

SUPREME COURT OF ILLINOIS

FRIDAY, JANUARY 17, 2014

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.26177 - In re: Martin J. McKenzie. Disciplinary Commission.

The motion by Martin J. McKenzie for leave to file response to the Administrator's amendment to the motion to approve and confirm the report and recommendation of the Review Board instanter is allowed.

Order entered by the Court.

The amended 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 Martin J. McKenzie is suspended from the practice of law for thirty (30) days.

Suspension effective February 7, 2014.

Respondent Martin J. McKenzie 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.26312 - In re: Marvin Marshall. Disciplinary Commission.

The petition by respondent Marvin Marshall 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 six (6) months and until he makes restitution to Jessica Williams in the amount of \$18,100, as recommended by the Review Board.

Suspension effective February 7, 2014.

Respondent Marvin Marshall 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.26328 - In re: Robert Kenneth Lock, Jr. Disciplinary Commission.

The petition by respondent Robert Kenneth Lock, Jr. 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 one (1) year and until further order of the Court, as recommended by the Review Board.

Order entered by the Court.

M.R.26335 - In re: Ana B. Tristan. 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 Ana B. Tristan 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.26341 - In re: Gary Evan Peel. Disciplinary Commission.

The petition by respondent Gary Evan Peel for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent is disbarred, as recommended by the Review Board.

Order entered by the Court.

M.R.26357 - In re: Jeremy Scott Brenman. 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 Jeremy Scott Brenman 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.26358 - In re: Jess Evan Forrest. 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 Jess Evan Forrest is suspended from the practice of law for six (6) months.

Suspension effective February 7, 2014.

Respondent Jess Evan Forrest 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.26359 - In re: James Joseph Graney. 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 Joseph Graney 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.26385 - In re: Thomas J. Fleischmann. 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 Thomas J. Fleischmann is suspended from the practice of law for sixty (60) days.

Suspension effective February 7, 2014.

Respondent Thomas J. Fleischmann 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.26393 - In re: Lonnie L. Lutz. Disciplinary Commission.

The motion by Lonnie L. Lutz 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.26427 - In re: K.O. Johnson. 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 K.O. Johnson is suspended from the practice of law for eighteen (18) months and until he pays restitution in the amount of \$1,443 to David Cunz.

Suspension effective February 7, 2014.

Respondent K.O. Johnson 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.26428 - In re: Patrick Joseph O'Connor. Disciplinary  
M.R.26239 Commission.

(26428) 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 Patrick Joseph O'Connor is suspended from the practice of law for one (1) year.

Suspension effective February 7, 2014.

Respondent Patrick Joseph O'Connor 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.

(26239) The rule to show cause that issued to respondent Patrick Joseph O'Connor on August 26, 2013, and continued until further order of the Court on November 5, 2013, is discharged.

Order entered by the Court.

M.R.26429 - In re: Mark Vince Tillman. 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 allowed. Respondent Mark Vince Tillman is suspended from the practice of law for two (2) years and until he successfully completes the Attorney Registration and Disciplinary Commission Professionalism Seminar.

Suspension effective February 7, 2014.

Respondent Mark Vince Tillman 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.26430 - In re: Sharon E. Williams. Disciplinary Commission.

The motion by Sharon E. Williams for leave to file response to the Administrator's motion to approve and confirm the report and recommendation of the Review Board on or before January 31, 2014, is denied.

Order entered by Justice Theis.

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 Sharon E. Williams is suspended from the practice of law for four (4) months, followed by a one (1)-year period of probation subject to the following conditions:

1. 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 her conduct;

2. 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 her practice of law and the nature and extent of her compliance with the conditions of probation;

3. Respondent shall, within the first thirty (30) days of probation, enroll in a law office management program sponsored by or through the Cook County, Chicago, or other bar association and shall, upon enrollment, notify the Administrator, in writing, of the name of the attorney with whom respondent is assigned to work. Respondent shall successfully complete the law office management program at least thirty (30) days prior to the end of the probation term. Through respondent's participation in the law office management program, respondent shall establish and utilize the following:

a. A system for maintaining records as required by Supreme Court Rule 769;

b. A diary and docketing system in accordance with the requirements established by the law office management program, including a mechanism by which approaching statutes of limitations and other filing deadlines are noted;

c. A system by which telephone messages are recorded and telephone calls are returned in a timely manner;

d. A system by which written requests by clients for the status of their legal matters are answered, either orally or in writing, in a timely manner;

e. A system whereby clients are apprised at the outset of representation of the basis upon which fees will be calculated and costs paid;

f. For cases in which the fee is to be calculated on an hourly basis, a system by which clients are provided with regular itemized billing statements provided at least quarterly, setting forth the services performed by respondent, the date upon which each service was performed, the time spent by respondent on each service and the amount to be charged to the client; and

g. A system for the handling of funds belonging to clients and third parties that conforms to the requirements of Rule 1.15 of the Illinois Rules of Professional Conduct and instructions provided to respondent by the Administrator, including the appropriate Trust Account Procedures.

4. Respondent shall authorize the attorney assigned to work with her in the law office management program to:

a. Review all fee agreements entered into between respondent and her clients and periodically review pleadings filed by respondent in court for compliance with the Rules of Professional Conduct and applicable rules of civil procedure;

b. Disclose to the Administrator on a quarterly basis, by way of signed reports, information pertaining to the nature of respondent's compliance with the law office management program and the above-described conditions;

c. Promptly report to the Administrator respondent's failure to comply with any part of the above-described conditions; and

d. Respond to any inquiries by the Administrator regarding respondent's compliance with the above-described conditions.

5. 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;

6. 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 her conduct;

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

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

9. At least thirty (30) days prior to the termination of the period of probation, respondent shall complete and provide proof to the Administrator of the payment of restitution in the total amount of \$8,230 to Anton Anderson and Alyssa Hill; and

10. Probation shall be revoked if respondent is found to have violated any of the terms of probation. If probation is revoked, respondent shall be suspended until further order of the Court.

Suspension effective February 7, 2014.

Order entered by the Court.

M.R.26460 - In re: Patrick Andrew Fleming. 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 Patrick Andrew Fleming is censured.

Order entered by the Court.

M.R.26461 - In re: Robert T. Hall. 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 is suspended from the practice of law for six (6) months, as recommended by the Review Board.

Suspension effective February 7, 2014.

Respondent Robert T. Hall 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.

Garman, C.J., took no part.

M.R.26487 - In re: Matthew John McDonald. 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 Matthew John McDonald is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed after sixty (60) days by a two (2)-year period of probation subject to the following conditions:

a. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

b. Respondent 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 testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

c. Within sixty (60) days of the entry of this order, respondent shall contact the Lawyers' Assistance Program of Illinois, or such other qualified mental health professional acceptable to the Administrator, and during the period of probation he shall comply with all counseling and treatment recommendations;

d. Respondent shall provide to the Lawyers' Assistance Program, or such other qualified mental health professional acceptable to the Administrator, 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;

e. 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;

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

g. Respondent 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 being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent'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 or her knowledge of that usage;

h. Respondent 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;

i. 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;

j. 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;

k. 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;

l. 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;

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

n. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining twenty-two (22)-month 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 February 7, 2014.

Order entered by the Court.