

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
JORGE ANTONIO RODRIGUEZ**

VS B DOCKET NO.: 14-000-098810

MEMORANDUM ORDER OF SUSPENSION

This matter came before the Virginia State Bar Disciplinary Board ("Board") for hearing on April 25, 2014, upon a Rule to Show Cause and Order of Summary Suspension and Hearing entered March 28, 2014 ("Show Cause Order"). A duly convened panel of the Board consisting of Esther J. Windmueller, Robert L. Hobbs, Samuel R. Walker, Robert W. Carter, Lay Member, and Whitney G. Saunders, 2nd Vice Chair, presiding, heard this matter. The Virginia State Bar was represented by Anastasia K. Jones, Assistant Bar Counsel. The respondent, Jorge Antonio Rodriguez, did not appear in person or by counsel. Jennifer Hairfield, Court Reporter, Chandler & Halasz, P. O. Box 9349, Richmond, Virginia 23227 (804/730-2612), after being duly sworn, reported the hearing.

The Chair opened the hearing by calling the case in the hearing room and causing the Assistant Clerk to call Respondent's name three times in the adjacent entryway to the hearing room. The Respondent did not answer or appear. The panel awaited a scheduled telephone call from the Respondent, but no such call was received. The Chair then polled the members of the Board as to whether any of them was conscious of any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the panel, to which inquiry each member responded in the negative.

All legal notices of the date and place were timely sent by the Clerk of the Disciplinary System ("Clerk") in the manner prescribed by law. The basis for the Show Cause Order was that the Supreme Court of the State of Illinois had entered an Order on September 25, 2013, whereby

the respondent, Jorge Antonio Rodriguez, was suspended from the practice of law for thirty (30) days.

The matter came before the Board on the Rule to Show Cause why the same discipline that was imposed by the Supreme Court of the State of Illinois should not be imposed by the Board.

At the commencement of the hearing, Assistant Bar Counsel Anastasia K. Jones presented to the Board for its consideration an "Agreed Disposition (30 Day Suspension)," which had been signed by Ms. Jones on behalf of the Bar and the Respondent. After receiving the Agreed Disposition, the Board recessed to deliberate whether to accept the Agreed Disposition. The Board then returned and announced that it accepted the Agreed Disposition and imposed the agreed thirty (30) day suspension of the Respondent's license to practice law in the Commonwealth of Virginia, effective April 25, 2014.

According to the Petition to Impose Discipline on Consent ("Petition") before the Supreme Court of Illinois, the Respondent was admitted to practice law in Illinois on November 23, 2010. Further, according to the Petition, between late 2011 and February 2012, Respondent employed a non-attorney paralegal with a degree in Peruvian law and placed a newspaper advertisement that contained misleading information about the paralegal's qualifications, and, during February, 2012, and March, 2012, he displayed a false and misleading office sign, wherein he listed the paralegal as an attorney. In addition, according to the Petition, the Respondent was convicted of two different criminal offenses, including violation of a Virginia domestic order of protection, and possession of marijuana while entering an immigration building in Chicago.

A copy of the Agreed Disposition presented to the Board is attached as Exhibit "1", along with the supporting documents from the Supreme Court of Illinois.

It is further ORDERED that, as directed in the Board's Rule to Show Cause and Order of Summary Suspension and Hearing issued on March 28, 2014, in this matter, Respondent must comply with the requirements of Part Six, § IV, ¶ 13-29 of the Rules of the Supreme Court of Virginia. The Respondent shall forthwith give notice by certified mail, return receipt requested, of the suspension of his license to practice law in the Commonwealth of Virginia, to all clients for whom he is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. The Respondent shall also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of his client. The Respondent shall give such notice within fourteen (14) days of the effective date of the suspension order, and make such arrangements as are required herein within forty-five (45) days of the effective date of the suspension order. The Respondent shall also furnish proof to the Bar within 60 days of the effective day of the suspension order that such notices have been timely given and such arrangements made for the disposition of matters.

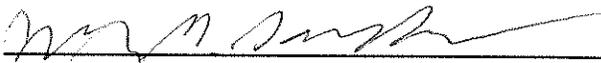
It is further ORDERED that if the Respondent is not handling any client matters on the effective date of April 25, 2014, he shall submit an affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by ¶ 13-29 shall be determined by the Virginia State Bar Disciplinary Board, unless the Respondent makes a timely request for hearing before a three-judge court.

It is further ORDERED that pursuant to Part Six, § IV, ¶ 13-9 E. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess all costs against the Respondent.

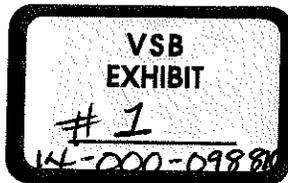
It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this order to Respondent at his address of record with the Virginia State Bar, being Law Offices of Jorge A. Rodriguez, Suite 203, 309 North Lake Street, Mundelein, IL 60060, by certified mail, and by regular mail to Anastasia K. Jones, Assistant Bar Counsel, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, VA 23219-3565.

ENTERED this 14 day of May, 2014.

VIRGINIA STATE BAR DISCIPLINARY BOARD



Whitney G. Saunders, 2nd Vice Chair



VIRGINIA:

BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR

APR 18 2014

IN THE MATTER OF
JORGE ANTONIO RODRIGUEZ

VSB Docket No. 14-000-098810

AGREED DISPOSITION
(30 DAY SUSPENSION)

Pursuant to the Rules of Court of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-6.H, the Virginia State Bar, by Anastasia K. Jones, Assistant Bar Counsel, and Jorge Antonio Rodriguez, Respondent *pro se* ("Respondent"), hereby enter into the following Agreed Disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. At all relevant times, Respondent was licensed to practice law in the Commonwealth of Virginia.
2. Pursuant to an Order of the Supreme Court of Illinois, Respondent's license to practice law in the State of Illinois was suspended for a period of thirty (30) days, effective October 16, 2013. A true and correct copy of the Certification and the Supreme Court Order and Mandate, with attachments, is attached hereto and incorporated herein by this reference.
3. Based on that Order, and pursuant to the Rules of Court of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-24, a Rule to Show Cause and Order of Summary Suspension was issued by the Virginia State Bar Disciplinary Board on March 26, 2014. A true and correct copy thereof, without attachments, is attached hereto and incorporated herein by this reference. Pursuant to this Order, Respondent's license to practice law in the Commonwealth of Virginia was suspended effective April 7, 2014.

ADMITTED W/OUT OBJECTION _____
 ADMITTED OVER OBJECTION _____
 REFUSED _____
 DATE 4/25/2014
 DOCKET NUMBER 14000098810
 SIGNATURE [Signature]

4. The Order of the Virginia State Bar Disciplinary Board was mailed to Respondent at his last address of record with the Virginia State Bar on March 28, 2014. Further pursuant to the Rules of Court of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-24.B, Respondent was given fourteen (14) days from this date to file a written response to the Rule to Show Cause. Respondent did not file any such written response.

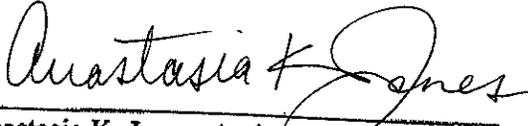
5. Part 6, Section IV, Paragraph 13-24.G of the Rules of Court of the Supreme Court of Virginia states as follows: "If Respondent has not filed a timely written response...the Board *shall* impose the same discipline as was imposed in the other jurisdiction" (emphasis added).

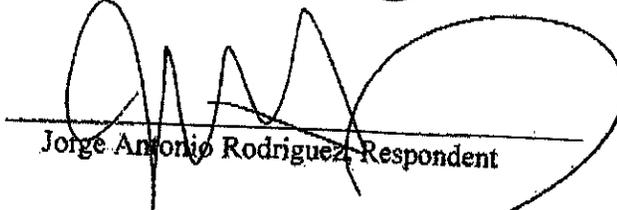
II. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel and Respondent tender to the Disciplinary Board for its approval the agreed disposition of a thirty (30) day suspension of Respondent's license to practice law in the Commonwealth of Virginia as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Disciplinary Board.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess an administrative fee.

THE VIRGINIA STATE BAR

By: 
Anastasia K. Jones, Assistant Bar Counsel


Jorge Antonio Rodriguez, Respondent



ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
of the
SUPREME COURT OF ILLINOIS
www.iardc.org

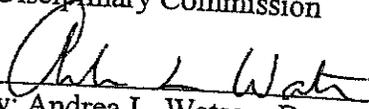
One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, IL 60601-6219
(312) 565-2600 (800) 826-8625
Fax (312) 565-2320

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

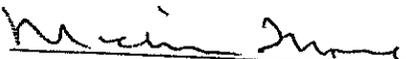
CERTIFICATION

I, Andrea L. Watson, Deputy Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois, hereby certify that the following is a true and correct copy of the Supreme Court Order and Mandate entered on September 25, 2013, relating to the matter entitled In re: Jorge Antonio Rodriguez, Supreme Court No. M.R. 26089, Commission No. 2012PR00153.

Kenneth G. Jablonski, Clerk
Attorney Registration and
Disciplinary Commission


By: Andrea L. Watson, Deputy Clerk

Subscribed and sworn to before me
this 18th day of February, 2014.



Notary Public





SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING
200 East Capitol Avenue
SPRINGFIELD, ILLINOIS 62701-1721

CAROLYN TAFT GROSBOLL
Clerk of the Court

(217) 782-2035
TDD: (217) 524-8132

September 25, 2013

FIRST DISTRICT OFFICE
160 North LaSalle Street, 20th Floor
Chicago, Illinois 60601-3103
(312) 793-1332
TDD: (312) 793-6185

Mr. Scott A. Kozlov
Attorney Reg. & Disc. Comm.
One Prudential Plaza, S#1500
130 E. Randolph Drive
Chicago, IL 60601

TODAY THE COURT ENTERED THE FOLLOWING ORDER:

M.R.26089 - In re: Jorge Antonio Rodriguez. 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 Jorge
Antonio Rodriguez is suspended from the practice
of law for thirty (30) days.

Suspension effective October 16, 2013.

Respondent Jorge Antonio Rodriguez 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.

FILED

SEP 30 2013

cc: Ms. Gloria V. Schmidt
Mr. Kenneth G. Jablonski, One Prudential Plaza
Jorge Antonio Rodriguez

**ATTY REG & DISC COMM
CHICAGO**

STATE OF ILLINOIS
SUPREME COURT

At a Term of the Supreme Court, begun and held in Chicago, on Monday, the ninth day of September, 2013.

Present: Thomas L. Kilbride, Chief Justice
Justice Charles E. Freeman
Justice Rita B. Garman
Justice Anne M. Burke
Justice Robert R. Thomas
Justice Lloyd A. Karmeier
Justice Mary Jane Theis

On the twenty-fifth day of September, 2013, the Supreme Court entered the following judgment:

In re:

M.R.26089

Jorge Antonio Rodriguez
Law Offices of Jorge A. Rodriguez, P.C., Inc.
309 North Lake Street, Suite 203
Mundelein, IL 60060-2253

FILED

SEP 30 2013

**ATTY REG & DISC COMM
CHICAGO**

Attorney
Registration and
Disciplinary
Commission
2012PR00153

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 Jorge Antonio Rodriguez is suspended from the practice of law for thirty (30) days.

Suspension effective October 16, 2013.

Respondent Jorge Antonio Rodriguez 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.

As Clerk of the Supreme Court of the State of Illinois and keeper of the records, files and Seal thereof, I certify that the foregoing is a true copy of the final order entered in this case.

IN WITNESS WHEREOF, I have hereunto subscribed
my name and affixed the Seal of said Court, this
twenty-fifth day of September, 2013.

Carolyn Toft Grosboll

Clerk,
Supreme Court of the State of Illinois



ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
of the
SUPREME COURT OF ILLINOIS
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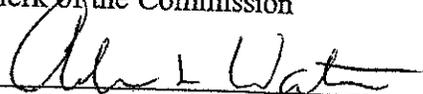
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MAR 4 2014

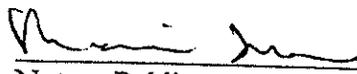
CERTIFICATION

I, Andrea L. Watson, Deputy Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois, hereby certify that the following is a true and correct copy of the Administrator's Petition to Impose Discipline on Consent Pursuant to Supreme Court Rule 762(b) filed May 6, 2013, relating to the matter entitled In re: Jorge Antonio Rodriguez, Supreme Court M.R. 26089, Commission No. 2012PR00153.

Kenneth G. Jablonski,
Clerk of the Commission


By: Andrea L. Watson, Deputy Clerk

Subscribed and sworn to before me
this 27th day of February, 2014.


Notary Public



MAR 4 2014

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

JORGE ANTONIO RODRIGUEZ,

Attorney-Respondent,

No. 6302234.

Supreme Court No. M.R.

Commission No. 2012PR00153

NOTICE OF FILING

TO: Gloria V. Schmidt
Counsel for Respondent
The Gloria Law Group
211 West Wacker Drive, Suite 500
Chicago, IL 60606-1388

PLEASE TAKE NOTICE that on May 6, 2013, I will file with the Clerk of the Illinois Supreme Court the Administrator's PETITION TO IMPOSE DISCIPLINE ON CONSENT PURSUANT TO SUPREME COURT RULE 762(b), a copy of which is attached, by causing the original and two copies to be mailed to the Clerk of the Supreme Court of Illinois in Springfield, by causing same to be deposited in the United States mailbox located at One Prudential Plaza, 130 East Randolph Drive, Suite 1500, Chicago, Illinois 60601, with proper postage prepaid.

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/Scott A. Kozlov
Scott A. Kozlov

Scott A. Kozlov
Counsel for Administrator
One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601
Telephone: (312) 565-2600

FILED

MAY - 6 2013

ATTY REG & DISC COMM
CHICAGO

***** Electronically Filed *****

M.R. 26089

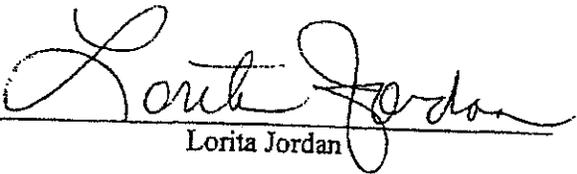
05/06/2013

Supreme Court Clerk

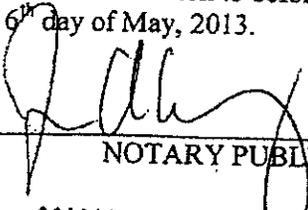
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PROOF OF SERVICE

I, Lorita Jordan, on oath state that I served a copy of this Notice of Filing and Administrator's Petition to Impose Discipline on Consent Pursuant to Supreme Court Rule 762(b) on the individual listed on the foregoing Notice of Filing, by regular mail, proper postage prepaid, by causing the same to be deposited in the United States mailbox located at One Prudential Plaza, 130 East Randolph Drive, Suite 1500, Chicago, Illinois 60601, on May 6, 2013, at or before 5:00 p.m.


Lorita Jordan

Subscribed and sworn to before me
this 6th day of May, 2013.


NOTARY PUBLIC



***** Electronically Filed *****

M.R. 26089

05/06/2013

Supreme Court Clerk

FILED

MAY - 6 2013

ATTY REG & DISC COMM
CHICAGO

FILED

MAY - 6 2013

**ATTY REG & DISC COMM
CHICAGO**

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

JORGE ANTONIO RODRIGUEZ,

Attorney-Respondent,

No. 6302234.

Supreme Court No. M.R.

Commission No. 2012PR00153

PETITION TO IMPOSE DISCIPLINE ON CONSENT
PURSUANT TO SUPREME COURT RULE 762(b)

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission ("ARDC"), by his attorney, Scott A. Kozlov, with the consent of Respondent, Jorge Antonio Rodriguez, and the approval of a panel of the Hearing Board, pursuant to Supreme Court Rule 762(b), petitions the Court to enter an order suspending Respondent for a period of 30 days. In support, the Administrator states:

I. SUMMARY OF PETITION

1. Respondent, who was admitted to practice law in Illinois on November 23, 2010, is a sole practitioner with his principal office located in Mundelein. Between late 2011 and February 2012, Respondent employed a non-attorney paralegal with a degree in Peruvian law and placed a newspaper advertisement that contained misleading information about the paralegal's qualifications. Additionally, during February 2012 and March 2012, Respondent displayed a false and misleading office sign, wherein he listed the paralegal as an attorney. Furthermore, in May 2011, Respondent was convicted of two different criminal offenses, including violation of a Virginia domestic order of protection, and possession of marijuana while entering an immigration building in Chicago. When questioned about his conviction for possession of marijuana, Respondent made misrepresentations to the Administrator.

***** Electronically Filed *****

M.R. 26089

05/06/2013

Supreme Court Clerk

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2. In mitigation, Respondent has not been previously disciplined, and has accepted responsibility and expressed remorse for his conduct. Respondent has also completed the ARDC Professionalism Seminar and provided approximately 20 hours of *pro bono* legal services to a client over the past year in connection with a foreclosure matter and a debt collection claim. Additional details concerning these and other facts are contained in Section II of this petition.

3. The recommended discipline is consistent with the range of discipline imposed by this Court and various panels of the ARDC Hearing Board, including the cases of *In re Sciblo*, M.R. 20399, 04 CH 97 (November 22, 2005); *In re In re Brown*, M.R. 18116, 01 CH 62 (May 24, 2002); *In re Edwards*, 97 SH 28 (reprimand by Hearing Board, August 12, 1997); *In re Eloe*, 2012PR00025 (reprimand by Hearing Board, August 9, 2012); and *In re Engelman*, M.R. 16242, 99 SH 29 (January 24, 2009). A discussion of the recommendation for discipline and the applicable precedent is contained in Section III of this petition.

4. At the time this petition was prepared, a five-count complaint was pending against Respondent before the Commission Hearing Board. The members of the panel assigned to consider that complaint have, as required by Rule 762(b)(1)(B), approved the submission of this matter to the Court as an agreed matter. Respondent's affidavit is attached as Exhibit One. A copy of the panel's order approving the submission of this matter to the Court is attached as Exhibit Two. A copy of the report of proceedings before the Hearing Board is attached as Exhibit Three.

II. FACTUAL BASIS FOR RECOMMENDATION

A. *Misleading Advertisement*

5. In January 2012, Respondent, a sole practitioner, was operating a law firm with offices in Mundelein and Palatine. Respondent had met Guillermo Ruiz ("Ruiz"), a Spanish-

speaking non-attorney, who agreed to work as a paralegal at the Palatine law office and to assist Respondent in generating business in the Spanish-speaking community. Respondent learned that Ruiz had a two-year degree in Peruvian law, but he had no reason to believe that Ruiz had any legal training in the United States, or that Ruiz was authorized to practice law in either Peru or in Illinois. Between January 2012 and April 2012, Ruiz worked for Respondent as a paralegal at the Palatine law office.

6. In February 2012, Respondent placed an advertisement in *Reclama*, a newspaper of general circulation in the Spanish-speaking community of suburban Chicago, which was published weekly during that month. The advertisement contained photographs of Ruiz and Respondent, and identified both of them as having juris doctor degrees. The advertisement also listed the name of Respondent's firm as "The Law Office of Attorney Jorge Antonio Rodriguez, PC, Inc. and Associates." The advertisement was false where it stated that Respondent had associates because Respondent did not have any other attorneys in his employ. The advertisement was also misleading where it stated Ruiz had a juris doctor degree. By placing the names and photographs of Respondent and Ruiz beside each other, with the same credentials, Respondent created the false impression that Ruiz was a licensed Illinois attorney who had received a law degree from an accredited school in the United States. There is no evidence that Respondent's advertisement actually misled any client or resulted in prejudice to a client.

B. *Misleading Office Sign*

7. During February 2012 and March 2012, Respondent had a sign on his office window at the Palatine law office, which indicated that Ruiz had a juris doctor degree and was an attorney. The sign was misleading because at no time during the period that the sign was displayed had Ruiz been licensed to practice in Illinois, and Ruiz had not received a juris doctor

degree relating to the laws of any United States jurisdiction. There is no evidence, however, that Respondent's office sign actually misled any client or resulted in prejudice to a client.

C. *Criminal conviction in Virginia for violation of an order of protection*

8. In December 2010, Monika Rodriguez, Respondent's wife, obtained a plenary order of protection against him in Alexandria, Virginia, where she was residing. Respondent was aware of the order of protection, which required him to avoid contact with Ms. Rodriguez. Between February 1, 2011, and February 6, 2011, Respondent had contacted Ms. Rodriguez by electronic mail, and Ms. Rodriguez then filed a criminal complaint against Respondent in the Commonwealth of Virginia, alleging that he had violated the order of protection.

9. On May 27, 2011, following a bench trial, the court found Respondent guilty of one misdemeanor count of violating an order of protection by sending her an email, in which he stated, in pertinent part:

i hope you don't use this email against me, in that im not supposed to make attempts to contact you...

i want to give u everything, anything, u deserve it all, u are so beautiful, so georgeous (sic) so perfect, so wonderful, so great, so charming, so enchanting, so pretty, u are everything to me...

baby, im sorry, for whatever, and everything i did, i am sorry, truly sorry, i just want u guys back!!!...

Please don't use this attempt against me. i am miserable, i need u...

The court then sentenced Respondent to 30 days in jail, with 29 days stayed, by a one-year period of probation, and fines and costs totaling \$91.

10. Respondent did not report his May 27, 2011 conviction to the Administrator within 30 days of the entry of the judgment of conviction, as required by Supreme Court Rule 761.

D. *Criminal conviction for possession of marijuana*

11. In February 2011, Respondent entered a federal building in Chicago to handle an immigration matter, and, when he submitted to a routine security search, he had two grams of marijuana in his possession. Federal officers then cited Respondent with possession of marijuana and released him. In May 2011, Respondent pled guilty to possession of marijuana and was sentenced to a fine of \$175 plus payment of \$25 in court costs.

E. *Misrepresentation to the Administrator*

12. In September 2012, Respondent appeared at the ARDC's Chicago office for a sworn statement in connection with the Administrator's investigation into his conviction for violation of the order of protection in Virginia. At that time, while testifying under oath, Respondent was asked if he had any other criminal actions pending against him at any time, and he falsely stated that he had been arrested because he had entered a federal building with a pocketknife. In fact, Respondent had not been cited for possession of a pocketknife, but he had been cited for possession of marijuana, as described in paragraph 11, above. Respondent misled the Administrator because he feared that the Administrator would view Respondent's possession of a controlled substance as more serious than possession of a pocketknife.

F. *Conclusions of Misconduct*

13. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. making a false or misleading communication about the lawyer or the lawyer's services that contains a material misrepresentation of fact, in violation of Rule 7.1 of the Illinois Rules of Professional Conduct;
- b. making a statement of material fact known by the lawyer to be false, in connection with a lawyer disciplinary matter, in violation of Rule 8.1(a) of the Illinois Rules of Professional Conduct;
- c. committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct;
- d. conduct that involves fraud, dishonesty, deceit or misrepresentation, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct;
- e. conduct that is prejudicial to the administration of justice, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct; and
- f. conduct which tends to defeat the administration of justice or bring the courts or legal profession into disrepute.

G. *Description of Aggravating and Mitigating Factors*

14. In aggravation, Respondent engaged in a pattern of dishonesty that includes misleading advertisements and signage, convictions/findings in two separate criminal cases, and providing false information to the Administrator. In mitigation, Respondent is a relatively young and inexperienced attorney, having been admitted less than one year prior to his convictions, and he has expressed remorse for his conduct. Additionally, Respondent spent approximately 20 hours over the past year handling *pro bono* legal matters for a client who had been disabled due to cancer. Respondent's *pro bono* work for the client included the handling of a foreclosure matter in Champaign County and a debt collection case in Cook County. Respondent has also completed the ARDC Professionalism Seminar.

III. RECOMMENDATION AND DISCUSSION OF PRECEDENT

15. The Administrator recommends that this Court enter an order suspending Respondent for a period of 30 days. That sanction is within with the range of discipline imposed by this Court in other cases. For example, in *In re Sciblo*, M.R. 20399, 04 CH 97 (November 22, 2005), the attorney was suspended for one year, stayed after 30 days by probation, for using misleading radio advertisements on Polish-language stations, in which he referred to himself as "the Lion of the Courtrooms." In fact, the attorney in *Sciblo* did not handle cases that required trial work, instead settling them or referring the clients' matters to another attorney without the clients' consent. At least one of the referred cases was neglected. Unlike Respondent in the present case, however, the attorney in *Sciblo* was relatively experienced in the practice of law, having practiced for 11 years at the time of his misconduct. Also, unlike Respondent in the present matter, he had had not engaged in any *pro bono* activities, nor had he completed the ARDC Professionalism Seminar. Similarly, in *In re Brown*, M.R. 18116, 01 CH 62 (May 24, 2002), a lawyer was suspended for 60 days for placing an advertisement in the telephone directory that misrepresented his experience in handling medical malpractice claims, and for causing a client's claim to become time-barred, after the client hired him based on the misleading advertisement. As in *Brown*, Respondent in the case at bar has used misleading advertisements in an effort to increase his business and engaged in other misconduct, and he has not been previously disciplined. In contrast to *Brown*, however, Respondent's misconduct did not cause harm to any client.

16. As to Respondent's convictions for violation of the order of protection and possession of marijuana, Hearing Board panels have reprimanded attorneys for engaging in comparable misconduct. In *In re Edwards*, 97 SH 28 (August 12, 1997), the Hearing Board

reprimanded an attorney after he was convicted of having .49 grams of marijuana on his person. In *In re Eloë*, 2012PR00025 (August 9, 2012), the Hearing Board reprimanded an attorney who had been convicted in Wisconsin of violating an order of protection. In *Eloë*, the attorney had driven from Chicago to a hotel in Wisconsin where his wife was staying and obtained a key to her hotel room without her knowledge. The attorney's wife did not discover what had occurred until she went to the front desk to inquire about her key, and the clerk told her that the locks had been reprogrammed when a key had been given to her husband. In *Edwards and Eloë*, like the present matter, the attorneys had not been previously disciplined and expressed remorse for their conduct. Also, like the attorney in *Eloë*, Respondent in the present case did not timely report his conviction to the Administrator pursuant to Supreme Court Rule 761, although the conduct in *Eloë* appeared to involve elements of deliberation and more threatening conduct than Respondent's actions in the present case.

17. Regarding Respondent's misrepresentation to the Administrator, the Court has imposed a 30-day suspension in a similar instance. In *In re Moulton*, M.R. 19700, 03 CH 132 (November 17, 2004), the attorney was suspended for 30 days for engaging in a conflict of interest by representing both partners in a real estate project, improperly notarizing the signature of one of the partners, and making a false statement about his notarization of the document to the Administrator. Like the attorney in *Moulton*, Respondent in the case at bar has expressed remorse for his conduct and completed the ARDC Professionalism Seminar.

18. Respondent's relative youth and inexperience also weigh in favor of the proposed sanction. For example, in *In re Engelman*, M.R. 16242, 99 SH 29 (January 24, 2009), the attorney was suspended for 60 days for having two secretaries come to court, posing as witnesses from medical providers' offices, in order to cause opposing counsel to stipulate to the foundation

of exhibits he intended to offer at trial. As a result of the attorney's actions in *Engelman*, the court declared a mistrial in the case, held the attorney in contempt of court, and ordered the attorney to pay restitution and fines totaling approximately \$6,000 and to perform 40 hours of community service. Similar to the present case, the attorney in *Engelman* had been practicing for less than two and one-half years at the time of his misconduct. While the sanction in *Engelman* was a 60-day suspension, and both *Engelman* and the case at bar involve a relatively inexperienced attorney, Respondent's conduct in the present case warrants a shorter suspension because it did not affect a client's case by causing a mistrial, and he was not held in contempt of court for actions in court on behalf of a client.

WHEREFORE, the Administrator, with the consent of Respondent, Jorge Antonio Rodriguez, and the approval of a panel of the Hearing Board, respectfully requests that the Court enter an order suspending Respondent for a period of 30 days.

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/Scott A. Kozlov
Scott A. Kozlov

Scott A. Kozlov
Counsel for Administrator
One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601
Telephone: (312) 565-2600

M.R.26089

ADMINISTRATOR'S EXHIBIT 1

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

JORGE ANTONIO RODRIGUEZ,

Attorney-Respondent,

No. 6302234.

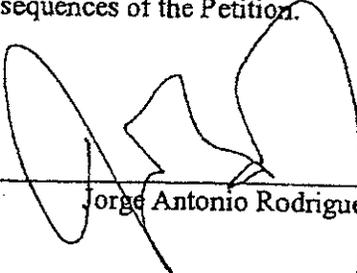
Supreme Court No. M.R.

Commission No. 2012PR00153

RESPONDENT'S AFFIDAVIT AS TO DISCIPLINE ON CONSENT

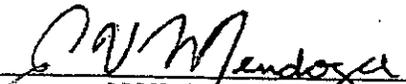
Jorge Antonio Rodriguez, being first duly sworn, does state as follows:

1. That I have read the Administrator's Petition to Impose Discipline on Consent (the "Petition"), to which this affidavit is attached.
2. That the assertions in the Petition are true and are complete.
3. That I join in the Petition freely and voluntarily.
4. That I understand the nature and consequences of the Petition.



Jorge Antonio Rodriguez

Subscribed and sworn to before me
this 16 day of April, 2013.



NOTARY PUBLIC



***** Electronically Filed *****

M.R. 26089

05/06/2013

Supreme Court Clerk

M.R.26089

ADMINISTRATOR'S EXHIBIT 2

M.R.26089

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

FILED

APR 19 2013

ATTY REG & DISC COMM
CHICAGO

In the Matter of:

JORGE ANTONIO RODRIGUEZ,

Attorney-Respondent,

No. 6302234.

Commission No. 2012PR00153

ORDER

Upon the joint motion to approve the submission of this matter to the Court as an agreed matter by way of petition to impose discipline on consent:

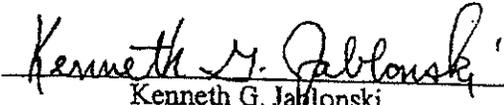
IT IS ORDERED THAT the motion is allowed, and the panel approves the submission of this matter to the Court as an agreed matter, pursuant to Supreme Court Rule 762(b)(1)(b), by way of the attached petition to impose discipline on consent.

Respectfully submitted,

Jeffrey S. Torosian
Adrienne D. Mebane
Fran McConnell Williams

CERTIFICATION

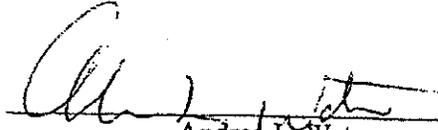
I, Kenneth G. Jablonski, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, certify that the foregoing is a true copy of the order, approved by each Panel member of the Hearing Board, entered in the above entitled cause of record filed in my office on April 19, 2013.


Kenneth G. Jablonski,
Clerk of the Attorney Registration and
Disciplinary Commission of the
Supreme Court of Illinois

PROOF OF SERVICE

I, Andrea L. Watson, on oath state that I served a copy of this Order on Counsel for Respondent listed at the address shown below by regular mail by depositing it with proper postage prepaid, by causing the same to be deposited in the U.S. Mailbox at One Prudential Plaza, 130 East Randolph Drive, Chicago, Illinois 60601 on April 19, 2013, at or before 5:00 p.m. At the same time, a copy of this Order was mailed to the Hearing Panel and delivered to Counsel for the Administrator.

Gloria V. Mendoza Schmidt
Counsel for Respondent
The Gloria Law Group
211 West Wacker Drive, Suite 500
Chicago, IL 60606-1388


Andrea L. Watson

Subscribed and sworn to before me
this 19th day of April, 2013.


Notary Public



M.R.26089

ADMINISTRATOR'S EXHIBIT 3

M.R.26089

BEFORE THE HEARING BOARD
OF THE
ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
OF THE
ILLINOIS SUPREME COURT

IN THE MATTER OF:)
)
)
JORGE RODRIGUEZ,) No. 2012 PR 00153
)
)
Attorney-Respondent)
Attorney No. 6302234)

REPORT OF PROCEEDINGS had and evidence
taken in the hearing of the above-entitled matter
before a Hearing Panel of the Illinois Attorney
Registration and Disciplinary Commission, at
130 East Randolph Drive, Chicago, Illinois, on
April 19, 2013, between the hours of 2:13 p.m. and
2:28 p.m.

Reported by Carole Ann Bartkowicz, CSR, RPR
Il. CSR License No. 084-000921

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1 PANEL MEMBERS PRESENT:
Mr. Jeffrey S. Torosian (Chair)
2 Ms. Adrienne Mebane
Ms. Frances D. McConnell Williams
3

4 A P P E A R A N C E S: (Cont'd.)

5
MR. JEROME LARKIN
6 Administrator
BY: MR. SCOTT KOZLOV
7 130 East Randolph Street
Chicago, Illinois 60601
8 Appearing on behalf of the Administrator;

9
MS. GLORIA V. SCHMIDT
10 211 West Wacker Drive, Suite 500
Chicago, Illinois 60606
11 Appearing on behalf of Respondent.

12 ALSO PRESENT:

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14 Jorge Rodriguez
Attorney Respondent
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I N D E X

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I N D E X O F E X H I B I T S

(No Exhibits Marked)

1 (Whereupon, the following
2 proceedings were held in open
3 session commencing at the hour
4 of 2:13 p.m.)

5 CHAIRMAN TOROSIAN: Please be seated.
6 Good afternoon. Would everyone identify
7 themselves?

8 MR. KOZLOV: Good afternoon. Scott Kozlov
9 on behalf of the Administrator.

10 CHAIRMAN TOROSIAN: Good afternoon.

11 MS. SCHMIDT: Good afternoon. Gloria
12 Schmidt on behalf of the Respondent.

13 CHAIRMAN TOROSIAN: Good afternoon.

14 MR. RODRIGUEZ: And Jorge Rodriguez. I am
15 the Respondent.

16 CHAIRMAN TOROSIAN: Okay. Please proceed.

17 OPENING STATEMENT

18 BY MR. KOZLOV:

19 Members of the Hearing Panel, Ms. Schmidt,
20 Mr. Rodriguez:

21 My name is Scott Kozlov and I will be
22 representing the Administrator in this matter
23 today.

24 As you know, the parties are before you on

1 a joint motion for approval to file a petition for
2 discipline on consent with the Court.

3 As set forth in the proposed petition in
4 this matter, Respondent's misconduct is very -- his
5 misconduct includes several different aspects.

6 It includes two different convictions of
7 criminal offenses as well as misleading information
8 in office signage and misleading information
9 contained in an advertisement in a newspaper.

10 In addition, there was a misstatement to
11 the Administrator during a sworn statement.

12 The misleading advertisements and office
13 signage relate to the way that Respondent portrayed
14 the credentials of an assistant that had been
15 working with him.

16 This was a man with a Peruvian law degree
17 who was listed in the advertisement and on the
18 office signage as an attorney at law.

19 Respondent's criminal conduct includes his
20 conviction in Virginia for violation of an order of
21 protection.

22 What happened in that case was that he
23 sent an e-mail to his wife who had obtained an
24 order for no contact against him.

1 The second criminal matter involved his
2 possession of marijuana while entering the Federal
3 Building here in Chicago.

4 The last instance of misconduct was during
5 his sworn statement. When asked about his arrest
6 for possession of marijuana he said that it was
7 possession of a pocket knife while entering the
8 Federal Building and misled the Administrator as to
9 the extent of the conviction.

10 In mitigation, this Respondent was a very
11 young attorney, newly admitted at the time of his
12 misconduct, and there doesn't seem to be any
13 correlation between clients and -- clients'
14 interests and the misconduct of this Respondent.

15 He has already completed the
16 professionalism seminar offered by the Commission
17 and he has taken action to change his conduct.

18 He's engaged in notable pro bono
19 activities. He's assisted a client on an agreement
20 not to take any fees in two different matters, and
21 it does appear that he's expressed genuine remorse
22 for his conduct.

23 The parties have agreed that Respondent's
24 conduct in this matter violated several rules.

1 Rule 7.1 of the Rules of Professional
2 Conduct; Rule 8.1(a); 8.4(b); 8.4(c); and 8.4(d).

3 The parties have further agreed that
4 Respondent's conduct warrants a 30-day suspension.

5 We believe that the conduct in this matter
6 is consistent with the Court's precedence and the
7 precedent of the various hearing boards that have
8 heard matters of a relatively low level of
9 misconduct like some of the instances here in this
10 case, and we would respectfully request that you
11 grant the joint notion of the parties today and
12 allow the filing of the petition for discipline on
13 consent with the Court. Thank you.

14 CHAIRMAN TOROSIAN: Do you believe that
15 the Respondent's youth and inexperience as a
16 practicing lawyer is a mitigating factor? And, if
17 so, why?

18 MR. KOZLOV: I do. The Court's precedent
19 on that issue is pretty clear that that's a factor
20 to be considered in mitigation.

21 One of the cases that we cite to you in
22 the petition for discipline on consent deals with
23 that particular issue, you know, where an attorney
24 is not experienced and spent a number of years in

1 practice.

2 That is considered a factor in mitigation.

3 CHAIRMAN TOROSIAN: Is that the Engelman
4 case?

5 MR. KOZLOV: Let me give you that case ..
6 cite.

7 That was Engelman, correct. MR 16249,
8 99 SH 29, from January 24, 2009.

9 CHAIRMAN TOROSIAN: And do you think the
10 misconduct that's alleged here is misconduct that
11 is -- is the result or partially the result of the
12 Respondent's youth and inexperience as similar to
13 the misconduct in Engelman?

14 Because the misconduct in Engelman is
15 really different.

16 MR. KOZLOV: Right. The misconduct in
17 Engelman was not the reason for the citation to
18 that case. It was more egregious misconduct.

19 But, yes, the case was pointed out for the
20 purpose of showing how that factor was taken into
21 consideration.

22 CHAIRMAN TOROSIAN: Do you have any
23 questions?

24 MS. MEGANE: No.

1 CHAIRMAN TOROSIAN: Do you have any
2 questions?

3 MS. MCCONNELL WILLIAMS: No.

4 CHAIRMAN TOROSIAN: Thank you.

5 MR. KOZLOV: Sure.

6 CHAIRMAN TOROSIAN: Respondent, do you
7 have a statement?

8 MS. SCHMIDT: A very brief one.

9 OPENING STATEMENT

10 BY MS. SCHMIDT:

11 Mr. Rodriguez would just like the Panel to
12 know that we actually agree very much so with
13 Mr. Kozlov's opening.

14 We feel it's a very appropriate summation
15 of the facts and circumstances in this case.

16 We worked extensively on this consent
17 petition. We do ask that the Panel approve this
18 petition for the punishment that is issued here
19 today. Thank you.

20 Any questions? I'm sorry.

21 CHAIRMAN TOROSIAN: Any questions?

22 MS. MEBANE: No.

23 MS. MCCONNELL WILLIAMS: No.

24 CHAIRMAN TOROSIAN: Okay.

1 MR. KOZLOV: I would call the Respondent
2 to the stand.

3 CHAIRMAN TOROSIAN: Okay.

4 JORGE RODRIGUEZ,
5 .. called as a witness by the Administrator, having
6 been first duly sworn, was examined and testified
7 as follows:

8 ADVERSE EXAMINATION

9 BY MR. KOZLOV:

10 Q. Could you please state your name for the
11 record?

12 A. Jorge Rodriguez.

13 Q. And, Mr. Rodriguez, do you understand the
14 nature of today's proceedings?

15 A. I do.

16 Q. What do you understand the reason for
17 today's proceedings to be?

18 A. This is a consent hearing as a result of
19 misconduct alleged, and requesting approval of our
20 agreement for the -- excuse me -- for the
21 discipline.

22 Q. Okay. So do you understand that we're
23 asking this Hearing Board to approve a petition
24 that would be filed with the State Supreme Court?

1 A. I do.

2 Q. And is it your desire to go forward with
3 this proceeding this afternoon and ask for the
4 Panel's approval of the filing of that petition?

5 A. Yes.

6 Q. Is there anything that would interfere
7 with or affect your ability to enter into such an
8 agreement today?

9 A. No, there isn't.

10 Q. Have you read the petition that we're
11 asking the Hearing Board to approve?

12 A. Yes, I have.

13 Q. And did you execute an affidavit in which
14 you admit that the petition is true and complete?

15 A. I did.

16 Q. Did you freely and voluntarily execute
17 that affidavit?

18 A. I did.

19 Q. Do you understand that if the Panel
20 approves our filing of the petition and if the
21 petition is ultimately approved by the Supreme
22 Court of Illinois that you will be suspended for a
23 period of 30 days?

24 A. Yes, I do.

1 Q. Do you understand that by moving forward
2 in this fashion today that you're giving up certain
3 procedural rights that would be otherwise available
4 to you?

5 A. Yes, I do.

6 Q. Specifically, if this case had proceeded
7 to a contested hearing it would be the
8 Administrator's obligation to call witnesses and to
9 introduce evidence in support of the allegations.

10 Do you understand that?

11 A. Yes, I do.

12 Q. Do you also understand that you could ask
13 this Board for either a finding of no misconduct or
14 some finding of lesser misconduct than that which
15 is admitted in the petition?

16 A. Yes, I do.

17 Q. Finally, do you understand that had this
18 matter proceeded to a contested hearing and had you
19 been unhappy with the findings of this Hearing
20 Board, you would have had the opportunity first to
21 appeal those findings to the Review Board of the
22 Commission and ultimately to the Supreme Court of
23 Illinois?

24 A. Yes, I do.

1 Q. Are you giving up all those procedural
2 rights by proceeding in this manner today?

3 A. I am.

4 Q. Are you under the influence of any drugs,
5 alcohol, or any chemical substances at this time?

6 A. No, I'm not.

7 Q. Were you under the influence of any drugs,
8 alcohol, or chemical substances at the time you
9 signed the affidavit attached to the petition?

10 A. No, I was not.

11 Q. Do you accept responsibility for the
12 conduct described in the petition?

13 A. I do.

14 Q. Are you remorseful for that conduct?

15 A. Entirely, yes.

16 MR. KOZLOV: I have nothing further.

17 Thank you.

18 CHAIRMAN TOROSIAN: Okay.

19 MS. SCHMIDT: No questions.

20 CHAIRMAN TOROSIAN: Thank you. Any
21 questions from the Panel?

22 MS. MEBANE: No.

23 Ms. McCONNELL WILLIAMS: No.

24 CHAIRMAN TOROSIAN: Step down.

1 (Witness excused.)

2 MR. KOZLOV: With that, the Administrator
3 rests.

4 CHAIRMAN TOROSIAN: We'll take it under
5 advisement.

6 (Whereupon, a recess was had at
7 2:23 p.m., after which the
8 hearing was resumed at
9 2:27 p.m. as follows:)

10 CHAIRMAN TOROSIAN: Be seated. The Panel
11 has taken the matter under advisement and has
12 decided to approve the petition, so we will sign
13 the order today.

14 MR. KOZLOV: Thank you.

15 MS. SCHMIDT: Thank you.

16 CHAIRMAN TOROSIAN: Good luck.

17 MR. RODRIGUEZ: Thank you.

18 (Whereupon, the hearing was
19 concluded at the hour of
20 2:28 p.m.)

21

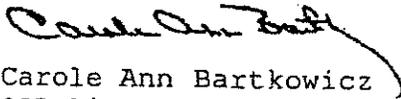
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1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF C O O K)
4

5 I, CAROLE ANN BARTKOWICZ, Certified
6 Shorthand Reporter doing business in the City of
7 Chicago, County of Cook, and State of Illinois,
8 state that I reported in machine shorthand the
9 evidence presented at the hearing in the
10 above-captioned matter on April 19, 2013, and that
11 the foregoing is a true and correct transcript of
12 my shorthand notes so taken as aforesaid, and
13 contains all the evidence presented at said hearing
14 to the best of my knowledge and ability.

15
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18 
19 Carole Ann Bartkowicz
20 CSR License No. 084-000921
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24

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VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
JORGE ANTONIO RODRIGUEZ

VSB Docket No. 14-000-098810

RULE TO SHOW CAUSE
AND
ORDER OF SUMMARY SUSPENSION AND HEARING

It appearing to the Board that Jorge Antonio Rodriguez was licensed to practice law within the Commonwealth of Virginia on April 27, 2007, and,

It further appearing that Jorge Antonio Rodriguez has been suspended from the practice of law in Illinois for a period of thirty days effective October 16, 2013, by Order entered by the Supreme Court of the State of Illinois.

It further appearing that such disciplinary action has become final.

It is ORDERED, pursuant to Rules of Court, Part Six, Section IV, Paragraph 13-24, that the license of Jorge Antonio Rodriguez to practice law within the Commonwealth of Virginia be, and the same is, hereby suspended effective April 7, 2014.

It is further ORDERED that Jorge Antonio Rodriguez appear before the Virginia State Bar Disciplinary Board at the Virginia Workers' Compensation Commission, Courtroom A, Second Floor, 1000 DMV Drive, Richmond, VA 23220, at 9:00 a.m. on Friday, April 25, 2014, to show cause why the same discipline that was imposed in the other jurisdiction should not be imposed by the Board.

It is further ORDERED that Jorge Antonio Rodriguez shall forthwith give notice, by certified mail, of the suspension of his license to practice law in Virginia to all clients for whom he is currently handling matters and to all opposing attorneys and the presiding judges in pending

litigation. The Attorney shall also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of his clients. The Attorney shall give such notice within fourteen (14) days of the effective date of the suspension order, and make such arrangements as are required herein within forty-five (45) days of the effective date of the suspension order. The Attorney shall also furnish proof to the bar within sixty (60) days of the effective date of the suspension order that such notices have been timely given and such arrangements for the disposition of matters made. Issues concerning the adequacy of the notice and arrangements required herein shall be determined by the Disciplinary Board, which may impose a sanction of revocation or suspension for failure to comply with the requirements of this subparagraph.

It is further ORDERED that a copy of the Certification and copy of the Supreme Court Order and Mandate issued by the Supreme Court of the State of Illinois with attachments, be attached to this Rule to Show Cause and Order of Summary Suspension and Hearing and made a part hereof.

It is further ORDERED that an attested copy of this Rule to Show Cause and Order of Summary Suspension and Hearing, with attachments, shall be mailed to Jorge Antonio Rodriguez by certified mail at his address of record with the Virginia State Bar, Law Offices of Jorge A. Rodriguez, Suite 203, 309 North Lake Street, Mundelein, IL 60060, and to Anastasia K. Jones, Assistant Bar Counsel, Virginia State Bar, Eighth and Main Building, 707 East Main Street, Richmond, Virginia 23219.

ENTERED THIS 26TH DAY OF March, 2014

VIRGINIA STATE BAR DISCIPLINARY BOARD

A COPY TESTE:

Barbara S. Lanier

BARBARA SAYERS LANIER
CLERK OF THE DISCIPLINARY SYSTEM

Whitney G. Saunders
Whitney G. Saunders, 2nd Vice Chair