

Press Release

Contact: J. Bartlett

In line with our goal in educating our members and in exposing the misconduct of those few judges who violate the law and the U.S. Constitution, we present the following example:
(Another in a series)

June 7, 2004

Judge Assists Suspended Attorney in Unauthorized Practice of Law

Currently there is a legal action pending before judge¹ Joseph S. Bongiorno, Gockman v. Gockman, 01-D-2966 (DuPage County). Representing one of the parties was an attorney, Michael E. Tabor, who had been immediately suspended from the practice of law in Illinois by the Illinois Supreme Court on November 26, 2002. The following day, Tabor appeared in judge Bongiorno's court room and Tabor continued to appear in his court room until May 12, 2003, when judge Bongiorno issued an order, allowing suspended attorney Tabor to withdraw.

The Clerk of the Illinois Supreme Court stated that the DuPage County Circuit Court, as well as all other Circuit Courts in the State of Illinois, were promptly notified of attorney Michael Tabor's suspension. An affidavit of this conversation with the Clerk of the Illinois Supreme Court has been filed in the record of the case. The DuPage Circuit Court knew on or very shortly after November 27, 2002, and judge Bongiorno knew or, if judge Bongiorno was properly performing his judicial duties, should have known, that attorney Michael E. Tabor could not lawfully practice in his courtroom. Yet judge Bongiorno said nothing. He participated in, and knowingly allowed a fraud upon his court to occur for a period of almost six months. Attorney Tabor is still suspended as of June 3, 2004.

judge Bongiorno ignored a directive from the Illinois Supreme Court. According to the Illinois Attorney Registration and Disciplinary Commission, Tabor is "not authorized to practice law during the period of the suspension".

judge Bongiorno has made a mockery of the Illinois Supreme Court's attorney disciplinary process.

In Illinois, it is unlawful for an officer of the court, whether judge or attorney, to aid, abet and/or assist a person unauthorized to practice law in the practice of law.

Illinois case law holds that when an officer of the court engages in fraud upon the court, the entire proceeding becomes void, and the court loses any jurisdiction it may have held. The Illinois Supreme Court has held that fraud, by an officer of the court, whether attorney or judge, is defined as "any attempt to deceive, whether it be by direct falsehood or by innuendo, by speech or by silence, by word of mouth or by look or gesture." judge Joseph S. Bongiorno has engaged in acts of "fraud upon the court".

The orders issued by judge Joseph S. Bongiorno in this case are void, of no legal force or effect.

¹ The small j in judge denotes a judge who engages in acts in violation of the Constitution and the law..