

SUPREME COURT OF ILLINOIS

TUESDAY, NOVEMBER 17, 2009

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.21969 - In re: Cynthia Sutherin. Disciplinary Commission.

Consistent with condition one (1) of the proposed modified conditions of reinstatement tendered by the Administrator of the Attorney Registration and Disciplinary Commission and petitioner Cynthia Sutherin; petitioner, as a condition precedent to reinstatement, shall compose and transmit letters of apology to attorneys Peter Gruber, Myrrha Guzman, Jeanne Meyer, Kimberly Small, and Christie Krupp, and provide copies of the letters to the Administrator who shall report the execution of this condition precedent to the Court. Thereafter, the Court will rule on petitioner's reinstatement petition.

Order entered by the Court.

M.R.22151 - In re: Linda M. Serrano. Disciplinary Commission.

The Administrator of the Attorney Registration and Disciplinary Commission having reported to the Court that respondent Linda M. Serrano was restored to the practice of law in New Jersey on May 5, 2008, respondent having served the eighteen (18) month suspension imposed by this Court on March 17, 2008, effective April 7, 2008, as reciprocal discipline pursuant to Supreme Court Rule 763, and the Court being fully advised in the premises;

Respondent is restored to the practice of law in Illinois, effective immediately.

Order entered by the Court.

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 in part. The petition of Dwight Lenore Beck for reinstatement to the roll of attorneys pursuant to Supreme Court Rule 767 is allowed, subject to the following conditions which shall be applicable during the first two (2) year period following the reinstatement of Dwight Lenore Beck to the roll of attorneys and until further order of the Court:

a. Petitioner shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

b. Petitioner shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

c. Petitioner shall attend meetings as scheduled by the Commission probation officer. Petitioner shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of reinstatement;

d. Petitioner shall notify the Administrator within fourteen (14) days of any change of address;

e. Petitioner's practice of law shall be supervised by an attorney acceptable to the Administrator. Petitioner shall notify the Administrator of the name and address of any and all attorneys with whom he establishes a supervisory relationship, and shall provide notice to the Administrator of any change in supervising attorneys within fourteen (14) days of the change. Petitioner shall authorize the supervising attorney to provide a report in writing to the Administrator no less than once every quarter, regarding the nature of petitioner's work, the number of cases being handled by petitioner, and the supervisor's general appraisal of the petitioner's continued fitness to practice law;

f. Petitioner shall abstain from the usage of alcohol and any unprescribed controlled substances;

g. Petitioner shall, as required by the Administrator, submit to random substance testing by a qualified mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Petitioner shall pay any and all costs of such testing;

h. Petitioner shall participate in a 12-step program such as Cocaine Anonymous, Narcotics Anonymous, and/or Alcoholics Anonymous by attending at least two (2) meetings per week. Petitioner is to maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

i. Petitioner shall maintain a sponsor in the 12-step program and shall provide the name, address and telephone number of the sponsor to the Administrator within fourteen (14) days of his reinstatement. Petitioner shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding petitioner's participation and progress in the 12-step program and report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within seventy-two (72) hours of his knowledge of that usage;

j. Petitioner shall participate in a Caduceus program designed for chemically dependent professionals and shall complete a one (1) year Caduceus agreement; and

k. Petitioner shall report to the Administrator any lapse in his sobriety or usage of any unprescribed controlled substances within seventy-two (72) hours of that usage.

Order entered by the Court.

M.R.23235 - In re: Judd Marc Harris. Disciplinary Commission.

The amended petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Judd Marc Harris is censured and directed to successfully complete the professionalism seminar conducted by the Attorney Registration and Disciplinary Commission within one (1) year of the entry of the Court's order.

Order entered by the Court.

M.R.23293 - In re: Bruce Nash. Disciplinary Commission.

The petition by respondent Bruce Nash for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent is suspended from the practice of law for thirty (30) months and until further order of the Court, as recommended by the Review Board.

Order entered by the Court.

M.R.23336 - In re: Thomas Andrew Dorsey III. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Thomas Andrew Dorsey III is suspended from the practice of law for one (1) year and until further order of the Court, with the suspension stayed after thirty (30) days by a two (2) year period of probation, subject to the following conditions:

a. At least thirty (30) days prior to the termination of the period of probation, respondent shall make restitution to Amber Hanson in the amount of \$2,485.00 and to Contessa Wilson in the amount of \$3,421.66;

b. Respondent shall successfully complete the course conducted by the Illinois Professional Responsibility Institute within the first twelve (12) months of probation;

c. Respondent's practice of law shall be supervised by a licensed attorney acceptable to the Administrator. Respondent shall notify the Administrator of the name and address of any and all attorneys with whom he establishes a supervisory relationship and shall provide notice to the Administrator of any change in supervising attorneys within fourteen (14) days of the change. Respondent shall authorize the supervising attorney to provide a report in writing to the Administrator no less than every two (2) months, regarding the nature of respondent's work, the number of cases being handled by respondent and the supervisor's general appraisal of respondent's continued fitness to practice law;

d. Respondent shall continue in his course of treatment with Dr. Joseph Bohlen, or such other qualified mental health professional acceptable to the Administrator, and shall report to Dr. Bohlen, or such other qualified mental health professional, on a regular basis of not less than once per month, with the Administrator advised of any change in attendance deemed warranted by such professional;

e. Respondent shall comply with all treatment recommendations of Dr. Bohlen, or such other qualified mental health professional, including the taking of medications as prescribed;

f. Respondent shall provide to Dr. Bohlen, or such other qualified mental health professional, an appropriate release authorizing the treating professional to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plans;

g. Respondent shall notify the Administrator within fourteen (14) days of any change in treatment professionals;

h. Respondent shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

i. Respondent shall reimburse the Commission for the costs of this proceeding, as defined in Supreme Court Rule 773, and shall reimburse the Commission for any further costs incurred during the period of probation;

j. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct;

k. Respondent shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

l. Respondent shall attend meetings as scheduled by the Commission probation officer. Respondent shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

m. Respondent shall notify the Administrator within fourteen (14) days of any change of address or employment; and

n. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remainder of the one (1) year period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court.

Suspension effective December 8, 2009.

Order entered by the Court.

M.R.23337 - In re: William Earl Brooks. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent William Earl Brooks is suspended from the practice of law for eighteen (18) months and until further order of the Court. The suspension in this case shall run consecutively to the suspension imposed upon respondent on March 16, 2009, in In re Brooks, M.R. 22933.

Order entered by the Court.

M.R.23338 - In re: Gina Michele Smith. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Gina Michele Smith is suspended from the practice of law for sixty (60) days and until further order of the Court, with the suspension stayed in its entirety by a one (1) year period of probation, subject to the following conditions:

a. Respondent shall comply with all treatment recommendations of Paul Rivkin, M.D., or such other qualified psychiatrist, including taking medications, if prescribed;

b. Respondent shall provide to Dr. Rivkin or such other mental health professional an appropriate release authorizing the treating professional:

1. to disclose to the Administrator on a quarterly basis information pertaining to the nature of and respondent's compliance with any treatment plan established with respect to respondent's condition,

2. to promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan, and

3. to respond to any specific inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plan;

c. Respondent shall notify the Administrator within fourteen (14) days of any change in treatment professionals;

d. Respondent shall submit written reports to the Administrator at least every quarter concerning the status of her practice of law and the nature and extent of her compliance with the terms of probation;

e. Respondent shall notify the Administrator within fourteen (14) days of any change of address;

f. Respondent shall comply with the Illinois Rules of Professional Conduct;

g. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Administrator for the costs of this proceeding as defined in Supreme Court Rule 773 and reimburse the Commission for any further costs incurred during the program of probation; and

h. Probation will be revoked if respondent is found to have violated any of the conditions of probation, and respondent's suspension for sixty (60) days and until further order of the Court shall commence on the date that her probation is revoked. Probation will terminate without further order of the Court upon satisfaction of the conditions.

Respondent Gina Michele Smith shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.23339 - In re: Dennis John Callahan. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Dennis John Callahan is suspended from the practice of law for three (3) years and until further order of the Court.

Order entered by the Court.

M.R.23347 - In re: Steven Allen Smith. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent Steven Allen Smith is suspended from the practice of law for two (2) years and until he attends and successfully completes the professionalism seminar conducted by the Illinois Professional Responsibility Institute, as recommended by the Review Board.

Suspension effective December 8, 2009.

Respondent Steven Allen Smith shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.23352 - In re: Edward Earle Hearn. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed, and respondent Edward Earle Hearn is disbarred.

Order entered by the Court.

M.R.23363 - In re: Mark D. Bradley. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Mark D. Bradley is suspended from the practice of law for one (1) year and until further order of the Court.

Order entered by the Court.

M.R.23368 - In re: Kenneth Edward Mateas. Disciplinary Commission.

The motion by Kenneth Edward Mateas to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.23379 - In re: James Gordon Banks. 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, and respondent James Gordon Banks is suspended from the practice of law for ninety (90) days.

Suspension effective December 8, 2009.

Respondent James Gordon Banks shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.23393 - In re: James Brian Pierce. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed, and respondent James Brian Pierce is suspended from the practice of law for one (1) year and until further order of the Court.

Order entered by the Court.

Thomas, J., took no part.

M.R.23394 - In re: Patricia Montes DeOca. 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 Patricia Montes DeOca is suspended from the practice of law for six (6) months and until she makes restitution to Sherri Wood in the amount of \$242.82 and Marlene Witthoft in the amount of \$1,899.00.

Suspension effective December 8, 2009.

Respondent Patricia Montes DeOca shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.23402 - In re: Michael Joseph Pietrzak. Disciplinary Commission.
M.R.22909

(23402) The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Michael Joseph Pietrzak is suspended from the practice of law for three (3) years and until he pays restitution in the amount of \$374,690.00 to the Internal Revenue Service, through the Clerk of the United States District Court for the District of Nevada, Las Vegas.

Suspension effective December 8, 2009.

Respondent Michael Joseph Pietrzak shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

(22909) The rule to show cause issued to respondent Michael Joseph Pietrzak on January 20, 2009, pursuant to Supreme Court Rule 761 is discharged.

Order entered by the Court.

M.R.23419 - In re: John F. Pawloski. Disciplinary Commission.

The motion by John F. Pawloski to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.