

**From:** [Clyde Taylor](#)  
**To:** [RulesCommittee](#)  
**Cc:** [Clyde Taylor](#)  
**Subject:** RULE PROPOSAL 22-06 (P.R. 00309)  
**Date:** Wednesday, November 8, 2023 4:50:04 PM

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Dear Rules Committee Representative:

I write to object to the proposal to amend Illinois Rule of Professional Conduct 8.4(j) (“proposed Rule”).

Even with the proposed Rule’s “savings clause” that attempts to remove “conduct protected by the Constitutions of the United States or the State of Illinois”, the proposed Rule would create a chilling affect on practicing attorneys.


The only federal court that has ruled substantively on a rule modeled after ABA Model Rule 8.4(g), on which the proposed Rule is also modeled, has found the rule unconstitutional. *Greenberg v. Haggerty*, 491 F.Supp.3d 12 (E.D. Pa. 2020).

Numerous religious bar associations have taken public positions that the proposed Rule is unconstitutional including the Catholic Bar Association and the Christian Legal Society.

Based on the vague definitions of “discrimination”, “harassment”, and “in the practice of law” in the proposed Rule, the proposed Rule will unnecessarily overburden Illinois’ professional disciplinary authorities

I urge the Rules Committee to reject the proposed Rule.

Sincerely,

Clyde Taylor  


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