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Paul Dulberg
4606 Hayden Court
McHenry, IL 60051

Chicago
October 23, 2024

Re: Brad James Balke
in relation to
Paul Dulberg
No. 2023IN03894

Dear Mr. Dulberg:

We have completed our review of our file in this matter and have determined that no further action by this agency is warranted.

You were not happy with the services you received from Brad Balke. You alleged that he was double-paid for expenses.

Mr. Balke told us that he has no recollection of being paid twice for the subject expenses. He investigated your claim that he was received an additional payment for the subject expenses. He pointed out, however, that any objection to his payment to him made pursuant to your bankruptcy should have been raised at that time. Although it appears that you provided us with a copy of the personal check made out to Mr. Balke from Barbara Dulberg, which appears to have been cashed, we have insufficient evidence reflecting that Mr. Balke negotiated the check.

Regarding your complaints about Mr. Balke's representation, even if we could establish that Mr. Balke was negligent in handling your case, isolated instances of neglect by lawyers rarely warrant professional discipline, although they may provide bases for civil claims for legal malpractice.

As you may know, Supreme Court Rules require that this Commission establish all elements of a violation of the Rules of Professional Conduct by clear and convincing evidence. Because of the conflicting testimony, we have determined that we would not be able to prove that Mr. Balke was paid twice for subject expenses incurred, or that he otherwise committed professional misconduct. Again, any objection to any payments made through your bankruptcy could and should have been raised in our bankruptcy case. Thus, a formal disciplinary prosecution of the attorney would fail. Accordingly, we are closing our file in this matter.

Thank you for bringing your concerns to our attention.

Very truly yours,

Myrrha B. Guzman

Myrrha B. Guzman
Senior Counsel
ARDC Intake Division

MBG:kof