

SHEILA M. O'BRIEN

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19-MR-00014

July 24, 2019

Hon. Michael J. Toomin
Presiding Judge
Juvenile Division
Attn: Ms. Diane Walsh
Circuit Court of Cook County
2245 West Ogden Avenue
Room 8004
Chicago, Illinois 60612

Re: Unauthorized practice of law in Illinois
Tina Glandian and Mark Geragos
In re: Appointment of Special Prosecutor
Criminal Division 19-MR-00014

FILED
2019 JUL 24 AM 10:48
CLERK
CRIMINAL DIVISION
CIRCUIT COURT OF COOK COUNTY

Dear Judge Toomin:

On July 19, 2019, the Tina Glandian and Mark Geragos of the law firm of Geragos & Geragos filed four motions in *In Re: Appointment of a Special Prosecutor 19 MR-00014*, pending in the Criminal Division of the Circuit Court of Cook County. The four motions were styled:

1. Motion to Intervene Instantly
2. Motion for Reconsideration of the June 21, 2019 order Granting the Appointment of a Special Prosecutor
3. Motion for Substitution of Judge for Cause and Motion for Appointment of another Cook County Judge to Hear Concurrently Filed Motion.
4. Motion to Disclose Transcripts of Grand Jury Testimony

Each motion was signed by Tina Glandian with the following jurat:

/s/ Tina Glandian

Tina Glandian, Rule 707 Admitted
Mark J. Geragos, Rule 707 Admitted
Geragos & Geragos, APC
256 5th Avenue
New York, NY 10010
&
Geragos & Geragos, APC
644 South Figueroa Street
Los Angeles, CA 90017-3411
(213) 625-3900
tina@geragos.com
mark@geragos.com

Attorneys for Jussie Smollett

At the time of the filing of these motions, neither Tina Glandian nor Mark Geragos were licensed to practice law in Illinois, nor allowed to practiced law in Illinois pursuant to Supreme Court Rule 707 (attached). Copies of the website pages of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois' reflecting the status of Tina Glandian and Mark Geragos are attached.

Ms. Glandian and Mr. Geragos told this court that each of them was "Rule 707 admitted". That information was untrue at the time of the filing and is untrue now.

This information was verified by the ARDC in a telephone conversation.

Neither Ms. Glandian nor Mr. Geragos nor their law firm have filed nor served this court nor petitioner with the necessary verified information pursuant to Supreme Court Rule 707. Supreme Court Rule 707(d) requires out-of-state attorneys file a verified statement – the form is included on the ARDC website and attached to this letter – and serve the statement upon all parties.

Neither Ms. Glandian nor Mr. Geragos nor their law firm included the name, address and entry of appearance of an active Illinois attorney associated with them which is necessary under Rule 707,

Neither Ms. Glandian nor Mr. Geragos nor their law firm paid the required fees to practice law in Illinois.

More than thirty days have passed since the June 21, 2019 rendered by this court. Because Ms. Glandian and Mr. Geragos and the Geragos law firm were not licensed in Illinois, their pleadings of July 19, 2019 in this cause should be held for naught and reported as the unlicensed practice of law in Illinois.

This letter is being sent to the court and all counsel in this proceeding by email, to Ms. Glandian, Mr. Geragos by email and to the appropriate licensing authorities of New York and California and Illinois by regular mail.

Thank you.

Sincerely,



Sheila M. O'Brien
Petitioner, *pro se*

cc:

Attorney Registration and Disciplinary Committee
of the Supreme Court of Illinois
One Prudential Plaza
130 East Randolph Drive
Suite 1500
Chicago, IL 60601-6219

The State Bar of California
180 Howard Street
San Francisco, CA 94105

First Judicial Department Attorney Grievance Committee
New York & Bronx Counties
Departmental Disciplinary Committee for the First Department
61 Broadway, 2nd Floor
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Tina Glandian, Attorney for Jussie Smollett
Mark J. Geragos, Attorney for Jussie Smollett
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Valerie L. Hletko, Attorney for Tina Tchen
Scott Sakiyama, Attorney for Tina Tchen
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&
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vhletko@buckleyfirm.com
ssakiyama@buckleyfirm.com

**LAWYER SEARCH: ATTORNEY'S REGISTRATION AND PUBLIC
DISCIPLINARY RECORD**

ARDC Individual Attorney Record of Public Registration and Public Disciplinary and Disability Information
as of July 22, 2019 at 1:11:33 PM:

Full Licensed Name:	Tina Glandian
Full Former name(s):	None
Date of Admission as Lawyer by Illinois Supreme Court:	
Registered Business Address:	Geragos & Geragos, APC 256 5th Avenue New York, NY 10001
Registered Business Phone:	(213) 625-3900
Illinois Registration Status:	Not authorized to practice law in Illinois. Formerly eligible to practice in specific proceeding(s) pursuant to Rule 707. - Last Registered Year: 2019
Malpractice Insurance: (Current as of date of registration; consult attorney for further information)	In annual registration, attorney reported that he/she has malpractice coverage.

**Public Record of Discipline
and Pending Proceedings:** None

***LAWYER SEARCH: ATTORNEY'S REGISTRATION AND PUBLIC
DISCIPLINARY RECORD***

ARDC Individual Attorney Record of Public Registration and Public Disciplinary and Disability Information
as of July 22, 2019 at 1:11:33 PM:

Full Licensed Name:	Mark John Geragos
Full Former name(s):	None
Date of Admission as Lawyer by Illinois Supreme Court:	
Registered Business Address:	Geragos & Geragos, APC 644 South Figueroa Street Los Angeles, CA 90017-3411
Registered Business Phone:	(213) 625-3900
Illinois Registration Status:	Not authorized to practice law in Illinois. Formerly eligible to practice in specific proceeding(s) pursuant to Rule 707. - Last Registered Year: 2019
Malpractice Insurance: (Current as of date of registration; consult attorney for further information)	In annual registration, attorney reported that he/she has malpractice coverage.

**Public Record of Discipline
and Pending Proceedings:** None

Rule 707. Permission for an Out-of-State Attorney to Provide Legal Services in Proceedings in Illinois

(a) Permission to Provide Legal Services in a Proceeding in Illinois. Upon filing pursuant to this rule of a verified Statement by an eligible out-of-state attorney and the filing of an appearance of an active status Illinois attorney associated with the attorney in the proceeding, the out-of-state attorney is permitted to appear as counsel and provide legal services in the proceeding without order of the tribunal. The permission is subject to termination pursuant to this rule.

(b) Eligible Out-of-State Attorney. An out-of-state attorney is eligible for permission to appear under this rule if the attorney:

(1) is admitted to practice law without limitation and is authorized to practice law in another state, territory, or commonwealth of the United States, in the District of Columbia, or in a foreign country and is not prohibited from practice in any jurisdiction or any other jurisdiction by reason of discipline, resignation with charges pending, or permanent retirement;

(2) on or after January 1, 2014, has not entered an appearance in more than five other proceedings under the provisions of this rule in the calendar year in which the Statement is filed;

(3) has not been enjoined or otherwise prohibited from obtaining permission under this rule; and

(4) has not been admitted to the practice of law in Illinois by unlimited or conditional admission. The admission of an attorney as a house counsel pursuant to Rule 716, as a legal services program lawyer pursuant to Rule 717, or as a foreign legal counsel pursuant to Rules 712 and 713 does not preclude that attorney from obtaining permission to provide legal services under this rule.

(c) Proceedings Requiring Permission. The following proceedings require permission under this rule:

(1) a case before a court of the State of Illinois;

(2) a court-annexed alternative dispute resolution proceeding; and

(3) a case before an agency or administrative tribunal of the State of Illinois or of a unit of local government in Illinois, if the representation by the out-of-state attorney constitutes the practice of law in Illinois or the agency or tribunal requires that a representative be an attorney.

The appeal or review of a proceeding before a different tribunal is a separate proceeding for purposes of this rule.

(d) Statement. The out-of-state attorney shall include the following information in the Statement and shall serve the Statement upon the Administrator of the Attorney Registration and Disciplinary Commission, the Illinois counsel with whom the attorney is associated in the proceeding, the attorney's client, and

all parties to the proceeding entitled to notice:

(1) the attorney's full name, all addresses of offices from which the attorney practices law and related e-mail addresses and telephone numbers;

(2) the name of the party or parties that the attorney represents in the proceeding;

(3) a listing of all proceedings in which the attorney has filed an appearance pursuant to this rule in the calendar year in which the Statement is filed and the ARDC registration number of the attorney, if assigned previously;

(4) a listing of all jurisdictions in which the attorney has been admitted and the full name under which the attorney has been admitted and the license or bar number in each such jurisdiction, together with a letter or certificate of good standing from each such jurisdiction, except for federal courts and agencies of the United States;

(5) a statement describing any office or other presence of the attorney for the practice of law in Illinois;

(6) a statement that the attorney submits to the disciplinary authority of the Supreme Court of Illinois;

(7) a statement that the attorney has undertaken to become familiar with and to comply, as if admitted to practice in Illinois, with the rules of the Supreme Court of Illinois, including the Illinois Rules of Professional Conduct and the Supreme Court Rules on Admission and Discipline of Attorneys, and other Illinois law and practices that pertain to the proceeding;

(8) the full name, business address and ARDC number of the Illinois attorney with whom the attorney has associated in the matter; and

(9) a certificate of service of the Statement upon all entitled to service under this rule.

(e) Additional Disclosures. The out-of-state attorney shall advise the Administrator of new or additional information related to items 4, 5 and 8 of the Statement, shall report a criminal conviction or discipline as required by Supreme Court Rule 761 and Rule 8.3(d) of the Illinois Rules of Professional Conduct, respectively, and shall report the conclusion of the attorney's practice in the proceeding. The attorney shall submit these disclosures in writing to the Administrator within 30 days of when the information becomes known to the attorney. The out-of-state attorney shall provide waivers upon request of the Administrator to authorize bar admission or disciplinary authorities to disclose information to the Administrator.

(f) Fee per Proceeding. At the time of serving the Statement upon the Administrator, the out-of-state attorney shall submit to the Administrator a nonrefundable fee in the amount of \$250 per proceeding, except that no fee shall be due from an attorney appointed to represent an indigent defendant in a criminal

or civil case, from an attorney employed by or associated with a nonprofit legal service organization in a civil case involving the client of such a program, from an attorney providing legal services pursuant to Rule 718, or from an attorney employed by the United States Department of Justice and representing the United States. Fees shall be deposited in the disciplinary fund maintained pursuant to Rule 751(e)(6). The Attorney Registration and Disciplinary Commission shall retain \$75 of each fee received under this section to fund its expenses to administer this rule. The \$175 balance of each such fee shall be remitted to a trust fund established by the Attorney Registration and Disciplinary Commission for the Court's Access to Justice Commission and used at the Court's discretion to provide funding for the work of the Commission on Access to Justice and related Court programs that improve access to justice for low-income and disadvantaged Illinois residents, as well as to provide funding to the Lawyers Trust Fund of Illinois for distribution to legal aid organizations serving the State. The Court or its designee may direct the deposit of other funds into the trust fund. The Attorney Registration and Disciplinary Commission shall act in a ministerial capacity only and shall have no interest in or discretion concerning the trust fund. The Attorney Registration and Disciplinary Commission shall make payments from the trust fund pursuant to written direction from the Court or its designee. Such directions may be submitted electronically.

(g) Administrator's Review of Statement. The Administrator of the Attorney Registration and Disciplinary Commission shall conduct an inquiry into the Statement. It shall be the duty of the out-of-state attorney and Illinois attorneys to respond expeditiously to requests for information from the Administrator related to an inquiry under this section.

(h) Registration Requirement. An out-of-state attorney who appears in a proceeding pursuant to this rule shall register with the Attorney Registration and Disciplinary Commission and pay the registration fee required by Rule 756 for each year in which the attorney has any appearance of record pursuant to this rule. The attorney shall register within 30 days of the filing of a Statement pursuant to this rule if the attorney is not yet registered.

(i) Duration of Permission to Practice. The permission to practice law shall extend throughout the out-of-state attorney's practice in the proceeding unless earlier terminated.

(1) The Supreme Court, the Chief Judge of the Circuit Court for the circuit in which a proceeding is pending, or the court in which a proceeding is pending may terminate the permission to practice upon its own motion or upon motion of the Administrator if it determines that grounds exist for termination. Grounds may include, but are not limited to:

~~(1)~~**(i)** the failure of the out-of-state attorney to have or maintain qualifications

required under this rule;

~~(2)(ii)~~ the conduct of the attorney inconsistent with Rule 5.5 or other rules of the Illinois Rules of Professional Conduct, the Supreme Court Rules on Admission and Discipline of Attorneys or other rules of the Supreme Court, or other Illinois law and practices that pertain to the proceeding;

~~(3)(iii)~~ the conduct of the attorney in the proceeding;

~~(4)(iv)~~ the absence of an Illinois attorney who is associated with the out-of-state lawyer as counsel, who has an appearance of record in the proceeding, and who participates actively in the proceeding pursuant to Rule 5.5(c)(1) of the Illinois Rules of Professional Conduct;

~~(5)(v)~~ inaccuracies or omissions in the Statement;

~~(6)(vi)~~ the failure of the attorney or the associated Illinois lawyer to comply with requests of the Administrator for information; or

~~(7)(vii)~~ the failure of the attorney to pay the per-proceeding fee under this rule or to comply with registration requirements under Rule 756.

(2) If the proceeding is not before the Supreme Court and the Administrator files with the Court a motion to terminate the attorney's permission to practice, the Administrator shall serve the motion upon the attorney in any manner in which service of process is authorized by Rule 765(a).

(j) Disciplinary Authority. The out-of-state attorney shall be subject to the disciplinary and unauthorized practice of law authority of the Supreme Court. The Administrator may institute disciplinary or unauthorized practice of law investigations and proceedings related to the out-of-state attorney. The Administrator may seek interim relief in the Supreme Court pursuant to the procedure set forth in Rule 774. The Administrator may also refer matters to the disciplinary authority of any other jurisdiction in which the attorney may be licensed.

Amended June 12, 1992, effective July 1, 1992; amended October 2, 2006, effective July 1, 2007; amended June 18, 2013, eff. July 1, 2013; amended May 29, 2014, eff. July 1, 2014; amended June 22, 2017, eff. July 1, 2017; amended Dec. 28, 2017, eff. Feb. 1, 2018.

Instructions for a Rule 707(d) Statement

Amended Rule 707 permits an eligible out-of-state attorney to appear in an Illinois proceeding upon the filing of an appearance of an active status Illinois attorney and a verified Statement (see SampleStatement).

Please follow these steps for submission of a Rule 707 statement:

- a. Fill out our verified statement and attach certificates of good standing from each *state* jurisdiction. See sample statement above.
- b. Serve the statement upon all parties to the matter and submit a copy to the ARDC at Rule707@iadc.org. A copy should also be filed with the court handling the matter. Any hard copies can be sent to our Chicago address, although this is not necessary. Please do not send any payment to our office initially.

Note: an out-of-state attorney is permitted file an appearance as soon as the verified statement is filed with the court and submitted to the ARDC.

- c. The ARDC will contact the out-of-state attorney within 2-3 business days assigning an ARDC registration number and providing information on how to register, as well as pay any required fees. The fees can then be paid online via credit card (American Express, Discover, or Mastercard) or by printing an invoice that can be sent in with a check.
- d. An ID card will be issued following the completion of all registration requirements.
- e. The out-of-state attorney has completed the Rule 707 procedure.

Fees and Other Requirements

- a. Payment to the ARDC of a non-refundable \$250 fee for each proceeding. No fees are due from an attorney providing certain *pro bono* services or representing the federal government. This fee is billed to the out-of-state attorney upon reception of the verified statment and can be paid online.
- b. Annual registration and payment to the ARDC of a \$121 fee for each year in which there is at least one open proceeding at any point during the year.
- c. Notice to the ARDC in writing regarding the conclusion of each proceeding by sending an email to Rule707@iadc.org.

SAMPLE

Rule 707 Statement

[ENTER CASE CAPTION]

Verified Statement of Out-of-State Attorney Pursuant to Supreme Court Rule 707

I, [ENTER ATTORNEY'S FULL NAME], submit this Verified Statement pursuant to Illinois Supreme Court Rule 707.

1. My full name is [ENTER ATTORNEY'S FULL NAME], my date of birth is [ENTER ATTORNEY'S DATE OF BIRTH]. The address of offices from which I practice law and related email address and telephone numbers are as follows:

[ENTER OFFICE ADDRESS, TELEPHONE NUMBER AND EMAIL ADDRESSES FOR EACH OFFICE FROM WHICH YOU PRACTICE LAW]

2. I represent [ENTER NAMES OF PARTY/PARTIES] in [ENTER ILLINOIS CASE CAPTION AND COURT]:

3(a). *[Delete the sentence that is not applicable]* I have not filed any other appearance pursuant to this rule during this calendar year. *[OR]* I list below all proceedings in which I have filed an appearance pursuant to this rule in this calendar year. [ENTER LIST OF PROCEEDINGS, INCLUDING CASE NUMBER AND COURT]

3(b). *[Delete the sentence that is not applicable]* My ARDC registration number is [ENTER ARDC REGISTRATION NUMBER]. *[OR]* I have not received a registration number from the ARDC.

4(a). I list each jurisdiction of admission, including any state, territory, or commonwealth of the United States, the District of Columbia, or in a foreign country, and my full admission name and license number. [ENTER LIST OF JURISDICTIONS, FULL ADMISSION NAME AND LICENSE NUMBER]

4(b). I attach a letter or certificate of good standing for each of the jurisdictions listed in paragraph 4(a) above.

5. *[Delete the sentence that is not applicable]* I have no office or other presence in Illinois for the practice of law. *[OR]* I describe below the office or other presence that I have for the practice of law in Illinois. [ENTER EXPLANATION]

6. I submit to the disciplinary authority of the Supreme Court of Illinois;

7. I have undertaken to become familiar with and to comply, as if admitted to practice in Illinois, with the rules of the Supreme Court of Illinois, including the Illinois Rules of Professional Conduct and the Supreme Court Rules on Admission and Discipline of Attorneys, and other Illinois law and practices that pertain to the proceeding;

(8) The full name, business address and ARDC number of the Illinois attorney with whom I have associated in the matter is: [ENTER INFORMATION]

9. I certify that I have served this Statement upon [ENTER NAMES] and that these parties are all entitled to service under this rule.

Verification

I verify the accuracy and completeness of each of the above statements.

[/ENTER SIGNATURE/]

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
CRIMINAL DIVISION**

In Re: Appointment of Special Prosecutor

19-MR-00014

Certificate of Service

Sheila M. O'Brien, the undersigned, Petitioner *pro se*, certifies that she served a letter to Judge Michael Toomin, dated July 24, 2019 by email delivery before the hour of 5:00 p.m. on Wednesday, July 24, 2019 to the following

Risa Lanier

Asst. State's Atty

Risa.lanier@cookcountyil.gov

Cathy McNeil Stein

Asst. State's Atty

CATHYMCNEIL.STEIN@cookcountyil.gov

Patricia Holmes

Attorney for Jussie Smollett

Pholmes@rshc-law.com

Valerie L. Hletko, Attorney for Tina Tchen

Scott Sakiyama, Attorney for Tina Tchen

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Hon. Michael Toomin

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Mark J. Geragos


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Tina Glandian

Attorney for Jussie Smollett

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Sheila M. O'Brien, *pro se*

Sheila M. O'Brien

Pro Se

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Chicago, Illinois 60601

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CLERK
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