

SUPREME COURT OF ILLINOIS

TUESDAY, JANUARY 28, 2003

THE COURT MADE THE FOLLOWING ANNOUNCEMENT:

MISCELLANEOUS RECORD

M.R.18527 - In re: Nathaniel Byrd. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed. Respondent Nathaniel Byrd is suspended from the practice of law for one (1) year, with the suspension stayed after three (3) months by a one-year probation, subject to the following conditions:

a. Respondent shall not use controlled substances unless prescribed by a physician. Respondent shall use prescribed controlled substances only as directed by the physician;

b. Respondent shall report to the Administrator any use of unprescribed controlled substances within 72 hours of such use;

c. Upon the Administrator's request, respondent shall submit to random drug testing at a facility approved by the Administrator within 8 hours of receiving notice that he shall submit to such testing. The result of the test shall be reported to the Administrator. Respondent shall pay any and all costs related to such testing;

d. Respondent shall continue his treatment with Dr. Nelson or another medical professional ("doctor") approved by the Administrator. Respondent shall comply with all recommendations of his doctor as to the nature and frequency of treatment. Respondent shall maintain a log of the dates and times of his attendance at treatment sessions and submit a copy of the log to the Administrator with quarterly reports due on the following dates of each year: March 1, June 1, September 1 and December 1. Each quarterly report shall include the nature and extent of respondent's compliance with the conditions imposed herein, as well as information and documents necessary, in the opinion of the Administrator, to confirm respondent's compliance;

e. Respondent shall provide to his doctor an appropriate release authorizing the doctor as follows: (1) on at least a quarterly basis, to disclose to the Administrator information pertaining to respondent's participation and progress in treatment; (2) to promptly report to the Administrator respondent's use of unprescribed controlled substances; (3) to respond to the Administrator's inquiries concerning respondent's mental or emotional state or compliance with any treatment plan;

f. Respondent shall notify the Administrator within 14 days of any change of address or doctor;

g. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator;

h. Respondent shall comply with the Illinois Rules of Professional Conduct and shall cooperate with the Administrator in providing information regarding any investigations;

i. Respondent shall pay all the costs of these disciplinary proceedings to the Attorney Registration and Disciplinary Commission;

j. Probation shall be revoked if respondent is found to have violated any of the conditions of this probation. The remainder of the one-year suspension shall commence from the date of the determination that a condition has been violated and shall continue until further order of the Court; and

k. Probation shall terminate without further order of court provided that respondent complies with the above conditions.

Respondent Nathaniel Byrd shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.