

Bench & Bar

The newsletter of the Illinois State Bar Association's Bench & Bar Section

Crisis? National emergency? For Illinois lawyers, it's time to address a serious issue

BY DAVID W. INLANDER

On February 15, 2019, President Trump declared a national emergency in order to secure funding to build a wall at the southern border of the United States. One of the president's stated reasons for the declaration was to stop or slow the flow of narcotics into this country from Mexico.

In the days that followed, constitutional

scholars, attorneys general, and members of Congress all debated the authority of the president to so act. As I reflected on the justification for the diversion of funds from the military to be utilized for wall construction, I wondered to what extent drug addiction had spread within the

Continued on next page

**Crisis? National emergency?
For Illinois lawyers, it's time
to address a serious issue**
1

Hello Dubai
1

**Recent appointments and
retirements**
4

Hello Dubai

BY PAT LESTON

There was an old lawyer
Who went to Dubai.
How do you think you get to Dubai?
Of course you fly.
(Early less popular version of Burl Ives ditty)

Sure, Dubai is not at the top of everyone's bucket list. The ISBA presidents' Italian lake region tour, organized by Jim McCluskey and David Sosin, is probably a better trip for beginning travelers. But when you are ready for a bit of a more exotic adventure, you've got to look beyond the first two pages of the Sunday Tribune travel section.

My wife Kris and I travel. And every time we hit the road, our email seems to connect us to two or three new travel websites. I made the mistake of looking at one. A six-day trip to Dubai, including a direct flight from O'Hare on Emirates Airline and a room in the world's tallest 5-star hotel for less than \$1000. They got me!

I had a few questions. What is it and where is it? Dubai is the name of the largest and most populated city in the United Arab Republic (UAR) and the name of the emirate in which it is located. There are seven emirates in the UAR. The UAR is a

constitutional monarchy with an economy based on a centrally planned free market economy, originally built on oil. But really, what difference does it make? We were just passing through.

Dubai is located in on the southeast coast of the Persian Gulf and north of the Persian desert. Just think of it as a little northeast of Abu Dhabi. I'm sure more complete directions are available on your iPhone. Don't sweat the details. Emirate Airline picks you up at O'Hare and, a short 16 hours and eight full-length movies later, drops you off in Dubai.

Continued on next page

Crisis? National emergency? For Illinois lawyers, it's time to address a serious issue

CONTINUED FROM PAGE 1

Illinois bar? Has the now highly publicized opioid epidemic had a damaging impact on our profession?

In August 2018, Link Christin, JD, MA, LADC, wrote an article in the ABA's Senior Lawyer's online publication detailing the increasing evidence of attorneys becoming addicted to a variety of opioid class narcotics. Christin, who treats attorneys, notes that unlike alcohol, opioids are easier to hide from clients or co-workers, as there are not the tell-tale signs of use. However, the significant dangers are real. For example, opioids mixed with alcohol can result in fatal respiratory depression, frequently by accident. He observes that over 20 percent of lawyers now list opioids, including Vicodin, codeine, methadone, Oxycontin, fentanyl, and heroin, as their drug of choice over alcohol. Sadly, Christin reports, attorneys are particularly reluctant to seek treatment for their addiction.

One not-for-profit focuses on assisting attorneys in efforts to combat addiction is the Lawyers' Assistance Program, or LAP. LAP's mission is "to help lawyers, judges, and law students get assistance with substance abuse, addiction and mental health problems; protect clients from impaired lawyers and judges; and to educate the legal community about

addiction and mental health issues." LAP accepts confidential emails at gethelp@illinoislap.org.

Of particular interest in the national discussion is LAP's breakdown of reported cases for substance abuse in its program. According to LAP's utilization data (2017-2018), alcohol abuse makes up 81% of this category. See www.illinoislap.org for further details.

Last year, the Center for Disease Control and Prevention (CDCP) reported that drug deaths in Illinois rose ten percent. Multiple reports indicate Illinois was late to the opioid crisis, according to Dr. Nirav Shah, MD, JD, director of the Illinois Department of Public Health from 2015-2019. Though the CDCP's totals include drugs like cocaine and methamphetamine, the vast majority of overdose deaths were due to opioids.

Is there a national emergency on the southern border? The courts and Congress will determine this. However, the crisis in the legal profession, much like other professions and populations in Illinois, is drug addiction. Luckily, organizations such as LAP are ready to assist attorneys and judges fight this danger right now. ■

*David W. Inlander
Chair, ISBA Bench & Bar Section Council*

Hello Dubai

CONTINUED FROM PAGE 1

Our Emirate Holiday package put us up at the J.W. Marriott Marquis advertised as the tallest 5-star hotel in the world. And when I say put us up, I mean up. We were on the 59th floor of this 77-floor hotel. We were shooting up to our room in the elevator when I realized it had a glass wall and we were on the outside of the building. Since heights scare the heck out of me, I spun around to face the elevator door. Unfortunately, it was a mirror. I feared I

would have to spend the rest of the weekend in our room. Fortunately, we found an interior elevator the next day.

The Marriott was excellent in all regards, including the complimentary breakfast featuring western, eastern, and Asian buffet areas. So the next morning we ate a western, then an eastern, and then an Asian breakfast. We headed out exploring at the crack of 11:00 a.m. We hopped on and hopped off all three routes of the hop

Bench & Bar

This is the newsletter of the ISBA's Bench & Bar Section. Section newsletters are free to section members and published at least four times per year. Section membership dues are \$30 per year. To join a section, visit www.isba.org/sections or call 217-525-1760.

OFFICE

ILLINOIS BAR CENTER
424 S. SECOND STREET
SPRINGFIELD, IL 62701
PHONES: 217-525-1760 OR 800-252-8908
WWW.ISBA.ORG

EDITORS

Hon. Edward J. Schoenbaum (ret).
Evan Bruno
Edward M. Casmere

PUBLICATIONS MANAGER

Sara Anderson
✉ sanderson@isba.org

BENCH & BAR SECTION COUNCIL

David W. Inlander, Chair
Hon. Stephen R. Pacey, Vice-Chair
Sandy M. Blake, Secretary
Deane B. Brown, Ex-Officio
James J. Ayres
Hon. Patrice Ball-Reed
Hon. Anna M. Benjamin
Michael G. Bergmann
Elizabeth A. Bleakley
Chris Bonjean
Evan Bruno
Edward M. Casmere, Newsletter Co-Editor
Hon. Michael J. Chmiel, CLE Coordinator
Mike G. Cortina
Michael J. Dickman
Karen A. Enright
Robert W. Fioretti
Ava M. George Stewart
Scott B. Gibson
Hon. Richard P. Goldenhersh
Barry H. Greenburg
Emily Ann Hansen
Hon. Michael B. Hyman
Kenya A. Jenkins-Wright
Hon. Michael S. Jordan
Hon. Ann B. Jorgensen
Hon. Lloyd A. Karmerier
Daniel E. O'Brien
Hon. John J. O'Gara, Jr.
Melissa M. Olivero
James Raymond
Jayne R. Reardon
James T. Reilly
Hon. Jesse G. Reyes
Juanita B. Rodriguez
Hon. Edward J. Schoenbaum, Newsletter Co-Editor
Gene Schwarm
Hon. Al M. Swanson
Hon. Richard L. Tognarelli
Hon. April G. Troemper
Hon. Debra B. Walker
Douglas B. Warlick
Albert E. Durkin, Board Liaison
Hon. Russell W. Hartigan, Board Liaison
Hon. Kenneth Wright, Board Liaison
Melissa L. Burkholder, Staff Liaison
Eric P. Hanson, Committee Liaison

DISCLAIMER: This newsletter is for subscribers' personal use only; redistribution is prohibited. Copyright Illinois State Bar Association. Statements or expressions of opinion appearing herein are those of the authors and not necessarily those of the Association or Editors, and likewise the publication of any advertisement is not to be construed as an endorsement of the product or service offered unless it is specifically stated in the ad that there is such approval or endorsement.

Articles are prepared as an educational service to members of ISBA. They should not be relied upon as a substitute for individual legal research.

The articles in this newsletter are not intended to be used and may not be relied on for penalty avoidance.

on/hop off bus. The first route took us to the spice souk (market), the gold souk, the old souk, and the Dubai museum. This was pretty much old time Arabia, with the type of hawkers and patter you've seen in every bazaar in the world. Think Maxwell Street with flowing robes.

The second day's route took us past historical mosques and along pristine beaches bordering the calm waters of the Persian Gulf. Then we swung inland through some of the world's most extraordinary architectural wonders. We stopped at the Mall of the Emirates, one of the world's largest shopping centers. It was over 100 degrees outside the mall, but the kids inside put on their snowsuits, gloves and goggles to schuss down the mountain in the world's only indoor ski slope.

The next stop was Dubai Mall, another one of the world's largest shopping centers. The aquarium in the mall was three stories high (deep) with a tunnel walkway, surrounded by 33,000 sea creatures including 8-foot tiger sharks and giant stingrays. You could ride a glass bottom boat or SCUBA dive with the sharks and then wander the mall to a Starbucks or a Victoria's Secret. Virtually every franchise or chain retailer is represented in one or both of these malls. And the name of every single business is prominently displayed in both English and Arabic, on the slim possibility you do not recognize icons such as Ronald McDonald or the doughnut from Dunkin'. The Dubai Mall also claims the world's most spectacular fountain. It appears to be an exact duplicate of the fountain outside the Las Vegas Bellagio, but without a blackjack table or cocktail waitress in sight. Dubai is now building another mall even larger than its two existing mega malls. Somebody better warn them about Amazon.

The third hop-on/hop-off leg took us back along the coast to the Palm Jumeirah. This three mile long man-made island is the home of towering apartment buildings, international hotels, and upscale restaurants. Dubai built the island in the shape of a palm tree, apparently to distinguish it from all the other three mile long manmade islands. We took a harbor cruise around the island

and out to the Atlantis Palm. The Palm is a 1500 room, two-tower hotel, with a bridge between the towers creating a giant palm leaf opening. It appears to be an exact duplicate of the Palm built by Merv Griffin's company on Paradise Island in the Bahamas, but without the blackjack tables and cocktail waitresses. There seems to be a pattern here.

Evening approached. And consistent with Dubai's full swing at tourism, it was time for the traditional culture show and folk dancing dinner. We headed out to the desert to bounce and slide over the sand dunes in air-conditioned jeeps. The desert started about three steps outside of the city, so we didn't have far to drive. The first stop was a falconry exhibition: big leather gloves, soaring, swooping majestic birds attacking bait at the speed of sound on a 30-foot rope. Falcons 1, bait 0.

Then it was back to the jeeps, across more sand dunes (or maybe the same sand dunes, they are all very similar), and on to the Bedouin style camp for more culture. We rode camels, slid down giant sand dunes in saucers, then settled onto pillows around low tables for a nice dinner of chicken and goat. Sometimes it's hard to find good goat. . . and this was no exception. We enjoyed a couple of cold beers and a few cups of wine, then settled back for the belly dancing. There was a whole lot of shakin' going on.

Finally, it was day five, our last day in Dubai. I could delay it no longer. With knees knocking, heart pounding, and sweat dripping down my brow, we stepped into the Burj Khalifa. It's 160 stories high and is the tallest building in the world. But I was hardly scared at all. I kept telling myself. After all, the observation deck was at a mere 124 stories. After carefully checking to determine that the elevator had neither glass walls nor a mirror, I entered with confidence. It was getting out that was going to be the challenge. But I made it. And it's amazing how much you can see from the 124th floor without getting within 10 feet of a window. They served us champagne and cookies. Nice.

Dubai built the tallest building in the world specifically as a focal point around

which to develop a tourist/shopping/service economy. Dubai's oil supply is expected to be exhausted about 2045. The plan appears to be working. Today, less than 5% of the emirate's revenue is derived from petroleum. Tourism is their golden goose. Expatriates make up 90% of the population. Free trade zones combined with international banking and financial centers are attracting both eastern traders and western manufacturers.

Dubai is an exotic, extraordinary mix of Arabic and western cultures. But don't take my word for it. Pop for the \$1000 and see for yourself. But try to get a hotel room on a lower floor.

Oh, by the way, I just watched *Casablanca* on TCM. Anyone up for the \$799 trip to Morocco?■

Did you know?

Every article published by the ISBA in the last 15 years is available on the ISBA's Web site!

Want to order a copy of any article?* Just call or e-mail Jean Fenski at 217-525-1760 or jfenski@isba.org

***Sorry, if you're a licensed Illinois lawyer you must be an ISBA member to order.**

Recent appointments and retirements

1. Pursuant to its constitutional authority, the supreme court has appointed the following to be circuit judge:

- Justin M. Hansen, 22nd Circuit, 3rd Subcircuit, February 4, 2019
- Hon. Ann Celine O'Hallaren Walsh, 18th Circuit, 2/4/2019
- Daniel E. Maloney, cook County Circuit, February 8, 2019
- Daniel O. Tiernan, Cook County Circuit, 14th Subcircuit, February 22, 2019

2. The circuit judges have appointed the following to be associate judge:

- James F. Heurman, 14th Circuit,

February 1, 2019

- William A. Rasmussen, 9th Circuit, February 5, 2019
- Jeffrey A. DeLong, 4th Circuit, February 8, 2019
- John Barry Julian, 3rd Circuit, February 8, 2019
- Stacy L. Campbell, 20th Circuit, February 11, 2019
- Patrick R. Foley, 20th Circuit, February 11, 2019
- Kevin T. Hoerner, 20th Circuit, February 11, 2019
- Robert J. Zalud, 22nd Circuit, February 19, 2019

- John T. Gibbons, 17th Circuit, February 22, 2019
- John Pavich, 12th Circuit, February 22, 2019

3. The following judge is deceased:

- Hon. Allen F. Murphy, Cook County Circuit, 3rd Subcircuit, February 13, 2019 ■

Boost your practice IQ @

PracticeHQ

**Practice Management and
Technology Resources**

- ✓ Open a Firm
- ✓ Build
- ✓ Manage
- ✓ Protect
- ✓ Wind Down



ISBA.ORG/PRACTICEHQ