



Supreme Court of Illinois

May 30, 2024

ILLINOIS SUPREME COURT AMENDS RULES OF PROFESSIONAL CONDUCT

Chief Justice Mary Jane Theis and the Illinois Supreme Court announced today amendments to Supreme Court Rules of Professional Conduct (RPC). The rules amended are Rule 8.4(j), which addresses misconduct, and Rule 5.1, which addresses the responsibilities of partners, managers, and supervisory lawyers.

Changes to the RPC include addressing sexual harassment, providing general definitions of harassment and discrimination, imposing a “know” or “reasonably should know” standard on attorneys for harassing or discriminatory acts, and eliminating the requirement of a prior adjudication with a final judgment with no further rights of judicial review as a precondition for an attorney to be disciplined for harassment or discrimination, as well as additional clarifications.

The Amended Illinois Supreme Court Rules can be found here:
<https://www.illinoiscourts.gov/rules/supreme-court-rules?a=viii>

The amended rules are effective July 1, 2024.

“As the first woman lawyer of color to lead the Illinois State Bar Association in 148 years, I applaud the Supreme Court for acting on the ISBA’s proposal to amend Rules 8.4 and 5.1 of the Supreme Court Rules of Professional Conduct,” Illinois State Bar Association President Sonni Choi Williams said. “These amendments will provide a clearer deterrent against harassing or discriminatory conduct that has no place in the profession and does not advance the administration of justice.”

Rule 8.4(j) has been amended to state that it is professional misconduct for a lawyer to: engage in conduct in the practice of law that the lawyer knows or reasonably should know is harassment or discrimination on the basis of race, color, ancestry, sex, religion, national origin, ethnicity, disability, age, sexual orientation, gender identity, gender expression, marital status, military or veteran status, pregnancy, or socioeconomic status. This paragraph does not limit the ability of a lawyer to accept, decline, or, in accordance with Rule 1.16, withdraw from a representation. This paragraph does not preclude or limit the giving of advice, assistance, or advocacy consistent with these Rules.

The amended rules were proposed by Illinois State Bar Association (ISBA) and were endorsed by the Chicago Bar Association (CBA). The Institute for Inclusion in the Legal Profession and Women Lawyers on Guard, Inc, also endorsed the proposal. The Supreme Court Committee on Professional Responsibility revised the proposal, and it was the subject of the Illinois Supreme Court Rules Committee’s public hearing on November 15, 2023.

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