

Review Board Recommends Suspension for Lawyer Who Produced False Documents to Decrease Capital Contribution



An Illinois lawyer, James Thomas Rollins, has been recommended for a five-month suspension by an Illinois review board after creating fake documents to reduce his capital contribution to his law firm. Rollins formed the asbestos-defense firm with three other lawyers in 2016, agreeing to make a \$100,000 capital contribution in exchange for an ownership interest in the new firm. However, Rollins submitted three fraudulent invoices to his law firm, purporting that he had paid \$81,000 in expenses when he had only paid \$18,000. This meant that Rollins attempted to defraud his law firm of \$63,000.

Rollins admitted what he had done and apologized after the firm partners provided evidence that the documents were false. He agreed to make his capital contribution over time and completed his payments before filing the ethics complaint. A hearing board recommended the five-year suspension, which Rollins contested, believing the sanction was too high. On the other hand, ethics regulators thought the sanction was too low.

The review board agreed with the five-month suspension, calling it “appropriate and fair.” The review board cited Rollins’ misconduct as “very serious,” but it also considered the mitigating factors, including Rollins’ genuine remorse and acceptance of responsibility for his misconduct. Rollins had an unblemished 10-year career in the legal profession before his misconduct in 2017. Moreover, he fully cooperated in the disciplinary process and consistently acknowledged wrongdoing. The board also recognized Rollins’ stress at the time of the misconduct, as he had two infants and was struggling to save his marriage. Additionally, Rollins was active in the community, provided pro bono services, and served on bar committees. Two lawyers testified to Rollins’ good character, with one of them hiring Rollins to work at his firm in 2021, stating that he trusts Rollins, an excellent attorney with an excellent reputation for truth and veracity.

The Illinois review board has determined that the five-month suspension is “appropriate and fair” despite Rollins’ mitigating factors. The review board considered the seriousness of the misconduct in light of the mitigating circumstances, stating that the sanction addresses the serious nature of the misconduct. Rollins did not immediately respond to the ABA Journal’s request for comment, and his lawyer, Samuel Manella, did not immediately reply to the Journal’s email seeking comment.

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In conclusion, the recommendation of a five-month suspension for Rollins serves as a reminder of the importance of ethical behavior in the legal profession. The mitigating factors the review board considers, such as Rollins’ acknowledgment of his misconduct, his acceptance of responsibility, and his genuine remorse, are crucial in determining the appropriate disciplinary action. Legal practitioners should always uphold ethical standards to avoid the risk of disciplinary action, which could result in suspension or disbarment.