

WEBSITE INFORMATION | SEARCH SITE | HOME

- Lawyer Search
- Lawyer Registration
- How to Submit a Request For Investigation
- Rules and Decisions
- Ethics Inquiry Program
- Publications
- New Filings, Hearing Schedules and Clerk's Office
- Client Protection Program
- Resources & Links
- ARDC Organizational Information

LAWYER SEARCH: ATTORNEY'S REGISTRATION AND PUBLIC DISCIPLINARY RECORD

ARDC Individual Attorney Record of Public Registration and Public Disciplinary and Disability Information as of January 25, 2010 at 1:14:27 PM:

Full Licensed Name:	Frank Matthew Picl
Full Former name(s):	None
Date of Admission as Lawyer by Illinois Supreme Court:	April 28, 1977
Registered Business Address:	Po Box 418 Peoria, IL 61651-0418
Registered Business Phone:	(309) 673-8110
Illinois Registration Status:	Not authorized to practice law due to discipline and has not demonstrated required MCLE compliance
Malpractice Insurance: (Current as of date of registration; consult attorney for further information)	No malpractice report received as attorney is not registered.

Public Record of Discipline and Pending Proceedings:

Case(s) below are identified by caption and Commission case number. If there is more than one case, the cases are listed in an order from most recent to oldest. A case may have more than one disposition or more than one component to a disposition, in which situation each disposition and component is also listed separately within that case record, again in an order from most recent to oldest.

Click on R & D to access any documents regarding this lawyer that are in Rules and Decisions. R & D contains all disciplinary opinions of the Supreme Court and most other Court orders and board reports issued since 1990. If R & D does not contain the decision that you are seeking, contact the Commission's Clerk's office for assistance. Contact information for the Clerk's office is available at Office Hours.

In re Frank Matthew Picl, 06DC1009

Disposition: Disbarment on consent



Effective Date of Disposition: November 17, 2006

End Date of Disposition: No disposition end date scheduled at this time. Discipline continues until further order of the Court.

Definition of Disposition: Disbarment on consent is imposed by the Supreme Court based upon the lawyer's filing of a motion to strike his or her name from the roll of attorneys in face of disciplinary charges that are set forth in the Administrator's Statement of Charges. The disbarred lawyer is not authorized to practice law during the period of the disbarment on consent and may not return to the practice of law unless and until the lawyer has demonstrated his or her rehabilitation, good character, and current knowledge of the law in a subsequent reinstatement case, which may not be filed until three years after the effective date of the disbarment on consent.

In re Frank Matthew Picl, 02SH0066

Disposition: Censure

Effective Date of Disposition: May 22, 2003

End Date of Disposition: Not applicable. Censures and reprimands do not affect the authority of the lawyer to continue to practice law.

Definition of Disposition: A censure reflects a determination that the lawyer has engaged in misconduct, but that the violation is not so serious to warrant a sanction that would affect the lawyer's authority to continue to practice law. As a result, censure does not affect the authority of a lawyer to continue to practice law.

Check carefully to be sure that you have selected the correct lawyer. At times, lawyers have similar names. The disciplinary results displayed above include information relating to any and all public discipline, court-ordered disability inactive status, reinstatement and restoration dispositions, and pending public proceedings. Investigations are confidential and information relating to the existence or status of any investigation is not available. For additional information regarding data on this website, please contact ARDC at (312) 565-2600 or, from within Illinois, at (800) 826-8625.

ARDC makes every effort to maintain the currency and accuracy of Lawyer Search. If you find any typographical errors in the Lawyer Search information, please email registration@iardc.org. For changes to contact information, including address, telephone or employer information, we require that the attorney submit a change of address form. Please consult our [Address Change Requests](#) page for details. Name changes require the filing of a motion with the

Supreme Court. Please consult our [Name Change Requests](#) page for details.

[Return to Search](#)



IARDC @:online access to registration and discipline information regarding Illinois lawyers presented by the Illinois Attorney Registration & Disciplinary Commission.

- [Lawyer Search](#) | [Lawyer Registration](#) | [How to Submit a Request For Investigation](#)
- [Rules and Decisions](#) | [Ethics Inquiry Program](#) | [Publications](#)
- [New Filings, Hearing Schedules and Clerk's Office](#) | [Client Protection Program](#)
- [Resources & Links](#) | [ARDC Organizational Information](#)
- [Website Information](#) | [Search Site](#) | [Home](#)

Rules and Decisions

[Recently Filed Disciplinary Decisions and Complaints](#) | [Rules Governing Lawyers and Judges](#) | [Disciplinary Reports and Decisions](#) | [Search Help and Collection Scope](#) | [Home](#)

DECISION FROM DISCIPLINARY REPORTS AND DECISIONS SEARCH

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

In the Matter of:

FRANK MATTHEW PICL,

Commission No. 02 SH 66

Attorney-Respondent,

FILED --- August 26, 2002

No. 2203561.

COMPLAINT

Mary Robinson, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney Julie A. Smith, pursuant to Supreme Court Rule 753(b), complains of Respondent, Frank M. Picl, who was licensed to practice law in Illinois on April 28, 1977, and alleges that Respondent has engaged in the following conduct which tends to defeat the administration of justice or to bring the courts or the legal profession into disrepute:

(Neglect of Criminal Appeal)

1. On January 25, 1996, a jury convicted Thomas A. Rice ("Rice") of first degree murder, *People v. Rice*, 95 CF 573, Sangamon County, Illinois.
2. On March 29, 1996, the trial court sentenced Rice to a term of 35 years imprisonment.
3. On February 7, 1997, the Fourth District Appellate Court affirmed the conviction and sentence, *People v. Rice*, Case No. 4-96-0297.
4. In March 1997, Respondent agreed to represent Rice in filing a petition for leave to appeal the decision of the Fourth District Appellate Court, and, if leave to appeal was denied, Respondent agreed to represent Rice in post conviction proceedings.
5. In September 1997, Respondent received \$10,000 from Rice's family as attorney's fees.
6. On October 1, 1997, the Illinois Supreme Court denied Rice's petition for leave to appeal the decision of the Fourth District Court affirming his conviction and sentence.

7. Respondent subsequently filed, on behalf of Rice, a post-conviction petition and a petition for post-judgement relief in the Circuit Court of Sangamon County. Both petitions were denied (although Rice's sentence was modified) and Respondent filed separate notices of appeal in each case. *People v. Rice*, Case No. 4-99-0599 (post-conviction petition); *People v. Rice*, Case No. 4-00-1075 (post judgement petition).
8. On May 22, 2001, Respondent filed a motion with the Appellate Court to consolidate Cases 4-99-0599 and 4-00-1075 and requested an extension of time to file his initial brief. The Appellate Court granted the motion and ordered Respondent's brief filed on or before June 22, 2001.
9. At no time on or before June 22, 2001, did Respondent file a brief.
10. On June 28, 2001, and July 20, 2001, Respondent filed motions for extensions of time in which to file his initial brief in Cases 4-99-0599 and 4-00-1075. The Appellate Court granted the motions and ordered Respondent's brief filed on or before July 31, 2001.
11. At no time on or before July 31, 2001, did Respondent file a brief or request a further extension of time.
12. On or about August 6, 2001, Rice wrote the Court asking for a status report on the consolidated cases.
13. On August 8, 2001, the Court issued a Rule to Show Cause to Respondent as to why the consolidated appeals should not be dismissed on or before August 15, 2001, for Respondent's failure to file a brief.
14. On August 15, 2001, Respondent filed a response to the Rule to Show Cause and made an additional request for an extension of time in which to file a brief. Respondent cited his heavy caseload as the reason for the request.
15. On August 16, 2001, the Court granted Respondent up to and including August 20, 2001, to file his brief. In the order, the Court stated that Respondent's failure to file a brief on or before August 20, 2001 would result in automatic dismissal of the consolidated appeals.
16. On August 20, 2001, Respondent filed his fifth request for an extension of time to file the brief. Respondent cited his heavy caseload as the reason for the request.
17. On August 21, 2001, the Court denied Respondent's motion for an extension of time in which to file the brief. The Court enforced the Rule to Show Cause previously entered and dismissed Rice's appeals. Pursuant to Supreme Court Rule 315(b), any appeal to the Illinois Supreme Court of the Appellate Court's dismissal was due on or before September 11, 2001.
18. At no time did Respondent petition for leave to appeal the dismissal by the Appellate Court.
19. At no time did Respondent inform Rice that his appeals had been dismissed.

20. On or about September 10, 2001, Rice wrote to Respondent requesting information about his appeal.
21. At no time did Respondent respond to Rice's inquiry of September 10, 2001.
22. On September 17, 2001, Respondent filed a motion in the Appellate Court to reinstate the dismissed appeals
23. On September 21, 2001, the Appellate Court denied Respondent's motion to reinstate the appeals for lack of jurisdiction. The Court advised the Clerk of the Appellate Court to refer the matter to the Attorney Registration and Disciplinary Commission.
24. On or about September 21, 2001, Rice wrote to the Court asking for a status report on the consolidated cases.
25. On October 2, 2001, the Court sent a letter to Rice which indicated that his appeal had been dismissed.
26. On October 19, 2001, Rice filed a pro se motion with the Court requesting a recall of the mandate dismissing his appeals.
27. On October 23, 2001, the Court denied Rice's pro se motion for lack of jurisdiction.
28. On November 13, 2001, Rice filed a pro se motion with the Illinois Supreme Court seeking to appeal the Fourth District Appellate Court's dismissal of his appeals.
29. On April 25, 2002, the Illinois Supreme Court, under its supervisory authority, directed the Fourth District Appellate Court to vacate its order in Case Nos. 4-99-0599 and 4-00-1075, and to reinstate Rice's appeals.
30. On April 26, 2002, the Fourth District Appellate Court reinstated Rice's appeals and appointed the State Appellate Defender to represent Rice.
31. By reason of the conduct described above, Respondent has engaged in the following misconduct:
 - a. failure to act with reasonable diligence and promptness in representing a client, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct;
- failure to keep a client reasonably informed about the status of a matter, in violation of Rule 1.4(a) of the Illinois Rules of Professional Conduct;
- failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representations in violation of Rule 1.4(b) of the Illinois Rules of Professional Conduct;

- failure to make reasonable efforts to expedite litigation consistent with the interests of the client, in violation of Rule 3.2 of the Illinois rule of Professional Conduct;
- engaged in conduct that is prejudicial to the administration of justice, in violation of Rule 8.4(a)(5) of the Illinois rules of Professional Conduct; and
- engaged in conduct which tends to defeat the administration of justice, or to bring the courts of the legal profession into disrepute, in violation of Supreme Court Rule 771.

WHEREFORE, the Administrator requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Mary Robinson, Administrator
Illinois Attorney Registration and
Disciplinary Commission

By: Counsel for the Administrator

Julie A. Smith, Counsel
Attorney Registration and
Disciplinary Commission
Hilton Offices, Suite 201
700 East Adams Street
Springfield, Illinois 62701-1625
Telephone: (217) 522-6838

Rules and Decisions

[Recently Filed Disciplinary Decisions and Complaints](#) | [Rules Governing Lawyers and Judges](#) | [Disciplinary Reports and Decisions](#) | [Search Help and Collection Scope](#) | [Home](#)

DECISION FROM DISCIPLINARY REPORTS AND DECISIONS SEARCH

Supreme Court Order Imposing Discipline on Consent and Underlying Consent Petition

M.R.18700 - In re: Frank Matthew Picl (May 22, 2003)

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 Frank Matthew Picl is censured.

Order entered by the Court.

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

FRANK MATTHEW PICL,
Attorney-Respondent,
No. 2203561.

Supreme Court No. M.R. 18700
Commission No. 02 SH 66

PETITION TO IMPOSE DISCIPLINE ON CONSENT

Mary Robinson, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Julie A. Smith, pursuant to Supreme Court Rule 762(b), with the consent of Respondent, Frank Matthew Picl, and his attorney, Ronald L. Hamm, and the approval of the Hearing Board, petitions the Court to enter an order censuring Respondent. In support, the Administrator states:

I. SUMMARY OF THE PETITION

1. Respondent is fifty years old and was licensed to practice law in Illinois in 1977. Respondent maintains a criminal law practice in Peoria, Illinois.
2. Respondent neglected to file a post-conviction appellate brief on behalf of a client who had been convicted of first degree murder. A full description of Respondent's misconduct is set forth in Section

II, below, at pages 2 through 3.

3. The Court has not previously disciplined Respondent. A more complete summary of Respondent's mitigation evidence is provided in Section III below, at pages 3 through 4.

4. Respondent's affidavit is attached as Exhibit One. At the time this petition was prepared, complaint number 02 SH 66 was pending against Respondent before the Hearing Board, and the members of the Board approved the submission of this matter to the Court as an agreed matter pursuant to Rule 762(b) (1)(b). A copy of the Hearing Board order authorizing the submission of this matter to the Court is attached as Exhibit Two. A copy of the transcript of the Hearing Board proceedings is attached as Exhibit Three.

II. DESCRIPTION OF MISCONDUCT

5. In March 1997, Respondent agreed to represent Thomas A. Rice in filing a petition for leave to appeal the decision of the Fourth District Appellate Court affirming his conviction for first degree murder. Respondent further agreed to represent Rice in any necessary post-conviction proceedings.

6. After the Supreme Court's denial of the petition for leave to appeal, the Respondent filed a petition for post-conviction relief, which was denied by the circuit court. Respondent filed a notice of appeal on July 19, 1999. Between November 5, 1999, and August 4, 2002, Respondent sought and received seven extensions of time for filing the appellant's brief.

7. Respondent also filed a petition for post-judgment relief, which was denied, and his notice of appeal was filed on December 15, 2000. On Respondent's motion, filed May 22, 2001, the two appeals were consolidated, and the Appellate Court ordered Respondent's brief to be filed on or before June 22, 2001.

8. At no time between June 22, 2001, and August 21, 2001, did Respondent file an appellate brief on behalf of Rice in the consolidated cases.

9. On August 21, 2001, the Appellate Court dismissed the consolidated appeals. Respondent did not timely move to have the appeals reinstated, did not file a petition for leave to appeal from the dismissal, and did not respond to the client's request for information about the appeals.

10. On September 17, 2001, Respondent filed a motion in the Appellate Court to reinstate the dismissed appeals, but the motion was denied for lack of jurisdiction. The Appellate Court advised its Clerk to refer the matter to the Attorney Registration and Disciplinary Commission.

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

- a. failure to act with reasonable diligence and promptness in representing a client, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct;
- b. failure to keep a client reasonably informed about the status of a matter, in violation of Rule 1.4(a) of the Illinois Rules of Professional Conduct;
- c. failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representations in violation of Rule 1.4(b) of the Illinois Rules of Professional Conduct;

- d. failure to make reasonable efforts to expedite litigation consistent with the interests of the client, in violation of Rule 3.2 of the Illinois rule of Professional Conduct;
- e. conduct that is prejudicial to the administration of justice, in violation of Rule 8.4(a)(5) of the Illinois rules of Professional Conduct; and
- f. conduct which tends to defeat the administration of justice, or to bring the courts of the legal profession into disrepute, in violation of Supreme Court Rule 771.

III. RESPONDENT'S BACKGROUND AND FACTORS IN MITIGATION

- 12. Respondent is fifty years old, has practiced law since 1977, and has no prior disciplinary history. In November 1999, Respondent separated from his wife after twenty-five years of marriage, and their marriage was dissolved in October 2001.
- 13. In September 2001, Respondent's oldest daughter was living and working in New York City, and the terrorist attack on the World Trade Center had a mental, emotional and physical impact on him due to concerns for his daughter's safety.
- 14. A number of members of the bench and bar would testify to Respondent's excellent reputation for truth and veracity.
- 15. Respondent agrees that he will not represent any individual at the appellate level in the future.
- 16. Respondent has cooperated fully with the Commission during the disciplinary process and has candidly admitted his misconduct in this matter. Respondent has refunded \$2,500 of his \$10,000 fee to Rice.
- 17. On October 19, 2001, Rice filed a pro se motion with the Appellate Court requesting a recall of the mandate dismissing his appeals. The Appellate Court denied Rice's pro se motion for lack of jurisdiction. Thereafter, Rice filed a pro se motion with the Illinois Supreme Court seeking to appeal the Appellate Court's dismissal of his appeals. On April 25, 2002, the Illinois Supreme Court, under its supervisory authority, directed the Appellate Court to vacate its dismissal order and to reinstate Rice's appeals.

IV. RECOMMENDATION FOR DISCIPLINE

- 18. The Administrator respectfully recommends that Respondent be censured for his admitted misconduct.
- 19. A censure would be consistent with this Court's precedent. In *In re Weinberg*, 119 Ill. 2d 309 (1988), and *In re Runge*, 92 SH 161, M.R. 8264 (May 27, 1992), this Court censured the respondents for their neglect of their client's criminal appeal. Most recently, in *In re Redmond*, 01 CH 43, M.R. 18387 (November 26, 2002), the Court censured an attorney for incompetently representing a criminal defendant on a post-conviction appeal.
- 20. The Respondent in the instant case, as the respondents in *Weinberg*, *Runge*, and *Redmond*, engaged in an isolated incident of misconduct in connection with a criminal appeal; had not been previously disciplined, presented evidence to mitigate the conduct, and cooperated fully with the disciplinary process.

WHEREFORE, the Administrator, Respondent's counsel and Respondent, with the consent of the Hearing Board, requests that this Court enter an order censuring Respondent.

Respectfully submitted,

Mary Robinson, Administrator
Illinois Attorney Registration and
Disciplinary Commission

By: Counsel for Administrator

Julie A. Smith, Counsel
Attorney Registration and
Disciplinary Commission
One Old Capitol Plaza North, Ste. 333
Springfield, Illinois 62701
Telephone: (217) 522-6838

Rules and Decisions

[Recently Filed Disciplinary Decisions and Complaints](#) | [Rules Governing Lawyers and Judges](#) | [Disciplinary Reports and Decisions](#) | [Search Help and Collection Scope](#) | [Home](#)

DECISION FROM DISCIPLINARY REPORTS AND DECISIONS SEARCH

M.R.18700 - In re: Frank Matthew Picl (May 22, 2003)

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 Frank Matthew Picl is censured.

Order entered by the Court.

Rules and Decisions

[Recently Filed Disciplinary Decisions and Complaints](#) | [Rules Governing Lawyers and Judges](#) | [Disciplinary Reports and Decisions](#) | [Search Help and Collection Scope](#) | [Home](#)

DECISION FROM DISCIPLINARY REPORTS AND DECISIONS SEARCH

*Statement of Charges Allowed by the Illinois Supreme Court
and Imposing Discipline on Consent*

Allowed November 17, 2006

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

FRANK MATTHEW PICL,
Attorney-Respondent,
No. 2203561.

Supreme Court No. M.R. 21151
Commission No. 06 DC 1009

**STATEMENT OF CHARGES PURSUANT
TO SUPREME COURT RULE 762(a)**

Mary Robinson, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Deborah Barnes, pursuant to Supreme Court Rule 762(a), states that, on the date Frank Matthew Picl signed a motion requesting that his name be stricken from the Master Roll of Attorneys, an investigative matter was pending before the Administrator alleging that Movant engaged in the following misconduct. If the cause proceeded to hearing, the evidence set forth below would establish clearly and convincingly the misconduct described below:

1. Certified court records and Movant's admissions would establish that:
 - a. On March 31, 2005, Movant was indicted in the Circuit Court of Peoria County, Illinois, on the following charges:
 - 1) three counts of Financial Exploitation of an Elderly Person, in violation of 720 ILCS 5/16-1.3(a)(Counts I - III); and
 - 2) three counts of theft, in violation of 720 ILCS 5/16-1(a)(2) and 5/16-1(a)(2)(C)(Counts IV - VI).
 - b. On June 28, 2006, Movant pled guilty but mentally ill to Counts I through VI, described above.
 - c. The factual basis for the guilty plea is that from January 2003 to March 2005, Movant withdrew \$278,200 from various financial accounts owned by Alice

Vargas, an elderly client for whom he had power of attorney, and he used the money for personal purposes, including gambling, without authority.

d. A hearing addressing the guilty but mentally ill plea is scheduled for September 25, 2006.

2. As a result of the conduct described above, Movant has engaged in the following misconduct:

- a. committing criminal acts that reflect adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects in violation of Rule 8.4(a)(3) of the Illinois Rules of Professional Conduct;
- b. conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule 8.4(a)(4) of the Illinois Rules of Professional Conduct;
- c. conduct that is prejudicial to the administration of justice in violation of Rule 8.4(a)(5) of the Illinois Rules of Professional Conduct and which tends to defeat the administration of justice or to bring the courts and the legal profession into disrepute in violation of Supreme Court Rule 770.

Respectfully submitted,

Mary Robinson,
Administrator
Illinois Attorney
Registration and
Disciplinary Commission

By: Deborah Barnes
Counsel for the
Administrator

Deborah Barnes, Counsel
Attorney Registration and
Disciplinary Commission
1 North Old Capitol Plaza, Suite #333
Springfield, Illinois 62701
Telephone: (217) 522-6838

Rules and Decisions

[Recently Filed Disciplinary Decisions and Complaints](#) | [Rules Governing Lawyers and Judges](#) | [Disciplinary Reports and Decisions](#) | [Search Help and Collection Scope](#) | [Home](#)

DECISION FROM DISCIPLINARY REPORTS AND DECISIONS SEARCH

M.R. 21151 - In re: Frank Matthew Picl. (November 17, 2006)

Disciplinary Commission.

The motion by Frank Matthew Picl to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.