



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4909

Introduced 2/18/2020, by Rep. Ann M. Williams

SYNOPSIS AS INTRODUCED:

705 ILCS 210/1

from Ch. 13, par. 15

Amends the Legal Business Solicitation Act. Provides that it is unlawful (a Class B misdemeanor) for an attorney, or person acting on behalf of the attorney, to make a false or deceptive statement concerning the existence of a settlement fund to a resident of the State or regarding a legal matter pending now or in the future before a court if such a statement was made for the purpose of inducing a person to enter into a contract of employment with an attorney to represent the person in the legal matter. Provides that if a contract of employment with an attorney was obtained before the effective date of the Act, the legal matter has not been resolved, and the contract was entered into in violation of the Act, the attorney shall: inform the client that the attorney had previously made a false or deceptive statement regarding the existence of a settlement fund or payments to a resident of the State or regarding a legal matter pending now or in the future before a court in the State; and obtain the written consent of the client to allow the attorney to continue to represent the client in the pending legal matter.

LRB101 16552 LNS 69952 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Legal Business Solicitation Act is amended
5 by changing Section 1 as follows:

6 (705 ILCS 210/1) (from Ch. 13, par. 15)

7 Sec. 1. Prohibition.

8 (a) It shall be unlawful for any person not an attorney at
9 law to solicit for money, fee, commission, or other
10 remuneration directly or indirectly in any manner whatsoever,
11 any demand or claim for personal injuries or for death for the
12 purpose of having an action brought thereon, or for the purpose
13 of settling the same.

14 (b) It shall be unlawful for an attorney, or person acting
15 on behalf of the attorney, to make a false or deceptive
16 statement concerning the existence of a settlement fund to a
17 resident of this State or regarding a legal matter pending now
18 or in the future before a court in this State, if such a
19 statement was made, in part, for the purpose of inducing a
20 person to enter into a contract of employment with an attorney
21 to represent the person in the legal matter. Such statements
22 include, but are not limited to, untrue claims suggesting: (i)
23 that a limited pot of money has been made available to

1 individuals; (ii) that this is the last chance a person has to
2 seek compensation for the person's injuries; or (iii) other
3 similar statements. If a contract of employment with an
4 attorney was obtained before the effective date of this
5 amendatory Act of the 101st General Assembly, the legal matter
6 has not been resolved, and the contract was entered into in
7 violation of this subsection, the attorney shall, within 6
8 months after the effective date of this amendatory Act of the
9 101st General Assembly:

10 (1) inform the client that the attorney, or person on
11 behalf of the attorney, had previously made a false or
12 deceptive statement regarding the existence of a
13 settlement fund or payments to a resident of this State or
14 regarding a legal matter pending now or in the future
15 before a court in this State; and

16 (2) obtain the written consent of the client to allow
17 the attorney to continue to represent the client in the
18 pending legal matter.

19 (Source: Laws 1957, p. 2587.)