

SUPREME COURT OF ILLINOIS

THURSDAY, SEPTEMBER 22, 2016

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.27265 - In re: Thomas Earl Hildebrand Jr. 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 petitioner, Thomas Earl Hildebrand Jr. is reinstated to the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 767, subject to the following conditions, which shall be applicable during the first five (5) years following his reinstatement:

1. Petitioner shall comply with 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 misconduct;
2. Petitioner, upon reinstatement, shall comply with the Minimum Continuing Legal Education requirements for reinstated attorneys in Supreme Court Rule 791(f);
3. Petitioner's practice shall be mentored by an attorney approved by the Administrator;
4. Petitioner shall meet with the mentor at least every two (2) weeks concerning petitioner's practice of law;
5. The mentor shall meet with a representative of the Administrator and work out a mentoring plan, which shall include the mentor submitting a written report every three (3) months to the Administrator regarding the petitioner's practice, the number of cases being handled by petitioner, and the mentor's general appraisal of petitioner's practice of law;
6. Petitioner shall notify the Administrator within seven (7) days if the mentoring attorney is unable to serve;

7. Petitioner and the mentoring attorney shall promptly report any violation of the Illinois Rules of Professional Conduct by petitioner;

8. Petitioner shall, within one (1) year of his reinstatement, successfully complete the Attorney Registration and Disciplinary Commission Professionalism Seminar; and

9. Petitioner's conditional reinstatement shall be revoked if he is found to have violated any of the conditions of reinstatement, and he shall be suspended from the practice of law until further order of the Court.

Order entered by the Court.

Karmeier, J., took no part.

M.R.28038 - In re: Robert Allan Holstein. Disciplinary
M.R.28059 Commission.

(28038) 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 Robert Allan Holstein is suspended from the practice of law for eighteen (18) months.

Suspension effective October 13, 2016.

Respondent Robert Allan Holstein 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.

Freeman, J., took no part.

(28059) Respondent Robert Allan Holstein, having failed to file a petition for leave to file exceptions to the report and recommendation of the Review Board within the time allowed by order, this case is dismissed.

Order entered by the Court.

Freeman, J., took no part.

M.R.28058 - In re: John C. Torjesen. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent John C. Torjesen, who has been disciplined in the State of California, is suspended from the practice of law in the State of Illinois for one (1) year, with the suspension stayed after thirty (30) days by a two (2) year period of probation, nunc pro tunc to March 20, 2015, subject to the conditions imposed upon respondent by the Supreme Court of California.

Suspension effective October 13, 2016.

Respondent John C. Torjesen 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/probation.

Order entered by the Court.

M.R.28077 - In re: Philip C. Gallagher. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Philip C. Gallagher, who has been disciplined in the State of California, is suspended from the practice of law in the State of Illinois for thirty (30) days.

Suspension effective October 13, 2016.

Respondent Philip C. Gallagher 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.28081 - In re: Vincent J. O'Brien. Disciplinary
M.R.27993 Commission.

(28081) 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 Vincent J. O'Brien is suspended from the practice of law for nine (9) months, with the suspension stayed after four (4) months by a twelve (12) month period of probation, subject to the following conditions:

a. 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;

b. Respondent shall successfully complete the ARDC Professionalism Seminar within the first six (6) months of probation;

c. Respondent shall, during the first thirty (30) days of his suspension, enroll in a law office management program acceptable to the Administrator 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 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:

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

ii. 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;

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

iv. 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;

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

vi. 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, and the time spent by respondent on each service and the amount to be charged to the client;

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

i. 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;

ii. promptly report to the Administrator respondent's failure to comply with any part of the above described conditions; and

iii. respond to any inquiries by the Administrator regarding respondent's compliance with the above described conditions;

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 notify the Administrator within fourteen (14) days of any change of address;

g. 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;

h. 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;

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; and

j. Probation shall be revoked if respondent is found to have violated any of the terms of his probation. The remaining five (5)-month period of suspension shall commence from the date of the determination that any term of probation has been violated.

Suspension effective October 13, 2016.

Order entered by the Court.

(27993) Respondent, Vincent J. O'Brien, having failed to file a petition for leave to file exceptions to the report and recommendation of the Review Board within the time allowed by order, this case is dismissed.

Order entered by the Court.

M.R.28087 - In re: Robert Alan Habib. 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 Robert Alan Habib is censured.

Order entered by the Court.

M.R.28096 - In re: Timothy John Coffey. 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 Timothy John Coffey 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 two (2) year period of probation, subject to the following conditions:

a. Respondent shall continue his course of treatment and engage in individual therapy with Sandra Corbett, or another qualified therapist acceptable to the Administrator, and shall report to his therapist or such other qualified therapist as needed, with the Administrator advised of any change in attendance deemed warranted by such professional;

b. Respondent shall provide to his therapist, an appropriate release authorizing the treatment providers 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;

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

d. Respondent shall successfully complete the Professionalism Seminar offered by the Commission within the first year of probation;

e. Respondent shall complete the CLE webcast offered on the Commission's website, entitled The Ethical Requirements of Handling Trust Funds under ILRPC 1.15 within the first six (6) months of probation;

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

g. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct; and

h. Probation shall be revoked if respondent is found to have violated any of the terms of probation described in subparagraphs (a) through (g), above, and respondent shall be suspended for sixty (60) days, commencing on the date his probation is revoked.

Order entered by the Court.

M.R.28097 - In re: Stephen Jay McMullen. 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 Stephen Jay McMullen is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed in its entirety 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 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. Respondent shall pay any and all costs of such testing;

c. 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;

d. Within the first thirty (30) days of probation, respondent shall submit to an evaluation conducted by the Lawyers' Assistance Program and shall comply with any and all treatment recommendations of that program;

e. Respondent shall provide the Lawyers' Assistance Program with an appropriate release, authorizing the program to: (1) disclose to the Administrator, on a quarterly basis, information pertaining to the nature of 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 inquiries by the Administrator regarding respondent's treatment and compliance with any established treatment plan;

f. 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;

g. 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;

h. 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;

i. 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;

j. 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;

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

l. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The two (2) 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.

Order entered by the Court.

Burke, J., took no part.

M.R.28129 - In re: Douglas Alan Shenk. 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 Douglas Alan Shenk is suspended from the practice of law for thirty (30) days and required to successfully

complete the Attorney Registration and Disciplinary Commission Professionalism Seminar within one (1) year of the entry of the Court's final order of discipline.

Suspension effective October 13, 2016.

Respondent Douglas Alan Shenk 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.28137 - In re: Dwight Lenore Beck. 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 Dwight Lenore Beck is disbarred.

Order entered by the Court.

M.R.28141 - In re: Joel S. Alpert. Disciplinary Commission

The amended motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the amended report and recommendation of the Hearing Board is allowed, and respondent Joel S. Alpert is disbarred.

Order entered by the Court.

M.R.28145 - In re: Barbara Jean Revak. 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. The case against respondent Barbara Jean Revak is dismissed, as recommended by the Review Board.

Order entered by the Court.

M.R.28150 - In re: Peter Alexander Papoutsis. 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 Peter Alexander Papoutsis is censured.

Order entered by the Court.

M.R.28151 - In re: Mario J. Tarara. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Mario J. Tarara, who has been disciplined in the State of Wisconsin, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.28157 - In re: Robert Danny Lattas. Disciplinary Commission.

The motion by Robert Danny Lattas 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.28163 - In re: David Joel Silberman. 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 David Joel Silberman is disbarred.

Order entered by the Court.

M.R.28164 - In re: James E. Taylor. 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 James E. Taylor is suspended from the practice of law for

one (1) year, with the suspension stayed after sixty (60) days by a two (2) year period of probation, subject to the following conditions:

a. Respondent shall continue in a course of mental health treatment through a medical provider acceptable to the Administrator, and shall comply with all treatment recommendations, until successfully discharged by the professionals at the program or the termination of probation, whichever occurs first, with the Administrator advised of any discharge. Respondent shall provide proof of his participation in mental health treatment to the Administrator on at least a quarterly basis;

b. Respondent shall provide to his medical providers an appropriate release authorizing the treating providers 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;

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

d. At least sixty (60) days prior to the termination of the period of probation, respondent shall make restitution of \$2,500 to the treasurer of the alumni association, \$5,000 to Mali White, \$1,000 to Lynette McClure, and \$750 to Loretta Ragsdell;

e. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773;

f. 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;

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

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

i. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct; and

j. Probation shall be revoked if respondent is found to have violated any of the terms of probation described in subparagraphs (a) through(i), above, and respondent shall be suspended for the remaining ten (10) months of his suspension, commencing on the date his probation is revoked.

Suspension effective October 13, 2016.

Order entered by the Court.

M.R.28165 - In re: John Patrick Coleman. Disciplinary Commission.

The petition by John Patrick Coleman to be placed on permanent retirement status pursuant to Supreme Court Rule 756(a)(8) is allowed, effective immediately.

Order entered by the Court.

M.R.28167 - In re: Frank Anthony Santilli. Disciplinary Commission.

The motion by Frank Anthony Santilli 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.28179 - In re: Bradley F. Aubel. 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 Bradley F. Aubel is disbarred.

Order entered by the Court.

M.R.28180 - In re: Larry S. Mayster. 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 Larry S. Mayster is suspended from the practice of law for six (6) months, with the suspension stayed after thirty (30) days by a six (6) month period of probation, subject to the following conditions which shall be effective upon the entry of the Court's final order of discipline:

a. Respondent shall establish a recordkeeping system for his client trust account ending in the four digits 1879 that fully comports with Rule 1.15(a) of the Illinois Rules of Professional Conduct (2010) and provide the Administrator with proof of compliance with the following provisions prior to the 30th day of his suspension:

i. prepare and maintain receipt and disbursement journals for all client trust accounts required by Rule 1.15(a) containing a record of deposits and withdrawals from client trust accounts specifically identifying the date, source, and description of each item deposited, and the date, payee and purpose of each disbursement;

ii. prepare and maintain contemporaneous ledger records for all client trust accounts showing, for each separate trust client or beneficiary, the source of all funds deposited, the date of each deposit, the names of all persons for whom the funds are or were held, the amount of such funds, the dates, descriptions and amounts of charges or withdrawals, and the names of all persons to whom such funds were disbursed;

iii. maintain copies of all accountings to clients or third persons showing the disbursement of funds to them or on their behalf, along with copies of those portions of clients' files that are reasonably necessary for a complete understanding of the financial transactions pertaining to them;

iv. maintain all client trust account checkbook registers, check stubs, bank statements, records of deposit, and checks or other records of debits;

v. maintain copies of all retainer and compensation agreements with clients;

vi. maintain copies of all bills rendered to clients for legal fees and expenses; and

vii. prepare and maintain monthly reconciliation reports of all client trust accounts, including reconciliations of ledger balances with client trust account balances.

b. Respondent shall retroactively apply his new record keeping structure to the time period of December 2013 through April 2014 and provide the Administrator with proof of its application prior to the 30th day of his suspension;

c. Respondent shall provide the Administrator with the records and reconciliations, provided in subparagraph a, (i) through (vii) above, by the 15th of the month during each of the six (6) months of respondent's probation;

d. 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;

e. At least thirty (30) days prior to the termination of the period of probation, 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;

f. 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;

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

h. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining five (5) month period of suspension shall commence from the date of the determination that any term of probation has been violated; and

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

Suspension effective October 13, 2016.

Order entered by the Court.

M.R.28181 - In re: Edward Christopher Abderholden.
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 Edward Christopher Abderholden is suspended from the practice of law for six (6) months and until further order of the Court, with the suspension stayed in its entirety by a two (2) year period of probation, subject to the following conditions:

a. 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;

b. 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;

c. Respondent shall have in place 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 following Trust Account Procedures:

Basic accounting records that must be maintained daily and accurately;

Account Check Register - list sequentially all trust account deposits and trust account checks and maintain a current and accurate daily balance on the trust account;

Account Receipts Journal - list chronologically all deposits into the trust account, each deposit to list the date of the deposit, the source of each deposit, the client matter, the deposit number and the amount of the deposit, and maintain a copy of each item deposited;

Account Disbursement Journal - list chronologically all trust account disbursements and identify each disbursement with the date of the disbursement check, the trust account check number, the payee, the purpose of the disbursement, the client matter and the amount of the disbursement check;

Client Ledger Journal - list chronologically for each client matter all receipts, disbursements and remaining balances, preparing a separate page for each client matter and listing chronologically all receipts and disbursements and remaining balances for each client matter;

Source documents which must be preserved for seven (7) years:

Bank statements;

Deposit slips;

Cancelled checks - all trust account checks must have a named payee (no checks written to "cash") and the memo portion of the check must contain a reference to a client matter;

Time and billing records; and

Copies of records from client files that are necessary for a full understanding of the lawyer's financial transactions with the client: e.g., retainer and engagement agreements; settlement statements to clients showing the disbursement of the settlement proceeds; bills sent to clients and records of payments to other lawyers or non-employees for services rendered;

Reconciliation reports - There must be a running balance maintained for all ledgers and account books, and the balances in the client ledger journal must be reconciled each month with the balances in the trust receipts and disbursement journals, the account checkbook register and the bank statements. Records of each reconciliation must be maintained for seven (7) years;

d. Respondent's practice of law shall be supervised by a licensed attorney acceptable to the Administrator;

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

i. 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;

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

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

f. Respondent shall participate in a course of treatment with Dr. Fabian Carbonell or a comparable mental health professional acceptable to the Administrator and shall comply with all treatment recommendations of the therapist. The frequency and duration of treatment shall be determined by the therapist and respondent;

g. Respondent shall provide to his therapist an appropriate release authorizing the treating professional to (1) disclose to the Administrator on at least a quarterly basis information pertinent to the nature of respondent's compliance with any treatment plan; (2) promptly report to the Administrator respondent's failure to comply with the plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with the treatment plan;

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

i. 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;

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

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

l. Probation shall be revoked if respondent is found to have violated any of the terms of his probation. The period of suspension shall commence from the date of the determination that any term of probation has been violated.

Order entered by the Court.

M.R.28182 - In re: Robert Christopher Beck. 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 Robert Christopher Beck is disbarred.

Order entered by the Court.

M.R.28191 - In re: Reid D. Henderson. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Reid D. Henderson, who has been disciplined in the District of Columbia, is disbarred in the State of Illinois.

Order entered by the Court.

M.R.28193 - In re: Stephen N. Roth. Disciplinary Commission.

The petition by Stephen N. Roth to be placed on permanent retirement status pursuant to Supreme Court Rule 756(a)(8) is allowed, effective immediately.

Order entered by the Court.

M.R.28204 - In re: Kevin S. Besetzny. 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 Kevin S. Besetzny is suspended from the practice of law for one (1) year, with the suspension stayed after ninety (90) days by an eighteen (18) month period of probation subject to the following conditions:

a. 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;

b. 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;

c. 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;

d. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining period of suspension shall commence from the date of the determination that any term of probation has been violated;

e. 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;

f. 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;

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

h. Respondent shall, within the first thirty (30) days of probation, enroll in a law office management program acceptable to the Administrator 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:

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

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

iii. a system by which telephone messages are recorded and telephone calls are returned in a timely fashion;

iv. a system by which written requests by clients for the status of their legal matters are responded to, either orally or in writing, in a timely matter;

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

vi. 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 the 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

vii. 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 following Trust Account procedures:

Basic accounting records that must be maintained daily and accurately:

Account Check Register - list sequentially all trust account deposits and trust account checks and maintain a current and accurate daily balance on the trust account;

Account Receipts Journal - list chronologically all deposits into the trust account, each deposit to list the date of the deposit, the source of each deposit, the client matter, the deposit number and the amount of the deposit, and maintain a copy of each item deposited;

Account Disbursement Journal - list chronologically all trust account disbursements and identify each disbursement with the date of the disbursement check, the trust account check number, the payee, the purpose of the disbursement, the client matter and the amount of the disbursement check;

Client Ledger Journal - list chronologically for each client matter all receipts, disbursements and remaining balances, preparing a separate page for each client matter and listing chronologically all receipts and disbursements and remaining balances for each client matter; and

Source documents which must be preserved for seven (7) years:

Bank statements;

Deposit slips;

Cancelled checks - all trust account checks must have a named payee (no checks written to "cash") and the memo portion of the check must contain a reference to a client matter;

Time and billing records; and

Copies of records from client files that are necessary for a full understanding of the lawyer's financial transactions with the client: e.g., retainer and engagement agreements; settlement statements to clients showing the disbursement of the settlement proceeds; bills sent to clients and records of payments to other lawyers or non-employees for services rendered;

Reconciliation reports - there must be a running balance maintained for all ledgers and account books, and the balances in the client ledger journal must be reconciled each month with the balances in the trust receipts and disbursement journals, the account checkbook register and the bank statements. Records of each reconciliation must be maintained for seven (7) years;

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

i. 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;

ii. promptly report to the Administrator respondent's failure to comply with any part of the above described conditions; and

iii. respond to any inquiries by the Administrator regarding respondent's compliance with the above described conditions;

j. Within the first thirty (30) days of probation, respondent shall submit to an evaluation conducted by the Lawyers' Assistance Program and shall comply with any and all treatment recommendations of that program; and

k. Respondent shall provide the Lawyers' Assistance Program with an appropriate release, authorizing the program to: (1) disclose to the Administrator, on 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 treatment and compliance with any established treatment plan.

Suspension effective October 13, 2016.

Order entered by the Court.

M.R.28205 - In re: Charles Augustus Boyle. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Charles Augustus Boyle, who has been disciplined in the State of Wisconsin, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.28217 - In re: Ronald L. McPheron. 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 Ronald L. McPheron is disbarred.

Order entered by the Court.

M.R.28220 - In re: Kevin David Posch. Disciplinary Commission.

The motion by Kevin David Posch 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.28221 - In re: Seth Gillman. Disciplinary Commission.

The motion by Seth Gillman 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.28222 - In re: John Richard Gaertner Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent John Richard Gaertner Jr., who has been disciplined in the State of Arizona, is censured in the State of Illinois and placed on probation subject to the conditions of probation imposed upon respondent by the Supreme Court of Arizona and until he successfully completes his period of probation in Arizona.

Order entered by the Court.

M.R.28238 - In re: Htin Myat Win. 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 Htin Myat Win is suspended from the practice of law for one (1) year.

Suspension effective October 13, 2016.

Respondent Htin Myat Win 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.28240 - In re: Jarvis Edmond Williams. 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 Jarvis Edmond Williams 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.28250 - In re: William Gerald Schick. Disciplinary Commission.

The petition by William Gerald Schick to be placed on permanent retirement status pursuant to Supreme Court Rule 756(a)(8) is allowed, effective immediately.

Order entered by the Court.

M.R.28253 - In re: Gary Edward Kovall. Disciplinary Commission.

The motion by Gary Edward Kovall 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.28254 - In re: Dale Robert Wiles. Disciplinary Commission.

The motion by Dale Robert Wiles 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.28265 - In re: Jackson Edward Donley. 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 Jackson Edward Donley is suspended from the practice of law for one (1) year and until further order of

the Court, with the suspension stayed after three (3) months by a two (2) year period of probation, subject to the following conditions:

a. 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;

b. 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;

c. 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;

d. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining nine (9)-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;

e. 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;

f. 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;

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

h. Respondent shall continue in his course of treatment with Dr. Terry Killian, or such other qualified mental health professional acceptable to the Administrator, and shall report to Dr. Killian, 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;

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

j. Respondent shall also begin, within thirty (30) days of the effective date of this order, a course of treatment with a psychotherapist acceptable to the Administrator, and shall meet with the therapist on a regular basis of not less than twice per month, with the Administrator advised of any change in attendance deemed warranted by such professional;

k. Respondent shall provide to his psychotherapist and to Dr. Killian, 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;

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

m. Probation shall terminate without further order of the Court provided that respondent complies with the above conditions of probation.

Suspension effective October 13, 2016.

Order entered by the Court.