after initial review 1,222
(No misconduct alleged)

Closed after investigation 2,936

Filed at Supreme Court pursuant to
Supreme Court Rules 757,
762(a), and 763 16

Concluded by the Inquiry Board:

Closed after panel review 55

Complaint or impairment petition voted 54

Closed upon completion of conditions
of Rule 108 supervision 1

Total 4,284

Chart 16

Timeliness of Investigations Concluded in 2020

1,222 Investigations Closed After Initial Review in 2020			
<i>Number of Days Pending Prior to Closure:</i>			
Fewer than 10 days	10 - 20 days	21 - 60 days	More than 60 days
888 (72.7%)	89 (7.3%)	185 (15.1%)	60 (4.9%)

1,870 Investigations Concluded in 2020 by the Intake Staff After Investigation			
<i>Number of Days Pending Prior to Closure:</i>			
Fewer than 90 days	Between 90 - 180 days	Between 180 - 365 days	More than 365 days
1,238 (66.2%)	430 (23.0%)	127 (6.8%)	75 (4.0%)

1,066 Investigations Concluded in 2020 by the Litigation Staff After Investigation			
<i>Number of Days Pending Prior to Closure:</i>			
Fewer than 90 days	Between 90 - 180 days	Between 180 - 365 days	More than 365 days
298 (28.0%)	203 (19.0%)	247 (23.2%)	318 (29.8%)

Chart 17

Overdraft Trust Account Notification Investigations (2016-2020)

<i>Overdraft Notification Investigations</i>	2016	2017	2018	2019	2020
Opened	241	265	321	282	194
Closed	242	255	321	266	161
Formal Complaints Filed	6	6	3	3	2

Chart 18A

Rule 779 Unauthorized Practice of Law Investigations (2016-2020)

*

<i>Type</i>	2016	2017	2018	2019	2020
UPL by unlicensed person	83	94	63	69	44
UPL by unlicensed entity	14	4	11	14	5
UPL by out-of-state lawyer	7	8	16	22	1*
UPL by disbarred lawyer	8	6	15	9	4
UPL by suspended lawyer	1	1	9	3	0
Total	113	113	114	117	54

* Investigations involving out-of-state lawyers for allegedly failing to pay Rule 707 *pro hac vice* fees are no longer classified as UPL investigations and are now counted with disciplinary investigations involving out-of-state lawyers in Chart 10.

Chart 18B

Area of Law Involved in Rule 779(b) UPL Investigations in 2020 (Unlicensed Persons or Entities and Disbarred Lawyers)

<i>Subject Area</i>	<i>Number of 779(b) Investigations*</i>	<i>Subject Area</i>	<i>Number of 779(b) Investigations*</i>
Immigration	8 15%	Tort	3 6%
Real Estate	6 11%	Debt Collection	1 2%
Criminal	6 11%	Bankruptcy	1 2%
Contract	4 9%	Corporate Matters	1 2%
Domestic Relations	4 9%	Adoption	1 2%
Probate	4 9%		

* Total less than 54 investigations because 15 investigations did not arise out of an identified area of law.

Chart 18C

Rule 779(b) UPL Actions Filed in the Circuit Court: 2012-2020

<i>Rule 779(b) UPL Complaints</i>	2012	2013	2014	2015	2016	2017	2018	2019	2020	Total
Filed Against Disbarred Lawyer	1	1	0	1	1	0	0	0	0	4
Filed Against Non-Lawyer	5	6	4	2	5	4	4	2	0	32
Filed Against Out-of-State Lawyer	0	0	0	1	1	0	0	0	0	2
Total	6	7	4	4	7	4	4	2	0	38

Chart 19

Proceedings Filed Directly with the Illinois Supreme Court: 2016-2020

<i>Type</i>	2016	2017	2018	2019	2020
Rule 762(a) Motion for Disbarment on Consent	12	13	12	7	6
Rule 763 Petitions for Reciprocal Discipline	15	24	20	31	26
Rule 757 Transfer to Disability Inactive Status	0	0	2	1	0
Total	27	37	34	39	32

Disciplinary Proceedings: Hearing Board Matters

Chart 20A

Matters Before the Hearing Board in 2020

Cases Pending on January 1, 2020.....	61
Cases Filed or Reassigned in 2020:	
<i>Disciplinary Complaints Filed: *</i>	
➤ Rules 753, 761(d)	37
<i>Reinstatement Petition Filed:</i>	
➤ Rule 767	3
Total New Cases Filed or Reassigned	40
Cases Concluded During 2020.....	46
Cases Pending December 31, 2020	55
<p>* The number of cases filed at Hearing is significantly lower than the number of matters voted by Inquiry because multiple investigations against a particular attorney in which the Inquiry Board has voted a complaint are consolidated into a single complaint for purposes of filing at the Hearing Board.</p>	

Chart 20B

Years in Practice, Age and Gender of Lawyers Charged in the 37 Disciplinary Complaints Filed in 2020

	# of Complaints Filed	% of Complaints Filed	% of Lawyer Population
Years in Practice			
Fewer than 5	1	3%	10%
Between 5 and 10	3	8%	14%
Between 10 and 20	9	24%	27%
Between 20 and 30	8	22%	21%
30 or more	16	43%	28%
Age:			
21-29 years old	1	3%	4%
30-49 years old	9	24%	48%
50-74 years old	24	65%	45%
75 or more years old	3	8%	3%
Gender:			
Female	3	8%	39%
Male	34	92%	61%
Non-binary	0	0%	<0.06%

Chart 20C

Types of Misconduct Alleged in the 37 Disciplinary Complaints* Filed Before Hearing Board in 2020

<i>Type of Misconduct</i>	<i>Number of Cases*</i>	<i>% of Cases Filed**</i>	<i>Type of Misconduct</i>	<i>Number of Cases*</i>	<i>% of Cases Filed**</i>
Fraudulent or deceptive activity (8.4).....	30	81%	Misrepresentation to third persons (4.1) or using means to embarrass or delay (4.4) ...	3	8%
Criminal conduct/conviction of lawyer (8.4) ..	9	24%	Excessive or unauthorized legal fees (1.5).....	3	8%
Improper handling of trust funds (1.15).....	8	22%	False/reckless statement about a judge (8.2) ...	2	5%
Failure to communicate with client (1.4).....	8	22%	Unauthorized practice after removal from Master Roll for failure to register and comply with MCLE requirements (5.5).....	1	3%
Neglect (1.3)	7	19%	Assertion of frivolous pleadings (3.1)	1	3%
False statement or failure to respond in disciplinary matter (8.1).....	6	16%	Failure to provide competent representation ...	1	3%
Misrepresentations to a tribunal (3.3)	6	16%	Improper agreement limiting client's right to pursue ARDC charge (8.4(h)).....	1	3%
Improper withdrawal from employment, incl. failure to refund unearned fees (1.16) ...	5	14%			
Failure to report criminal conviction (761(a)).	4	11%			
Conflicts of interest.....	3	8%			
Rule 1.7: concurrent conflicts	1				
Rule 1.9: former client	2				

* Based on complaint initially filed and not on amended charges.

**Totals exceed 37 disciplinary cases and 100% because most complaints allege more than one type of misconduct.

Chart 20D

Subject Area Involved in the 37 Disciplinary Complaints Filed Before Hearing Board in 2020

<i>Subject Area</i>	<i>Number of Cases*</i>	<i>% of Cases Filed*</i>	<i>Subject Area</i>	<i>Number of Cases*</i>	<i>% of Cases Filed*</i>
Criminal Conduct/Conviction.....	8	22%	Tort	3	8%
Real Estate	7	19%	Contract.....	2	5%
Probate.....	5	14%	Workers' Comp/labor Relations.....	2	5%
Criminal	5	14%	Bankruptcy.....	1	3%
Domestic Relations	4	11%	Civil Rights	1	3%

*Totals exceed 37 disciplinary complaints and 100% because many complaints allege several counts of misconduct arising in different areas of practice.

Disciplinary Proceedings: Review Board Matters

Chart 20E

Activity Before the Review Board in 2020

Cases filed in 2020	7
Exceptions filed by Respondent	5
Exceptions filed by Administrator	1
Exceptions filed by both	1

Cases concluded in 2020	11
Hearing Board reversal on findings or sanction	6
Hearing Board affirmed	3
Notice of exceptions withdrawn	1
Proceedings dismissed	1

Disciplinary Cases Before the Supreme Court

Chart 21A

Disciplinary Sanctions Ordered by the Supreme Court in 2020

Disbarment	23
Suspension until further order of Court	17
Suspension for a specified period	13
Suspension for a specified period & conditions	5
Probation with partially stayed suspension	11
Probation with fully stayed suspension	3
Censure	3
Censure and probation	1
Reprimand	4
Reprimand and probation	1
Total	81*

*In addition to the 49 suspensions above, the Court also ordered five interim suspensions, as reported in Chart 22 at (I).

Chart 21B

County of Practice of 82* Lawyers Disciplined in 2020

* this includes one lawyer reprimanded by the Hearing Board

County	Number Disciplined	County	Number Disciplined
Out-of-State	33	Kendall	1
Cook	22	LaSalle	1
Will	4	McHenry	1
DuPage	3	McLean	1
Lake	3	Rock Island	1
Madison	2	Saint Clair	1
Peoria	2	Tazewell	1
Sangamon	2	Vermillion	1
Champaign	1		
Clinton	1		
Franklin	1		

Chart 21C

Years in Practice, Age and Gender of 82* Lawyers Disciplined in 2020

* this includes one lawyer reprimanded by the Hearing Board

	# of Lawyers Disciplined	% of Lawyers Disciplined	% of Lawyer Population
Years in Practice			
Fewer than 5	0	0%	10%
Between 5 and 10	4	5%	14%
Between 10 and 20	21	26%	27%
Between 20 and 30	25	30%	21%
30 or more	32	39%	28%
Age:			
21-29 years old	0	0%	4%
30-49 years old	23	28%	48%
50-74 years old	54	66%	45%
75 or more years old	5	6%	3%
Gender:			
Female	16	20%	39%
Male	66	80%	61%
Non-binary	0	0%	<0.02%

Chart 21D

Practice Setting of 82* Lawyers Disciplined in 2020

* this includes one lawyer reprimanded by the Hearing Board

<i>Practice Setting</i>	<i>Solo Firm</i>	<i>Firm 2-10</i>	<i>Firm 11-25</i>	<i>Firm 26+</i>	<i>Gov't/ Judicial</i>	<i>In-House Corporate</i>	<i>Academia</i>	<i>Not Engaged in Practice</i>	<i>Unknown</i>
82 Lawyers Sanctioned	38 46.3%	13 15.9%	1 1.2%	3 3.7%	4 4.9%	0 0.0%	0 0.0%	7 8.5%	16 19.5%

Chart 21E

Impairments Identified for Lawyers Disciplined in 2020, By Practice Setting

<i>Practice Setting</i>	<i>Solo Firm</i>	<i>Firm 2-10</i>	<i>Firm 11-25</i>	<i>Firm 26+</i>	<i>Gov't/ Judicial</i>	<i>In-House Corporate</i>	<i>Academia</i>	<i>No Practice</i>
24 Lawyers* with Impairments	14	2	0	3	1	0	0	4
<i>Impairment</i>								
Substances:								
Alcohol	5			2	1			3
Cocaine					1			1
Cannabis	1				1			1
Amphetamine								
Opioids	1							1
Other Substance	2							
Mental Illness:								
Depression	3	1		1				1
Bipolar	1							1
Schizophrenia								
Personality Disorder								
Gambling	1							
Sexual Disorder	1							
Cognitive Decline								
Other	4	1		1	1			
% of the 24 lawyers with impairments	58%	8%	0%	13%	4%	0%	0%	17%

*Seven lawyers have more than one impairment identified.

Chart 22

Orders Entered by Supreme Court in Disciplinary Cases in 2020

A. Motions for disbarment on consent: Rule 762(a)

Allowed.....	8
Denied.....	0
Total	8

B. Petitions for discipline on consent: Rule 762(b)

Allowed:	
Suspension	6
Suspension until further order of Court.....	9
Suspension stayed in part, probation ordered	4
Suspension stayed in its entirety, probation ordered	1
Censure	1
Total	21
Denied.....	0
Total	21

C. Petitions for leave to file exceptions to report and recommendation of Review Board: Rules 753(e)(1) and 761

Denied and same discipline imposed as recommended by Review Board.....	8
Allowed and more discipline imposed than recommended by Review Board	4
Allowed and less discipline imposed as recommended by Review Board.....	1
Total	13

D. Motions to approve and confirm report of Review Board: Rule 753(e)(6)

Allowed	0
Total	0

E. Motions to approve and confirm report of Hearing Board: Rule 753(d)(2)

Allowed	11
Denied	0
Total	11

F. Petitions for reciprocal discipline: Rule 763

Allowed	28
Denied	0
Total	28

G. Petitions for reinstatement: Rule 767

Petition allowed with conditions	2
Petition withdrawn/stricken.....	1
Total	3

H. Motions to revoke probation: Rule 772

Allowed, probation revoked and respondent suspended	0
Total	0

I. Petitions for interim suspension: Rules 761 & 774

Rule enforced and lawyer suspended.....	5
Total	5

Chart 23

ARDC-Appointed Receiverships: 2016-2020

2016	2017	2018	2019	2020
5	1	4	4	2

Chart 24

Non-Disciplinary Actions by the Supreme Court in 2020

<i>Rule 756(a)(8) Permanent Retirement Status</i>	
Motion to transfer to permanent retirement status allowed	2
<i>Rule 757 Transfer to Disability Inactive Status</i>	
Motion to transfer allowed	0
<i>Rule 759 Restoration to Active Status</i>	
<i>After Transfer to Disability Inactive Status</i>	
Petition for restoration to active status allowed.....	3

Summary of Registration and Caseload Trends (2006-2020)

Chart 25A

Registration Growth and Disciplinary Investigations (2006-2020)

Year	Registered Attorneys	% of Growth Over Prior Year	Investigations Docketed	Closure By Administrator: No Misconduct Alleged	Closure By Administrator After Investigation	Closure By Inquiry Board After Investigation	Complaint Voted By Inquiry Board*
2006	81,146	1.4%	5,801	1,319	4,076	76	215
2007	82,380	1.5%	5,988	1,508	4,117	125	279
2008	83,908	1.9%	5,897	1,441	4,305	104	228
2009	84,777	1.0%	5,834	1,322	3,891	79	226
2010	86,777	2.2%	5,617	1,354	3,914	50	271
2011	87,943	1.3%	6,155	1,405	4,293	83	156
2012	89,330	1.6%	6,397	1,649	4,598	75	273
2013	91,083	2.0%	6,073	1,544	3,974	50	142
2014	92,756	1.8%	5,835	1,442	4,468	46	198
2015	94,128	1.5%	5,554	1,343	3,993	52	158
2016	94,610	0.5%	5,401	1,321	3,967	41	142
2017	94,778	0.17%	5,199	1,191	3,657	97	118
2018	94,608	-0.18%	5,029	1,233	3,542	53	101
2019	94,662	0.6%	4,937	1,147	3,520	48	68
2020	94,907	0.3%	3,936	1,222	2,936	55	54

*Totals are higher than number of complaints filed because a complaint may be based on more than one investigation.

Chart 25B

Disciplinary and Regulatory Proceedings (2006-2020)

Year	Matters Filed With Supreme Court or Circuit Court	Matters Filed With Hearing Board	Matters Concluded at Hearing Board	Matters Filed With Review Board	Matters Concluded at Review Board	Sanctions Ordered By Supreme Court
2006	33	108	132	25	23	144
2007	37	144	121	32	29	120
2008	36	134	137	31	26	135
2009	39	137	135	30	31	130
2010	49	122	115	27	32	148
2011	45	106	147	35	31	156
2012	30	120	113	36	32	103
2013	40	95	120	29	48	149
2014	31	126	105	29	29	112
2015	28	86	130	31	26	126
2016	34	83	93	21	22	104
2017	41	79	88	23	24	118
2018	38	64	64	17	22	75
2019	41	51	71	19	17	96
2020	32	40	46	7	11	81

Chart 26

Attorney Reports: 2006-2020

Year	Number of Grievances	Number of Attorney Reports	Percent of Attorney Reports to Grievances	Number of Grievances Voted into Complaints	Number of Attorney Reports Voted into Complaints	Percent of Attorney Reports to Formal Complaints
2006	5,800	435	7.5%	217	35	16.1%
2007	5,988	525	8.8%	284	82	28.9%
2008	5,897	542	9.1%	228	69	30.2%
2009	5,837	489	7.7%	226	60	26.5%
2010	5,617	497	8.8%	271	73	26.9%
2011	6,155	536	8.7%	156	33	21.2%
2012	6,397	651	10.2%	273	86	31.5%
2013	6,073	485	9.2%	144	48	33.3%
2014	5,835	581	9.4%	199	52	26.1%
2015	5,554	583	9.4%	159	62	39.2%
2016	5,401	606	11.1%	142	67	47.2%
2017	5,199	551	10.6%	118	55	46.6%
2018	5,029	479	9.6%	101	44	43.6%
2019	4,867	557	11.4%	68	29	42.7%
2020	3,875	404	10.4%	53	28	52.8%
Totals for 2006-2020	83,524	7,921	--	2,639	823	--
Average For 2006-2020	5,568	528	9.5%	176	55	34.2%

CLIENT PROTECTION PROGRAM

Chart 27A

Client Protection Program Claims: 2006-2020

Year	Claims filed	# Claims Approved	# Claims Denied	For Claims Approved, # Respondent Attys	Total Amounts Paid
2006	222	111	69	38	\$843,054
2007	217	90	138	44	\$697,358
2008	224	102	122	56	\$1,029,220
2009	188	81	125	35	\$1,091,473
2010	207	89	108	30	\$705,168
2011	184	89	96	38	\$1,006,013
2012	350	70	124	34	\$986,771
2013	256	247	91	38	\$2,016,669
2014	256	95	106	40	\$1,300,775
2015	541	366	152	34	\$2,488,651
2016	277	146	132	48	\$3,094,187
2017	229	152	144	48	\$1,776,419
2018	219	99	107	35	\$2,324,786
2019	132	56	112	26	\$1,392,321
2020	128	81	76	18	\$1,094,454

Chart 27B

Classification of Approved Client Protection Claims in 2020

Type of Misconduct:

Intentional misappropriation of client funds.....	61
Failure to refund unearned fees.....	20

Area of Law

Tort.....	55
Bankruptcy	7
Domestic Relation	6
Labor/Workers' Comp.....	3
Corporate.....	3
Real Estate/Loan Modification	2
Criminal/Quasi criminal	2
Probate/Trusts.....	2
Immigration	1

**ATTORNEY REGISTRATION AND DISCIPLINARY
COMMISSION OF THE SUPREME COURT OF ILLINOIS**

FINANCIAL STATEMENTS

DECEMBER 31, 2020

REPORT OF INDEPENDENT AUDITORS

To the Commissioners of
Attorney Registration and
Disciplinary Commission of the
Supreme Court of Illinois

Report on the Financial Statements

We have audited the accompanying financial statements of Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (the Commission), which comprise the statements of financial position as of December 31, 2020 and 2019, and the related statements of activities and of cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Commission's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to in the first paragraph present fairly, in all material respects, the financial position of Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois as of December 31, 2020 and 2019, and the changes in its net assets and its cash flows for the years then ended, in accordance with accounting principles generally accepted in the United States of America.

Legacy Professionals LLP

Westchester, Illinois

April 21, 2021

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ILLINOIS**

STATEMENTS OF FINANCIAL POSITION

DECEMBER 31, 2020 AND 2019

ASSETS	<u>2020</u>	<u>2019</u>
CURRENT ASSETS		
Cash and cash equivalents	\$ 1,949,132	\$ 2,196,154
Short-term investments	42,245,568	33,462,183
Accrued interest receivable	131,260	175,810
Accounts receivable - net	4,428	26,399
Prepaid expenses and deposits	<u>184,721</u>	<u>201,523</u>
Total current assets	44,515,109	36,062,069
PROPERTY AND EQUIPMENT - net	1,859,295	1,783,670
LONG-TERM INVESTMENTS	<u>28,199,184</u>	<u>31,801,507</u>
Total assets	<u>\$ 74,573,588</u>	<u>\$ 69,647,246</u>
 LIABILITIES AND NET ASSETS		
CURRENT LIABILITIES		
Accounts payable and other accruals	\$ 458,672	\$ 351,599
Amounts held for others	4,016,677	3,964,527
Accrued vacation	658,438	468,230
Deferred registration and program fees	16,238,226	16,768,347
Postretirement benefit obligation - current portion	38,259	33,531
Deposits	<u>11,002</u>	<u>5,502</u>
Total current liabilities	<u>21,421,274</u>	<u>21,591,736</u>
LONG-TERM LIABILITIES		
Postretirement benefit obligation - net of current portion	1,870,052	1,768,932
Deferred rent expense	<u>1,721,142</u>	<u>1,915,462</u>
Total long-term liabilities	<u>3,591,194</u>	<u>3,684,394</u>
Total liabilities	25,012,468	25,276,130
NET ASSETS WITHOUT MEMBER RESTRICTIONS	<u>49,561,120</u>	<u>44,371,116</u>
Total liabilities and net assets	<u>\$ 74,573,588</u>	<u>\$ 69,647,246</u>

See accompanying notes to financial statements.

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ILLINOIS**

STATEMENTS OF ACTIVITIES

YEARS ENDED DECEMBER 31, 2020 AND 2019
WITH BREAKDOWN BY PROGRAM FOR 2020

	2020			2019
	Registration and <u>Discipline</u>	Client Protection <u>Program</u>	<u>Total</u>	<u>Total</u>
REVENUE				
Investment income - net	\$ 1,225,786	\$ 8,421	\$ 1,234,207	\$ 1,508,366
Registration and program fees	19,838,648	1,877,589	21,716,237	21,945,876
Cost reimbursements collected	40,547	-	40,547	34,542
Client Protection Program reimbursements	-	53,621	53,621	37,157
Total revenue	<u>21,104,981</u>	<u>1,939,631</u>	<u>23,044,612</u>	<u>23,525,941</u>
EXPENSES				
Salaries and related expenses	11,942,876	-	11,942,876	11,649,421
Travel	72,515	-	72,515	152,301
Continuing education	137,014	-	137,014	235,971
General expenses and office support	2,652,280	-	2,652,280	2,393,115
Computer	1,225,495	-	1,225,495	658,217
Other professional and case-related expenses	512,827	-	512,827	545,027
Client Protection Program direct expenses				
Awards	-	1,094,454	1,094,454	1,392,322
Administrative	-	2,102	2,102	1,825
Depreciation and amortization	<u>215,045</u>	<u>-</u>	<u>215,045</u>	<u>218,542</u>
Total expenses	<u>16,758,052</u>	<u>1,096,556</u>	<u>17,854,608</u>	<u>17,246,741</u>
CHANGE IN NET ASSETS	4,346,929	843,075	5,190,004	6,279,200
NET ASSETS WITHOUT MEMBER RESTRICTIONS				
Beginning of year	<u>43,621,791</u>	<u>749,325</u>	<u>44,371,116</u>	<u>38,091,916</u>
End of year	<u>\$ 47,968,720</u>	<u>\$ 1,592,400</u>	<u>\$ 49,561,120</u>	<u>\$ 44,371,116</u>

See accompanying notes to financial statements.

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ILLINOIS**

STATEMENTS OF CASH FLOWS

YEARS ENDED DECEMBER 31, 2020 AND 2019

	<u>2020</u>	<u>2019</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	\$ 5,190,004	\$ 6,279,200
Adjustments to reconcile change in net assets to net cash provided by operating activities		
Net (gain) on investments	(298,453)	(479,953)
Depreciation and amortization	215,045	218,542
Changes in assets and liabilities		
Accounts receivable and accrued interest receivable	66,521	(83,621)
Prepaid expenses and deposits	16,802	(16,712)
Accounts payable and other accruals	107,073	(436,825)
Amounts held for others	52,150	(191,796)
Accrued vacation	190,208	(6,726)
Deferred registration and program fees	(530,121)	185,004
Deposits	5,500	2,001
Postretirement benefit obligation	105,848	(173,607)
Deferred rent expense	(194,320)	(175,465)
Net cash provided by operating activities	<u>4,926,257</u>	<u>5,120,042</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchases of investment securities	(29,757,060)	(32,324,232)
Maturities of investment securities	24,874,451	27,096,154
Purchases of property and equipment	(290,670)	(345,037)
Net cash (used in) investing activities	<u>(5,173,279)</u>	<u>(5,573,115)</u>
NET (DECREASE) IN CASH AND CASH EQUIVALENTS	(247,022)	(453,073)
CASH AND CASH EQUIVALENTS - NET		
Beginning of year	<u>2,196,154</u>	<u>2,649,227</u>
End of year	<u>\$ 1,949,132</u>	<u>\$ 2,196,154</u>

See accompanying notes to financial statements.

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ILLINOIS**

NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2020 AND 2019

NOTE 1. GENERAL PURPOSE DESCRIPTION

Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (the Commission) was established by the Supreme Court of Illinois (the Court) pursuant to Article VII(B) of its rules, effective February 1, 1973. The Commission appoints an Administrator, with approval of the Court, to serve as its principal executive officer. Commission duties include maintenance of the Master Roll of Attorneys and administration of the disciplinary fund. The Administrator conducts investigations and prosecutes complaints against attorneys and non-lawyers pursuant to rules of the Court and Commission.

Recent amendments to those rules and additional significant rules of the Court impacting the Commission's operations are as follows:

- Rule 756(a), as amended (the Rule), has set the annual registration and program fees for active lawyers licensed to practice law for three years or more at \$385 (the full fee) and the annual registration fees for active lawyers licensed to practice between one and three years and inactive lawyers at \$121. The full fee was increased from \$382 to \$385 effective with the 2017 registration season, with the \$3 increase being allocated in full to the Illinois Lawyers' Assistance Program. Prior to this, the last fee increase occurred effective with the 2015 registration season. The charge for late payment of annual registration fees is \$25 per month for every month that fees are delinquent. The Rule requires that the Commission, as part of the annual \$385 fee, collect and remit the following amounts to the following other entities that are not administered by the Commission: \$95 to the Lawyers Trust Fund of Illinois, \$25 to the Illinois Supreme Court Commission on Professionalism and \$10 to the Illinois Lawyers' Assistance Program.
- Rule 780(b) provided for the establishment of the Client Protection Program (the Program) and set forth that the purpose of the Program "is to promote public confidence in the administration of justice and the integrity of the legal profession by reimbursing losses caused by the dishonest conduct" of Illinois lawyers who have been disciplined. Since the Program's inception, the Commission has administered the Client Protection Program and has maintained a separate Client Protection Fund account. Amended Rule 756 provides that \$25 of the \$385 registration fee be set aside for the Client Protection Program to fund awards made by the Client Protection Program. Prior to the Rule 756 amendment, the Commission funded payment of awards by making an annual allocation from the Disciplinary Fund. The Commission includes in its general budget allocations for administrative expenses of the Program to be paid from the Disciplinary Fund. The Program reimburses the Commission for the cost of administering the Program.

NOTE 1. GENERAL PURPOSE DESCRIPTION (CONTINUED)

- Rule 707, as amended, provides that eligible out-of-state attorneys may appear in an Illinois proceeding upon meeting certain requirements, including the payment of a \$250 per proceeding fee and an annual registration fee, which is currently \$121. The \$250 per proceeding fee is allocated between the Illinois Supreme Court Commission on Access to Justice (\$175) and the Commission (\$75). The registration fee is allocated to the Commission.

NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Method of Accounting - The accompanying financial statements of the Commission have been prepared on the accrual basis of accounting in accordance with generally accepted accounting principles.

Basis of Presentation - In order to conform to provisions of generally accepted accounting principles, the Commission is required to report information regarding its financial position and activities in two classes of net assets: without member restrictions and with member restrictions.

Net Assets without Member Restrictions - Net assets that are not subject to member-imposed restrictions are available to finance the general operations of the Commission. The only limits on the use of net assets without member restrictions are the broad limits resulting from the nature of the Commission, the environment in which it operates and the purposes specified in its governing rules.

Net Assets with Member Restrictions - Net assets subject to member or grantor-imposed restrictions. Some member-imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the member. Other member-imposed restrictions are perpetual in nature, where the member stipulates that resources be maintained in perpetuity. Member-imposed restrictions are released when a restriction expires; that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both. At December 31, 2020 and 2019, there are no net assets with member restrictions.

Cash and Cash Equivalents - For purposes of the statements of cash flows, cash and cash equivalents include all deposits in checking and savings accounts.

Accounts Receivable - Cost Reimbursements and Client Protection Program

Reimbursements - Accounts receivable primarily represent reimbursements owed by attorneys under its Cost Reimbursement Program and the Program. Such reimbursements receivable are net of \$21,752,068 and \$21,510,715 at December 31, 2020 and 2019, respectively of an allowance for doubtful accounts since the Commission fully reserves reimbursements owed by attorneys under its Cost Reimbursement Program and the Program. Whether the Commission can fully collect all reimbursements is dependent upon each identified attorney's ability to pay and the current economic environment.

NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Property and Equipment - Property and equipment are stated at cost. Major additions are capitalized while replacements, maintenance and repairs which do not improve or extend the lives of the respective assets are expensed currently. Depreciation and amortization are provided over the estimated useful lives of the assets or asset groups, based on the straight-line method. Upon disposal of assets, gains or losses are included in income. Leasehold improvements are amortized over the shorter of their estimated useful lives or the remaining lease period.

The estimated useful lives of the property and equipment are as follows:

Computer and related equipment	3-5 years
Office furniture and equipment	3-10 years
Library	6 years
Leasehold improvements	5-15 years

Investments - The investments of the Commission are reported at fair value. The fair value of a financial instrument is the amount that would be received to sell that asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date (the exit price).

Purchases and sales of the investments are reflected on a trade-date basis.

Interest income is recorded on the accrual basis. Dividend income is recorded on the ex-dividend date.

Amounts Held for Others - Amounts held for others at December 31, 2020 and 2019 consist of funds collected for the Illinois Lawyers' Assistance Program in the amount of \$307,631 and \$304,104 respectively; the Lawyers Trust Fund of Illinois in the amount of \$2,922,910 and \$2,888,243 respectively; the Illinois Supreme Court Commission on Professionalism in the amount of \$769,336 and \$760,105 respectively; and the Illinois Supreme Court Commission on Access to Justice in the amount of \$16,800 and \$12,075 respectively. All amounts were remitted subsequent to year end.

Deferred Registration and Program Fees - The Commission is primarily funded by an annual registration fee assessed on Illinois attorneys which includes a \$25 Client Protection Program fee applied to attorneys admitted for greater than three years. The annual fees for the subsequent year are billed before November 1 and are due January 1. Deferred registration and program fees represent the fees for next year received in the current year.

Deferred revenue as of December 31, 2020 and 2019 was comprised of the following:

	<u>2020</u>	<u>2019</u>
Deferred registration fees	\$ 14,789,517	\$ 15,267,728
Deferred program fees - CPP	<u>1,448,709</u>	<u>1,500,619</u>
Total	<u>\$ 16,238,226</u>	<u>\$ 16,768,347</u>

NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Deposits - A portion of deposits is the reinstatement deposit that accompanies the petition of any attorney who is filing for reinstatement under Rule 767. The amount the attorney actually owes is assessed at the conclusion of the proceedings. Reinstatement deposits held at December 31, 2020 and 2019 totaled \$11,002 and \$5,502 respectively.

Deferred Rent Expense - Deferred rent expense consists of a combination of “free rent” and past and future lease incentives from the landlord. The Commission is recognizing operating lease expense on a straight-line basis over the term of its office space lease.

Revenue Recognition - The Commission receives a significant portion of its operating revenue from registration and program fees. Registration and program fee revenue is considered an exchange transaction and is recognized on January 1 or the date of the payment each calendar year, as such fees enable the attorney to practice law for the respective year as defined by Rule 756. Registration and program fees paid in advance are deferred to the calendar year to which they relate. Such amounts deferred are recognized on January 1 of the following year.

Cost and Client Protection Program (the Program) reimbursement revenues represent reimbursements owed by attorneys as a result of discipline imposed by the Court and for the related investigation and disciplinary costs. Amounts owed are fully reserved until time of collection.

Income Taxes - The Internal Revenue Service has determined that the Commission is exempt from federal income taxes as an instrumentality of the State of Illinois.

Functional Allocation of Expenses - The Commission has allocated certain administrative expenses, such as salary costs, among the various programs benefited. Expenses are allocated to programs and administration and support services according to actual use, wherever practical. Indirect expenses that benefit more than one program are allocated to the benefited programs based on time and effort. The allocation of expenses by function is presented in Note 6.

Reclassifications - Certain reclassifications have been made to prior year amounts to conform to the current year presentation.

Use of Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires the Commission to make estimates and assumptions that affect certain reported amounts and disclosures in the financial statements. Actual results may differ from those estimates.

Subsequent Events - Subsequent events have been evaluated through April 21, 2021, which is the date the financial statements were available to be issued.

NOTE 3. LIQUIDITY AND AVAILABILITY OF RESOURCES

The Commission's liquidity plan is to maintain sufficient cash and cash equivalents, money market funds and other high quality short-term securities to fund its operations for a period of at least one year. The Commission utilizes checking accounts, money market funds, short-term U.S. Treasury securities and Federal Deposit Insurance Corporation (FDIC) insured certificates of deposit for this purpose. Excess cash is invested in longer-dated U.S. Treasury securities and certificates of deposit with varying maturities designed to fund the Commission's operations beyond the one-year interval and maximize its income over time.

The Commission also maintains sufficient liquidity in the Client Protection Program's financial accounts to fund award payments to the Program's beneficiaries. This liquidity provision is normally established at the end of each calendar year based on a projection of award payments for the next 12 months. The amount invested in cash and cash equivalents, money market funds and other short-term securities is dependent on the projected timing and size of these award payments and may vary from year to year. Any excess funds that are not needed for disbursement are invested in longer-dated U.S. Treasury securities and FDIC insured certificates of deposit with varying maturities designed to meet the Program's future obligations and maximize its income over time.

Cash levels can increase significantly when the Commission is collecting attorney registration fees during the annual registration season. The Commission collects approximately 75% of its annual registration fee income during the fourth quarter of each calendar year, with the bulk of the remainder in the month of January. Cash collected during these months is invested as soon as practicable. The cash collected in the fourth quarter temporarily inflates the Commission's year-end holdings of short-term liquid securities.

Specific investment allocation decisions about the Commission's portfolio are made by a third-party investment manager.

None of the Commission's financial assets are subject to significant member or other restrictions.

The following is a breakdown of the Commission's financial assets available for expenditure within one year as of December 31, 2020 and 2019:

	<u>2020</u>	<u>2019</u>
Cash and cash equivalents	\$ 1,990,350	\$ 2,196,154
Short-term investments	42,245,568	33,462,183
Accrued interest receivable	131,260	175,810
Accounts receivable	<u>4,428</u>	<u>26,399</u>
Total	<u>\$ 44,371,606</u>	<u>\$ 35,860,546</u>

NOTE 4. CONCENTRATION OF CASH

Cash consists of monies held in checking and highly liquid interest bearing accounts without significant withdrawal restrictions. The Commission places its cash with financial institutions deemed to be creditworthy. Balances are insured by FDIC up to \$250,000 per financial institution. Although balances may at times exceed federally insured limits, management believes this credit risk to be minimal.

NOTE 5. COST REIMBURSEMENTS

The Commission receives reimbursements from disciplined attorneys for costs incurred as a result of the investigative and disciplinary process. Cost reimbursements are billed at the time that discipline is imposed by the Court. Such billings may not reflect the total costs or match the period in which the investigative disciplinary costs were incurred. The Commission is limited to \$1,000 in cost reimbursements for each discipline case, absent exceptional circumstances. During the years ended December 31, 2020 and 2019, the Commission regularly sought entry of judgments by the Court. Interest accrues upon the unsatisfied portions of those judgments at a rate of 9% per annum, from the date of judgment until satisfied, as provided by 735 ILCS 5/2-1303. The Commission has also established payment plans for certain disciplined attorneys.

NOTE 6. FUNCTIONAL EXPENSES BY NATURAL CLASSIFICATION

The following tables represent an analysis of the Commission's functional expenses, by natural classification, for the years ended December 31, 2020 and 2019:

	2020			
	<u>Program Services</u>		<u>Supporting Services</u>	
	Registration and <u>Discipline</u>	Client <u>Protection</u>	Administration and <u>Support</u>	<u>Total</u>
Salaries and related expenses	\$ 9,462,450	\$ 258,007	\$ 2,222,419	\$ 11,942,876
Travel	54,372	1,014	17,129	72,515
Continuing education	107,987	2,459	26,568	137,014
General expenses and office support	2,109,128	48,122	495,030	2,652,280
Computer	965,861	21,998	237,636	1,225,495
Other professional and case-related expenses	448,690	5,434	58,703	512,827
Client Protection Program direct expenses:				
Awards	-	1,094,454	-	1,094,454
Administrative	-	2,102	-	2,102
Depreciation and amortization	<u>169,467</u>	<u>3,879</u>	<u>41,699</u>	<u>215,045</u>
Total	<u>\$ 13,317,955</u>	<u>\$ 1,437,469</u>	<u>\$ 3,099,184</u>	<u>\$ 17,854,608</u>

NOTE 6. FUNCTIONAL EXPENSES BY NATURAL CLASSIFICATION (CONTINUED)

	2019			
	Program Services		Supporting Services	
	Registration and <u>Discipline</u>	Client Protection	Administration and <u>Support</u>	<u>Total</u>
Salaries and related expenses	\$ 9,169,937	\$ 245,033	\$ 2,234,451	\$ 11,649,421
Travel	103,633	1,570	47,098	152,301
Continuing education	187,179	4,302	44,490	235,971
General expenses and office support	1,916,743	42,348	434,024	2,393,115
Computer	522,117	11,999	124,101	658,217
Other professional and case-related expenses	489,630	4,884	50,513	545,027
Client Protection Program direct expenses:				
Awards	-	1,392,322	-	1,392,322
Administrative	-	1,825	-	1,825
Depreciation and amortization	<u>175,259</u>	<u>2,079</u>	<u>41,204</u>	<u>218,542</u>
Total	<u>\$ 12,564,498</u>	<u>\$ 1,706,362</u>	<u>\$ 2,975,881</u>	<u>\$ 17,246,741</u>

NOTE 7. INVESTMENTS

The following summary presents the fair value of each of the investment categories at December 31, 2020 and 2019:

	<u>2020</u>	<u>2019</u>
Short-term		
U.S. Treasury notes and bills	\$ 11,581,970	\$ 9,609,613
Certificates of deposit	14,984,000	10,955,000
Money market funds	13,648,978	11,117,800
Mutual funds and exchange traded funds	<u>2,030,620</u>	<u>1,779,770</u>
	<u>42,245,568</u>	<u>33,462,183</u>
Long-term		
U.S. Treasury notes and bills	17,743,184	16,615,507
Certificates of deposit	<u>10,456,000</u>	<u>15,186,000</u>
	<u>28,199,184</u>	<u>31,801,507</u>
Total	<u>\$ 70,444,752</u>	<u>\$ 65,263,690</u>

The following presents a summary of net investment income for the years ended December 31, 2020 and 2019:

	<u>2020</u>	<u>2019</u>
Interest income	\$ 1,028,956	\$ 1,113,487
Net gain on investments	298,453	479,953
Investment fees	<u>(93,202)</u>	<u>(85,074)</u>
Total	<u>\$ 1,234,207</u>	<u>\$ 1,508,366</u>

NOTE 8. FAIR VALUE MEASUREMENTS

The *Fair Value Measurements and Disclosures* Topic of the FASB Accounting Standards Codification established a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy are described below:

Basis of Fair Value Measurement

- | | |
|---------|---|
| Level 1 | Unadjusted quoted prices in active markets that are accessible at the measurement date for identical, unrestricted assets or liabilities |
| Level 2 | Quoted prices in markets that are not considered to be active or financial instruments for which all significant inputs are observable, either directly or indirectly |
| Level 3 | Prices or valuations that require inputs that are both significant to the fair value measurement and unobservable |

NOTE 8. FAIR VALUE MEASUREMENTS (CONTINUED)

The following tables set forth, by level within the fair value hierarchy, the Commission's investment assets at fair value as of December 31, 2020 and 2019. As required, assets and liabilities are classified in their entirety based on the lowest level of input that is significant to the fair value measurement.

<u>Fair Value Measurements at 12/31/20 Using</u>				
		Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
	<u>Total</u>			
U.S. Treasury notes and bills	\$ 29,325,154	\$ 29,325,154	\$ -	\$ -
Certificates of deposit	25,440,000	-	25,440,000	-
Money market funds	13,648,978	13,648,978	-	-
Mutual funds and exchange traded funds				
Fixed income	1,128,789	1,128,789	-	-
Equity:				
Small cap	131,875	131,875	-	-
Mid cap	124,070	124,070	-	-
Large cap	469,436	469,436	-	-
Emerging market	57,198	57,198	-	-
International	119,252	119,252	-	-
Total	<u>\$ 70,444,752</u>	<u>\$ 45,004,752</u>	<u>\$ 25,440,000</u>	<u>\$ -</u>

<u>Fair Value Measurements at 12/31/19 Using</u>				
		Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
	<u>Total</u>			
U.S. Treasury notes and bills	\$ 26,225,120	\$ 26,225,120	\$ -	\$ -
Certificates of deposit	26,141,000	-	26,141,000	-
Money market funds	11,117,800	11,117,800	-	-
Mutual funds and exchange traded funds				
Fixed income	1,017,325	1,017,325	-	-
Equity:				
Small cap	100,387	100,387	-	-
Mid cap	100,506	100,506	-	-
Large cap	409,376	409,376	-	-
Emerging market	50,530	50,530	-	-
International	101,646	101,646	-	-
Total	<u>\$ 65,263,690</u>	<u>\$ 39,122,690</u>	<u>\$ 26,141,000</u>	<u>\$ -</u>

NOTE 8. FAIR VALUE MEASUREMENTS (CONTINUED)

Level 1 Measurements

U.S. Treasury notes and bills are traded in active markets on national and international securities exchanges and are valued at closing prices on the last business day of each period presented.

The fair values of the mutual funds and exchange traded funds are determined by reference to the funds' underlying assets, which are principally marketable equity and fixed income securities. Shares held in mutual funds and exchange traded funds are traded on national securities exchanges and are valued at the net asset value on the last business day of each period presented.

Money market funds represent shares held in mutual funds.

Level 2 Measurements

Certificates of deposit are valued at cost, which approximates fair value due to their liquid or short-term nature. At December 31, 2020, the certificates of deposit had interest rates ranging from .10% to 2.95% with maturity dates between January 2021 and June 2023. At December 31, 2019, the certificates of deposit had interest rates ranging from 1.25% to 3.05% with maturity dates between January 2020 and September 2022.

NOTE 9. PROPERTY AND EQUIPMENT

Property and equipment at December 31, 2020 and 2019 consisted of the following:

	<u>2020</u>	<u>2019</u>
Computer and related equipment	\$ 3,658,101	\$ 3,367,432
Office furniture and equipment	1,093,041	1,093,041
Library	1,691	2,691
Leasehold improvements	<u>2,504,712</u>	<u>2,504,712</u>
	7,257,545	6,967,876
Less accumulated depreciation and amortization	<u>(5,398,250)</u>	<u>(5,184,206)</u>
Property and equipment - net	<u>\$ 1,859,295</u>	<u>\$ 1,783,670</u>

NOTE 10. LEASE COMMITMENTS

The Commission leases its Chicago and Springfield offices under operating lease agreements.

In February 2011, the Chicago office lease was extended through May 2027. This lease calls for monthly payments for pro-rata operating expenses and real estate taxes in addition to the scheduled rent payments. In addition, the original lease provided 32 months of “free rent” with the first rent payment made on January 1, 1996. Under the terms of an amendment, base rent was reduced from December 2003 through May 2008, and the landlord provided certain rent concessions which were fully applied as of December 31, 2012. The Commission also received an allowance for leasehold improvements and other rent concessions between January 2012 and December 2017.

Effective November 1, 2012, the Commission entered into a 15 year agreement for office space in Springfield, Illinois. The agreement, which included an allowance of \$20,000 for leasehold improvements, requires escalating rental payments of 2% per annum over the life of the lease. The Commission’s scheduled rent payments for this lease include operating expenses and real estate taxes.

Rent expense under all lease agreements was \$1,478,618 in 2020 and \$1,484,772 in 2019.

Future minimum rental payments under the terms of these leases, net of scheduled rent abatements, are as follows:

	<u>Springfield</u>	<u>Chicago</u>	<u>Total</u>
Year ending December 31,			
2021	\$ 114,211	\$ 785,835	\$ 900,046
2022	116,495	805,457	921,952
2023	118,825	825,622	944,447
2024	121,202	846,171	967,373
2025	123,626	867,327	990,953
Thereafter	<u>232,925</u>	<u>1,263,248</u>	<u>1,496,173</u>
Total	<u>\$ 827,284</u>	<u>\$ 5,393,660</u>	<u>\$ 6,220,944</u>

NOTE 11. POSTRETIREMENT BENEFIT OBLIGATION

On August 9, 1985, the Commission formed a trust to replace the Medicare coverage lost by its employees when the Social Security Administration ruled that certain Commission employees were ineligible for benefits.

The Commission committed to pay the future cost of Medicare premiums for former employees who met certain criteria and were employed by the Commission before March 31, 1986. Furthermore, the Commission agreed to pay reimbursement credits to eligible former employees for supplemental medical and hospitalization insurance coverage beginning at age 65. Therefore, the Commission records a liability associated with its employees’ lost Medicare coverage and supplemental health benefits for retirees.

NOTE 11. POSTRETIREMENT BENEFIT OBLIGATION (CONTINUED)

The following sets forth information with respect to this benefit obligation as of and for the years ended December 31, 2020 and 2019. The benefit obligation at December 31, 2019 was actuarially determined by Towers Watson, and was estimated by Commission management for 2020.

	<u>2020</u>	<u>2019</u>
Benefit obligation at beginning of year	\$ 1,802,463	\$ 1,976,070
Service cost	52,998	52,998
Interest cost	70,657	70,657
Benefits paid	(17,807)	(17,478)
Actuarial (gain)	<u>-</u>	<u>(279,784)</u>
Benefit obligation at end year	<u>\$ 1,908,311</u>	<u>\$ 1,802,463</u>

Net periodic benefit costs for 2020 and 2019 are comprised of the following:

	<u>2020</u>	<u>2019</u>
Service cost	\$ 52,998	\$ 52,998
Interest cost	70,657	70,657
Actuarial (gain)	<u>-</u>	<u>(279,784)</u>
Net periodic benefit cost	<u>\$ 123,655</u>	<u>\$ (156,129)</u>

The key assumptions are as follows:

Actuarial cost method	Projected unit credit method
Mortality table	RP-2014 Employee and Annuitant
Discount rate	4.20%
Retirement age	Between ages 55 and 75
Medical trend rate ultimate	5%

Assumed health care cost trend rates can have a significant effect on the amounts reported for health care benefits. The actuary noted in its 2019 valuation that the effect of a 1% increase in health care cost trend rates (medical trend ultimate) would be an increase of \$5,124 on total service cost and interest cost components and an increase of \$73,938 on the postretirement benefit obligation, and management believes that the effect of a 1% increase in health care trend rates in 2020 would approximate the estimate made for 2019.

The liability will increase or decrease in future years due to changes in eligible employees, benefits paid, and possible changes in assumptions based on experience factors and applicable discount rates.

NOTE 11. POSTRETIREMENT BENEFIT OBLIGATION (CONTINUED)

The amount expected to be recognized as net periodic benefit cost for the year ending December 31, 2021 is comprised of the following:

Service cost	\$ 52,998
Interest cost	<u>70,657</u>
Net periodic benefit cost	<u>\$ 123,655</u>

Actuarially determined net benefit payments for each of the next five years and the five years thereafter are as follows:

2021	\$ 38,259
2022	46,271
2023	60,131
2024	71,536
2025	80,625
2026 - 2030	<u>548,673</u>
Total	<u>\$ 845,495</u>

The Commission maintains investments in a separate trust account for the Medicare replacement reserve. The assets are invested using prudent asset allocation parameters, with the goal of minimizing risk and achieving asset returns that will help the trust meet its future obligations. The trust's returns should be competitive with like institutions employing similar investment strategies. Because these investments are not considered to be assets established under a separate benefit plan they are included in the total investment balances on the statements of financial position. The fair value of these investments totaled \$2,773,062 and \$2,453,363 at December 31, 2020 and 2019, respectively.

NOTE 12. EMPLOYEE BENEFIT PLANS

The Commission maintains a defined contribution retirement plan and trust for the benefit of all eligible employees. The Commission provides enhanced retirement plan contributions due to a Social Security Administration ruling that Commission employees are not eligible for benefits. Employee contributions are not permitted under the plan's provisions. The Commission contributes 18% of compensation for eligible employees, which totaled \$1,549,043 in 2020 and \$1,473,135 in 2019. The Commission also pays the plan's administrative expenses, which totaled \$224,853 in 2020 and \$225,311 in 2019.

The Commission also maintains a Section 457 savings plan which is funded by voluntary pre-tax employee and employer matching contributions. Through December 2019, the Commission matched employee contributions at the rate of 50% of the employee deferral amount, subject to an annual cap of \$500 per employee. Effective January 1, 2020, the Commission matched employee contributions at the rate of 100% of the employee deferral amount, subject to an annual cap of \$1,000 per employee. Effective for deferrals made on or after April 1, 2020, the Commission matches employee contributions equal to 100% of the employee deferral amount, up to a maximum of 5% of salary. Matching contributions totaled \$280,844 in 2020 and \$36,631 in 2019. The Commission also pays the savings plan's administrative expenses, which totaled \$4,444 in 2020 and \$5,756 in 2019.

NOTE 13. LITIGATION

Various complaints and actions are periodically filed against the Commission. At December 31, 2020, the Commission believes that pending matters do not present any serious prospect for negative financial consequences.

NOTE 14. RISKS AND UNCERTAINTIES

The Commission invests in various investment securities. Investment securities are exposed to various risks such as interest rate, market, and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect the amounts reported in the statements of financial position. The current economic environment has increased the degree of uncertainty.

The actuarial present value of postretirement benefit obligations is reported based on certain assumptions pertaining to interest rates, health care inflation rates and employee demographics, all of which are subject to change. Due to uncertainties inherent in the estimations and assumptions process, it is at least reasonably possible that changes in these estimates and assumptions in the near term would be material to the financial statements.

NOTE 15. IMPACT OF COVID-19 IMPACT AND NEWLY ENACTED LEGISLATION

As a result of the spread of the COVID-19 coronavirus pandemic, economic uncertainties have arisen, which may negatively impact the Commission's operations and financial condition. The potential impact and duration of the pandemic is unknown as of the date the financial statements were available to be issued.

The Commission took aggressive steps early in the pandemic to ensure that it could continue to function while its staff sheltered at home to mitigate the effects of the pandemic. This included the establishment of remote connectivity and teleworking capability for Commission staff, including receptionists, secretaries and other essential administrative staff.

The Commission is also migrating its IT network and systems to a cloud-based platform, which will place it in a much stronger position in the future.

The Commission's investment portfolio is primarily composed of short-term U.S. Treasury securities and FDIC insured certificates of deposit. As such, the current environment has not had a negative impact on the Commission's financial position.

If the pandemic continues for much longer than anticipated, it is possible that the Commission's registration revenue stream for the year 2022 could be negatively impacted. However, Commission management has no such expectation at this time.

Several major legislative relief packages were enacted in response to the coronavirus outbreak, containing numerous tax, emergency funding and other regulatory provisions. The Commission continues to evaluate the impact of the newly enacted legislation on its operations and cash flows.

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