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## *HOW TO SUBMIT A REQUEST FOR INVESTIGATION*

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### **FILING A REQUEST FOR AN INVESTIGATION OF AN ATTORNEY**

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### **What Is the ARDC?**

As our name implies, the ARDC is the agency of the Supreme Court of Illinois which registers attorneys and investigates complaints of misconduct filed against attorneys holding a license to practice law in Illinois.

Our principal purpose is to assist the Supreme Court to determine a lawyer's fitness to practice law in Illinois. If a complaint is made that an attorney, licensed to practice law in Illinois, has engaged in illegal, unethical or dishonest conduct, we will investigate and, if warranted, bring formal disciplinary charges. The Supreme Court of Illinois will then ultimately decide if a lawyer should be censured (publicly rebuked), suspended (having the law license to practice either taken away for a certain period of time or placed on a probationary period) or disbarred (having the law license taken away indefinitely).

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We cannot impose fines, imprison, obtain monetary damages, enforce remedies between the lawyer and client, or seek civil or criminal relief against a lawyer as part of the disciplinary process. We can affect only the lawyer's ability to practice law in Illinois.

We are not funded by taxpayers' money. We are funded entirely by the annual registration fees paid by attorneys authorized to practice law in Illinois.

### **What Is a Request for an Investigation of an Attorney?**

It is a request to us that we look into the conduct of an attorney who you believe has acted improperly. We will review your request to determine if an investigation is warranted. In most cases, we will initiate an investigation where the information you provide us suggests that the attorney engaged in illegal, dishonest or unethical conduct. Filing a request accusing an attorney of unethical conduct is a serious matter to the lawyer. We recommend that, whenever practical, you try to resolve any differences or disputes that do not concern claims of unethical conduct directly with the lawyer.

### **How Do I Request an Investigation of an Attorney?**

By mailing to our office, either in Chicago or Springfield, a request that you want an attorney to be investigated by our office. Your request should be in writing. No special form is necessary. For your convenience, you may download a Request for Investigation form. Please return the Request by postal mail or hand-delivery. The ARDC does not accept an e-mail transmission of a Request for Investigation.

### **What Kinds of Information Should I Put in My Request for an Investigation?**

A request should include all important information that relates to your request. If possible, it should be typewritten or printed to be sure that it is legible. The request should include:

- Your name, address and telephone number, and the name, address and telephone number of the attorney whom you want us to investigate (include the lawyer's full name, as well as the law firm name);
- Any court case names and numbers;
- A description of what the lawyer did or did not do that may have been improper; and
- Any supporting documents that you have, such as letters, agreements, or other documents involved.

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## **If I Have Any Questions About Filing My Request, Can I Talk to Someone at the ARDC?**

Yes. If you have questions that are not answered here, you may call us or come into either our Chicago or Springfield office to speak with a Commission representative.

## **Is There a Fee or Cost for a Request for an Investigation?**

No. There is no fee or cost to you.

## **Where Should I Send My Request for an Investigation?**

If the office of the lawyer involved is in northern Illinois, please send the request to our Chicago office:

One Prudential Plaza  
130 East Randolph Drive, Suite 1500  
Chicago, IL 60601-6219  
(312) 565-2600 (800) 826-8625  
Fax: (312) 565-2320

In central or southern Illinois, we ask that you send the request to our Springfield office:

3161 West White Oaks Drive, Suite 301  
Springfield, IL 62704  
(217) 546-3523 (800) 252-8048  
Fax: (217) 546-3785

## **How is a Request Processed?**

Upon receipt of your request, your inquiry will be given a file number and assigned to a Commission lawyer who will review your request and decide whether there is a basis for us to investigate.

## **How Long Will It Take Before I Hear Something?**

We will notify you in writing of our decision whether to investigate about two weeks after we received your request. If we determine that there is not a sufficient basis for us to investigate, our letter to you will explain the reasons for our decision. If you have any questions about your request, we ask that you direct your questions to the Commission lawyer who handled your request and that you refer to your file number.

## **If the ARDC Decides to Investigate, What Will Happen Next?**

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If we decide to investigate, our investigation generally includes sending a copy of the information that you provided to the lawyer being investigated. We will ask the lawyer to respond. Typically, the lawyer will send us his response about two to four weeks thereafter. If we determine it necessary, we will mail a copy of the lawyer's response to you for your comment. Our investigation may also include obtaining information from other sources.

After we have obtained the pertinent facts, Commission counsel will determine if further action is warranted. If we decide that no further action is warranted, we will send you a letter explaining the reasons for our decision. How long it will take before a determination is made varies greatly. Much depends on the complexity of the issues, the amount of information and documents we must review, and whether the lawyer or other sources are cooperating with our request for information. A determination will be made after we have obtained all of the pertinent information from the lawyer and/or other sources and you will be notified of our decision.

### **Will I Be Notified if the ARDC Decides to Take Disciplinary Action?**

If we determine that disciplinary action is warranted, we will refer the investigation to the Inquiry Board. The Inquiry Board acts in panels of three persons, two lawyers and one non-lawyer. The Board reviews the investigation and decides whether to authorize us to initiate disciplinary proceedings against the lawyer. We will notify you of the reference to the Inquiry Board and of the Board's ultimate decision.

### **Can I Withdraw My Request for an Investigation?**

You may tell us at anytime that you are satisfied with the action which the lawyer has taken to resolve your concerns. We will review that information along with the rest of the investigation in deciding whether to take further action. We note that it would be inappropriate for the lawyer to enter an agreement with you which would require you to withdraw your request or refuse to cooperate with the Commission investigation.

**[IARDC @:online access to registration and discipline information regarding Illinois lawyers presented by the Illinois Attorney Registration & Disciplinary Commission.](#)**

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