

Racketeering (RICO) Claims

The Racketeer Influenced & Corrupt Organizations Act was originally created to allow civil lawsuits against organized enterprises acting in a criminal or racketeering manner. It allows individuals suffering business or property losses due to a violation of the act to sue and recover triple damages, attorney's fees, and litigation costs. RICO claims have successfully been applied in conjunction with divorce cases.

RICO is applied in divorce cases most often in situations where one spouse conspires with friend, relatives, or business associates to dissipate assets – resulting in property loss.¹ The typical fact pattern involves a divorcing spouse with friendly and sympathetic business partners, accountants and lawyers. The group cooperates and conspires to help the divorcing spouse hide assets. When the group acts in concert to bring about an inappropriate end, it can probably qualify as an "enterprise."

When the enterprise's members (the business partners, lawyers, accountants, etc.) discuss their efforts by phone, they are probably committing "wire fraud;" when they use the mail, they are probably committing "mail fraud."

RICO claims are not easy to prove, but the potential for recovery is very large. Many cases have been successful. IF you think your spouse may be hiding assets with the cooperation and collusion of others, call our attorneys for help. We have the skill, knowledge, and expertise to protect you and your future.

This article was written by the law office of Cowell Taradash, P.C., whose attorneys are familiar with the latest court decisions, recent changes in the law and even the tendencies of many judges. We can help. Contact us at 866.987.6723 or info@illinoisdivorce.com.