

SUPREME COURT OF ILLINOIS

TUESDAY, NOVEMBER 22, 2005

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.19469 - In re: Ray Jeffrey Cohen. 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. The petition of Ray Jeffrey Cohen for reinstatement to the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 767 is allowed.

Order entered by the Court.

M.R.19661 - In re: Robert Berry Mays, Jr. Disciplinary Commission.

In view of the suggestion of the death of Robert Berry Mays, Jr. filed by the Administrator of the Attorney Registration and Disciplinary Commission, and the order of the Hearing Board of September 26, 2005, this case is closed.

Order entered by the Court.

M.R.19904 - In re: Nancy Salamone. 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. The petition of Nancy Salamone for restoration to active status pursuant to Supreme Court Rule 759 is allowed, subject to the following conditions for a period of two (2) years:

a. Petitioner shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Petitioner shall submit semi-annual written reports to the Administrator concerning the status of her practice and the nature and extent of her compliance with the conditions of restoration;

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

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

d. Petitioner shall report to Maureen Fayen, M.D., or such other qualified mental health professional acceptable to the Administrator, on a regular basis of not less than once every six (6) months, with the Administrator advised within fourteen (14) days of any change in attendance deemed warranted by such professional;

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

f. Petitioner shall provide to Dr. Fayen, or such other qualified mental health professional, with an appropriate release as required under the Confidentiality Act of the Mental Health Code, 740 ILCS 110/1 et seq., authorizing the treating professional to: (1) disclose to the Administrator on at least a semi-annual basis information pertaining to the nature of petitioner's compliance with any treatment plan established with respect to petitioner's condition; (2) promptly report to the Administrator petitioner's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding petitioner's mental or emotional state or compliance with any established treatment plan;

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

h. The Administrator shall report to the Court any noncompliance by the petitioner with any of the conditions imposed herein, and restoration to active status shall be revoked if petitioner is found to have violated any of the terms of restoration.

The stay of disciplinary proceedings in Commission case No. 95 CH 327, ordered by the Court on May 10, 1996, is lifted.

Orders entered by the Court.

M.R.20360 - In re: Stephen Craig Allen. 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 Stephen Craig Allen is disbarred.

Order entered by the Court.

M.R.20365 - In re: Jerry Finney. 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 Jerry Finney 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.20377 - In re: Michael William Przybylski. 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 William Przybylski is suspended from the practice of law for forty-five (45) days.

Suspension effective December 13, 2005.

Respondent Michael William Przybylski shall reimburse the Disciplinary 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.20381 - In re: William Francis Haley. 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 Francis Haley is suspended from the practice of law for one (1) year 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, with conditions (a) through (e) to take effect on the effective date of the order of discipline:

a. Respondent shall continue a course of treatment with his psychiatrist, Dr. John Larson, at Rush Behavioral Health, or another qualified psychiatrist acceptable to the Administrator, and shall report to the psychiatrist 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;

b. Respondent shall comply with all treatment recommendations of his psychiatrist, including the taking of medications as prescribed;

c. Respondent shall provide to his psychiatrist 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;

d. Respondent shall continue attending individual counseling for depression with a therapist at Rush Behavioral Health, or another similar program acceptable to the Administrator, at least once per week, until termination of his probation, with the Administrator advised of any change in attendance deemed warranted by such professional, and shall provide proof thereof to the Administrator on at least a quarterly basis;

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

f. At least thirty (30) days prior to the termination of his probation, respondent shall attend and complete the Professionalism Seminar offered by the Illinois Professional Responsibility Institute affiliated with the Attorney Registration and Disciplinary Commission and provide proof of attendance;

g. Respondent shall, within the first thirty (30) days of probation, enroll in a law office management program approved by the Administrator and notify the Administrator of the name of the attorney with whom he 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 his participation in the law office management program, respondent shall establish and utilize the following:

(1) a system for maintaining records as required by Supreme Court Rule 769;

(2) 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 are noted;

(3) a system by which telephone messages are recorded and telephone calls are returned in a timely manner;

(4) a system by which written requests by clients for the status of their legal matters are responded to, whether orally, or in writing, in a timely manner;

(5) for cases 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, a system for 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;

h. Respondent shall authorize the attorney assigned to work with him 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-describe conditions.

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

j. At least thirty (30) days prior to the

termination of the period of probation, respondent shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct;

k. 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;

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

m. 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;

n. Probation shall be revoked if respondent is found to have violated any of the terms of probation described in paragraphs (a) through (m), and respondent shall be suspended for the remaining ten (10) months of his suspension and until further order of court, commencing on the date his probation is revoked.

Suspension effective December 13, 2005.

Order entered by the Court.

M.R.20387 - In re: John Vander Weit, Jr. 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 John Vander Weit, Jr. is suspended from the practice of law for twelve (12) months and until he successfully completes the legal ethics course of the Illinois Professional Responsibility Institute and makes restitution to Robert Sweeney in the amount of \$5,400, and to Lynda Dolan and Sheila Cole in the total amount of \$1,000.

Suspension effective December 13, 2005.

Respondent John Vander Weit, Jr. shall reimburse the Disciplinary 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.20389 - In re: Jill Courtney Chenault. 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 Jill Courtney Chenault, who has been disciplined in the State of Michigan, is suspended from the practice of law in Illinois for one (1) year and until she is reinstated to the practice of law in Michigan.

Suspension effective December 13, 2005.

Respondent Jill Courtney Chenault shall reimburse the Disciplinary 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.20390 - In re: James George Madden. 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 George Madden is suspended from the practice of law for one (1) year.

Suspension effective December 13, 2005.

Respondent James George Madden shall reimburse the Disciplinary 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.20391 - In re: William D. Moore, Jr. Disciplinary Commission.

The motion by William D. Moore, Jr. 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.20397 - In re: James Brian Pierce. Disciplinary Commission.

The petitions by the Administrator of the Attorney Registration and Disciplinary Commission and respondent James Brian Pierce for leave to file exceptions to the report and recommendation of the Review Board are denied. As recommended by the Review Board, in part, respondent is suspended from the practice of law for five (5) months, with the final two (2) months of suspension stayed by a period of twelve (12) months' probation, subject to the following conditions:

1. Respondent shall establish and utilize a system for the handling of funds belonging to clients and third parties and the maintenance of records 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:

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 will list the date of the deposit, the source of the deposit, the client matter, the deposit number, and the amount of the deposit. Maintain a copy of each item deposited.

Account Disbursement Journal - List chronologically all trust account disbursements. 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. Prepare a separate page for each client matter and list 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

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.

Reconciliations

There must be a running balance maintained for all ledgers and account books. 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 these reconciliations must be maintained for seven (7) years.

2. During the period of probation, respondent shall meet with counsel for the Administrator on at least a quarterly basis and shall provide the Administrator with any and all documentation and records requested in order to verify his compliance with Condition One (1).

3. During the period of probation, respondent shall successfully complete the Professionalism Seminar conducted by the Illinois Professional Responsibility Institute.

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

5. 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.

6. 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.

7. Respondent shall keep an updated log listing all of his cases, showing in chronological order

the date as of which his clients' claims will be barred by the statute of limitations. The log will also indicate the date on which respondent was retained, the date the complaint was filed, if any, and the settlement date.

8. 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 the supervising attorney 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 and the supervisor's general appraisal of respondent's continued fitness to practice law.

9. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining two (2) months of suspension shall commence from the date of the determination that any term of probation has been violated.

Suspension effective December 13, 2005.

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

Order entered by the Court.

Thomas, C.J., took no part.

M.R.20398 - In re: Barry Michael Seltzer. 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 Barry Michael Seltzer is suspended from the practice of law for sixty (60) days.

Suspension effective December 13, 2005.

Respondent Barry Michael Seltzer shall reimburse the Disciplinary 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.20399 - In re: Mark Sciblo. 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 Mark Sciblo is suspended from the practice of law for one (1) year, with the suspension stayed after the first thirty (30) days by probation subject to the following conditions:

a. Respondent shall, within the first thirty (30) days of probation, enroll in the Chicago Bar Association's Law Practice Management Program, and be mentored by a lawyer-member(s) of the Chicago Bar Associations's Lawyers' Management Assistance Committee during the period of probation;

b. Respondent shall, upon enrollment in the Law Practice Management Program, notify the Administrator, in writing, of the name of the attorney(s) with whom respondent is assigned to work;

c. Respondent shall continue to participate in the Law Practice Management Program throughout the probation term;

d. Respondent shall authorize the attorney(s) assigned to work with him in the Law Practice 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 Practice Management Program;

2. Promptly report to the Administrator respondent's failure to comply with any part of the Law Practice Management Program;

3. Respond to any inquiries by the Administrator regarding respondent's compliance with the Law Practice Management Program;

e. Respondent shall complete the professionalism seminar of the Illinois Professional Responsibility Institute during the period of probation;

f. 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;

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;

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

i. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining eleven (11)-month period of suspension shall commence from the date of the determination that any term of probation has been violated.

Suspension effective December 13, 2005.

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

Order entered by the Court.

M.R.20402 - In re: Marc David Berlin. 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 Marc David Berlin is suspended from the practice of law for six (6) months and until further order of the Court.

Order entered by the Court.

M.R.20411 - In re: Saad El-Amin. 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 Saad El-Amin, who has been disciplined in the State of Virginia, is suspended from the practice of law in the State of Illinois until he is reinstated to the practice of law in Virginia.

Suspension effective December 13, 2005.

Respondent Saad El-Amin shall reimburse the Disciplinary 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.20412 - In re: Peter Thomas Shovlain. 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.20413 - In re: Paul Ira Nemoy. 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 Paul Ira Nemoy is suspended from the practice of law for one (1) year, with the suspension stayed after the first six (6) months and respondent placed on probation subject to the following conditions:

1. Respondent shall implement and maintain a system for the handling of funds belonging to clients and third parties and the maintenance of records 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:

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 will list the date of the deposit, the source of the deposit, the client matter, the deposit number, and the amount of the deposit. Maintain a copy of each item deposited.

Account Disbursement Journal - List chronologically all trust account disbursements, 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. Prepare a separate page for each client matter and list 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

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.

Reconciliations

There must be a running balance maintained for all ledgers and account books. 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 these reconciliations must be maintained for seven (7) years.

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

3. 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.

4. 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.

5. 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.

Suspension effective December 13, 2005.

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

Order entered by the Court.

M.R.20414 - In re: Anthony Cuda. 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 Anthony Cuda is censured.

Order entered by the Court.

M.R.20418 - In re: Bruce Nash. 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 Bruce Nash is suspended from the practice of law for one (1) year.

Suspension effective December 13, 2005.

Respondent Bruce Nash shall reimburse the Disciplinary 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.20419 - In re: Daniel Anthony Cwynar. 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 Daniel Anthony Cwynar is suspended from the practice of law for three (3) years.

Suspension effective December 13, 2005.

Respondent Daniel Anthony Cwynar shall reimburse the Disciplinary 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.20420 - In re: Charisse Angela Bruno. 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 Charisse Angela Bruno is suspended from the practice of law for one (1) year, with the suspension stayed after the first thirty (30) days by probation, subject to the following conditions:

a. During the first thirty (30) days of probation, respondent shall enroll in and thereafter successfully complete a law office management program sponsored by the Chicago Bar Association or the Cook County Bar Association and, upon enrollment, shall notify the Administrator, in writing, of the name, address and telephone number of the attorney with whom she has been assigned to work;

b. Through her participation in the law office management program, respondent shall establish and utilize the following:

(1) a diary and docketing system in accordance with the requirements established by the program;

(2) a system by which telephone calls are noted and returned in a timely manner; and

(3) a system by which clients' written requests for the status of their legal matters are answered, either orally or in writing, in a timely manner;

c. 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 respondent's compliance with the program;

(2) report promptly to the Administrator the failure of respondent to comply with any part of the program; and

(3) respond to any inquiries by the Administrator regarding respondent's compliance with the program;

d. During the period of probation, respondent shall enroll in and successfully complete the professionalism seminar of the Illinois Institute of Professional Responsibility;

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

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

g. Probation shall be revoked if respondent is found to have violated any of the conditions of probation. The remainder of the one (1)-year suspension shall commence from the date of determination that any condition of probation has been violated.

Suspension effective December 13, 2005.

Respondent Charisse Angela Bruno shall reimburse the Disciplinary 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.20425 - In re: Stephen Edward Ford. Disciplinary Commission.

The motion by Stephen Edward Ford 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.20426 - In re: James Scot Tukesbrey. 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 Scot Tukesbrey is suspended from the practice of law for thirty (30) days.

Suspension effective December 13, 2005.

Respondent James Scot Tukesbrey shall reimburse the Disciplinary 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.20431 - In re: Donald G. Weiland. 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 Donald G. Weiland is suspended from the practice of law for eighteen (18) months, with the last six (6) months of the suspension stayed by probation subject to the following conditions:

1. Respondent shall establish and utilize a system for the handling of funds belonging to clients and third parties and the maintenance of records 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:

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 will list the date of the deposit, the source of the deposit, the client matter, the deposit number, and the amount of the deposit. Maintain a copy of each item deposited.

Account Disbursement Journal - List chronologically all trust account disbursements. 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. Prepare a separate page for each client matter and list 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

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.

Reconciliations

There must be a running balance maintained for all ledgers and account books. 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 these reconciliations must be maintained for seven (7) years.

2. During the period of probation, respondent shall meet with counsel for the Administrator on at least a quarterly basis and shall provide the Administrator with any and all documentation and records requested in order to verify his compliance with Condition One (1).

3. During the period of probation, respondent shall successfully complete the Professionalism Seminar conducted by the Illinois Professional Responsibility Institute.

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

5. 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.

6. 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.

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

8. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining six (6) months' suspension shall commence from the date of the determination that any term of probation has been violated.

Suspension effective December 13, 2005.

Order entered by the Court.

M.R.20441 - In re: Stanley F. Kaplan. 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 Stanley F. Kaplan is suspended from the practice of law for one (1) year, with the last three (3) months of the suspension stayed by probation subject to the following conditions:

1. Respondent shall establish and utilize a system for the handling of funds belonging to clients and third parties and the maintenance of records 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:

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 will list the date of the deposit, the source of the deposit, the client matter, the deposit number, and the amount of the deposit. Maintain a copy of each item deposited.

Account Disbursement Journal - List chronologically all trust account disbursements. 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. Prepare a separate page for each client matter and list 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

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.

Reconciliations

There must be a running balance maintained for all ledgers and account books. 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 these reconciliations must be maintained for seven (7) years.

2. During the period of probation, respondent shall meet with counsel for the Administrator on at least a quarterly basis and shall provide the Administrator with any and all documentation and records requested in order to verify his compliance with Condition One (1).

3. During the period of probation, respondent shall successfully complete the Professionalism Seminar conducted by the Illinois Professional Responsibility Institute.

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

5. 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.

6. 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.

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

8. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining three (3) months' suspension shall commence from the date of the determination that any term of probation has been violated.

Suspension effective December 13, 2005.

Order entered by the Court.

McMorrow, J., took no part.

M.R.20442 - In re: Bita Loghman. 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 Bita Loghman, who has been disciplined in the State of California, is suspended from the practice of law for ninety (90) days in the State of Illinois.

Suspension effective December 13, 2005.

Respondent Bita Loghman shall reimburse the Disciplinary 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.20445 - In re: Katherine Ann Rodosky. 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 Katherine Ann Rodosky is censured.

Order entered by the Court.

Freeman, J., took no part.

M.R.20446 - In re: Keith L. Hunt. 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 Keith L. Hunt is suspended from the practice of law for thirty (30) days.

Suspension effective December 13, 2005.

Respondent Keith L. Hunt shall reimburse the Disciplinary 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.

M.R.20447 - In re: Edward Robert Vrdolyak. 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 Robert Vrdolyak is suspended from the practice of law for thirty (30) days.

Suspension effective December 13, 2005.

Respondent Edward Robert Vrdolyak shall reimburse the Disciplinary 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 and Fitzgerald, JJ., took no part.

M.R.20449 - In re: John Francis Brennan. 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 John Francis Brennan is suspended from the practice of law for three (3) months and until he completes the program offered by the Illinois Institute of Professional Responsibility and enrolls in a law office management program approved by the Administrator.

Suspension effective December 13, 2005.

Respondent John Francis Brennan shall reimburse the Disciplinary 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.20456 - In re: Kenneth J. Ferrigno. Disciplinary Commission.

The motion by Kenneth J. Ferrigno 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.20457 - In re: Michael Scot Jadron. 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 Scot Jadron is censured.

Order entered by the Court.

M.R.20464 - In re: Lawrence L. Pratt. 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 Lawrence L. Pratt, who has been disciplined in the State of Missouri, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.20486 - In re: Sharron Lamoreaux. 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 Sharron Lamoreaux is suspended from the practice of law for three (3) 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 abstain from the usage of alcohol and any unprescribed controlled substances;

b. Respondent shall continue the course of treatment recommended by Julie Mueller, LCPC, or other doctorate-level licensed psychotherapist, at a frequency and duration dictated by the therapist;

c. Respondent shall keep the Administrator informed of her current course of treatment, her attendance, and any change in the course of treatment;

d. Respondent shall, upon request of the Administrator, submit to random substance testing by a 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;

e. Respondent shall participate in Alcoholics Anonymous by attending at least three meetings per week, or two Alcoholics Anonymous meetings and one Caduceus meeting per week, and shall maintain a log of her attendance at the meetings and submit it to the Administrator with her quarterly reports;

f. 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;

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

h. 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 extent of her compliance with the conditions of probation;

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

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

k. 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

1. Probation shall be revoked if respondent is found to have violated any of the terms of her disciplinary probation. The period of suspension shall commence from the date of the determination that any condition of probation has been violated and shall continue until further order of the Court.

Respondent Sharron Lamoreaux shall reimburse the Disciplinary 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.20494 - In re: Timothy James Wyllie. Disciplinary Commission.

The motion by Timothy James Wyllie 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.20517 - In re: Don Carrillo. Disciplinary Commission.

The motion by movant Don Carrillo to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is continued to allow movant to submit a new affidavit that complies with the misconduct acknowledgment requirement of Rule 762(a)(2), if movant desires to maintain the motion. If a new affidavit is not received by December 13, 2005, the motion will be denied without further notice.

Order entered by the Court.

McMorrow, J., took no part.

M.R.20518 - In re: Jeffrey Joseph Neppl. Disciplinary Commission.

The motion by Jeffrey Joseph Neppl 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.