

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION of the SUPREME COURT OF ILLINOIS

COMMISSIONERS:

LESTER ASHER, Chairman JAMES H. BANDY GEORGE J. COTSIRILOS STUART M. MAMER WILLIAM P. SUTTER

ADMINISTRATOR: CARL H. ROLEWICK

Chicago April 30, 1979

To the Honorable, the Chief Justice and Justices of the Supreme Court of Illinois:

of the Supreme Court of Hillols:

This report is submitted in accordance with Supreme Court Rule 751 and is an accounting of monies received and expended and a statement of the activities of the Attorney Registration and Disciplinary Commission during 1978.

A. REGISTRATION

On December 31, 1978 a total of 33,090 attorneys were registered on the

Classification Admitted 1 year or less Admitted 1 to 5 years	Number of Attorneys
Admitted 1 year or less	2,709
Admitted 1 to 5 years	6.857
Admitted more than 5 years	19.271
On active military duty	
75 years of age or older	1.086
75 years of age or older Neither practices, resides nor is employed in Illinois	2.968
1978 registration fee excused (hardship) Inactive status During 1978 forty-one group legal service plans were regis	49
Inactive status	31
During 1978 forty-one group legal service plans were regis	tered in com-
pliance with Supreme Court Rule 730.	
In-state attorney population, as of September 22, 1976. Of	ctober 15, 1977

and October 1, 1978, is listed below by the district, circuit and county of

REGISTERED ATTORNEYS COUNTY OF PRINCIPAL 76	the attorney's p	rincipa	office	:	Jy one district, c.	iicuit i	ana cou	ally Or
PRINCIPAL 76		ED AT	TORNE	YS		ED AT	TORNE	YS
PIRST	COUNTY OF	76	77	78	COUNTY OF	76	77	79
DISTRICT:					OFFICE			
DISTRICT:								
Cook County 19,072 19,593 20,362 SECOND DISTRICT: 2,482 2,725 2,923	FIRST			-	7th CIRCUIT:	623	650	
Secont 19,072 19,593 20,386 Secont 2,482 2,725 2,925 Secont 6 5 6 5 6 5 6 5 6 6	DISTRICT:	,			Greene	10		
DISTRIOT: 2,482 2,725 2,923	Cook County	19.072	19 593	20 362				
DISTRICT: 2,482 2,725 2,925 3 2,926 3 3 4 1 6 1 6 1 6 3 5 4 4 6 5 6 5 6 5 6 5 6 5 6 6	SECOND							
Sth CIRCUIT: 151 161 163 163 164 164 165 Jo Daviess 16 19 17 176 183 186 187	DISTRICT:	2,482	2,725	2,923	Sangamon		544	559
Strong	15th CIRCUIT	151	161	163				
Double	Carroll		16	15				
Calhoum	Jo Daviess		19					
Stephenson 54 53 58 63 58 64 79 10 10 11 12 13 13 14 14 14 15 16 17 17								5
Seth CIRCUIT: 479 510 544 Mason 15 16 17 17 17 18 18 23 25 17th CIRCUIT: 332 336 337 17th CIRCUIT: 332 336						12		
Rane 390 411 438 71 76 81 18 17th Circuit: 332 336	16th CIRCUIT:	479	510	544				
Nendail	Kane	390						
Record R								
Boone	17th CIRCUIT:		356	377	11th CIRCUIT:	310	317	342
18th CIRCUIT: 795 884 1,015 19th CIRCUIT: 725 814 824 1486 578 660 669 Mc Henry 147 154 155 155 Mc Lean 204 208 223 223 16th CIRCUIT: 183 190 188 18th CIRCUIT: 183 190 18th CIRCUIT: 183 18th CIRCUIT: 184 18th CIRCUIT: 185 18th CIRCUIT: 18th	Boone	19	20	21	Ford	17	20	22
Du Page	Winnebago		336	356				
19th CIRCUIT: 725 814 824 824 824 824 824 825 825 825 826	Du Page	795	884	1.015				
THIRD	19th CIRCUIT:	725	814	824		15		
THIRD DISTRICT: 1,602 1,685 1,742	Lake	578		669				
DISTRICT: 1,602 1,685 1,742		147	154	199		1.222	1.331	1.363
9th CIRCUIT: 183 190 188 Alexander 16 15 17 Fulton 38 40 35 Hancock 23 23 24 Henderson 9 10 10 Knox 50 54 54 McDonough 36 38 37 Warren 27 25 28 10th CIRCUIT: 498 529 545 Marshall 11 11 11 12 Peoria 397 422 437 Putnam 5 5 5 7 Stark 8 9 9 Tazewell 77 82 80 Tazewell 77 82 80 Tioquois 26 26 24 Kankakee 84 86 90 Will 246 266 286 13th CIRCUIT: 200 203 221 Bureau 37 43 48 Kankakee 84 86 90 Will 246 266 286 13th CIRCUIT: 200 203 221 Bureau 37 43 48 Henry 42 48 52 Mercer 15 16 16 Rock Island 253 268 264 Whiteside 55 53 268 264 Whiteside 55 53 268 264 Whiteside 55 53 268 264 Clark 14 17 15 Coles 63 62 64 Clark 14 17 15 Coles 63 62 64 Clark 14 17 15 Coles 66 63 62 64 Clark 14 17		1.602	1.685	1,742		•	-	
Fulton 38 40 35		•						
Hancock 23 23 24 Henderson 9 10 10 10 Knox 50 54 54 Knox 50 54 54 McDonough 36 38 37 25 28 10th CIRCUIT 498 529 545 Marshall 11 11 12 Peoria 397 422 437 Pulnam 5 5 7 Tazewell 77 82 80 12th CIRCUIT 356 378 400 1roquois 26 26 24 Kankakee 34 36 90 Marshakee 34 36 90 Marshakee 34 36 36 378 400 Mill 246 266 286 286 24 Marshakee 34 36 36 378 400 Mill 246 266 286 286 378 379 Marshakee 37 38 38 Marshakee 38 39 Marshakee 39 Marshakee 30 Marshakee 3				188				
Henderson					Johnson	6	6	6
Warren 27 25 28 Saline 26 28 28 28 28 28 28 28		9	- 10	10		9		
Warren 27 25 28 Saline 26 28 28 28 28 28 28 28				54		5	6	
10th CIRCUIT: 498 529 545 Union 13 12 9 Marshall 11 11 12 12 Peoria 397 422 437 Putnam 5 5 7 Stark 8 9 9 Tazewell 77 82 80 Tazewell 77 82 80 Tazewell 77 82 80 Traquois 26 26 24 Kankakee 84 86 90 Kankakee 84 86 90 Kankakee 34 86 90 Kankakee 24 86 286 Grundy 28 25 30 Kankakee 34 86 90 Kankakee 37 77 78 Kankakee 38 38 Kankakee 38			30 25	28	Saline	26	28	
Marshall	10th CIRCUIT			545	Union	13	12	9.
Putnam	Marshall	11			I .			
Stark 8 9 9 Edwards 7 7 7 4		397		437				
Tazewell 77 82 80 Franklin 31 35 39 12th CIRCUIT: 356 378 400 Gallatin 37 7 7 Kankakee 34 36 90 Hamilton 8 8 9 Will 246 266 286 Hamilton 4 5 5 Will 246 266 286 Jefferson 51 67 64 13th CIRCUIT: 200 203 221 Lawrence 12		- 8	9			7	7	4
Iroquois	Tazewell	77			Franklin	31	35	39
Kankakee 84 86 90 Hardin 4 5 5 Will 246 266 286 286 Jefferson 51 67 64 13th CIRCUIT: 200 203 221 Lawrence 12 <td>12th CIRCUIT:</td> <td>356</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	12th CIRCUIT:	356						
Will	roquois Kankakee	84				4	5	9 5
Bureau 37 43 48 Richland 17 17 19 19 Grundy 28 25 30 La Salle 135 135 143 Wayne 16 19 16 14th CIRCUIT: 365 385 388 White 14 17 15 16 Rock Island 253 268 264 Whiteside 55 53 56 FOURTH DISTRICT: 1,831 1,909 1,989 Charles 63 62 64 Clark 14 17 15 Coles 63 62 64 Cumberland 7 7 7 7 Edgar 28 27 29 Warion 11 17 16 Clark 14 17 15 Coles 63 62 64 Cumberland 7 7 7 7 7 Edgar 28 27 29 Warion 19 113 125 Charles 19 114 125 Charles 19 114 14 14 14 14 17 15 Charles 19 114 14 14 14 17 15 Charles 19 114 14 14 14 14 17 15 Charles 19 114 14 14 14 14 17 15 Charles 19 114 14 14 14 14 17 15 Charles 19 114 14 14 14 14 14 14 14 14 14 14 14 14		246	266				67	64
Grundy 28 25 30 Wabash 17 19 20 La Salle 135 135 143 Wayne 16 19 16 14th CIRCUIT: 365 385 388 White 14 17 13 Henry 42 48 52 3rd CIRCUIT: 263 283 290 Mercer 15 16 16 Bond 12 12 29 Whiteside 55 53 56 Hond 12 12 12 29 FOURTH 10ISTRICT: 1,831 1,909 1,989 Christian 34 34 34 34 34 34 34 34 34 34 34 11 11 17 16 Christian 34 34 33 11 14 17 15 Effingham 23 26 29 29 Wermillon 11 17 16 Effingham 23 26 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>								
La Salle 135 135 143 Wayne 16 19 16 14th CIRCUIT: 365 385 388 White 14 17 16 Menrer 15 16 16 16 16 16 16 16 223 268 264 264 271 272 271 273 271 272 271 273 283 230 230 231 230 231 231 232 264 264 271 271 272 271 273 271 273 271 273 271 273 271 273 271 273 271 273 271 273 274 4th CIRCUIT: 190 213 215 217 217 216 217 217 216 217 217 218 226 229 226 229 227 229 224 224 224 224 224 224 224 224								
Henry 42 48 52	La Salle	135		143	Wayne			
Henry	14th CIRCUIT:	365			White			
Rock Island 253 268 264 Madison 251 271 278	Henry	42			3rd CIRCUIT:			
Whiteside 55 53 56		253		264			12	
DISTRICT: 1,831 1,909 1,989 Christian 34 34 36	Whiteside	55		56				
Clay 13 13 14		1 001	1 000	1 000				
Clark	DISTRICT	1,031	1,909	1,909	Clay			14
Coles								16
Cumberland 7 7 7 7 8 4 3 6 6 6 1 6 1 8 20 6 1 8 9 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 2 2 2 1 2 2 2 2 2 2 2 2 2 3 3 3 4 2 2 3 3 3 4 2 2 3 3 3 3 <th< td=""><td></td><td></td><td></td><td></td><td>Favette</td><td></td><td></td><td></td></th<>					Favette			
Edgar 28 27 29 Marion 41 48 43 Vermilion 119 113 125 Montgomery 35 38 36 6th CIRCUIT: 524 562 569 569 Champaign 278 291 296 20th CIRCUIT: 364 383 402 De Witt 16 19 17 Monroe 15 17 18 Douglas 15 17 17 Macon 177 192 203 Randolph 20 24 23 Moultrie 16 17 16 St. Clair 304 318 335 St. Clair 304 318 335 335 Moultrie 16 17 16 St. Clair 304 318 335 Moultrie 16 17 16 St. Clair 304 318 335 Company 177 188 189 189 189 189 Company 189 189 189 189 189 Company 189 189 189 189 Company 189 189 189 189 Company 189 189 189 Company 189 189 189 Company 189 Comp		03 7			Jasper		7	8
Vermilion 119 113 125 Montgomery 35 36 36 6th CIRCUIT: 524 562 569 Shelby 15 18 20 Champaign 278 291 236 20th CIRCUIT: 364 383 402 De Witt 16 19 17 Monroe 15 17 18 Douglas 15 17 17 Perry 13 13 14 Macon 177 192 203 Randolph 20 24 23 Moultrie 16 17 16 St. Clair 304 318 335		28	27	29	Marion			43
Champaign 278 291 296 20th CIRCUIT: 364 383 402 De Witt 16 19 17 Monroe 15 17 18 Douglas 15 17 17 Perry 13 13 14 Macon 177 192 203 Randolph 20 24 23 Moultrie 16 17 16 St. Clair 304 318 335	Vermilion	119		125				
De Witt 16 19 17 Monroe 15 17 18 Douglas 15 17 17 Perry 13 13 14 Macon 177 192 203 Randolph 20 24 23 Moultrie 16 17 16 St. Clair 304 318 335								
Douglas 15 17 17 Perry 13 13 14 Macon 177 192 203 Randolph 20 24 23 Moultrie 16 17 16 St. Clair 304 318 335	De Witt			17				
Macon 177 192 203 Randolph 20 24 23 Moultrie 16 17 16 St. Clair 304 318 335	Douglas	15			Perry	13	13	14
	Macon	177						
					· · · · · · · · · · · · · · · · · · ·	12		

B. INCOME AND EXPENDITURES

Income for the period from January 1, 1978 through December 31,	1978:
1. 1978 registration fees including panalties and delinquent fees	
from prior years\$	744.431.00
2. Interest received from investment of cash reserves	38,337,30
3. Other miscellaneous income	331.25
Total \$	783,099.55
Operating expenses for the period from January 1, 1978 through D	lecember
31. 1978.	, cocini per
1. Salaries of administrator and staff	353 912 19
2. Social security taxes	19 177 94
	12,875.65
4. Hospital, medical, life, workmen's compensation and un-	12,010.00
employment compensation insurance	20,109.13
5. Office rentals and utilities	42,902,60
6. Travel (commissioners, staff, inquiry, hearing and review	42,002.00
boards)	20,531.34
7. Telephone	13,820.14
8. Postage	16,030.11
9. Office equipment rental	18,382.96
10. Library, office supplies and related expenses	18,252.85
11. Insurance (fire, theft and extended coverage)	1.387.32
12. Auditing, bookkeeping, payroll and related professional	
services	10,883,00
13. Data processing and registration expenses*	4,531,29
14. Court reporting for disciplinary proceedings	11,339.61
15. Witness fees and related expenses	1,895.31
16. Depreciation expenses (office equipment)	11,871.30
17. Data processing software and maintenance	9,062.00
18. Expense of Supreme Court Committee on Code of Profes-	
sional Responsibility	8,292.96
Total \$	595,257.70

* Charges by the Illinois National Bank, data processing department, prior to the installation of the Commission's in-house computer.

The Commission approved a budget of \$765,162 for 1978 which included \$600,162 for operating expenses, \$150,000 for capital expenditures (the computer) and \$15,000 for the expenses of the Supreme Court Committee on the Code of Professional Responsibility. The Commission's actual expenditures for 1978 were well within the amounts budgeted.

C. COMPUTERIZED RECORDKEEPING

As a result of the recommendation of the Commission's auditor, the Commission began reviewing computer systems for the purpose of maintaining the master roll, accounting for monies received and expended and maintaining all of the records relating to disciplinary cases. Several systems were evaluated before the Commission determined that the proposal of Systech, Inc. of Geneva, Illinois best met the Commission's needs. The proposal was submitted to the Court and in May, 1978 the Court approved the purchase of a computer.

purchase of a computer.

On June 19, 1978 the Commission contracted for the purchase and programming of a Hewlett Packard 3000 Series I computer system from Systech,

gramming of a Hewlett Packard 3000 Series 1 computer system from System. Inc.

The computer was installed and functioning by October 1, 1978 for the purpose of maintaining the master roll and accounting for funds received through the payment of registration fees. The registration process for 1979 was handled, on time, entirely by the computer.

During 1979, the remaining software programs will be designed and installed to provide complete in-house control of all fiscal matters. The computer also will maintain all records, bocks, calendars, documents, drafts, agendas, minutes and statistics relating to disciplinary cases. The final phase of the computer implementation program will be the use of the computer for word processing in place of the three automatic typewriters currently in use.

in use.

The computer maintains the master roll and provides financial accounting with speed and efficiency. Its application to all of the records the administrator is required to maintain not only will improve the efficiency of the offce but will hopefully result in substantial savings during the coming years.

D. STATE AUDIT
Commencing in early 1977, the Auditor General of Illinois requested that his office be permitted to perform a financial and compliance audit of the Commission. The Commission refused to permit the audit without the express authorization of the Count. The Auditor General was advised that the Commission was audited annually (as provided by Supreme Court Rule 751(e)) and copies of the audits were given to him.

The Court also denied permission to the Auditor General to perform the audit on the grounds that the funds generated by the payment of registration fees are not public funds appropriated by the General Assembly.

However, in April 1978, the Court, as a matter of comity and in the interest of avoiding the continuing conflict, agreed to an audit of the Commission by a private auditing firm on behalf of the Legislative Audit Commission. The Legislative Audit Commission awarded a contract for the audit to Arthur Andersen & Co. The Court authorized the audit but maintained its position that the funds administered by the Attorney Registration and Disciplinary Commission are not public funds and not subject to the statutory provisions of the Illinois Auditing Act. The Court directed that Arthur Andersen & Co. not be given access to any records, investigative files or other data relating to investigations on matters pending before the Inquiry. Hearing or Review Boards.

The audit commenced on February 20, 1979 and as of this date, no report has been received.

F. RULE CHANGES

On May 26, 1978, the Supreme Court amended Rule 767, and established Rule 771, effective July 1, 1978. Rule 767, as amended, establishes minimum periods of time after discipline before a petition for reinstatement may be filed. The amendment also requires a petitioner to pay certain costs of investigation of the petition and specifies factors to be considered in determining fitness for reinstatement.

Rule 771 defines the types of discipline that may be imposed by the

Commission Rules 1.4 and 11.1 were amended on January 14, 1978, effective immediately. Rule 1.4 was amended to allow for the appointment of more than one Vice-Chairman of the Inquiry Board. Rule 11.1 was amended to require a petitioner for reinstatement to reveal the existence of loans.

F. STAFF
The following changes occurred in the professional staff during 1978.
On January 1, 1978 Chief Counsel John Dixon retired. Mr. Dixon was appointed chief counsel on May 15, 1973, shortly after the inception of the Commission. The Commission greatly appreciates the guidance and leadership provided by Mr. Dixon during the Commission's formative years.
On September 15, 1978 Counsel Jack Toporek left the administrator's office to enter the private practice of law.
On September 1, 1978 the administrator hired three additional attorneys to represent the administrator, disciplinary proceedings.

to represent the administrator in disciplinary proceedings.

As of December 31, 1978 the full time staff of the administrator's office

consisted of the administrator and (1) in the Springfield office: an attorney and a secretary; (2) in the Chicago office: an assistant administrator and chief investigator, five attorneys, three investigators, a records manager, an administrative assistant, a clerk, two secretaries, and a receptionist-

typist.

Temporary employment of clerical help is utilized in both the Spring-

Temporary employment of charles need a state of the state of field and Chicago offices.

G. STAFF PENSION PLAN

Though the Commission is an agency of the Supreme Court, it is not an agency of the State of Illinois. Members of the staff are not state employees and therefore are not eligible to participate in the state employee pension system (which includes participation in the federal social security program).

program).

After the Commission obtained social security coverage for the staff, it determined that a private pension plan with benefits no greater than those afforded to state employees, should be established. A defined contribution plan, prepared by J. H. Reynolds and Associates, Inc., was approved by the Commission on October 15, 1977.

The plan took effect on January 1, 1978. All members of the staff opted to participate. Under the plan each employee is required to contribute 4% of gross earnings and tht Commission is required to contribute a like amount. The employees are limited in benefits to their proportionate share of the body of the trust. The Commission is not committed to the payment of future specific benefits for which no funds may be available.

H. THE CASELOAD

The following four statistical charts detail the disciplinary caseload of the administrator's office, the Inquiry Board, the Hearing Board, the Review Board, and the Supreme Court for the period from January 1, 1978 through December 31, 1978.*

Respectfully submitted, Attorney Registration and Disciplinary Commission Lester Asher, Chairman James H. Bandy George J. Cotsirilos Stuart M. Mamer William P. Sutter

* Not included are matters filed from time to time in courts or administrative agencies relating to the work of the disciplinary system. During 1978 the Commission or the administrator were represented by staff attorneys in the following matters:

In re Bernard Koenig, referred by the Supreme Court of Illinois to the Circuit Court of Cook County for hearing, M.R. 1625. (Disbarred attorney held in contempt and confined to the Cook County Jail for 10 days for continuing to practice law after disbarment.)

Allott v. Atty. Regis. & Disc. Comm., U.S. District Court, 77 C 4712. (Case dismissed with prejudice.)

CHART 1

THE TREND OF INVESTIGATIONS
DURING THE PERIOD JANUARY 1, 1978 THROUGH DECEMBER 31, 1978

		New Cha Docket			Files Terminated				
	Pending at Start	from Indi- viduals	from Adminis- trator	Total Added	Dismissed by Inquiry Chairman and Admin- istrator	Dismissed by Panel	Complaint Voted by Inquiry Panel	Total Termi- nated During Period	Pending at End
Chicago	798	1421	48	1469	756	735	86	1577	690
Springfield	268	176	4	180	27	155	14	196	252
TOTAL	1066	1597	52	1649	783	890	100*	1773	942

CHART 2

THE TREND OF MATTERS BEFORE THE HEARING BOARD DURING THE PERIOD JANUARY 1, 1978 THROUGH DECEMBER 31, 1978

	Pending at Start	Disciplinary Complaints Rule 753	Petitions for Temporary Suspension Rule 758	Petitions for Reinstatement Rules 767 & 759	Total Added
Chicago	31	23	C	6	29
Springfield	1	4	1	. 1	6
TOTAL	32	27	1	7	35

Repo	Report and Recommendation							
Discipli- nary Cases	Petitions for Tomporary Suspension	Petitions for Reinstate- ment	Petitions for Reinstatement Withdrawn	Dismissed	Reprimend by Hearing Board	Name Stricken on own Motion Prior to or During Hearing	Total Termi- nated	Pending at End
· 21	0	6	1	5	0	4	37	23
2	1	0	0	1	0	0	4	3
23	1	6	1	6	0	4	41	26 ;

TREND OF MATTERS BEFORE THE REVIEW BOARD DURING THE PERIOD JANUARY 1, 1978 THROUGH DECEMBER 31, 1978

				Cases	Termina	ted			
	Pending at Start	New Case Docke	s	with Recom- mendations to the Supreme Ct	omne	out Rec- ndations o the meme Ct.	Total Termi- nated	Pending at End	
	14	30		28		5 🗲	33	11	
Discipline.	Recommend	led By	Revi	ew Board to	Supreme Petitic Reinstz	ons for			
		1		j		- 1	Repri-	Dis-	Re-
Disbarment	Suspens	sion	٥	ensur e	Allowed	Not Allowed	mand by Review Board	missed by Review	manded to Hearing Board

CHARP 4

D OF DISCIPLINARY MATTERS BEFORE THE SUPREME COURT DURING THE PERIOD JANUARY 1, 1978 THROUGH DECEMBER 31, 1978

			Petitions									
	Disci- plinary Cases	Temporary Suspension		Inactive Status*		Disbarment on Consent		Reinstatement			Miscel- laneous	TOTAL
Pending at Start	14	1		10		1			5		6	37
FILED	25	7		21		7			8		9	77
		Allowed	Not Allowed	Allowed	Not Allowed	Allowed	Not Allowed	Allowed		With- drawn	9**	71
TERMINATED	20 ᢏ	2	0	28	0	7	0	4	0	1	9	111
Pending at End	19	6		3		1			8		6	43

Discipline Ordered							
Disbar	Suspend	Censure	Discharge				
2	14	3	1				

^{*}Voluntary transfer to inactive status pursuant to Supreme Court Rule 770

Alexander X. Kuhn & Co. CERTIFIED PUBLIC ACCOUNTANTS

To the Commissioners and Administrator of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois 203 North Wabash Avenue Chicago, Illinois 60601

Gentlemen:

We have examined the Financial Statements of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois for the year ended December 31, 1978.

SCOPE OF EXAMINATION

Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

ACCOUNTANTS' OPINION

In our opinion, the accompanying Financial Statements present fairly the financial position of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois at December 31, 1978, and the results of its operations and the changes in its financial position for the year then ended, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

Respectfully submitted.

Alexander Z. Tinker + Co. Certified Public Accountants

Dated: March 16, 1979 Hillside, Illinois

^{**3} attorneys suspended pursuant to Rule 754

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF THE SUPREME COURT OF ILLINOIS BALANCE SHEET December 31, 1978

December 31, 1978		
ASSETS CURRENT ASSETS Cash in Bank Accounts Receivable Investments (At Cost) Prepaid Expenses	132,212.8 3 3,043.59 820,573.35 476.63	956,306.40
FLXED ASSETS Office Furniture, Equipment & Library Less: Accumulated Depreciation	170,194.26 30,209.01	139,985.25
Total Assets		1,096,291.65
LIABILITIES AND FUND BALANCES CURRENT LIABILITIES Accounts Payable Deferred Income Group Legal Service Registration Fee Fund Retinstatement Deposits	12,346.33 626,280.00 3,343.13 500.00	642,469.46
FUND BALANCES Operating Fund Physical Asset and Replacement Fund	283,627.93 170,194.26	453.822.19
Total Liabilities and Fund Balances		1,096,291.65

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
OF THE
SUPREME COURT OF ILLINOIS
INCOME STATEMENT
Year ended December 31, 1978

Attorney Registration Fees & Charges Collected Interest Received on Investments Other Miscellaneous Income	744,431.00 38,337.30 331.25	783,099.55
OPERATING EXPENSES	252.019.10	
Salaries	353,912.19	
Social Security Taxes	19,177.94 20,109,13	
Employees Group Insurance	12,875.65	
Employees Retirement Trust	42,902.60	
Office Rentals & Utilities Trayel & Related Expenses	20.531.34	
Telephone & Postage	29,850.25	
Office Equipment Rentals, Supplies & Expenses	36,635.81	
Insurance	1.387.32	
Outside Professional Services, Data Processing, Court	1,001.02	
Reporting & Witness Expense	28.649.21	
Depreciation Expense	11.871.30	
Data Processing Software & Maintenance	9.062.00	
Supreme Court Committee on Code of	•,	
Professional Responsibility	8,292.96	595,257.70
NET INCOME		187,841.85

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF THE SUPREME COURT OF ILLINOIS STATEMENT OF CHANGES IN FINANCIAL POSITION Year ended December 31, 1978

SOURCE OF WORKING CAPITAL Net Income For Year Ended December 31, 1978

187.841.85

Add: Expenses Not Requiring Use of Funds:
Depreciation of Fixed Assets

11,871.30 199,713.15

USE OF WORKING CAPITAL Purchases of Fixed Assets

INCOME

121,947.08 77.766.07

CURRENT ASSETS CURRENT LIABILITIES TOTAL WORKING CAPITAL

INCREASE IN WORKING CAPITAL

DECEMBER 31, 1978 1977 1978 956,306.40 860,665.90 642,469.46 313,836.94 624,595.03 236,070.87

INCREASE IN WORKING CAPITAL

77,766.07

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF THE SUPREME COURT OF ILLINOIS GENERAL NOTES December 31, 1978

ACCOUNTING POLICIES:

A. ACCOUNTING POLICIES:

The books and other financial records of the Commission are recorded on an accrued basis.

The accounting year of the Commission is December 31, as established by a resolution by the Commissioners dated May 21, 1975.

Fixed assets are carried at cost less accumulated depreciation computed on a straight-line method over an estimated useful life of six to ten years.

The Commissioners have created a fund for the replacement of physical assets. The amount appropriated for the year ended December 31, 1978, was \$11,773.90. The fund balance at December 31, 1978, totals \$30,209.01.

B. 1978 UNCOLLECTED FEES

As of January 31, 1978, a total of 2999 attorneys failed to register. All of them were registered in 1977, and all were sent registration applications for 1978. Their uncollected fees totaled \$43,195.00. A concerted effort was undertaken by the Administrator to determine the reasons for their failure to register. A second registration application was sent to each of them. Telephone calls and personal visits were made throughout the state to determine whether the unregistered attorneys were engaged in the practice of law. By December 31, 1978, only 340 attorneys were unregistered and \$5,070 in registration fees uncollected. Of the 340 unregistered attorneys, 72 were not residents of Illinois, 71 were on inactive status, 33 were more than 75 years

old, and 164 were unaccounted for by reason of death or a change of address without notification to the Commission. The \$5,070 in uncollected registration fees are not carried as receivables since it cannot be determined that the amount is owed.

C. INVESTMENTS

All investments with the exception of all savings accounts are handled by the Trust Department of the Illinois National Bank of Springfield and are held in safe keeping at the Bank.

D. COLLECTION OF FEES

The Commission is funded by an annual registration fee assessed against Illinois attorneys. The annual fee is sent directly to a lock box located at the Springfield, Illinois, U.S. Post Office. The box is under the sole supervision of the Illinois National Bank of Springfield. The contents of the box are accounted for solely by the Bank and all monies are deposited to the Commission's account. An accounting for these funds are sent daily to the Commission's computer department for processing and comparison to the registration and billing records. The system is test checked by our audit and the lock box system is also checked by the Internal Auditors of the Bank and the National Bank Examiners.

E. LEASE COMMITMENTS
The Commission has the following major lease commitments existing at December 31, 1978.

ember 31, 1978.
 Chicago Office—September 1, 1975, through August 31, 1980. Present value of lease commitment \$48,000.00. At December 31, 1978, the Commission is also leasing on a month to month basis the remaining space on the 19th floor at \$195.00 per month. Negotiations are currently pending to lease additional office space in the building.
 Springfield Office—October 1, 1974, through January 31, 1980. Present value of lease commitment \$10,178 plus possible escalations for real estate taxes, operating expenses and utilities.

F. TAXABLE STATUS
On January 29, 1976, the Internal Revenue Service from Washington, D.C., officially recognized the Commission as a tax exempt organization under Section 501(c)(6) of the Internal Revenue Code. Under the Letter of Determination the Commission is exempt from Federal income tax. However, it is required to annually file Form 990 (a solely information return) with the I.R.S.

G. DEFERRED INCOME
On November 1, 1978, registrations for the calendar year 1979 were mailed to all attorneys. Any registration fees received from the mailing date to December 31, 1978, are deferred income. The amount received during such period was \$626,280.00 which will be reported as income in 1979.

H. EMPLOYEES PENSION PLAN AND TRUST
On October 15, 1977, the Commission established a Pension Plan and Trust for the benefit of all qualified employees. Under the terms of the agreement each participating employee is required to contribute four (4%) percent of his or her annual salary to the Trust and the Commission is required to contribute a like amount. In addition the employee and Commission may contribute additional amounts.

The Plan and Trust was effective January 1, 1977, however no contributions were required or made for the year ended December 31, 1977. The contribution by the Commission during 1978 was \$12,875.65.

The Commission appointed Mr. Joseph H. Reynolds, Sr. to act as Trustee. The Internal Revenue Service has not, as of this date, approved the Plan and Trust for qualification.

I. LITIGATION

Periodically the Commission, staff, or members of the various Boards are involved in suits filed by attorneys or other persons challenging the Commission's authority or seeking injunctive relief or damages allegedly caused by disciplinary decision. These cases have been handled successfully by staff attorneys. While some cases are currently pending, the Commission expresses the opinion that they are without merit.

J. GROUP LEGAL SERVICE REGISTRATION FEE FUND
All registration fees received for group legal service plans have been
segregated from all other funds of the Commission. Presently these monies
are invested in a savings account at Bell Federal Savings in Chicago.

OTHER EVENTS

The Legislative Audit Commission is currently conducting a financial and compliance examination of the Commission covering the years ended June 30, 1977 and 1978. The results of the review is not available at this date. The Internal Revenue Service has audited the Federal Unemployment Tax Returns for the years 1973 through 1976. The audit is completed and is awaiting review. The audit report recommends no changes and no additional taxes.