

SUPREME COURT OF ILLINOIS

MONDAY, MARCH 20, 2017

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.27712 - In re: Paul Leslie Shelton. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for order and judgment for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$8,941.62 are assessed against Paul Leslie Shelton, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within thirty (30) days of the entry of this order.

Judgment in the amount of \$8,941.62 is entered for the Attorney Registration and Disciplinary Commission and against Paul Leslie Shelton.

Order entered by the Court.

M.R.28453 - In re: James Gordon Walker. Disciplinary Commission.

The petition by respondent James Gordon Walker for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent James Gordon Walker is suspended from the practice of law for two (2) years and until further order of the Court, as recommended by the Review Board.

Order entered by the Court.

M.R.28479 - In re: Michael David Gerhardt. 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 Michael David Gerhardt is disbarred.

Order entered by the Court.

M.R.28484 - In re: Jerald Allen Hochsztein. 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 Jerald Allen Hochsztein, who has been disciplined in the State of Missouri, is disbarred in the State of Illinois.

Order entered by the Court.

M.R.28487 - In re: Joel Mitchell Bell. Disciplinary Commission.

The motion by Joel Mitchell Bell 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.28490 - In re: David Kyle Cooper. 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 David Kyle Cooper is suspended from the practice of law for ninety (90) days and until he successfully completes the Attorney Registration and Disciplinary Commission Professionalism Seminar.

Suspension effective April 10, 2017.

Respondent David Kyle Cooper 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.28491 - In re: Robert T. McAllister. Disciplinary Commission.

The motion by Robert T. McAllister 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.28492 - In re: Robert Jutzi Howell. Disciplinary Commission.

The motion by Robert Jutzi Howell 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.28493 - In re: Vincent J. O'Brien. 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, Vincent J. O'Brien is suspended from the practice of law for two (2) years and until further of the Court and required to show proof of restitution in the amount of \$750.00 to Gregory Phipps; \$549.21 to Blue Cross Blue Shield; \$420.00 to Commitment Physical Therapy; and \$250.79 to Erika Lanuti as a condition of reinstatement.

Order entered by the Court.

M.R.28494 - In re: Matthew R. Hartley. 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 Matthew R. Hartley, who has been disciplined in the State of Arizona, is censured in the State of Illinois and placed on probation for a period of one (1) year, nunc pro tunc, to June 23, 2015, which shall be deemed satisfied in Illinois by respondent's successful completion of the period of probation imposed by the Supreme Court of Arizona.

Respondent Matthew R. Hartley 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 probation.

Order entered by the Court.

M.R.28495 - In re: Steven Michael Landis. 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 Steven Michael Landis is censured.

Order entered by the Court.

M.R.28496 - In re: Michael Leslie Cummings. 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 Michael Leslie Cummings is suspended from the practice of law for six (6) months.

Suspension effective April 10, 2017.

Respondent Michael Leslie Cummings 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.28497 - In re: Charles A. Lukis. 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 Charles A Lukis is suspended from the practice of law for thirty (30) days.

Suspension effective April 10, 2017.

Respondent Charles A. Lukis 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.28528 - In re: Kenneth A. Grnacek. 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 Kenneth A. Grnacek is censured.

Order entered by the Court.

M.R.28529 - In re: Alfonso S. Bascos. 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 Alfonso S. Bascos 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.28530 - In re: G. Ronald Kesinger. 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, in part, and respondent G. Ronald Kesinger 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.28532 - In re: Dewey Richard Haime. 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 Dewey Richard Haime is suspended from the practice of law for sixty (60) days and is required to successfully complete the Attorney Registration and Disciplinary Commission Professionalism Seminar within one (1) year of the Court's final order of discipline.

Suspension effective April 10, 2017.

Respondent Dewey Richard Haime 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.28534 - In re: Helen A. Lesczynski. 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 Helen A. Lesczynski is suspended from the practice of law for one (1) year.

Suspension effective April 10, 2017.

Respondent Helen A. Lesczynski 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.28536 - In re: Barry Michael Lewis. 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 denied.

Order entered by the Court.

M.R.28545 - In re: David Raymond Wroblewski. 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 David Raymond Wroblewski, who has been disciplined in the State of Arizona, is suspended from the practice of law in the State of Illinois for four (4) years and until he is reinstated to the practice of law in the State of Arizona.

Suspension effective April 10, 2017.

Respondent David Raymond Wroblewski 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.28568 - In re: Teresa Searcy Woods. 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 Teresa Searcy Woods is disbarred.

Order entered by the Court.

M.R.28587 - In re: Magdalene Rose Wilson. 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 Magdalene Rose Wilson is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed after ninety (90) days if respondent has completed the payment of restitution in the amount of \$12,119, subject to a two (2) year period of probation, subject to the following conditions, with conditions (a) through (h) to commence upon the effective date of the Court's order:

a. Prior to the stay of suspension, respondent shall make restitution as follows:

1. Lorrie Senko	\$2,500
2. Jamie Alongi	\$2,000
3. Krissi Lorenz	\$1,000
4. Dexter Choi	\$2,500
5. Christopher Sandin	\$4,119

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

c. Respondent shall comply with any and all treatment and continuing care recommendations of Dr. Richard Wagner and the Behavioral Services Treatment program or other addiction psychiatrist and treatment program approved by the Administrator;

d. Respondent shall participate in Alcoholics Anonymous and/or the Illinois Lawyers' Assistance Program by attending at least two meetings a week. Respondent is to maintain a log of her attendance at the meetings and submit them to the Administrator with her quarterly reports;

e. Respondent shall provide the Administrator and Dr. Wagner, the Behavioral Services treatment program, the Lawyers' Assistance Program or other approved addiction psychiatrist and treatment program(s) with an appropriate release, authorizing the treating professionals to:

i. disclose to the Administrator information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition;

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

iii. to respond to any inquiries by the Administrator regarding respondent's treatment and compliance with any established treatment plan;

f. 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 she 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;

g. Respondent shall report to the Administrator any lapse in her sobriety or usage of any unprescribed controlled substances within seventy-two (72) hours of that usage;

h. 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;

i. Respondent shall successfully complete the ARDC Professionalism Seminar within the first year of probation;

j. Respondent shall, within the first sixty (60) days of probation, establish a relationship with an attorney, acceptable to the Administrator, who

will monitor, assess and implement appropriate law office management practices in respondent's practice of law. Respondent shall receive approval from the Administrator of any change in attorney monitor. Respondent shall meet with the attorney monitor at least once per month concerning respondent's practice of law. 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 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;

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

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; and

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; and

Time and billing records;

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; and

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. Copies of each report shall be provided to the Administrator monthly. Records of each reconciliation must be maintained for seven (7) years; and

viii. Respondent shall authorize the attorney assigned to work with her in the law office management program to: (1) 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; (2) promptly report to the Administrator respondent's failure to comply with any part of the above described conditions; and (3) respond to any inquiries by the Administrator regarding respondent's compliance with the above described condition;

k. 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;

l. 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;

m. 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;

n. 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;

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

p. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining portion of 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.

Suspension effective April 10, 2017.

Order entered by the Court.