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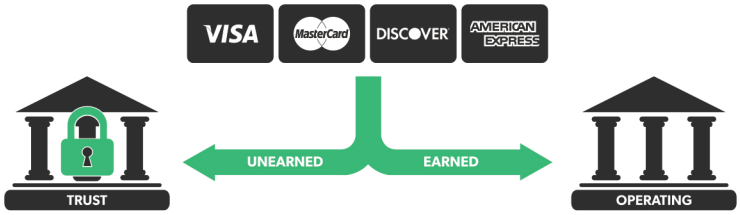

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CBA RECORD

6 **President's Page**

Justice for All

10 **CBA News**

18 **Chicago Bar Foundation Report**

20 **Murphy's Law**

46 **Legal Ethics**

By John Levin

48 **LPMT Bits & Bytes**

By Catherine Sanders Reach

50 **Summary Judgments**

Daniel A. Cotter reviews Richard Pena and John Hagan's *Last Plane Out of Saigon*

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CONTENTS

October 2015 • Volume 29, Number 6

INSIDE THIS ISSUE

Special Issue: CBA/CBF Pro Bono Week 2015
"Rise Above Your Narrow Confines"

24 **Neighborhood Legal Clinics: Why They Work**
By Margaret C. Benson

28 **Breaking the School to Prison Pipeline**
By Candace Moore

32 **Helping Homeless Youth Find Stability**
By Beth Malik

36 **Making Community Living a Reality for People with Disabilities**
By Barry C. Taylor

YOUNG LAWYERS SECTION

40 **Giving Back**
By Matthew A. Passen, YLS Chair

42 **Recidivist DUI: Electronic Home Monitoring as Sentencing Option**
By Judge Marc W. Martin

On the Cover

This month's cover photo, celebrating Pro Bono Week, is courtesy Thinkstock.com

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PRESIDENT'S PAGE

BY PATRICIA BROWN HOLMES

Justice for All

Law is nothing unless close behind it stands a warm, living public opinion. –Wendell Phillips

A federal judge appointed me to assist a young woman in a criminal case. The client could have been viewed as obstructive, belligerent, and uncooperative. Drawing on my judicial experience in Juvenile Court, I eventually was able to draw out relevant and valuable information that had otherwise not been known to the federal prosecutor or the judge. Working together, we arrived at the just, and therefore correct, result in her matter. In the end, my client was so pleased that she brought flowers, smiles and hugs for a result that she also believed was fair. It was gratifying knowing that I had helped her in that way.

Chicago's legal community is rightfully proud of the pro bono work that lawyers do to increase public access to justice. Few other professions give such a significant amount of time and talent to help those in need, and Chicago lawyers are second to none in providing pro bono legal services and financial support for legal service organizations.

We celebrate Pro Bono week not just to recognize the ongoing importance of pro bono service, but also to encourage all members of the bar who are not already involved to consider giving their time and talent in this worthy and much needed public cause. While Chicago is fortunate to have many outstanding organizations whose primary mission is to provide legal assistance and legal services to the poor, the demand for legal services continues to be far greater than our available resources. Organizations such as the Chicago Volunteer Legal Services Foundation, Chicago Legal Clinic, Legal Aid Society of Metropolitan Family Services, Equip for Equality, LAF, National Immigrant Justice Center and countless others provide direct legal services, day-in and day-out, to those in need throughout Cook County. The Chicago Bar Foundation supports the important work of these and other legal service organizations through a variety of special programs and generous annual grants. This financial support is vital. If you are not already contributing to the CBF, I encourage you participate in the Association's annual dues check-off for the Foundation, which is only $25 per year. If you can contribute more, please consider doing so as your financial support is desperately needed.

Self-Represented Litigants

SRLs are becoming increasingly common throughout America's justice system. For a growing number of Americans, the cost of hiring a lawyer for even the most basic legal service is difficult, if not already beyond their financial means. In addition, the cost of filing a small claims or a lawsuit in the Circuit Court has risen. It's no

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2015 Pro Bono Week Oct 26-30

Rise Above Your Narrow Confines

> *"An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity."*
>
> - Martin Luther King, Jr.

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Complimentary Events *law students and nonmembers also welcome*

Special Pro Bono Week edition of

Movies on Trial: My Cousin Vinny

Friday, October 23
1:00-5:00 pm
Chicago-Kent College of Law

Special pre-Week event presented with Honigman Miller Schwartz and Cohn LLP and Chicago-Kent College of Law

A CLE event where the magic of Hollywood meets insightful legal debate. Join us for a screening of "My Cousin Vinny," followed by an entertaining and informative panel discussion of the film, including pro bono service. One hour of CLE credit subject to approval.

Learn more and register at www.chicagobar.org/probonoweek

Trans 101: The Changing Landscape of Transgender Law

Monday, October 26
3:00-5:00 pm
The Chicago Bar Association

Hear from experts in a variety of areas of law related to the transgender community such as education, employment, and identity documents. Find out how you can help as a pro bono attorney on both individual cases and large scale reform efforts. Two hours of CLE credit subject to approval.

Game Night: A Battle of the Barristers

Tuesday, October 27
6:00-8:00 pm
Revolution Brewing

How does your knowledge of the Chicago legal community and legal-themed pop culture measure up? Come find out! This battle of wits will include questions on access to justice topics such as pro bono programs and legal aid organizations, as well as pop culture and current events—with a legal twist.

The Americans with Disabilities Act: 25 Years of Life-Changing Impact

Wednesday, October 28
3:00-5:00 pm
The Chicago Bar Association

The ADA is celebrating 25 years as the law of the land. This presentation will highlight how to address some of the practical issues that arise when representing people with disabilities. You'll also hear about three programs that have achieved real-world positive outcomes for persons with disabilities and how you can get involved. Two hours of CLE credit subject to approval.

22nd Annual Pro Bono and Community Service Fair

Thursday, October 29
5:00-7:00 pm
Skadden, Arps, Slate, Meagher & Flom LLP

Presented by the CBA Young Lawyers Section and co-sponsored by the CBF and Skadden, Arps, Slate, Meagher & Flom LLP

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secret that filing fees in the Circuit Court of Cook County are among the highest of any county in the United States. For many people working for minimal hourly wages, taking any time off of work to pursue a legal claim puts them at risk of losing their jobs. SRLs are most prevalent in family law/domestic relations, probate, elder law, and domestic violence matters. In our First Municipal Division, SRLs are on the rise in landlord-tenant, collection, housing, small claims cases, and many more. In the Domestic Violence Court, more than 90% of the cases involve SRLs. These numbers sound high but they reflect a growing reality and dilemma facing the judicial branch. Self-represented litigants often lack knowledge about the law and court procedure, which leads to misunderstandings about what the court can and cannot do for them.

While Pro Bono service is needed more than ever, it's clear that we also need to examine new options and programs to make our courts more user-friendly and accessible to the public. One such innovative program is Cook County Circuit Court's new 'Flex Court,' which offers flexible hours and is available to plaintiffs in disputes involving $3,000 or less. Flex Court was initiated in the First Municipal Division in 2013 by Presiding Judge E. Kenneth Wright, Jr., who recognized that many pro se litigants cannot afford to take a day off of work to pursue their small claim. Court calls are scheduled from 8:00–9:15 a.m. and 5:00–6:45 p.m. on Tuesdays, Wednesdays, and Thursdays to make the justice system more accessible to the public. Volunteer lawyers provide advice and guidance at each Flex Court call. Judge Wright recognized that because people could not afford to lose their jobs by taking time off of work to pursue a court claim, the court needed to change its hours.

Circuit Court Clerk Dorothy Brown and Cook County Sheriff Tom Dart support the Flex Court and have reassigned staff at the Daley Center to meet the need. Former CBA President Joseph Stone, David Bryant (ret.), Elizabeth Anne Karkula, and lawyers from Sidley & Austin volunteer to provide guidance to pro se litigants in the program. The Center for Conflict Resolution is also available to litigants whose cases can be mediated. To date, Flex Court has disposed of over 1,000 cases, and hearing dates are already scheduled into the first quarter of 2016.

In addition to Flex Court, other innovative initiatives in the Cook County Circuit Court include a new mediation program in the Domestic Relations Division organized by Presiding Judge Grace Dickler. Similar programs are offered in mortgage foreclosure and mechanics lien cases, and continue to be successful. Presiding Domestic Violence Court Judge Sebastian Patti uses volunteers from a number of Chicago law firms to assist SRLs in the DV Court.

Kudos to Chief Judge Timothy Evans for approving these innovative programs and to Judge Wright for his vision and leadership in establishing Flex Court. These pioneering programs are desperately needed and are greatly improving access to the justice system for thousands of people. It's important for all of us to remember that the real stakeholders in the justice system are the public that we serve. As Wendell Phillips said, "The law would be nothing without public support." ■

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CBA NEWS

PRO BONO WEEK 2015 OCTOBER 26-30

Rise Above Your Narrow Confines

By David Beam
Publications Director

Pribyl

Scott

The Chicago Bar Association and the Chicago Bar Foundation are co-sponsoring the 11th Annual Pro Bono Week from October 26-30. Pro Bono week honors pro bono efforts and educates the public and the legal community on how lawyers are improving the lives of the less fortunate. Olga Pribyl, Vice President of the Special Education Clinic and Pro Bono at Equip for Equality, and Z. Scott, partner at Kaye Scholer LLP, are co-chairing this year's Pro Bono week, which is filled with big events and great CLEs.

Once again, Chicago will be joined by communities across the country through the American Bar Association's 7th Annual National Pro Bono Celebration.

Complimentary events (law students and non-members also welcome) include:

The Changing Landscape of Transgender Law: Monday, October 26 • 3:00-5:00 pm

Hear from experts in a variety of areas of law related to the transgender community, such as education, employment, and identity documents. Find out how you can help as a pro bono attorney on both individual cases and large scale reform efforts. Two hours of CLE credit subject to approval.

Game Night at Revolution Brewing: Tuesday, October 27• 6:00-8:00 pm

How does your knowledge of the Chicago legal community and legal-themed pop culture measure up? Come find out! This battle of wits will include questions on access to justice topics such as pro bono programs and legal aid organizations, as well as pop culture and current events-with a legal twist. Register as a team of no more than six individuals. To register, email Angela Inzano at ainzano@chicagobar.org with the names of your team members and your team name. Space is limited!

The Americans with Disabilities Act: 25 Years of Life-Changing Impact: Wednesday, October 28 • 3:00-5:00 pm • CBA HQ

The Americans with Disabilities Act (ADA) is celebrating 25 years as the law of the land. This presentation will highlight how to address some of the practical issues that arise when representing people with disabilities. You'll also hear about three programs that have achieved real-world positive outcomes for persons with disabilities and how you can get involved. Two hours of CLE credit subject to approval.

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Presented by the Young Lawyers Section and co-sponsored by the CBF and Skadden, Arps, Slate, Meagher & Flom LLP.

Meet with representatives from 50 of Chicago's legal aid, pro bono, community service and mentoring organizations to find an opportunity that fits your schedule, interests and goals. ■

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CELEBRATING WORKING PARENTS DAY WITH NEW BLOG

Helping You Manage the Balancing Act

By Trisha Rich

The Young Lawyers Section formally launched a new community outreach initiative in celebration of Working Parents Day, September 16. The new blog–*Balancing Act: A Guide for Working Parents*–is dedicated to providing working parents with easily accessible, much-needed information. The blog provides insights about important laws and regulations, guidance and parenting tips for balancing personal and professional responsibilities, articles and news items impacting the lives of working parents, and other special announcements that may be helpful or of interest.

In addition to regular blog posts, other useful resources and reference materials address events, fun/travel/entertainment, legal/governmental sites, and resources for working parents. The blog will focus on maternity and paternity leave policies, federal and state family leave laws and regulations, child care related resources, applicable legal publications, and other guidance of interest. The concept of the blog was simply to make it easier for working lawyer parents, as well as working parents in general, to have ready access to important information that most of us will need at some point in our lives.

In 2015, Catalyst reported the following insights regarding working parents:

- By far, the most common arrangement today is for married parents in dual-income families with children under 18 to work.
- More than 40% of mothers in 2014 were the primary breadwinners for households.
- Companies offering paid paternity leave have declined from 17% in 2010 to 12% in 2014, and 86% of fathers reported they would not use paternity leave unless at least 70% of their salaries were paid.
- Likewise, the number of companies offering paid maternity leave policies declined from 17% in 2010 to 12% in 2014.
- In 2014, the Equal Employment Opportunity Commission received 3,400 complaints of pregnancy-based discrimination.
- American businesses lose $3 billion annually d ue to absenteeism related to family care giving issues.

The blog seeks to help working parents gain a greater understanding of key concerns, such as employer parental leave policies, flex-time considerations, changing attitudes toward men's and women's roles in the family, stay-at-home parent vs. working one, and what we do to be good lawyers as well as good parents. The blog also will provide personal stories and experiences from working parents striving to balance responsibilities at home and at work.

The blog results from the 2014-2015 work conducted by a committee led by former YLS Chair, Mary Curry. The committee determined the focus and scope of the blog; developed original materials posted on issues of critical importance, including draft maternity and paternity leave policies; created summaries of family and medical leave laws and identified applicable federal and state legal resources; pulled together recommended child care data; and worked to determine how best to staff, maintain, and launch the blog. Moving forward, Helena Livitz and Tracy Brammeier will serve as YLS Special Project Coordinators to manage the blog in conjunction with a group of volunteer working parent bloggers that will ensure that the information is relevant, updated, and appropriate for posting.

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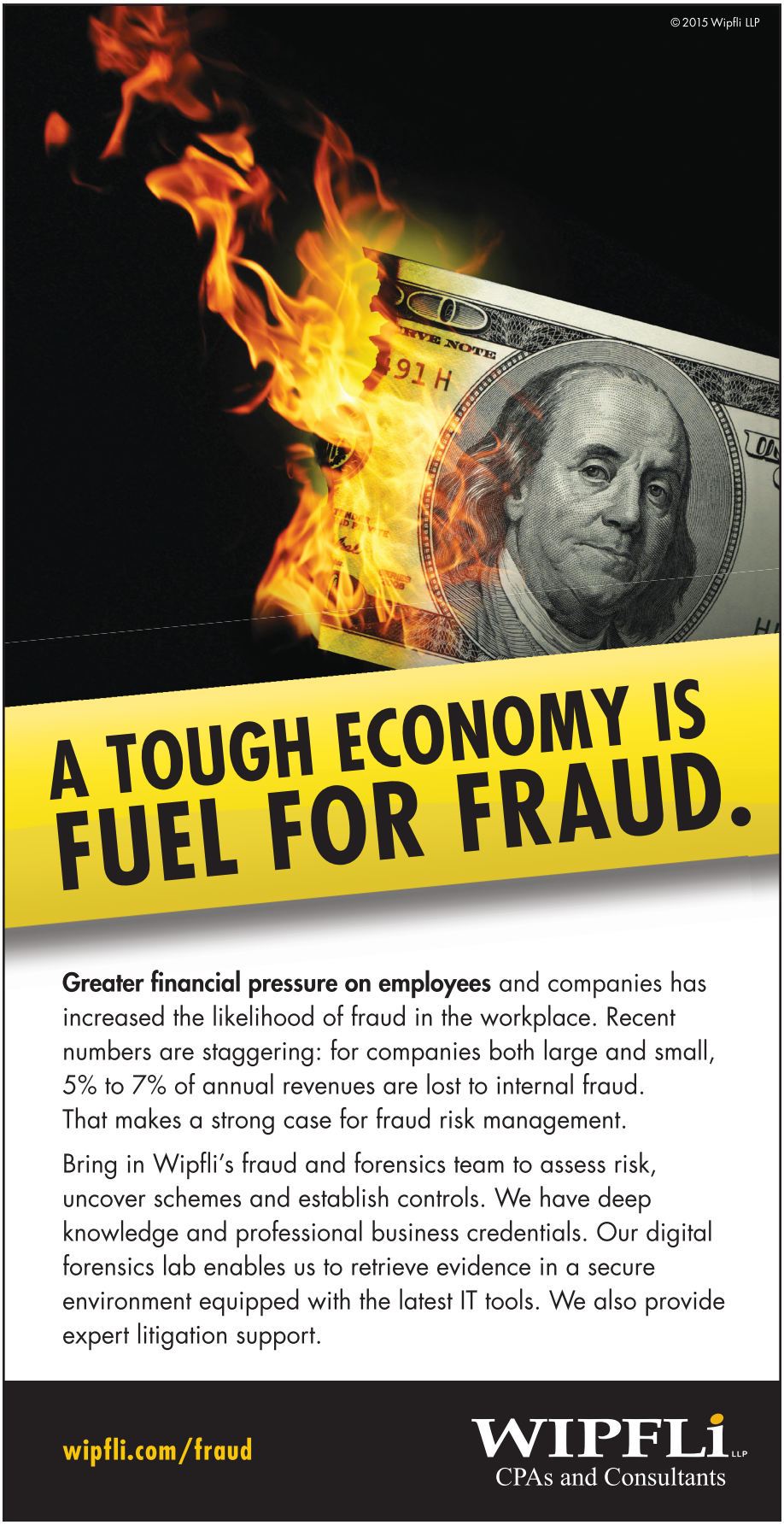
The 2016 edition of the CBA's hard copy leather bond attorneys diary is now on sale in the CBA Bookstore for $19.39. The bookstore is open Monday-Friday from 9 am-4:30 pm. Copies can also be ordered and mailed out for an additional $7.95. Call 312/554-2130 for more information.

The Young Lawyers Section (YLS) offers great opportunities for professional growth, community service, and networking to its over 9,000 members. This year, the YLS will offer approximately 25 substantive committees, implement over 50 member and public service projects, and host numerous seminars and networking events. Whether you are a law student or young attorney, the YLS is a valuable resource for your personal and professional development. Consider attending a committee meeting, seminar, or social, or volunteer with a member or public service project in order to enhance your career. Get involved and lead through service while improving your legal career and professional network! ■

Balancing Act: A Guide for Working Parents is available at https://cbabalancingact.wordpress.com/.



YOUNG LAWYERS TO ADDRESS DISTRACTED DRIVING AMONG TEENAGERS

End Distracted Driving Initiative Launches in October

By Linda Heacox, Public Affairs Director

According to 2014 data from the National Highway Traffic Safety Administration, each day in the United States more than 9 people are killed and 1,153 people are injured in crashes caused by a distracted driver. Young, inexperienced drivers are particularly at risk for distracted driving incidents.

The CBA's Young Lawyers Section is partnering with the Casey Feldman Foundation (http://www.caseyfeldmanfoundation.org/) to end distracted driving in Chicagoland. This school year, young lawyer volunteers from the YLS will visit high schools and present to students–in small driver's ed classrooms and large assemblies alike–on the dangers of distracted driving, using a PowerPoint presentation that has been empirically tested to change attitudes and behavior among teenagers.

This program launched on Friday, October 9, with a reception from 5:00–7:00 p.m. at Association headquarters, with special guest Joel Feldman, founder of the Casey Feldman Foundation and the End Distracted Driving Initiative (http://www.enddd.org).

YLS Chair Matthew Passen, who is a trial lawyer at Passen Law Group, explained the program as a focused effort to educate young drivers on the perils to themselves and others of distracted driving. "This will be our first year working on this important initiative to End Distracted Driving. We're very impressed with what Joel Feldman and his partners have put together. With the information EndDD.org provides, we will reach as many high schools students as possible this year to curb this epidemic," said Passen.

New Trier High School in Winnetka, IL was the first school to host YLS attorneys on October 9. The YLS is working with Chicago Public Schools (CPS) to implement this program in high schools across Chicagoland, and will also target charter and private high schools across the state. ■

To learn more about our initiative or to schedule a presentation at a high school, contact yls@chicagobar.org or call 312/554-2031.

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For more information, please visit www.chicagobar.org/barshow or call Awilda Reyes at 312-554-2134

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OR by completing this form and submitting it by *no later than November 20, 2015*
(i) as PDF by e-mail to Awilda Reyes at areyes@chicagobar.org,
(ii) by fax to the CBA at 312-554-2054, or (iii) by mail to the CBA,
Attention: Bar Show, 321 S. Plymouth Court, Chicago, Illinois 60604-3997.

You will receive an e-mail confirmation of your order.

Please complete all applicable fields below.
Payment must accompany order. All sales are final.

2015 BAR SHOW TICKET ORDER

	# Tickets Main Floor @ $50*	# Tickets Mezzanine @ $30	Total Amount Due
Wednesday, December 2	_____	_____	$_____
Thursday, December 3	_____	_____	$_____
Friday, December 4	_____	_____	$_____
Saturday, December 5	_____	_____	$_____
Sunday, December 6	_____	_____	$_____
		ORDER TOTAL:	$_____

NOTE SHOW TIMES:
Wed-Sat evenings: 7:30 p.m.
Sunday matinee: 2:00 p.m.

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Credit Card # / CBA Account # _____ Exp. Date _____

Cardholder Signature Required _____

CLE & MEMBER NEWS

Free Committee Meeting Webcasts–Earn Free Illinois MCLE Credit Without Leaving Your Office or Home!

Did you know you can earn free IL MCLE credit by attending CBA and YLS committee meetings in person? And now you can do so without leaving your office or home through committee meeting Webcasts.

More than 120 committees meet on a monthly basis at the CBA during the noon hour and all committee meetings are free! Members may attend any meeting they choose-you do not have to be on a committee roster to attend its meetings. Approximately 40 meetings a month are available online with more to come. Detailed committee speaker, topic, MCLE credit and webcast information can found at www.chicagobar.org/committees. Information can also be found on the weekly eBulletin which is located on our home page on the left side panel.

The weekly E-Bulletin is emailed every Thursday to all members with an email address on file. If you are not receiving the ebulletin, please send your name and email address to info@chicagobar.org. ■

New Online Library

With more than 1000 files (and growing), The Chicago Bar Association Online Library includes selected articles, checklists, slide decks and sample documents culled from the past two years of Continuing Legal Education courses, committee meetings and the **CBA Record.** As a CBA member, you can search, view and download substantive content from experts near and far and make the most of your membership. To learn more, read the Law Practice Management Column on page 48 of this issue of the **CBA Record.** ■

Having Trouble Logging In?

To access the members only sections on our website, enter your CBA member number as your account number (do not enter any leading 0's in your member number) and then enter your member number followed by your last name (all lower case with no punctuation or spaces) as your password.

Forgot your member number or having trouble logging in? Call 312/554-2135.

Note: If you have changed your password, we do not have access to it but can reset it to your member number and last name. ■

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Savings Through National Purchasing Partners

The Chicago Bar Association has partnered with National Purchasing Partners (NPP) to offer members discount pricing on a variety of products. This program is free with no obligation to purchase. A few offerings include Best Buy, Expedia, Staples Advantage, PetFirst Pet Insurance, LifeLock and if eligible Verizon Wireless. Employee discounts available as well.

To learn more, visit www.mynpp.com or call 800/810-3909. ■

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THE CHICAGO BAR ASSOCIATION

Continuing Legal Education

How To... Encrypt Email Messages
November 3 • 1:45-2:45 p.m. (complimentary)

The New IMDMA: Laws Affecting Illinois Families
November 5 • 3:00-6:00 p.m.

Money Management III
November 6 • 12:00-2:10 p.m.

***Himmel* Revisited**
November 10 • 12:00-2:10 p.m.

How To... Automate Documents in MS Word 2013 Part II
November 10 • 1:45-2:45 p.m. (complimentary)

Hands-on Training: Create a Website for Your Firm
November 12 • 2:00-5:00 p.m.

Probate Practice Part 1
November 12 • 3:00-6:00 p.m.

Steps Toward Building Your Financial House
November 12 • 12:00-1:30 p.m. (complimentary)

New Lawyer Basic Skills Course
November 16 • 8:45 a.m. - 4:45 p.m. (complimentary)

Commercial Bankruptcy: Current Cases and Trends
November 17 • 3:00-6:00 p.m.

Retaliation and Whistleblower Claims
November 18 • 3:00-6:00 p.m.

How To... Created a LinkedIn Firm Page
November 19 • 3:00-6:00 p.m.

Probate Practice Part 2
November 19 • 3:00-6:00 p.m.

Practice Basics: Representing a Criminal Defendant
November 20 • 4:00-5:00 p.m. (complimentary)

and more!

To register, call 312-554-2056 or visit www.chicagobar.org.
Programs are held at the CBA Building, 321 S. Plymouth Ct., Chicago, unless otherwise indicated above.

Seminars are also Webcast live (as well as archived) at www.chicagobar.org and West LegalEdcenter. Visit www.chicagobar.org/cle for more information. The CBA is an accredited continuing legal education provider in Illinois.

The Chicago Bar Association

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Chicago Bar Foundation Report

The Chicago Bar Foundation
Ensuring access to justice for all

Take the Pledge

By Bob Glaves
CBF Executive Director

Imagine what it would be like to be victimized by consumer fraud or domestic violence. Imagine you had no legal knowledge, training or skills. Now imagine facing the justice system on your own because you could not afford necessary legal help. That would be a scary and daunting situation for anyone, yet it happens to thousands of people each week in Chicago because there is not nearly enough free or affordable legal help to go around.

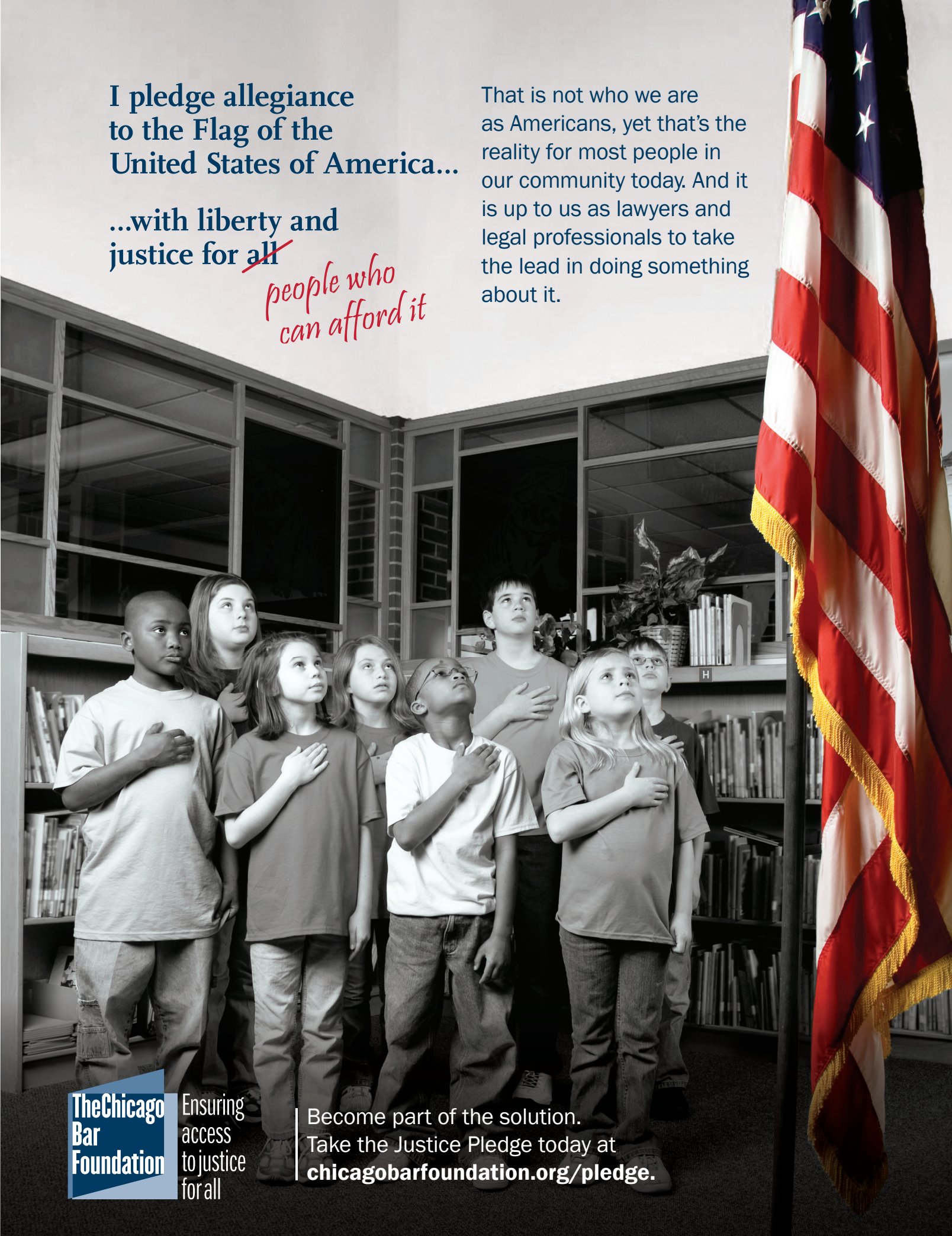
The CBF's new Justice Pledge reflects two indisputable truths. First, far too many people in our community cannot get the legal help they need to protect their rights and achieve justice. Second, while equal access to justice is one of our country's foremost principles and a fundamental responsibility of our government, as lawyers and CBA members we have a professional responsibility to take the lead in ensuring the justice system is fair, accessible and efficient for everyone.

"A lot of people are waiting for Martin Luther King or Mahatma Gandhi to come back–but they are gone. We are it. It is up to us. It is up to you."
–Marian Wright Edelman

As lawyers, we have been given a special privilege, effectively having been handed the keys to the justice system. With that privilege comes a special responsibility to use our training and skills to help ensure that people who can't afford our services have access to the justice system. That responsibility is underscored in the Preamble to the Illinois Rules of Professional Conduct, in the questions about pro bono and related giving in our annual attorney registration statements, and in the CBA's standing Pro Bono Resolution (see page 38).

Every day that goes by when people in our community can't count on the justice system being fair and accessible, we lose a key part of who we are as a profession and as a country. Taking the Pledge underscores your personal commitment to take the lead in doing something about that. Wherever you are in the legal community, you can contribute your time, your money, and your influence to advance this common cause of our profession. Some of us have more time to give than money, while for others the opposite is true. All of us have important influence in our networks, in the justice system, and in the policymaking process. ■

You can join the hundreds of your colleagues who already have taken the Justice Pledge by taking the pledge at **chicagobarfoundation.org/pledge.** And you can find out more about how to start carrying out your pledge today by visiting **chicagobarfoundation.org** or by attending one of the many great events scheduled for this year's CBA/CBF Pro Bono Week the last week of October.


I pledge allegiance
to the Flag of the
United States of America...
...with liberty and
justice for ~~all~~
people who
can afford it
That is not who we are as Americans, yet that's the reality for most people in our community today. And it is up to us as lawyers and legal professionals to take the lead in doing something about it.
The Chicago Bar Foundation
Ensuring access to justice for all
Become part of the solution.
Take the Justice Pledge today at
chicagobarfoundation.org/pledge.

MURPHY'S **LAW**

BY TERRENCE M. MURPHY, CBA EXECUTIVE DIRECTOR

CBA President Patricia Brown Holmes (right) introduced US Supreme Court Justice Ruth Bader Ginsburg at a September 21 luncheon held in the Justice's honor at CBA Headquarters. Ginsburg was then interviewed by President Holmes at Channel 20 (WYCC–PBS) studios for the CBA's talk show "Justice and Law Weekly." Photo by Bill Richert.

Take advantage of special early bird pricing during the month of October and order your tickets to the Association's 92nd Annual Bar Show "A Christmas Quarrel: A Tale of Two Parties" opening at DePaul's Merle Reskin Theater on Wednesday, December 2, through Sunday, December 6. For the Wednesday through Saturday performances the curtain rises at 7:30 p.m., and Sunday's matinee performance begins at 2:00 p.m. Through October 31, tickets to the Bar Show may be purchased at a 20% discount off the $50 Bar Show ticket price–a savings of $10 per ticket.

Now in its 92nd year, the Bar Show is a Chicago Holiday Tradition. Lawyers and judges from the bar, aspiring actors and actresses all, parody in song and dance global, national, and local personalities in the news. This year has provided the show's writers with a ripe and superabundant harvest of personalities and material. "A Christmas Quarrel: A Tale of Two Parties" is guaranteed to generate smiles, chuckles and even uproarious laughter–a wonderful tonic for the soul. So get ready for a hearty holiday belly laugh and order your tickets now for this one of a kind and truly unique musical comedy revue. For more information about early bird registration and special pricing for the Wednesday, December 2 Associates Night Package for the 92nd Annual Bar Show, contact Awilda Reyes at 312/554-2134 or tickets@barshow.org.

CLE in Switzerland

This year's overseas Continuing Legal Education trip will be held in conjunction with the Institute for Inclusion in the Legal Profession and will be held in Lausanne, Switzerland on Tuesday, March 29 and Wednesday, March 30, 2016. Pre- and post-program visits are planned to London, March 26 & 27 and to Paris on March 28-30. The Chairman of the Institute for Inclusion in the Legal Profession, **Mark Firestone,** Executive Vice-President, General Counsel and Secretary of Philip Morris International, will co-host the conference with CBA President **Patricia Brown Holmes.** The conference will feature an outstanding arry of speakers on diversity, equality and inclusion from the United States, the U.K., European Union and Switzerland. A trial reenactment featuring U.S. Second Circuit Court of Appeals Judge **Denny Chin** will focus on the Vincent Chin case, and on the development of Federal Hate Crime Laws. Panel discussions will include a General Counsel Roundtable on the GC's role in promoting diversity, equality and inclusion and an introspective review of diversity initiatives in global law firms.

Save the date for this joint CBA/IILP CLE program in Lausanne, Switzerland. For more information contact **Tamra Drees** at 312/554-2057 or tdrees@chicagobar.org.

Lawyers' Assistance Program Annual Dinner

The Lawyers' Assistance Program Annual Dinner will be held on Friday, November 13 at the Union League Club of Chicago. **William Kelley** and the Northwest Suburban Bar Association will receive the Michael J. Howlett, Jr. Award; **Susan Matyus-Ehrlich** and **Mark Matyus** will receive the Carl H. Rolewick Award; Judge **Michael Chmiel** from the 22nd Judicial Circuit will receive the John Powers Crowley Award; and **Andrea Olness** will receive the Presidents Award. Chicago legends **Lester** and **Judy Munson** will be the keynote speakers at the dinner. Tickets for the dinner are $125 per person or $1250 for a table of ten. For more information or to make reservations contact **Bridget M. McLaughlin** at bmclaughlin@illinoisLAP.org.

Illinois Supreme Court Dinner

The 2015 Illinois Supreme Court Dinner, co-hosted by the Illinois State Bar Association and the Chicago Bar Association, will be held on Friday, December 11 at the Sheraton Chicago Hotel & Towers. A reception for the Justices serving on our

highest court will begin at 6:00 p.m. followed by dinner at 7:00 p.m. CBA President **Patricia Brown Holmes** and ISBA President **Unberto Davi** will co-host the dinner and Justice **Anne M. Burke** will deliver remarks on behalf of the Court. Tickets for the black tie optional dinner are $125 per person, and may be ordered at www.isba.org/jointmeeting. For more information about this year's dinner, contact **Kim Weaver** at kweaver@isba.org.

Illinois Judges Association Annual Luncheon

Illinois Attorney General **Lisa Madigan** will be the keynote speaker at the Illinois Judges Association's Annual Lunceon Meeting on Friday, December 11 at the Sheraton Hotel and Towers. Illinois Judges Association President **Robert J. Anderson** will preside at the luncheon. Tickets are $85 per person, and may be ordered through IJA Executive Director **Kathleen Hosty** at 312/431-1283 or ija@chicagobar.org.

Congratulations

Thomas A. Demetrio will receive the Hellenic Bar Association's Lifetime Achievement Award at the groups 65th Annual Scholarship Ball on November 7 at the Sheridan Hotel & Towers…**Aurora Abella Austriaco** was inducted into the Chicago Filipino Asian American Hall of Fame... Chief 7th Circuit U.S. Court of Appeals Judge **Diane P. Wood** participated in Roosevelt University's Montesquieu Forum "The Magna Carta and the Idea of Due Process"...Cook County State's Attorney **Anita M. Alvarez** was named Latina of the Year by the Hispanic National Bar Association...U.S. Attorney **Zachary T. Fardon** and his office received the Better Government Association's Watchdog Award...**Gabriel A. Fuentes** received the National Hispanic Bar Association's Pro Bono Lawyer of the Year Award.

Presiding Judge **Shelly Sutker-Dermer** becomes the new president of The Jewish Judges Association...Justice **Mary Jane Theis** received the Seymour Simon Justice Award, and U.S. District Court Judge **Milton I. Shadur** received the Lifetime Achievement Award from the Jewish Judges Association of Illinois. Judge

A TOAST TO TWO CITIES

The CBA Chorus and the New York City Bar Chorus will perform a concert, "A Toast to Two Cities," on Saturday, November 7, 2015, at 7:30 p.m., at St. James Cathedral, 65 E. Huron Street, Chicago. The performance will feature American music in its many forms, including folk, spiritual, musical theater, jazz and gospel. Tickets are $12 in advance ($10 for students), $15 at the door. Purchase tickets online at www.CBAchorusTOASTtoTWO.brownpapertickets.com. If you have questions, Dorothy Voigt at dvoigt@sdflaw.com.

The Chicago Bar Foundation Ensuring access to justice for all

I was appointed by a federal judge to assist a young woman in a criminal case. The client could have been viewed as obstructive, belligerent, and uncooperative. Drawing on my judicial experience in juvenile court, I eventually was able to draw out relevant and valuable information that had otherwise not been known to the federal prosecutor or the judge. Working together, we arrived at the just, and therefore correct, result in her matter. In the end, my client was so pleased that she brought to court flowers, smiles and hugs for a result that she also believed was fair. It was gratifying knowing that I had helped her in that way.

Patricia Brown Holmes
Partner, Schiff Hardin
President, The Chicago Bar Association

The Chicago Bar Association & The Chicago Bar Foundation's
2015 Pro Bono Week Oct 26-30
Rise Above Your Narrow Confines
www.chicagobar.org/probonoweek

THE LATEST IN TECHNOLOGY…FOR FREE

The CBA's Law Practice Management & Technology Division regularly sponsors demonstrations geared to legal professionals. In an hour or less, you will learn how to use common technologies to be more productive, efficient, and tech savvy!

Live demos are held in-person at the CBA or join us virtually from your desktop (see upcoming live sessions at www.chicagobar.org/cle).

More than 90 titles are available now. See our video on demand library at www.chicagobar.org/HowTo.

Andrew Berman, Judge **Wallace Dunn,** Jude **Michael Panter** and Judge **Anita Rivkin-Carothers** received Special Recognition Awards...**Philip Harnett Corboy, Jr.** has been named Trustee of the U.S. Olympic and Paralympic Foundation by the U.S. Olympic Committee...**Lawrence R. Smith** and **Nicholas J. Motherway** received Awards for Trial Lawyer Excellence at the 6th Annual Jury Verdicts Reporter Awards...Judge **LeRoy K. Martin, Jr.** was appointed by Chief Judge Timothy C. Evans to succeed Paul P. Biebel, Jr. as the Presiding Judge of the Circuit Court of Cook County's Criminal Division...**James R. Figliulo** received the Chicago Inn of Court's Joel Flaum Award...**J. Cunyon Gordon, Margot Klein** and **Alejandro Caffarelli** spoke at the U.S. District Court and 7th Circuit Bar Association's Pro Bono and Public Service Committee's program "Settling an SAP Employment Case: An Overview of Employment Law, Settlement Techniques and the U.S. District Court's Settlement Assistance Program."Chief U.S. District Court Judge **Ruben Castillo** delivered opening remarks.

Michele Jochner, Karina Ayala-Bermejo, Deane B. Brown, Andrea S. Kramer, Susan L. Novosad, Ann M. Spillane and **Monica M. Weed** were honored by the Women's Bar Association of Illinois at its 2015 Top Women Lawyers in Leadership Reception...YLS Chair **Matt Passen** attended the Wyoming Trial Lawyers College, founded by Gerry Spence...**Michael S. McGrory** spoke at the Midwest Chapter of PLUS on "Growing Insurance Issues with the Rise of Medical and Recreational Marijuana"…**Catherine E. Goldhaber** spoke at the Perrin Asbestos Litigation Conference...**Neil B. Posner** moderated the ABA's webinar "Intrafirm Lawyer-Client Privilege"...**Tejas N. Shah** hosted a special firm program on "Immigration 101"...**R. Kevin Williams** was named an adviser to David Segura, who is a member of the U.S. Trade Representative's Advisory Committee for Trade Policy and Negotiations...**Robert J. Bingle** will present "Opening Statements and the Use of Rhetorical Devices" at the Illinois Trial Lawyers 2015 Update Review...**Timothy S. Tomasik** will present "Proving Agency in Transportation Cases" at the Illinois Trial Lawyers 2015 Update Review...**Joanne F. Fehn** was added to Arnstein & Lehr's Real Estate Practice group...**Irving Miller** spoke at the Association's Entertainment Law Committee on the topic of acting as a technical adviser to a television show...**Colin H. Dunn** was a speaker at the Illinois Trial Lawyers Association's 2015 Update and Review Seminar...Law Division Presiding Judge **James P. Flannery, Jr.** moderated the Women's Bar Association's program "What Every Lawyer Should Know about Practicing in the Law Division." Other participants included: Judge **Kathy M. Flanagan, Eileen O'Neill Burke, Carl Anthony Walker, Lorna E. Propes** and senior law clerk **Gina M. Lencioni**.

Monica C. Palermo has joined Howard & Howard's real estate and commercial litigation group...**Kathryn L. Conway, Eileen M. Letts, Stephanie A. Scharf** and **Andrea S. Kramer** participated in Loyola University School of Law's and the Dan K. Webb's program "Women in Litigation Conference: Leadership Trends, Challenges and Opportunities"...**Stephanie A. Scharf** was named an adviser to the American Bar Association's Presidential Commission on Diversity and Inclusion 360...Novak & Macey has added **Eileen E. Boyle** to the firms commercial litigation group...**Christine M. Sparks** was installed as president of the Illinois Land Title Association... Judge **Grace G. Dickler,** Presiding Judge of the Domestic Relations Division, was a recent speaker at "Financial Mediation: Try It, You'll Like It"...**Jeffrey L. Paustian** has joined the law offices of Jeffery M. Leving... **Robert G. Cooper** has become an associate at Levin Ginsburg...**James F. Botana** was reappointed to the U.S. Commission on Civil Rights' Illinois State Advisory Committee...M**ichael W. Debre lll** has joined the Bankruptcy Group at Chuhak & Tecson, P.C....**Jonathan M. Boulahanis** has become a partner at Gordon, Rees, Scully, Mansukhani, LLP...**Lawrence A. Eiben** has become a partner at Ackerman Group, LLP...**Patricia C. Bobb** and Judge **Allen S. Goldberg** (ret.) were recent speakers at a Law Division Seminar "Co-Mediation: A Tool for Tort and Commercial Disputes with an Insurance Twist"... Judge **Michael R. Panter** has retired as an Associate Cook County Judge...**Givonna St. Clair Long** is a new partner at Kelley, Drye & Warren, LLP...Circuit Court Judge **Thomas P. Fecarotta, Jr.** has retired... **Michael L. Weissman** was a speaker at the National Credit Union Association's Kansas City meeting...**Trisha M. Rich** has organized the Attorney Defense Initiative to provide pro bono assistance to eligible lawyers facing ARDC matters... Judge **James F. Holderman** will received the American Inns of Court 2015 Lewis F. Powell, Jr. Award for Professionalism and Ethics...**Jeffrey Becker, Todd Belcore, Thomas Comstock, Jennifer Gilbert, Conor Heaton, Sarah King, Diana Law, Matthew Passen, Richard Schroeder, Ryan Walsh** and **Michael Wilder** were named to the *Chicago Daily Law Bulletin's* 2015 *40 Under Forty* list.

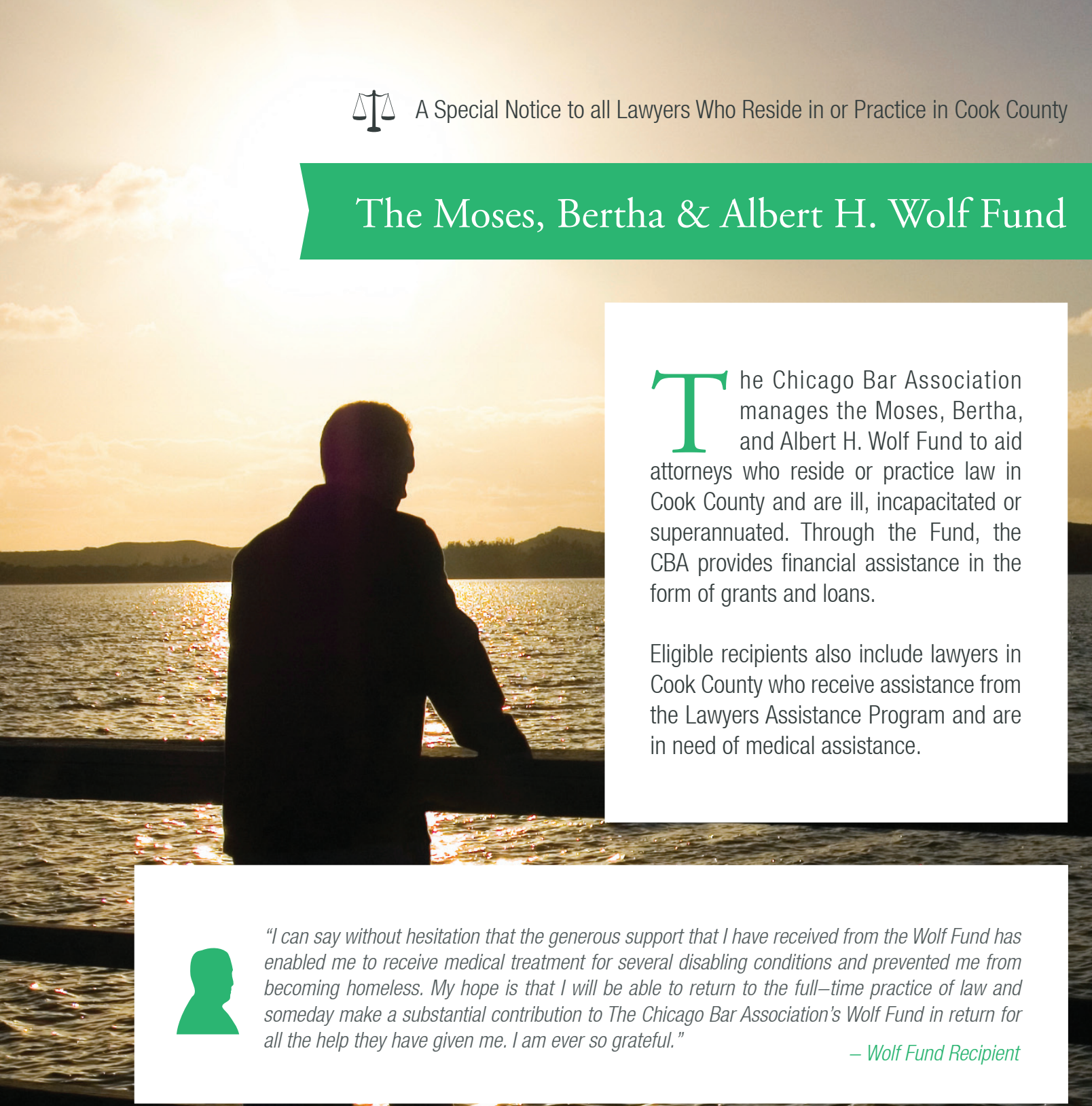
Birthday Wishes to Judge **George N. Leighton,** who is 103 years young. Leighton has been a member of the association since 1950.

Condolences

Sincere condolences to the family and friends of Senior U.S. Court of Appeals Judge **Richard D. Cudahy,** and **Joseph R. Tybor,** Director of Communications for the Illinois Supreme Court. ■

A Special Notice to all Lawyers Who Reside in or Practice in Cook County

The Moses, Bertha & Albert H. Wolf Fund



The Chicago Bar Association manages the Moses, Bertha, and Albert H. Wolf Fund to aid attorneys who reside or practice law in Cook County and are ill, incapacitated or superannuated. Through the Fund, the CBA provides financial assistance in the form of grants and loans.

Eligible recipients also include lawyers in Cook County who receive assistance from the Lawyers Assistance Program and are in need of medical assistance.

"I can say without hesitation that the generous support that I have received from the Wolf Fund has enabled me to receive medical treatment for several disabling conditions and prevented me from becoming homeless. My hope is that I will be able to return to the full–time practice of law and someday make a substantial contribution to The Chicago Bar Association's Wolf Fund in return for all the help they have given me. I am ever so grateful."

– Wolf Fund Recipient

THE CHICAGO BAR ASSOCIATION

For more information, please contact Terrence M. Murphy, Executive Director
312-554-2002 • tmurphy@chicagobar.org

By Margaret C. Benson

Five Decades of Legal Services

Neighborhood Legal Clinics: Why They Work

CVLS began with a handful of young attorneys providing free legal advice in church basements on nights and weekends. Here, one of those original volunteers stands outside the Holy Trinity Legal Clinic in 1964, in front of a sign reading "Free Law Advice: Professional Lawyers Here to Serve You Every Tuesday Evening."

Fifty-one years ago, when a group of young lawyers decided to offer free legal advice to low-income people, they didn't set up shop on LaSalle Street. They wanted to go where their potential clients lived. But, realistically, how could they do that? Put out a folding table and chairs at Madison and Cicero? No. Instead, working with area churches, they set up those folding tables and chairs in church basements in client neighborhoods. Neighborhood legal clinics were born.

That first year, attorneys held clinics in a handful of neighborhoods around the south and west sides of Chicago, meeting and counseling people with all sorts of legal problems. Within a few years, clinic sites included social service and neighborhood centers in addition to churches. In each case, the host site not only donated space, but provided an essential nexus to the community.

Soon after these clinics opened, the federal Office of Economic Opportunity began to create and fund legal service programs as part of President Johnson's War on Poverty. Published guidelines emphasized the importance of connecting legal aid programs to the community.

> "The offices of the legal services program should be located to make the lawyers both visible and accessible to the poor. Consideration should be given to the relative merits of locating offices in neighborhood centers offering coordinated social services as opposed to establishing separate offices." *Guidelines for Legal Services Programs, National Advisory Committee to the Legal Services Program, Office of Economic Opportunity, Washington DC*

Five decades later, the idea of volunteer attorneys helping clients in their own neighborhoods, in collaboration with trusted community organizations, has proven to be sound. Neighborhood legal clinics benefit their communities, their clients, and the attorneys themselves.

About this Issue

The October CBA Record is focused on the challenges and rewards of pro bono work, as part of the CBA and CBF's 11th Annual Pro Bono Week, held this year from October 26-30. The Week honors pro bono efforts and educates the public and the legal community on how lawyers are improving the lives of the less fortunate. Free programming for the week includes CLE, the Pro Bono and Community Service Fair, and more. Register and get details at www.chicagobar.org/probonoweek.

Community

Schiff Hardin has staffed a CVLS clinic in East Rogers Park for 36 years, originally within the Howard Area Community Center and, more recently, with Housing Opportunities for Women on Howard Street. In both locations, the legal clinic has augmented services provided by a robust social service organization. DLA Piper, collaborating with LAF and the AKArama Foundation, brings attorneys, law students, and others to a monthly legal clinic in Woodlawn where they have served, since 2010, nearly 900 neighborhood residents.

Chicago's communities benefit when agencies collaborate to expand and enhance services. Together, attorneys and social service providers can offer holistic help to clients and their families. While a housing program finds a decent, affordable apartment for the client, the attorney can petition to modify a child support order so that he or she can afford to pay rent. Another client might get computer training and help responding to an aggressive creditor. This all-inclusive approach can work to keep at-risk clients and families stable.

Clients

In a perfect world, all legal aid clients would recognize that they have a legal problem and make an appointment with a legal aid program in the Loop. Then they would attend the appointment fully prepared with necessary documentation.

The world is not perfect and neither are our clients. Some clients can't or won't make their way into the Loop to meet with an attorney or may not realize they need an attorney until the last minute. Others are afraid of the legal system or don't know where to turn for help.

Neighborhood clinics can give them the push they need. Families of students who attend the Jose De Diego Community Academy meet with free attorneys at the school one afternoon each month. A legal clinic located in a school, a counseling center, or a church basement make free legal services accessible and practical.

Immigrants often feel especially isolated and many are wary of the courts and government. Thanks to a clinic at the Chinese American Service League, Mr. Chan, who didn't speak English, felt safe seeking pro bono immigration services in the comfort of his community. A volunteer immigration attorney handled his case with interpreting help from an agency staffer. His simple immigration case would never have been initiated if he'd had to venture into the Loop on his own.

Attorneys

In 1978, Ruth Ann Schmitt, recently retired Executive Director of the Lawyers Trust Fund of Illinois, wrote about volunteering.

"There are subtle but profound long term benefits gained from exposing LaSalle Street lawyers to the realities of ghetto life and the inequities of the legal aid system as it affects the poor. While most volunteers do not choose jobs within the poverty

CVLS' Clinic Program expanded quickly as founder John Ferren's idea to bring free legal advice to low-income Chicagoans took hold, and he began to develop clinics in neighborhoods across the city. The Christian Action Ministry Clinic in West Garfield Park closed in the mid-80s, later to be replaced by the newly-formed Legal Prep Community Law Clinic serving the same area.

Volunteer at a Neighborhood Clinic

You can improve your community by volunteering at a neighborhood clinic. Find a time, location, and experience that is a good fit for you. Here are a few clinics that need volunteers now:

CVLS Neighborhood Clinics
(contact Kathy Koester at kkoester@cvls.org):

CVLS Clinics serve clients in neighborhoods all over Chicago at various days and times and in a number of areas of law. Here is just a sample of the CVLS clinics available:

Chinatown Pro Bono Legal Clinic / Chinese American Services League
Housing Forward / St. John's Lutheran Church
Indo American / Indo-American Center
Jane Addams / CVLS
Our Lady of Mercy / St. Clements Church
Trinity United Church of Christ
Visitation Church

LAF Juvenile Expungement Clinics
(contact Kate Shank at kshank@lafchicago.org):
School-based clinics include one hour of CLE accredited training (no prior experience necessary) and 2-4 hours of assisting juveniles with expungement petitions.

Center for Disability & Elder Law Senior Legal Assistance Clinics
(contact Caroline Manley at cmanley@cdelaw.org):
Ten Cook County clinics assist low-income seniors and people with disabilities with a variety of legal issues, including simple estate planning, powers of attorney, uncontested divorces, consumer fraud, collections defense, guardianship, real property and landlord/tenant.

field, they can and do become a force for social change within their communities and profession."

The same is true today. Instead of just reading about the problems in Chicago's troubled neighborhoods while shaking their heads in frustration, attorneys provide real help. "I love volunteering at the Woodlawn Clinic," says Katie Jahnke Dale, a DLA Piper associate, "Being there reminds me of why I became a lawyer, and helps me remain connected to my community."

Clinics provide attorneys with work on a variety of interesting legal issues. Because they are collaborations between social service and legal aid agencies, volunteers get the help they need to help their clients, including legal support and supportive social services.

Volunteers at LAF's Woodlawn Clinic have helped a woman who'd suffered four aneurysms get her Section 8 housing voucher reinstated, helped another woman obtain a no contact order against a neighbor who was stalking her, represented a single mother in a closing on her first home, and made it possible for a man to untangle himself from a mass of bureaucracy which had resulted in a gross overstatement of his child support obligations.

This compelling work reminds volunteers why they wanted to become lawyers in the first place. Shawna Boothe, an associate at Schiff Hardin, considers volunteering at a legal clinic more than a professional obligation. "I believe my volunteer work did not end with helping a single mother and her family; it had an impact on the community in which this family lives in and in which I practice law. I can proudly say this because I have seen such impact first-hand."

Help your professional community, help the Chicago community, and help yourself by volunteering at a neighborhood legal clinic. ■

Margaret C. Benson is Executive Director of Chicago Volunteer Legal Services

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By Candace Moore

Advocating for Access to Education

Breaking the School to Prison Pipeline

Consider these two scenarios:

One snowy day, Jordan and his friends were walking home from a basketball game. On their way, they saw one of their coaches who was always "cool" and playful with students. As a joke, Jordan's friends dared him to throw a snowball at the coach. However, when Jordan threw the snowball, the coach did not find it very funny. Instead, he became upset and reported the incident to the school's administrators the next day.

One day, Brandon came to school really upset after learning that a close friend had just passed away. Brandon was a high school junior, played football for his school, and wanted to enroll in college on a football scholarship. As he was walking into the building to talk to his counselor, a school resources officer stopped him to ask that he show his ID. Brandon became annoyed, and flashed the ID, but refused to place the attached lanyard around his neck at the officer's request. When the officer placed his arm in Brandon's way, to prevent him from entering, Brandon pushed the officer's arm and rushed past. The officer pursued Brandon and the two argued.

Both students in these scenarios could easily be referred for expulsion which, in Illinois, means that they could lose access to all public education for up to two years. In fact, it is not uncommon that either student would be arrested for the incident and charged with assault or battery. Statistics tell us that students receiving this type of punishment are more likely to be African-American males, low-income, LGBT, or a student with a disability. The reality is that schools throughout the country rely on harsh and exclusionary discipline practices that disproportionately impact some of our most vulnerable young people. Without access to education, these young people are more likely to come in contact with the criminal justice system, become victims and perpetrators of violence, or perpetuate a cycle of poverty. As a profession of advocates, lawyers need to understand and combat school discipline practices that shut the schoolhouse doors to our young people who need access to it the most.

Across the country, schools have increasingly relied on exclusionary discipline, zero-tolerance policies, and law enforcement tactics to address student conduct. This has led to a national crisis commonly referred to as The "School-to-Prison Pipeline" ("STPP"). Since the "Gun-Free School Zones Act" and "Safe and Drug Free Schools and Communities Act" of the 1990s, we have seen a marked increase in schools' use of penal approaches to discipline. Schools widely rely on exclusionary discipline practices, such as out-of-school suspensions and expulsions to address minor and subjective misbehaviors like "insubordination" and "willful defiance." Schools have developed zero-tolerance policies: rules that disregard individual circumstances in favor of automatic, punitive measures. There has been a greater reliance on law enforcement and many schools began stationing school resource officers (SRO) in the school, a practice that has increased in response to school shootings across the nation. However, instead of making schools safer, as intended, these practices often further marginalize and criminalize vulnerable students.

Contributing Factors

The STPP is created by a combination of factors that exist both within the school system and externally in the community.

Within the school system, the lack of adequate resources and support for students creates an environment that sets students up to fail. Students in need of supportive services to help them in school are often from struggling communities and attend the least resourced schools. These schools endure the highest level of neglect and destabilization, frequently dealing with constant changes in administrators and teachers, debilitating budget cuts, and threats of closure and restructuring. This makes it extremely difficult for schools to meet the basic needs of students, let alone the extraordinary needs of students dealing with conditions of extreme poverty, exposure to trauma and violence, or other familial and societal stressors. Yet, in all schools, students are expected to perform in an increasingly high pressured and competitive academic environment, regardless of whether they have meaningful social-emotional support.

Some of our most vulnerable students are ultimately excluded from the school system, either by school administrators pushing the student out of school through discipline processes, or the disconnected student choosing to drop-out of school. As may be expected, students who are not supported become increasingly disengaged in the curriculum and begin to exhibit behaviors that are disruptive to the learning environment. Unfortunately, school administrators too often react with discipline practices that are more focused on punishment than helping young people learn from their mistakes. Consider the use of out-of-school suspensions; students can be kept out of school for up to two weeks with no educational services. When those students return, little is done to reintegrate them back into the school environment.

Often there are no opportunities for students to catch up in their work or explore the root cause of their misbehavior in order to develop problem solving skills and coping mechanisms. This problem is so widespread that in the 2009-2010 school year alone, over three million children across the nation were estimated to have lost instructional "seat time" because of suspension practices. That number of children would fill every seat in every major league baseball park and every NFL stadium in America combined.

Implicit Bias

Black students are more than three-and-a-half times more likely than white students to be suspended or expelled.

An understanding of implicit bias is critical to any analysis of the racial disparities that manifest in school discipline. Implicit bias is comprised of the unconscious associations, positive or negative, that individuals develop over a lifetime of experiences based on the characteristics of people we come in contact with. According to the Kirwan Institute:

> These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Residing deep in the subconscious, these biases are different from known biases that individuals may choose to conceal for the purposes of social and/or political correctness. Rather, implicit biases are not accessible through introspection. The implicit associations we harbor in our subconscious cause us to have feelings and attitudes about other people based on characteristics such as race, ethnicity, age, and appearance. These associations develop over the course of a lifetime beginning at a very early age through exposure to direct and indirect messages.

The implicit bias of key stakeholders in our schools impacts young people. For instance, an administrator may unconsciously perceive the actions of students of color to be more aggressive and threatening than they would the students' white counterparts who engage in the same or similar actions. The administrator may believe that she is providing equal punishments for equivalent infractions, when in fact a deeper analysis of student records would show that certain student populations are receiving harsher discipline due to the subtle yet powerful influence of the administrator's implicit biases. This is a hard reality to accept for any individual who believes that they are doing their job in the best interest of all children without consciously paying attention to a student's race, gender, or sexual orientation. However, failing to acknowledge bias on a subconscious level leaves unchecked implicit biases that contribute to the destruction of the futures of young people's futures.

Working Against the STPP in Chicago

In response to this reality, the Educational Equity Project (EEP), a project of the Chicago Lawyers' Committee for Civil Rights Under Law, launched in 2012 with a commitment to protect and promote access to education for our young people. Through a direct services program, EEP organizes pro bono lawyers to represent young people facing expulsion from their schools. All students in Illinois facing an expulsion have the right to a hearing and the right to bring an attorney. However, most families facing expulsions cannot afford to hire an attorney. EEP and its pro bono partners work to meet this immediate need for Chicago's most marginalized communities who are disproportionately impacted and cut off from opportunities in school and beyond.

When EEP launched, it joined Chicago's robust community of legal services organizations and pro bono partners working to advocate for students to remain in school. Many of these organizations and pro bono lawyers focus and specialize on the nuanced circumstances presented by specific populations. For instance, some organizations, such as Equip for Equality, serve students with disabilities who have certain rights and protections under the Individuals with Disabilities Education Act (IDEA). LAF serves students and families in poverty with a special focus on the unique needs of children in the foster care system. The Chicago Coalition for the Homeless works on various issues that impact homeless youths' access to education. A new student-led advocacy initiative, Stand Up For Each Other- Chicago, based out of Loyola University Chicago's School of Law, focuses on empowering parents and students to self-advocate against unfair suspension practices. Together, with several other legal organizations and law schools, Chicago's education legal advocates have

WORKING AGAINST THE STPP IN CHICAGO

Chicago is no exception to the STPP. Our community's youth face barriers in maintaining access to education because too many disciplinary actions are cutting them off from school.

- In the 2010-2011 school year, over 40,000 Chicago Public School (CPS) students received disciplinary measures that placed them out of school; 217 of which were expulsions. The 109,000 total disciplinary actions received in 2010 resulted in more than 300,000 lost school days.
- In the 2009-2010 school year, CPS suspended more than 30% of African American students and only 6% of white students.
- 15% of Chicago's youth, roughly 42,000, are considered dropouts.
- Dropouts accounted for 51% of the state's incarcerated population in 2010.

For more information on these and other statistics visit Project Nia, **www.project-nia.org.**

For more exploration of implicit bias in school discipline, read the Kirwin Institute's special report, Implicit Racial Bias and School Discipline Disparities: Exploring the Connection, available at http://kirwaninstitute.osu.edu/wp-content/uploads/2014/05/ki-ib-argument-piece03.pdf.

formed the School Discipline Working Group, a coalition focusing on fostering collaboration, supporting positive reform efforts, maximizing resources, and collectively addressing problems that impact our shared client population.

Through partnerships with other legal organizations, pro bono partners, and community organizations, advocates are able to utilize individual direct services to guide efforts to achieve institutional systemic reform. For example, EEP advances its work through a community lawyering model, a strategy that intentionally values community-led advocacy efforts and provides supportive legal resources. This model stresses the importance of thinking beyond litigation in addressing structural issues that impact communities. As a result, EEP's partnered efforts have won sustainable change through collective action and strategic campaigns focused on building the power and conscious leadership of those most impacted.

Over the last three years, there has been major success in school discipline reform at both the local and state level. One example was achieved through a community collective that won a commitment from CPS to regularly and publicly disseminate discipline data disaggregated by school, offense, race, gender, and disability, among other categories. Additionally, this same collective was instrumental in 2014 CPS Student Code of Conduct revisions which led to a 60% reduction in out-of-school suspensions and

continued on page 51

Make a Difference

Interested in helping out with some of the pro bono opportunities listed in this article? For Equip for Equality, contact Olga Pribyl at olga@equipforequality.org, for LAF, contact Kate Shank at kshank@lafchicago.org, and for Chicago Lawyers' Committee for Civil Rights Under Law, contact Jessica Schneider at jschneider@clccrul.org

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By Beth Malik

The Crucial Role of Access

Helping Homeless Youth Find Stability

Around 8:30 every night, more than 20 unaccompanied youths congregate outside The Crib. Each hopes to win the lottery–the shelter lottery, one that will let them sleep on a mat on a basement floor for the night. Operated by The Night Ministry, The Crib is a city-supported emergency shelter in the Lakeview neighborhood for homeless youth, ages 18 through 24.

The youth shelter only operates at night. Youth must be out by 9 a.m. the next morning. Most homeless youth have no choice but to carry their belongings with them wherever they go. Once they leave in the morning, they are not guaranteed a bed the following night.

There are 374 shelter beds for an estimated 11,447 unaccompanied youth in Chicago, so these young people run a good risk of being turned away. If unable to find another shelter bed for the night, they face limited options: sleeping outside, riding CTA trains, walking the city all night, or trying to find a friend or relative who will give them a place to stay. Youth who are unaccompanied–homeless, without a parent or guardian–also struggle with food instability, not knowing when they will have their next meal. Their day-to-day focus on survival presents barriers to full inclusion in society. Addressing immediate housing, hunger, and legal needs frequently prevents full participation in important activities, including school or employment.

The volatile and unstable lives that homeless youth endure can make access to resources and services extremely difficult. Signing up for public benefits such as food stamps or Medicaid, or applying for a college or a job, can seem impossible without a phone or a stable address. Homeless youth often struggle to obtain basic necessities, such as Social Security or state identification cards, because they were forced to leave home with nothing more than the clothes on their back, with no way to prove who they are. With too few shelter beds, many are forced to "couch-surf" or "double-up" with relatives or friends, usually in overcrowded conditions. This option presents a safe solution for some, but can be stressful and traumatic for others. The new book, *$2.00 a Day, Living on Almost Nothing in America* highlights this problem: "While living with relatives sometimes offers strength and uplift, it can also prove toxic for the most vulnerable in our society, ending in sexual, physical or verbal abuse."

Approximately 550,000 youth in the U.S. experience homelessness annually, 380,000 of whom are under age 18. Of a half million young people who experience homelessness, only 50,000, or 9%, receive services from homeless youth programs. In a 2013 survey of homeless youth in Chicago, 37% of youth reported going an entire day without food. They are more likely to suffer from infectious diseases, at higher risk of depression and suicide, and more likely to be victimized or experience sexual exploitation while on the streets. For more information on these, and other statistics, please visit the Chicago Coalition for the Homeless' website at www.chicagohomeless.org.

Accessing legal aid services can be equally difficult. A CTA trip to meet with an attorney is often not possible. Most homeless youth live in extreme poverty, unable to afford a $5 round trip fare. Leaving a message on an intake line is also difficult for youth who don't have a telephone number or a regular place to receive voicemail. Additionally, most homeless youth have different help-seeking mechanisms than adults. They are more likely to seek a referral from friends or by word-of-mouth among peers. Given that many of the youth were let down or abandoned by the adults in their life, they are not quick to trust or open up.

Meeting the Legal Needs of Homeless Youth Through a Mobile Legal Clinic

To meet the urgent and complex legal needs of homeless youth in the Chicago area, the Law Project at the Chicago Coalition for the Homeless (CCH) launched Youth Futures, a mobile legal aid clinic in 2004. The first of its kind in the country, the clinic provides civil legal services by meeting youth out in the community, at schools, shelters, and drop-in centers. The mobile legal clinic is a van outfitted with mobile office equipment, enabling attorneys to bring their office into the community to deliver legal services directly to homeless young people. This model has proven extremely effective, with the program serving 354 youths in the year that ended June 30, 2015. The Law Project assists homeless young people with a myriad of civil legal issues, ranging from access to public benefits and health care to education and family law.

"Daryl" was one of the homeless youth living in Chicago. As a child, he suffered a traumatic brain injury that continues to impact his life. He first became homeless in his teens and lost his only source of income, Social Security, in 2011. He sought services at an emergency shelter and drop-in center in the Back of the Yards neighborhood. There he met an attorney from CCH. Working together at the drop-in center, the attorney helped Daryl, now 24, get his benefits reinstated, advocated for $13,800 in back payments, and arranged for an appropriate payee. With financial stability, Daryl is able to secure long-term housing and continue the supportive services he needs. Daryl's story is just one example of how legal services can dramatically change outcomes and circumstances for unaccompanied youth.

And because a quality education helps break the cycle of homelessness and poverty, the CCH Law Project has also focused its work on the educational rights of homeless students. The federal McKinney-Vento Homeless Assistance Act and the Illinois Education for Homeless Children and Youth Act allow homeless students to stay stable in school with additional support services, including transportation to their school of origin and school fee waivers. These legal protections are critical for the

I have been homeless for over a year after I was forced to leave home. I came to La Casa Norte after the police found me sleeping at a bus stop. I didn't have any money and so I needed public benefits for support. It is difficult to get public benefits because the process is complicated and takes a long time. It was great to have a lawyer because they made the applications go faster and make sure you don't get denied. I also like that the lawyers will come to where I am staying, because I have a hard time getting transportation downtown.

– Catherine, age 20

59,211 homeless students identified by Illinois schools in the 2013-2014 school year.

Access to education is changing the life of Andrew. During his junior year at Lane Tech High School, Andrew's grandmother fell behind on rent and lost the family's one-room apartment. Andrew was forced to live on his own, occasionally sleeping in the park when he couldn't find a friend to stay with.

"There's stuff you can't control," Andrew said. "But education is something you can control, and going to school is something you can control, and doing something with your life."

Andrew was determined to go to college, the first in his family. As a senior, he sought legal assistance from the CCH Law Project when he was being unlawfully barred from graduation due to unpaid school fees. Later, youth attorneys helped Andrew get access to insulin for his diabetes and reinstate his Medicaid after it was wrongfully terminated.

Andrew graduated from Lane Tech in 2013 with a weighted 4.1 GPA. He won a partial scholarship from University of Illinois at Chicago and a $2,500-a-year scholarship from CCH. He is now a junior, majoring in economics.

Since its launch 11 years ago, Youth Futures has expanded to three staff attorneys, including a health law specialist. Their outreach connects with 2,000 youths and directly engages 650 youths. Each month 25 outreach sessions are offered at more than 20 venues, including weekly clinic stops at the Center on Halsted, La Casa Norte, and Teen Living Programs. In recent years, law firms and corporate legal departments have also shown increased interest and enthusiasm for working with homeless youth.

Pro Bono Partnerships Find Innovative Ways to Help Homeless Youth

Looking for new ways to reach young people in need, the CCH Law Project partnered with the legal department of JPMorgan Chase Bank to launch legal clinics in 10 Chicago Public High Schools, targeting homeless or at-risk youth. Through the clinics, volunteer attorneys and legal professionals are able to answer questions, provide resources and referrals, and represent young people in need of attorneys. Sharlita Davis, a CCH Board member and paralegal, helped organize the program. "Chase attorneys and legal support staff have a professional responsibility to assist our community and a sincere dedication to helping those in need," she said. "Homeless children and youth are some of the most vulnerable members of our society. We help remove as many barriers to education as we possibly can in order to ensure that these young people will grow into productive adults."

This summer, Chase held a Legal and Identification Clinic for homeless youth at the Center on Halsted, an LGBT facility in Lakeview that serves homeless youth. Volunteer attorneys secured ID documents for homeless youth, including birth certificates and homeless verification letters for free state IDs. Attorneys were on-hand to enroll youth in public benefits and assist with other legal needs. "It's very significant to provide these types of services for young people," said Avi Bowie, the Center's director of youth programs. "There are a lot of barriers that prevent unstably housed young people from accessing identification documents. We take IDs for granted. They mean so much to our young people–they can open doors to school and employment."

Another recent pro bono partnership resulted in a new way to deliver legal information and resources to homeless youth in a user-friendly format. The Baker & McKenzie law firm partnered with its corporate client, United Airlines, and the CCH Law Project to write the *Illinois Homeless Youth Handbook.* Forty-nine attorneys from Baker & McKenzie and United Airlines donated 1,100 hours to the project. Released last January, the comprehensive guide presents information in a youth-friendly question-and-answer layout across 17 legal topic areas, from education, health care, and housing to consumer and credit issues. The handbook also provides tools for dealing with social issues that can cause or accompany homelessness, such as domestic violence, sexual exploitation, mental health issues, and substance

abuse. The handbook is available online at www.homelessyouth.org and more than 2,000 print copies have been distributed to schools and service providers statewide.

"United's Legal Department Pro Bono and Community Service Committee is always looking for ways we can use our legal skills to help those in need in the communities in which we work and live." said Barbara Thomas, a paralegal in United's Environmental & Regulatory office. "When we learned that homeless youth, a population already vulnerable to many disadvantages and hardships, did not have a readily available resource to understand what legal rights and options they had, we jumped at the chance to help out."

Providing legal services to homeless youth is no easy task. These impoverished youth struggle to find shelter, safety, and stability in their lives, despite little or no personal resources. In Chicago, legal aid and pro bono attorneys work together to improve those odds. ■

Beth Malik is Associate Director of the Chicago Coalition for the Homeless' Law Project

Make a Difference

To learn more about pro bono opportunities in Chicago, and for assistance in getting involved, contact Angela Inzano at the CBF Pro Bono Support Program (ainzano@chicagobar.org, 312/554-4952) or visit www.IllinoisProBono.org.

The Chicago Bar Foundation Ensuring access to justice for all

Pro bono legal work has made me a better lawyer and a better person. Many pro bono clients are in a poor position to defend themselves against people and institutions not interested in vindicating individual or public rights. The pro bono lawyer at least offers these clients a fighting chance to assert their rights. All who want to fight for their rights deserve a fighting chance.

Gabriel A. Fuentes
Partner
Jenner & Block LLP

The Chicago Bar Association & The Chicago Bar Foundation's

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By Barry C. Taylor

Legal Aid and the Private Bar

Making Community Living a Reality for People with Disabilities

Barry C. Taylor, Stanley Ligas, lead plaintiff in *Ligas v. Norwood,* and Laura J. Miller, Managing Attorney, Civil Rights Team, Equip for Equality.

Stanley Ligas is a warm and friendly man, with an engaging sense of humor. He also happens to have Down Syndrome, resulting in a mild cognitive disability. Stanley is able to read, can balance his checkbook, loves professional wrestling, and has a great memory for dates and phone numbers. After his parents died, Stanley wanted to live independently near his sisters and have a job. However, because the state didn't have any community services available, Stanley was forced to live in a large institution with nearly 100 other people, far from family members. He stayed in that institution for 17 years, despite desperately wanting to live in the community.

When people think about the Americans with Disabilities Act (ADA), many think about lifts on buses, or accessible parking spots, or grab bars in toilet stalls. While physical access for people with disabilities is a major development under the ADA, Congress also intended the ADA to address the historic isolation and institutionalization of people with disabilities in our country. As we commemorate the 25th anniversary of the ADA, this article will focus on how using class action litigation to provide community living opportunities for people with disabilities in Illinois was successfully achieved through a collaboration between public interest organizations and the private bar.

Illinois' Reliance Upon Institutions

Since the 1960s, experts have recognized the benefits of community living for people with disabilities. The benefits include increased participation in community activities, greater self-direction, higher employment rates, and an overall improved sense of well-being. As a result, most states have significantly reduced their institutional census and offered people with disabilities more opportunities for community living.

Illinois, however, has lagged behind almost every other state in its efforts to increase community integration and has instead relied heavily on large, institutional settings to house people with disabilities. For example, in 2013, Illinois ranked fiftieth out of the fifty states and the District of Columbia in the percentage of adults with developmental disabilities living outside the family home and being served in small settings (fewer than six people).

When Congress passed the ADA in 1990, it found that the isolation and segregation of people with disabilities was a serious and pervasive social problem that the ADA should address. Following the passage of the ADA, the U.S. Department of Justice issued regulations requiring that state and local governments administer their programs in the "most integrated setting appropriate to the needs of" people with disabilities.

In 1999, the U.S. Supreme Court issued an historic decision in *Olmstead v. L.C.* holding that a state's unjustified institutionalization of people with disabilities is discrimination under the ADA. Many in the disability community compare the *Olmstead* decision to *Brown v. Board of Education,* in that separate can never be equal.

Establishing a Collaboration with the Private Bar to Expand Community Living Opportunities for People with Disabilities

Despite the clear mandates of the ADA, the Department of Justice Regulations, and the Supreme Court, Illinois failed to make any meaningful change and continued to rely upon institutions for serving most people with disabilities. Disability advocates spent years attempting to work collaboratively with the state to expand community living opportunities without any meaningful change. Accordingly, Equip for Equality, Access Living, and the ACLU of Illinois developed a coordinated litigation strategy to address this critical issue.

Because most institutionalized people in Illinois reside in privately owned state-funded institutions, we decided that the litigation would focus on people with disabilities in those facilities. Since Illinois' disability service system is quite fractured and administered by a variety of state agencies, we determined we could not address the unjustified institutionalization of people with disabilities through one lawsuit. Instead, we decided to file three class actions against Illinois officials for failing to serve people with disabilities in the most integrated setting.

We also agreed that each organization would serve as lead counsel in one of the three cases, with the others serving as co-counsel. One of the primary responsibilities of lead counsel was to recruit a pro bono law firm. Because these cases would be extremely complex, involve thousands of documents, and would likely take many years to litigate, we needed the resources, support, and expertise that a large law firm could contribute. While some firms seek "bite-sized" pro bono opportunities, we were seeking a "super-sized" commitment from the private bar. Fortunately, for us, and for thousands of people with disabilities, the private bar stepped up.

The first case filed was *Ligas v. Maram* (now *Ligas v. Norwood*), a statewide class action on behalf of people with developmental disabilities living in large, privately owned, state-funded facilities. Because Equip for Equality had significant experience advocating for people with developmental disabilities to move into more integrated settings, we assumed the role of lead counsel in *Ligas* and Dentons agreed to serve as pro bono counsel.

The second case filed was *Williams v. Blagojevich* (now *Williams v. Rauner*), a statewide class action on behalf of people with mental illness residing in large, privately owned, state-funded facilities. The ACLU of Illinois filed a previous class action on behalf of people with mental illness residing in state-operated facilities, so it served as lead counsel in *Williams* and recruited Kirkland & Ellis as pro bono counsel. The Bazelon Center, a national public interest organization specializing in mental health rights, also served as co-counsel.

Colbert v. Blagojevich (now *Colbert v. Rauner*) was the third case, and it was filed on behalf of people with physical disabilities, mental illness, or both,

THE CHICAGO BAR ASSOCIATION PRO BONO RESOLUTION

Updated and Reaffirmed by the CBA Board of Managers on October 23, 2014

WHEREAS, one of the most fundamental values of our country and our profession is equal access to justice, reflected by America's founding fathers at the outset of the Preamble to the Constitution as well as in the Pledge of Allegiance's familiar refrain of "liberty and justice for all."

WHEREAS, about 700,000 low-income people in the Chicago area are expected to encounter a legal problem this year, yet less than half of them will be able to access legal help because there aren't enough pro bono and legal aid resources to go around. A growing number of moderate-income people in our community also are unable to find affordable legal help, leaving many thousands more without the assistance they need to fairly and effectively resolve their legal problems.

WHEREAS, wherever we are in the legal community, lawyers are trustees of the justice system and it is our common cause to ensure the system is fair and accessible for all people regardless of their income or circumstances.

WHEREAS, Illinois Supreme Court Rule 756 (f) underscores that lawyers have a special professional obligation to ensure that our justice system is accessible to everyone through contributions of both time and money as well as through use of our influence; and

WHEREAS, The Chicago Bar Association is committed to increasing pro bono legal services, securing adequate funding for the pro bono and legal aid system, and advancing other efforts to make the justice system fair and accessible for everyone in our community through its charitable arm, The Chicago Bar Foundation; and

THEREFORE, it is resolved by The Chicago Bar Association that:

1. The CBA formally reaffirms its commitment and resources to ensuring the justice system is fair and accessible for everyone in our community through its charitable arm, The Chicago Bar Foundation; and
2. The CBA adopts a suggested standard for each of its members to advance this cause by taking the following actions:*
   a. Using your ***time*** to advance this cause by:
      i. Providing at least 50 hours of pro bono services each year; and
      ii. Striving to contribute your time in other ways, by serving in a leadership role or providing training to support pro bono and legal aid work, and volunteering in other law-related efforts.
   b. Giving your ***money*** in an amount that is significant to you--making the cause of equal access to justice one of your top 3 charitable causes--to advance this cause through a mix of the following:
      i. Contributing to the CBF, joining with thousands of your colleagues in the legal community to make a comprehensive impact none of us could on our own; and
      ii. Donating to the annual Investing in Justice Campaign to support the pro bono and legal aid organizations serving the Chicago area with one gift; and
      iii. Supporting the individual pro bono and legal aid organizations where you have a personal connection.
   c. Using your ***influence*** to advance the cause in the following ways:
      i. Reaching out to your elected officials when called upon to advocate for legislation and policies that promote a fair and accessible justice system;
      ii. Being an ambassador for the cause by encouraging people in your business and personal networks to get involved; and
      iii. Advocating for court policies that make the justice system more user-friendly and accessible for people in need, including seeking to direct cy pres awards to the CBF and the pro bono and legal aid organizations serving our community when possible.
3. The CBA will continue through The Chicago Bar Foundation (http://chicagobarfoundation.org/) to offer a Pro Bono Support Program and provide other resources to assist CBA members with questions about how to satisfy this resolution.

* The CBA recognizes that some members such as judges and lawyers in government agencies are prohibited from providing outside legal services, including pro bono services, and that some members also are limited in their ability to participate in legislative and policy advocacy. Members in these circumstances are exempt from those sections and encouraged to advance the cause through other actions called for by the Resolution. Members employed full-time in legal aid and public service positions also are exempt from Section 2(a)(i) of this resolution.

residing in traditional nursing homes in Cook County. Because Access Living had experience assisting many people living in nursing homes with reintegrating into the community, it was the natural choice for lead counsel in *Colbert.* Several pro bono law firms represented the *Colbert* class over the course of the litigation, including the current firm, Dentons.

The institutions in the three cases have much in common. Generally, they offer residents little contact with non-disabled people; few opportunities to participate in community life; very little privacy; little or no choice in daily decisions, such as when to wake up, what and when to eat, and when to go to bed; and little or no choice of daily activities, with most residents spending their days in "workshops" while being paid sub-minimum wage or no wages at all.

After extensive litigation, consent decrees were reached in all three cases. The consent decrees all have an independent monitor with expertise in developing community systems for people with disabilities. The monitor oversees implementation of the various requirements of each consent decree. To date, more than 7,500 people with disabilities have received community services under the three decrees. This would not have been possible if the private bar had not made such a significant commitment to these cases.

The recent budget impasse in Illinois has shined anew a spotlight on the consent decrees in these cases. The Illinois Comptroller took the position that she could not make any payments for people with disabilities unless there was a budget appropriation or a court order. While class counsel believed the three consent decrees provided sufficient authority for the Comptroller, we went back to court and secured an Order in each case to ensure that the State would continue to meet its commitments under the consent decrees and pay providers at the same level as the previous fiscal year, until an agreement on the budget is reached. This most recent

continued on page 51

Make a Difference

For more information on how you can advocate for people with disabilities, and celebrate the 25th anniversary of the ADA, visit ADA 25 Chicago at http://ada25chicago.org/. You can also find more opportunities on www.IllinoisProBono.org.

The Chicago Bar Association — Founded 1874
The Chicago Bar Foundation — Ensuring access to justice for all

*Too often we get so caught up in the stresses of daily life that we march ahead with our heads down and forget to look at the world around us. Pro Bono Week (and pro bono work in general) reminds us that we must consider—and try our best to address—the broader challenges facing humanity: poverty, discrimination, persecution, oppression, to name a few. Why? Because we're **all** in this together.*

Allegra R. Nethery
Pro Bono and Philanthropy Partner, Seyfarth Shaw LLP
President, The Chicago Bar Foundation

The Chicago Bar Association & The Chicago Bar Foundation's
2015 Pro Bono Week Oct 26-30
Rise Above Your Narrow Confines
www.chicagobar.org/probonoweek

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Giving Back

By Matthew A. Passen YLS Chair

As I mentioned in a previous column, our theme for this year is "The Complete Lawyer." An essential component to any complete lawyer is supporting public service, legal aid and pro bono work. To that end, I'd like to highlight a couple important upcoming events.

We will celebrate our 11th Annual Pro Bono Week on October 26–30 with events each day to encourage and foster pro bono engagement in the Chicago community. Our signature event, the Pro Bono and Community Service Fair, will be held on Thursday, October 29 from 5:00-7:00 p.m. at Skadden, Arps, Slate, Meagher & Flom. Attendees will be able to learn about many community service, mentorship and legal services organizations in need of your support. Thanks to our gracious sponsors at Skadden, the event is free and open to the entire legal community. Pro Bono Week kicked off on Friday, October 23 with a "Movies on Trial" event, including a screening of *My Cousin Vinny,* followed by a panel discussion exploring the legal substance of the film. The event is generously sponsored by Honigman Miller Schwartz and Cohn LLP and Chicago-Kent College of Law. We'll also have a pro bono-themed game night to test your trivia skills and celebrate the pro bono and legal aid community. Whether you are a new lawyer or have been practicing for some time, I invite you to come to these (and other) events during pro bono week to learn more about how to use your skills to give back to the community.

We were also proud to unveil our new public service project, End Distracted Driving, with a kick-off reception on October 9 at the CBA. Attendees learned about this initiative to curb distracted driving among teens, which involves having our attorney-volunteers present to high school students a PowerPoint presentation designed [and scientifically proven] to maximize the likelihood of attitude and behavior change. We need attorney-volunteers and people with relationships at Chicagoland high schools to help with this project.

As lawyers, we are privileged to have specialized skills and knowledge that members of the general public don't possess. With that privilege comes a responsibility to give back to our community. In addition to the programs discussed above, the YLS has year-round opportunities to engage in public service, such as the Wills for Heroes, Serving Our Seniors and Legal Prep Mentorship programs. I encourage you to become more complete lawyers and consider volunteering to support one of these programs. ■

MARKET YOUR LEGAL PRACTICE WITH SOCIAL MEDIA

Check out the CBA's social media resources and see how you can stay in touch with colleagues, current clients and reach new clients online. Find valuable social media tips at www.chicagobar.org under the Resources tab.

22nd Annual

Pro Bono & Community Service Fair

presented by The Chicago Bar Association Young Lawyers Section
co-sponsored by The Chicago Bar Foundation
Skadden, Arps, Slate, Meagher & Flom LLP

Thursday, October 29
5:00-7:00 pm

Skadden, Arps, Slate, Meagher & Flom LLP
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Meet with representatives from 50 of Chicago's legal aid, pro bono, community service and mentoring organizations to find an opportunity that fits your schedule, interests and goals. Lawyers and law students from all backgrounds and levels of expertise are welcome. CBA members and non-members are both welcome. This event is free of charge.

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ELECTRONIC HOME MONITORING AS A SENTENCING OPTION

Recidivist DUI

By Judge Marc W. Martin

Exasperated with repeat driving on a suspended or revoked driver's license ("6-303") and driving under the influence of alcohol ("DUI") offenders, the Illinois legislature enacted mandatory minimum sentences for such cases. In doing so, the Senate sponsor proclaimed that such drivers pose a threat and "need to be kept 'locked up.'" *People v. Horsman*, 406 Ill. App. 3d 984, 989 (2d Dist. 2011) (citing 94th Ill. Gen. Assem., Senate Proceedings, May 11, 2005, at 96 (statements of Senator Dan Cronin)).

Certain provisions in the misdemeanor recidivist 6-303 and DUI statutes mandate (1) imprisonment; or (2) substantial community service. For example, a person convicted of driving on a suspended or revoked license after violating DUI laws is subject to a minimum term of 10 days' imprisonment or 240 hours' community service. See 625 ILCS 5/6-303(c). A third-time suspended or revoked license offender faces a minimum term of 30 days' imprisonment or 300 hours' community service. See 625 ILCS 5/6-303(d-1). A second-time DUI offense, while still a misdemeanor, also carries mandatory imprisonment or community service, with the length of the imprisonment dependent on whether the defendant had a blood or breath alcohol concentration over .16. See 625 ILCS 5/11-501(c)(2) & (5).

Although custodial sentences for repeat offender 6-303 or DUI cases may be practical in some counties, such sentences pose administrative difficulties in Cook County, which has an overcrowded jail, housing many detainees charged with violent crimes. Because of those conditions, there is institutional pressure to quickly release nonviolent driving offenders. Consequently, the legislature's goal of incarcerating repeat offenders, in practice, is not being accomplished.

A high number of community service hours—which can be monitored through the Cook County Sheriff's Work Alterna-

tive Program ("SWAP"), the Social Services Department or independently—is not always a realistic alternative. Two hundred and forty hours of community service equates to six 40-hour work weeks. Three hundred hours of community service is 7.5 work weeks. If a person is already working, where does he or she find the time to spend over 10% of their annual working hours to work without compensation? Further, persons subject to recidivist penalties often have a past history rendering them unlikely to complete a high number of community service hours. If a person cannot abstain from driving without a valid license, or driving while intoxicated after having committed a DUI offense, how can such a person realistically be expected to have the self-discipline to labor for 240 or 300 hours without pay? In addition, unless the community service provider is walking distance from the defendant's residence, or readily accessible via public transportation, defendants without driver's licenses can only lawfully commute to and from community service by relying on third parties.

Although substantial community service remains a viable sentencing alternative in appropriate cases, imposition of 240 or 300 hours of community service often is a recipe for failure. Such cases frequently find their way to a violation call because the defendant has not completed, or even started, his or her community service. The violation call is burdensome on all criminal justice system stakeholders. Violation cases usurp the finality that should attach to misdemeanor cases and tax the resources of prosecutors, public defenders, the courts and service providers. Violation cases can also be costly for a defendant. If the defendant is not indigent, he or she might need to retain a lawyer. Bond might be set. Those unable to make bond are incarcerated in Cook County Jail.

This raises the question of whether a middle ground, other than straight incarceration in a penal facility, or imposition of a high number of community service hours, is legally available in recidivist 6-303 or DUI cases. One possible alternative is electronic home monitoring ("EHM"), which is governed by the Electronic Home Detention Law ("EHDL"). See 730 ILCS 5/5-8A-1 *et seq*.

Under the EHDL, in certain statutorily defined instances, a "supervising authority" may implement "home detention," including through use of an "approved electronic monitoring device." 730 ILCS 5/5-8A-2. "Home detention" is "the confinement of a person convicted or charged with an offense to his or her place of residence under the terms and conditions established by the supervising authority." 730 ILCS 5/5-8A-2(C). Paragraph (E) of that same statute, defines "supervising authority" as "the Department of Corrections, probation supervisory authority, sheriff, superintendent of municipal house of corrections or any other officer or agency charged with authorizing and supervising home detention."

The Cook County Sheriff and the Cook County Adult Probation Department administer EHM programs. Both require the defendant to reside in Cook County and to bear responsibility for costs of equipment use. The sheriff's program requires the defendant to be remanded into custody and transported to the Cook County Jail, where a unit in the sheriff's office determines whether to release the defendant on EHM. The sheriff's EHM program does not require the defendant to possess a land telephone line. A defendant on EHM is under the sheriff's jurisdiction. If the sheriff believes the defendant has violated EHM terms, then that person will be apprehended and admitted to Cook County Jail.

The Cook County Adult Probation Department administers the other EHM program (and probation departments in some sister counties conduct similar programs). This program does not require remanding the defendant into custody, as probation officers will outfit the defendant with the necessary equipment. Because probation departments have offices in most courthouses, any administrative problems can be quickly brought to the sentencing court's attention.

In *Horsman*, the Second District addressed whether an EHM sentence could satisfy an "imprisonment" component in a recidivist 6-303 case. The circuit court sentenced the defendant (who had six prior 6-303 violations and was convicted of driving on a revoked license) to 180 days' incarceration in the DeKalb County Jail. Defendant appealed, contending that EHM constituted a lawful alternative to 6-303(d-3)'s "imprisonment" requirement.

Looking to dictionary definitions, the *Horsman* court held that "imprisonment" meant confinement in a jail. Citing the EHDL, the court also noted that EHM constitutes a form of imprisonment. The court thus deemed the word "imprisonment," as used in 625 ILCS 5/6-303(d-3), ambiguous, and turned to extrinsic aids. The court believed that EHM, which affords certain freedoms not available in a jail or penitentiary, conflicted with legislative intent. The court, therefore, rejected the defendant's reliance on the rule of lenity, and ruled that EHM could not be equated to "imprisonment" for purposes of the 6-303 statute.

Subsequent to *Horsman*, the Illinois legislature added 730 ILCS 5/5-8A-8 to the EHDL. This statute, which went into effect on January 1, 2014, provides:

> ***Service of a minimum term of imprisonment.*** When an offender is sentenced under a provision of law that requires the sentence to include a minimum term of imprisonment and the offender is committed to the custody of the sheriff to serve the sentence, the sheriff may place the offender in an electronic home detention program for service of that minimum term of imprisonment unless (i) the offender was convicted of an excluded offense or (ii) the court's sentencing order specifies that the minimum term of imprisonment shall be served in a county correctional facility. 730 ILCS 5/5-8A-8.

Misdemeanor 6-303 and 11-501 offenses are not "excluded offenses" in the EHDL. Accordingly, when such a defendant is sentenced to imprisonment, EHM may be an option, provided the defendant is committed to the custody of the sheriff, and the court does not specify that the imprisonment term shall be served in a

correctional facility.

Practically speaking, when a court believes sheriff-EHM to be appropriate, it imposes a jail sentence, remands the defendant to the custody of the sheriff and, in effect, *recommends* that the sheriff release the defendant on EHM (through a "Sentenced Order" utilized by the Cook County Sheriff). In the Sentenced Order, the court specifies hours that the defendant may leave his or her residence, *e.g.,* for employment purposes or to attend medical appointments. The Sheriff will verify this information before allowing movement. The court also has discretion to require the defendant to pay for the costs of equipment use (capped at $30 per day).

Ultimately, *the sheriff* has the prerogative to release the defendant on EHM, with the Sentenced Order essentially providing a screening process, as opposed to being a mandatory directive from the court. Judicial input into the EHM decision, however, is helpful. It allows for a preliminary determination of whether the defendant is eligible for EHM, and oversight of release conditions. It also provides the court with discretion to increase the length of the sentence to account for the reality that EHM is not jail custody. (If the sheriff does not release the defendant on EHM, and the court imposed an increased sentence, the defendant could move to reduce his or her sentence.)

Under the present law, EHM through probation does not appear to satisfy imprisonment requirements in recidivist DUI and 6-303 statutes. Although the probation department is an EHM "supervising authority," that does not mean that probation-administered EHM is a lawful substitute for imprisonment, especially in view of the significant differences between incarceration at home and incarceration in a penal institution. See *People v. Ramos*, 138 Ill. 2d 152, 159 (1990). Moreover, the legislature is presumed to know the difference between EHM and imprisonment. Because the legislature did not use words, such as "home detention" in recidivist 6-303 and DUI misdemeanor penalty provisions, it does not appear that legislature intended for EHM to be a sentencing option when

PRO BONO PROGRAM TAKES ON ARDC CASES

By Shannon Burke

Because there is no right to counsel in disciplinary proceedings, indigent attorneys too often face the experience alone. However, Holland & Knight LLP recently announced the nation's first privately sponsored pro bono program to represent attorneys who could not otherwise afford representation in disciplinary proceedings.

Trisha Rich, the Holland & Knight attorney leading the program, stated that there has been "a heightened awareness that many lawyers in the state who face disciplinary charges lack the resources to hire defense counsel. We have created the Attorney Defense Initiative to provide competent and dedicated legal representation for those attorneys who qualify."

Initially, only Holland & Knight attorneys will represent pro bono clients before the Illinois Attorney Registration & Disciplinary Commission (ARDC). However, the firm intends to eventually include attorneys from other law firms as well. "The initial response to this program has been very enthusiastic. Several members of the respondents' [defense] bar have already offered to help," Rich said.

According to the Holland & Knight press release, James J. Grogan, deputy administrator and chief counsel of the ARDC stated, "The ARDC commissioners are enthusiastic about the Attorney Defense Initiative and they commend the goal of providing competent representation to any lawyer facing a disciplinary charge. There are many talented ARDC defense attorneys and they all perform some amount of pro bono service. However, there is a real need to provide consistently available quality legal representation for lawyers in financial need. This truly is a terrific idea."

Rich is part of Holland & Knight's Legal Profession Team. She also co-chairs the CBA's Young Lawyer's Section Professional Responsibility Committee, which she credits with assisting in conceiving this program. "In addition to Holland & Knight's support, my YLS co-chairs Phillip Skaggs and Emily Roschek spent the last year and a half helping me sketch these ideas out, sometimes literally on the backs of napkins. We spent a lot of time discussing ways we could provide pro bono legal services in the community. The final result is the Attorney Defense Initiative, which we are all tremendously proud of."

If you are an attorney interested in volunteering for the Attorney Defense Initiative, or in seeking legal assistance from the Attorney Defense Initiative, please contact Trisha Rich at trisha.rich@hklaw.com.

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WHAT'S YOUR OPINION?

Send your views to the **CBA Record,** 321 South Plymouth Court, Chicago, IL 60604. Or you can e-mail them to dbeam@chicagobar.org. The magazine reserves the right to edit letters prior to publishing.

it enacted those provisions. What's more, when the legislature added 730 ILCS 5/5-8A-8 to the EHDL, it amended the definition of "imprisonment" in the Unified Code of Corrections to state as follows:

> "Imprisonment" means incarceration in a correctional institution under a sentence of imprisonment and does not include "periodic imprisonment" under Article 7. "Imprisonment" also includes electronic home detention served by an offender after (i) the offender has been committed to the custody of the sheriff to serve the sentence and (ii) the sheriff has placed the offender in an electronic home detention program in accordance with Article 8A of Chapter V of this Code.
> 730 ILCS 5/5-1-10.

The combination of 730 ILCS 5/5-1-10 and 730 ILCS 5/5-8A-8 means that only *the sheriff*—not the court, the probation department or any "supervising authority" other than the sheriff—has discretion to place a defendant in EHM in lieu of imprisonment. Although probation-administered EHM might be viewed as a sensible sentencing alternative in view of the high volume of misdemeanor recidivist 6-303 and DUI cases in Cook County, that option must be created by the legislature. ■

Judge Marc W. Martin serves in the Circuit Court of Cook County's 3rd Municipal District

PRO BONO SUPPORT

Are you looking for a pro bono opportunity that fits your skills, interests and availability? The CBF Pro Bono Support Program is here to help connect you to meaningful pro bono volunteer opportunities that are a good fit for you. To learn more about potential volunteer opportunities, view our Pro Bono Opportunities Guide at www.chicagobarfoundation.org/resources/pro-bono. Contact Angela Inzano at the CBF Pro Bono Support Program at ainzano@chicagobar.org or 312/554-4952 for assistance getting involved or for hard copies of the Guide.

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LEGAL ETHICS

BY JOHN LEVIN

Too Many Laws

Recent editions of this column have focused on the shortage of legal services to the poor and the middle class. One cause of this shortage is that we seek remedies for our societal problems through legislation, and as a consequence, minor personal matters affecting ordinary middle class people become enmeshed in seemingly Byzantine regulations that should realistically apply to complex institutions. This creates a need for legal services, which are often not available because of the shortage of lawyers willing and able to provide them. This column offers some examples.

Recently the Consumer Financial Protection Bureau issued some new regulations in accordance with the Dodd-Frank Act. (The fact that we have a Consumer Protection Finance Bureau or a Dodd-Frank Act is a prime example of our underlying problem.) The purpose of the changes is to simplify real estate closings and give borrowers more time to review and understand their loan documents. However, as one software provider stated: "Making things simpler for consumers can increase complexity on the back end." One of the results is to slow down the closing process to allow the borrower to review the newly simplified information. However, the information required to be disclosed to borrowers, while useful to individuals reasonably conversant in financial matters, is of less help to the unsophisticated without professional help. Also, what if the borrower is not happy with what is disclosed - remedies require more professional help.

This is only a recent example of regulators' reliance on disclosure as a means of consumer protection. However, much of the information disclosed is in a form that requires some expertise to understand. In addition to disclosure, the consuming public is bombarded with contracts - often containing dense verbiage. Think of the recurring amendments to credit card agreements and the ever-present "Accept" on software downloads. Again, more need of professional help (even in some instances for lawyers).

Another example of regulatory complexity is how the Internal Revenue Code has grown in response to decades of "reform" efforts. Once the Internal Revenue Code could be carried in one hand as a paperback book. Now, to quote an on-line tax code, the "complete Internal Revenue Code is more than 24 megabytes in length…and printed 60 lines to the page it would fill more than 7500 letter sized pages." Most of the changes were put in place to address the concerns of major industries or to attempt to correct perceived inequities. However, for whatever reason they were adopted, the amendments have made the everyday personal tax return more and more complicated. Were it not for the availability of on-line tax preparation software, most taxpayers would have to hire professional tax preparers–more complexity for the middle class and more business for professionals.

There is not much we can do to reverse this trend other than to radically change the way our society is governed. What we can do is create more affordable professionals to help the average citizens work their way through the maze. ■

John Levin is the retired Assistant General Counsel of GATX Corporation and a member of the CBA Record Editorial Board.

John Levin's Ethics columns, which are published in each **CBA Record,** are now indexed and available online.

For more, go to http://johnlevin.info/legalethics/.

ETHICS QUESTIONS?

The CBA's Professional Responsibility Committee can help. Submit hypothetical questions to Loretta Wells, CBA Government Affairs Director, by fax 312/554-2054 or e-mail lwells@chicagobar.org.

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LPMT BITS & BYTES

BY CATHERINE SANDERS REACH

New Online Library for Chicago Bar Association Members

The Chicago Bar Association provides over 100 Continuing Legal Education courses and holds hundreds of committee meetings each year. The CBA Record is published seven times annually. A major benefit of the CLE courses, meetings and the publication is that they all generate great content for CBA members. In the past accessing this content required checking different resources on the website, or locating and downloading individual files. Well, no longer! To make it easier for members to access the great content from our programming we are proud to announce the CBA Online Library.

With more than 1000 files, the Chicago Bar Association Online Library includes selected articles, checklists, slide decks and sample documents culled from the past two years of Continuing Legal Education courses, committee meetings and the **CBA Record.** As a CBA member you can search, view and download substantive content from experts near and far and make the most of your membership.

Getting Started

Using the library is as simple as 1, 2, 3:

- Log in the CBA website and navigate to Resources–Online Library. Click on link to access "The Chicago Bar Association Online Library"…
- Enter your search terms in the search box and click on the green search button on the right…
- In the search results click on a file to get a preview and read online; you can also download or print the files.

Catherine Sanders Reach is the Director, Law Practice Management & Technology at the CBA. Visit www.chicagobar.org/lpmt for articles, how-to videos, upcoming training and CLE, services and more.

Search Options

Are you a super searcher? The Online Library has plenty of sophisticated search options and a handy user guide to help you learn how to get the most out of the database.

Similar to Google or Bing searches, if you type in keywords like "mortgage backed securities" in quotes you will get an exact phrase match in the results. Use Boolean connectors such as dogs AND "service animals" or enter simply keywords such as lawyer stress relief and the default *and* expression will be applied to your search.

Once you have searched you will see your results appear below the search bar. They are sorted by relevancy (upload date is currently the same for all files) by default. Each file name contains the category, followed a descriptive document type, the document name and the year it was provided to the CBA.

To preview a file simply click with your mouse on the file name. It will open (in most browsers) in a PDF viewer. You can read through the document, using Ctrl + F to locate a word in the document, and if you want to download or print the document use the PDF viewer's built in capabilities to save the document locally or print it.

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To help you get the best return on your investment in technology, the CBA's Law Practice Management & Technology Division regularly sponsors demonstrations of hardware and software geared to legal professionals. In an hour or less, you will learn how to use common technologies to be more productive, efficient, and tech savvy! Live demos are held in-person at the CBA or join us virtually from your desktop. Can't make the class? Watch videos listed in the archives any time! Complimentary for CBA members. $50 Nonmember. No MCLE Credit. Law student members and associate members are welcome.

Categories

Users can browse or restrict search results by 60+ substantive categories, which are based on and expand upon committee names. Check out the User Guide linked from the landing page for instructions on searching and browsing by category.

Advanced Search Options

The CBA Library has sophisticated search functionality including proximity search, fuzzy search, synonym search and sounds like search. You can use easy check boxes that explain each option once you click on "Advanced Search" at the top of the screen. Or see the User Guide for the Boolean operators for those who prefer to build search queries like a pro.

Library Always Growing

The CBA Online Library is hosted by BlueTie Vault, an online document storage and search platform that syncs digital files and emails to a shared online searchable repository.

The library will continue to grow, so check back frequently. ■

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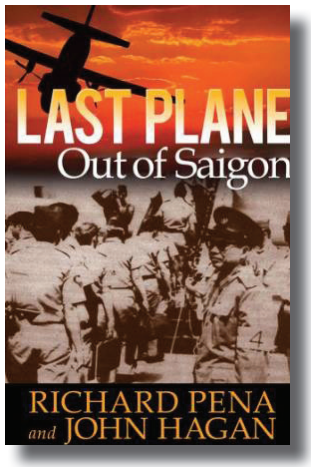
A First Hand Account of Vietnam War



Last Plane Out of Saigon
By Richard Pena and John Hagan
Story Merchant Books, 2014

Reviewed by Daniel A. Cotter

Many books have been published about the Vietnam War. Hollywood has portrayed the war from various perspectives as well. However, few books or movies have portrayed the war from a contemporary first person perspective.

Richard Pena, a Vietnam veteran and attorney licensed in Illinois, with John Hagan, John D. MacArthur Professor of Sociology and Law at Northwestern University, team up in their book, Last Plane Out of Saigon, to provide such a first person perspective. The book title derives its name from a photo hanging in the Ho Chi Minh City's War Remnants Museum entitled, "Last Plane Out." The photo depicts one of the last planes to leave Saigon with United States military personnel, including Pena. When he and his wife visited Vietnam in 2003, his wife saw the photo and recognized Pena boarding the plane carrying his briefcase. When Pena returned from the trip to Vietnam, he read through the journal that he kept during his year in Vietnam. Hagan encouraged him to write about it.

One of the Last Drafted

Pena was a law student who had just completed his first year at the University of Texas at Austin Law School when he was drafted. On June 14, 1971, he entered the U.S. Army. Pena would be one of the last Americans drafted into service, as "Congress abandoned the draft several months before the conclusion of his tour of duty." Pena decided to keep a journal of his experience in Vietnam. The book is "a faithful reproduction of the journal he kept."

Pena was assigned to the largest operating room in Vietnam, serving as an Operating Room Specialist. His tour lasted from May 1972 through March 1973, when soldiers were evacuated from Vietnam. His journal writings reflect the gore and harshness of what he saw during his tour and in the operating room, with "an underlying tone of bitterness."

The 133-page book contains six parts, with each part generally being introduced by Hagan. Hagan sets the political and historical context and provides background, followed by excerpts from Pena's journal. Pena writes in his journal with anger, bitterness and dismay, but also questions why we are participating in the war. His writings also assess the Vietnamese, who Pena portrays in his journal as resolved to the war and way that the world and the United States viewed Vietnam at the time. He also writes about the lack of care by the American public regarding the war. (He asserts that the "spitting in the face of soldiers" generally was not an accurate depiction, but more a politic maneuvering by the Nixon administration.)

Raw and Riveting

The book does at times "leave [the readers] with chills," as promised on the book cover. At the same time, the book is relatively short and a number of the pages are written in the present. Many of the journal entries are not sequential but jump back and forth during the 10 months Pena served in Vietnam. For the reader, more of the complete raw journal entries in sequential order would have allowed the reader to truly experience what Vietnam was like from one American soldier's viewpoint. In addition, at times the journal entries read as if Pena edited them with thirty years of reflection, rather than the raw, unedited observations of the soldier in Vietnam. Throughout the book, Pena comes across as a bitter opponent to the war fought in Vietnam.

The book is a must read for everyone to get a better understanding of what we as a nation do each time we send our service personnel overseas to fight a war in a foreign land. Despite some critiques of the book for format and briefness, the book is well written and provides a firsthand glimpse into the Vietnam War and the turbulent times in our nation as the war was coming to an end. Pena and Hagan have given us what may be the most personal account of the Vietnam War. Pena, who was awarded the National Defense Service Medal, the Army Commendation Medal and the Vietnam Service Medal, is to be commended for his honorable service to this country and for sharing his experience with us. ■

Daniel A. Cotter is a Partner at Butler Rubin Saltarelli & Boyd LLP, where he chairs the Insurance Regulatory and Transactions practice. He is a member of the CBA Record Editorial Board and Immediate Past President of the CBA.

SEX TRAFFICKING SURVIVORS

The Chicago Alliance Against Sexual Exploitation and the Alliance for Women's Domestic Violence Task Force & Advocacy Committee will present a CLE on providing representation to survivors of sex trafficking on Wednesday, Oct. 28, 12:00-1:30 p.m., at Mayer Brown LLP, 71 S. Wacker Drive. Participants will be eligible to serve as pro bono attorneys with CAASE's Pro Bono Project. 1.25 IL MCLE credit anticipated. For more information, contact Rachel Johnson at rjohnson@caase.org.

Access to Education
continued from page 31

a 69% reduction in expulsions in the first semester of the 2014-2015 school year.

While these drastic reductions are an important step in combating the STPP, EEP and its pro bono and legal aid partners continue to hold CPS accountable for developing targeted strategies to reduce the racial disparities in discipline practices which have remained relatively unchanged. On the state level, EEP has also been proud to work alongside Voices of Youth in Chicago Education's youth-led efforts to pass two sweeping pieces of legislation aimed at reforming discipline practices across the state. In 2014, Senate Bill 2793, now Public Act 98-1102, mandated that all Illinois schools, including charters, report disaggregated discipline data by race and other categories and required improvement plans for schools reporting high disparities. The following year, Senate Bill 100, now Public Act 99-0456, passed into law prioritizing the creation of safe and orderly schools while seeking to address excessive use of the most severe forms of discipline.

All of this work represents powerful change that will be realized far beyond its impact on discipline matters. Through this work, impacted young people have been empowered to change their world for the better, and so were the legal aid and pro bono lawyers who stood alongside them. ■

Candace Moore is a Staff Attorney at the Chicago Lawyers' Committee for Civl Rights Under Law's Educational Equity Project

Communities for the Disabled
continued from page 41

development makes clear that litigating the case is only part of what is needed for systemic change, and that monitoring and enforcing implementation is also critical.

While it's easy to get caught up in the "big picture" and statistics of systemic change through class action litigation, Stanley Ligas, the lead-named plaintiff in the case on behalf of people with developmental disabilities, is a good reminder of the dramatic difference these cases can make in the lives of individuals. Shortly after the court approved the decree in *Ligas* in 2011, Stanley moved into a small home in Montgomery, Illinois, where he lives with three housemates, whom he chose. He has his own bedroom, which is filled with his favorite movies, books, electronics, and posters. His new home is located close to many family members, whom he visits regularly. He works at a nearby restaurant and is active in the community. Without the ADA, and the collaboration between the public interest organizations and the private bar, Stanley would likely still be in an institution, only dreaming about a life in the community.

Barry C. Taylor is Vice-President of Civil Rights and Systemic Litigation at Equip for Equality

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Claire K. Battle
Senior Counsel
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NETWORKING TO GET THE JOB AND BEYOND

The CBA's Career Advance Program is pleased to announce a new career workshop focusing on networking skills has been scheduled for Wednesday, October 28, 2015, 4:00-5:30 p.m., at the CBA Building. Our featured legal career counselor, Kathy Morris, has well tested advice about networking from your chair as well as in-person. Whether you want to make connections in a job search, network for business development purposes, or build better name recognition in your field, come hear Kathy's practical suggestions for creating personal and professional connections and, if you're game, practice the techniques in confidence with other program attendees. Don't shy away from this unique opportunity to jump start and enhance your networking skills. Free for members, $50 nonmember. Register at www.chicagoboar.org/cle.

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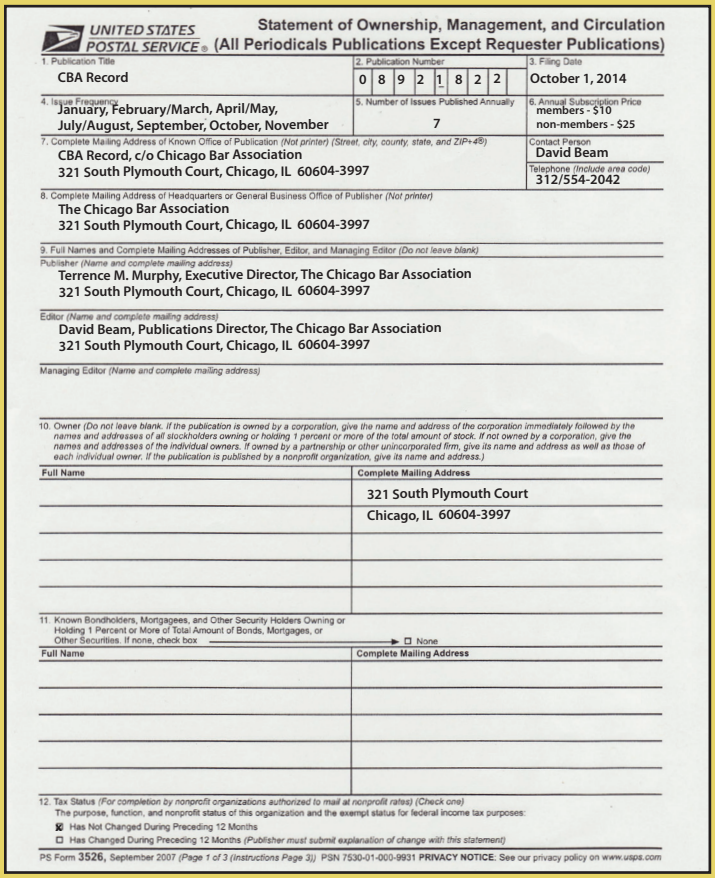

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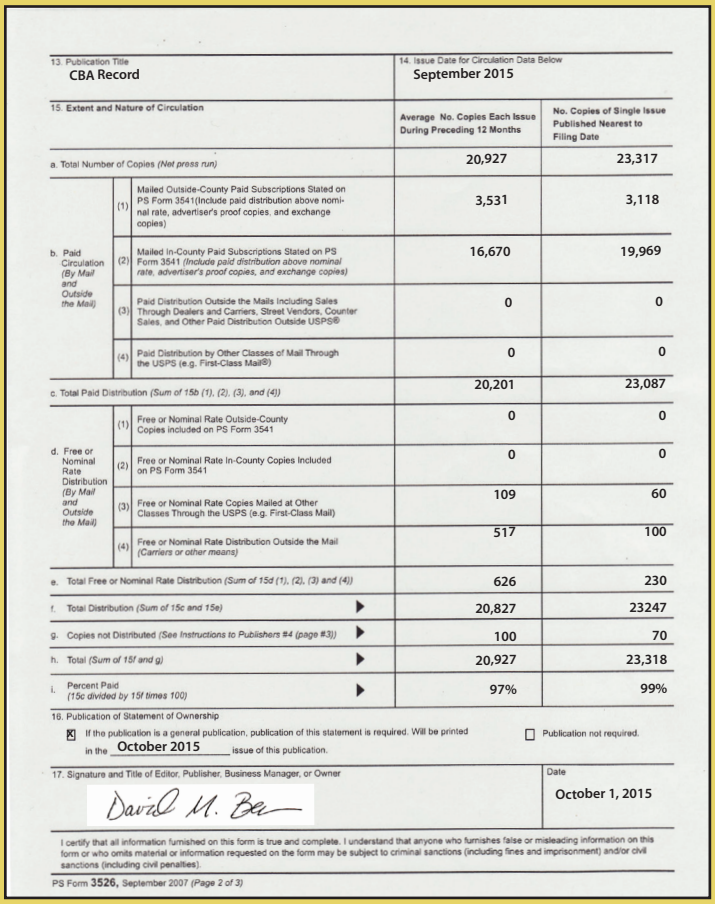

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	(2)	Mailed In-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	16,670	19,969
	(3)	Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®	0	0
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PS Form 3526, September 2007 (Page 2 of 3)

Himmel Revisited

Himmel Revisited

Tuesday, November 10, 12:00–2:10 p.m.

MCLE Credit: 2 IL PR-MCLE Credit, subject to approval

This seminar will explore the evolution of the duty to report attorney misconduct. It will aim to educate attorneys on where, when, and how to comply with Rule 8.3 of the Rules of Professional Conduct and the Court's decision in the Himmel case, and to provide views from the differing perspectives among the involved participants.It will discuss Rule 8.3 of the Rules of Professional Conduct, the *Himmel* Case, and subsequent decisions and anecdotes. It will also include a view from the Bench; analyzing the duty to report professional misconduct, observing attorney misconduct in the courtroom, and deciding what should be done about it from a judicial perspective.

Participants include:

James Grogan, Deputy Administrator, Attorney Registration & Disciplinary Commission

Hon. Michael Hyman, Appellate Judge, First District, Second Division

Mary T. Robinson, Robinson Law Group, LLC

[Moderator] Scott Kozlov, Senior Counsel, Attorney Registration & Disciplinary Commission; Chair, CBA Unauthorized and Multidisciplinary Practice Committee

[Moderator] John K. Norris, Law Office of John K. Norris; Vice-Chair, CBA Unauthorized and Multidisciplinary Practice Committee

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