

Diversity Matters

The newsletter of the Illinois State Bar Association's Diversity Leadership Council

Strengthening our commitment to diversity

BY HON. RUSSELL W. HARTIGAN (RET.)

IT HAS BEEN MY PRIVILEGE to serve as the 141st president of the Illinois State Bar Association. I am proud of the great work the association has done to address issues of significance in Illinois' legal landscape over the past year. I am also proud to lead an organization that values diversity and prioritizes the inclusion of attorneys of all backgrounds, identities,

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Hush up about sexual misconduct

BY JEFFREY A. PARNES

NATIONAL ATTENTION HAS BEEN directed recently to hush-up pacts involving alleged sexual misconduct (e.g., harassment, assault, and discrimination). Focus has turned to alleged misconduct occurring in and outside of government. As alleged victims of sexual misconduct will be increasingly likely to seek redress, the time is ripe to explore how Illinois laws do and should regulate sexual misconduct settlements. Recent events suggest examinations are needed regarding settlement guidelines operating in and out of courts, formal and informal discovery laws applicable in civil actions, and lawyer responsibility laws.

As to settlements, there are now too few explicit Illinois civil procedure law barriers to hush up (i.e., confidential) settlements of pending sexual misconduct claims. Thus, most parties (though not children) can choose not to incorporate their pacts into final judgments and need not reveal the details of their pacts to circuit judges, including those who have prompted (not coerced) the parties to settle during Illinois Supreme Court Rule 218 conferences. There is little law on secret pacts involving alleged, admitted, or judicially determined acts of sexual misconduct, regardless of

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and circumstances throughout the organization. As a circuit judge, arbitrator, and trial lawyer whose career has spanned nearly 40 years, I have witnessed first-hand the many changes the profession and association have undergone.

According to the National Association for Law Placement, women and minorities have made small gains in the profession over the past 25 years.¹ On a national level, the percentage of law firm partners who are women or minorities and the percentage of associates who are minorities have increased annually between 1993 and 2018. Even more encouraging are studies that show the percentage of minorities enrolled in law school is also on the rise.² Between 2002 and 2017, the number of openly LGBT lawyers has more than doubled.³

Within our own organization, we are slowly beginning to see the impact of these changes to our legal landscape. Immediate Past President Vincent F. Cornelius was our first African-American president. Anna Krolkowksa, who was elected to third vice president this spring, will be installed as our fifth woman president in a few short years, following in the footsteps of Paula Holderman, Irene F. Bahr, Cheryl Niro, and Carole Kamin Bellows, who holds the distinction of being the first woman president of any state bar association in the United States.

During my year as president, I was tasked with appointing members on section councils and standing committees, as well as assisting in confirming Board of Governors vacancies. In doing so, I first and foremost looked to diversity to help in the creation of a more inclusive association and organization.

ISBA's Diversity Leadership Council also hosted a very successful Count Me In reception at the 2017 Midyear Meeting in Chicago. Over 200 attorneys came together at this event to connect with one another and celebrate diversity within the profession. We were proud to have such a great turnout.

These upward-trending statistics and strides we have made as an organization are representative of the evolution of the industry. But, there is still work to be done. Recent studies show that law is still one of the least-diverse professions in the nation.⁴

Last year, the Illinois Supreme Court updated Supreme Court Rule 794(d) to require all lawyers to complete one hour of mandatory diversity and inclusion continuing legal education as part of their professional responsibility CLE requirements. In doing so, Illinois became the fourth state to require diversity-related CLE, putting us at the forefront of a national movement toward improved inclusion.

A diverse and inclusive profession benefits us all: It reflects the reality we live in, spurs innovation, broadens and challenges our beliefs, and enriches our discussions. As we move into the next bar year, let us resolve to strengthen our commitment to diversity and inclusion.

ISBA will be hosting the 6th Annual Minority Bar CLE Conference in Chicago on June 20-21 at the Chicago Regional Office. This conference is the next great opportunity to learn about key issues, including how in-house and outside counsel can partner to promote diversity, an overview of immigration law issues, the role of the bench and bar in serving diverse litigants, and more. Registration for this event is open on our website.

I look forward to seeing the progress that has yet to come. Thank you again for allowing me to serve as your president. ■

1. <https://www.nalp.org/0218research>
2. https://www.americanbar.org/groups/legal_education/resources/statistics.html
3. <https://www.nalp.org/0118research>
4. https://www.washingtonpost.com/posteverything/wp/2015/05/27/law-is-the-least-diverse-profession-in-the-nation-and-lawyers-arent-doing-enough-to-change-that/?utm_term=.a8d2e51a0f38

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whether governmental officials or public funds were or are involved; regardless of whether the misconduct of those who committed bad acts will likely continue, or were likely (or known) to have similarly acted toward others not then claimants; and regardless of whether many of the relevant acts and comparable acts involving others not then before the courts were only uncovered due to the formal discovery processes available only during publicly-funded litigation.¹

Outside of Illinois, there are civil procedure law barriers to some secret civil case settlements that would otherwise try to hide from the public and interested governmental regulators information about not only significant past intentional misconduct by those sued, but also likely future intentional misconduct. For example, Texas Civil Procedure Rule 76a, with some statutory exceptions, deems that court records “presumed to be open to the general public” include “settlement agreements not filed of record, excluding all reference to any monetary consideration, that seek to restrict disclosure of information concerning matters that have a probable adverse effect upon the general public-health or safety, or the administration of public office, or the operation of government.” In Florida, the Sunshine in Litigation Act is broader, in parts, as it bars court orders that have the “effect of concealing a public hazard or any information concerning a public hazard” or the “effect of concealing any information which may be useful to members of the public in protecting themselves from injury which may result from the public hazard.” Not uninteresting is whether a Harvey Weinstein (or Al Franken) poses a public health or safety danger or embodies a public hazard—a question seemingly not needed to be asked in Texas about a John Conyers, as only he acted badly as a public official.

As to both formal discovery and informally obtained materials compiled during, but not used in, litigation, there are no filing duties and few explicit

Illinois civil procedure law barriers to confidentiality pacts. While a court rule mandating the filing of just all formal discovery materials (or just depositions or interrogatories) uncovered during civil litigation is unwise, there is much merit in Texas Rule 76a, which also deems that “court records” generally open to the public include “discovery, not filed of record, concerning matters that have a probable adverse effect upon the general public or safety, or the administration of public office, or the operation of government.” The Sunshine in Litigation Act goes further as it deems any agreement having the effect of concealing a public hazard, or concealing information concerning a public hazard that would be helpful to the public in protecting against future injury, “is void, contrary to public policy, and may not be enforced.” Materials collected during litigation in publicly funded tribunals overseen by public officers responsible for promoting justice sensibly could be deemed in the public domain, even for defendants who appear involuntarily, especially where the materials likely demonstrate criminal acts involving sexual misconduct. Such acts are already deemed more worthy of exposure than other criminal acts in the evidence rules on propensity.

As for settlements of sexual-misconduct claims never presented in litigation in public tribunals, and materials uncovered during earlier, related investigations, substantive contract laws may not be supplemented by civil procedure laws. Texas Civil Procedure Rule 76a seemingly applies to settlements that could have been “filed of record.” Comparably, the Sunshine in Litigation Act speaks to “sunshine in litigation.”

Substantive unconscionability norms under contract laws, however, for wholly privately arranged pacts involving sexual misconduct claims can override promises to hush up. Today, many settlements forever, or for quite some time, effectively conceal information on sexual misconduct; however, their confidentiality duties may

not be enforceable in the end. For example, a claimant might only receive periodic payments that would likely end should the pact or its contents be exposed. Or a claimant may not wish to risk challenging the confidentiality duties because contractual fines or other forms of monetary payments (e.g., liquidated damages) may have to be paid if they lose. Not all sexual misconduct claimants are Olympic gymnasts whose monetary payments will be assumed by Hollywood starlets. Recently, an American actress publicly announced she would be happy to pay the \$100,000 that a former Olympic gymnast might have to pay upon disregarding an earlier promise to maintain secrecy regarding her abuse by a doctor.

In regulating hush-up pacts involving sexual misconduct claims, lawmakers must recognize that some victims (as well as many wrongdoers) will favor limited governmental intervention into wholly private-claim resolutions. Pledges of confidentiality from some victims not only protect wrongdoers from public outing and deter recoveries by other victims, but also provide monetary recoveries for the settling victims for their significant harms that would otherwise be difficult—if not impossible—to secure. Some victims may even be interested in recovering hush-up monies that go beyond the compensable harms caused.²

Substantive unconscionability norms barring or limiting hush ups about sexual misconduct will certainly be difficult to draft, and perhaps hard to enforce fully. But they are needed, particularly when the earlier sexual misconduct clearly involved criminal activity and where the perpetrators are quite likely to harm new victims. One way to deter future crimes would be to better ensure that lawyers do not assist in securing hush-up pacts when further comparable crimes are quite likely, if not certain, to occur. Broad freedom to contract privately (as for a victim of sexual misconduct by former U.S. House Speaker Dennis Hastert) does not mean broad

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freedom to facilitate further harms by sexual predators.

Of course, under current lawyer responsibility laws, lawyers may not conspire with their clients who commit crimes. Further, lawyers may not make statements that are false or misleading, cause the unavailability of a witness, or harass or embarrass a person. The recent national discussion of sexual misconduct claims has raised issues regarding a lawyer's oversight responsibilities involving both clients and the private investigators utilized by clients. Lawyers should not provide assistance to clients who utilize the professional advice or services to engage in crimes. Lawyers generally are responsible for the conduct of "associated" non-lawyers, including, at times, exercising reasonable management or supervisory authority to remedy the consequences of non-lawyer acts that constitute violations of lawyer conduct rules.

We should now explore at what point a lawyer representing a client with a long history of being pursued for alleged (non-frivolous, and often seemingly very meritorious) sexual misconduct claims begins to aid the client in committing

further acts of sexual misconduct. At what point should a lawyer (like David Boies, a "longtime legal advisor" of Harvey Weinstein) be prompted by law to question a client's choice of private investigators overseen by the client, but somehow contracted by the lawyer to provide investigation services? And at what point should a lawyer have a duty to cease or alter representation when there arise credible reports that such investigators were digging up dirt in troublesome ways on those accusing the client of sexual misconduct? (David Boies finally did say that for his law firm, it was a "mistake to contract with, and pay on behalf of a client, investigators who we did not select and did not control.") Perhaps here there should be more specific or special guidelines on lawyer responsibilities when representing clients facing civil claims involving crimes, or just sexual misconduct crimes, where significant risks of future bad acts exist, not unlike the future consequences of a "public hazard" sought to be mitigated in Texas and Florida.

Surely, there is a need for immediate and serious discussions of law-reform measures designed to remedy those

already harmed by sexual misconduct. As well, there is a need for discussions on how to better prevent future instances of sexual misconduct. Hush-up pacts about sexual misconduct should be regulated by Illinois lawmakers, as should similar pacts involving public hazards and governmental misfeasance. ■

JEFFREY A. PARNES is a professor emeritus at Northern Illinois University College of Law, where he has taught since 1982, and where he still teaches and writes.

This article was originally published in the Kane County Bar Association's *Bar Briefs* April 2018 Diversity issue.

1. But see, e.g., *United Conveyor Corp. v. Allstate Ins. Co.*, 2017 IL App (1st) 162314, ¶17-22 (no justification for placing under seal entire records in asbestos-related publicly-filed lawsuits). And see *Signapori v. Jagaria*, 2017 IL App (1st) 160937, ¶18-28 (in a contract terminating a business relationship and shared property ownership, confidentiality provision was void as its purpose "was to conceal the parties' prior and continuing misrepresentations" to banks and the Small Business Association).

2. See, e.g., Formal Opinion 2017-3, N.Y.C. Bar Assoc. Comm. on Prof. Ethics (6-20-17) (ethical limits on seeking civil dispute advantage by threatening ancillary non-criminal proceedings).

Editor's note



BY SANDRA BLAKE

THIS PAST YEAR HAS SEEN tremendous, perhaps even unforeseen, strides in many diversity-related matters. In others, there is still much work to be done. Key to all progress is open and respectful dialogue and education.

The ISBA's definition of diversity is as all-encompassing as the committees and section councils that comprise the Diversity Leadership Council. These working groups address issues

and concerns related to women, racial and ethnic minorities, LGBT individuals, disability matters, human rights, international law, and immigration. While efforts were made to include articles representative of each of these groups, as well as a variety of viewpoints, the content of this newsletter is limited by the contributions received. Please contact the editor with story ideas and contributions for future issues.

Readers may learn more about the ISBA's diversity initiatives at www.isba.org. ■

Diversity Leadership Award

THE DIVERSITY LEADERSHIP AWARD RECOGNIZES LONG-STANDING, continuing, and exceptional commitment by an individual or an organization to the critical importance of diversity within the Illinois legal community, its judiciary, and within the Illinois State Bar Association.

Congratulations to the 2017 winner, **Chief Judge Michael Evans**, and the 2018 winner, **Troy Riddle**.

BY WILLIAM BORAH

Chief Judge Michael Evans

The litigation section of the Illinois Human Rights Commission has the statutory responsibility to enforce the Illinois Human Rights Act throughout Illinois. Chief Judge Michael Evans started with the Commission in January 1991 as one of its judges. He was promoted to deputy chief administrative law judge in 2004. In 2005, he became chief judge.

As a judge he has presided over 300 cases on virtually every aspect of the Illinois Human Rights Act. Some of his decisions became the basis of Illinois legal precedent. For example, Chief Judge Michael Evans wrote the first decision holding cancer to be a disability under the Act (*Lake Point Tower, Ltd. v. Illinois Human Rights Commission*) and the first decision holding HIV-positive status to be a disability (*Raintree Healthcare Center v. Illinois Human Rights Commission*), a case that got to the Illinois Supreme Court.

Judge Evans has administrated hundreds of more cases. He has spoken about the Commission and the Act in a variety of venues, including the Chicago Bar Association, the ISBA, the Kane County Bar Association, Northwestern University, the University of Chicago, Loyola University, IIT Chicago-Kent College of Law, The John Marshall Law School, and McHenry County College.

Judge Evans is long overdue to be publicly acknowledged as a statewide adjudicator of the Illinois Human Rights Act, a learned writer of precedent-setting case decisions, and trial judge of complex discrimination cases. ■

WILLIAM BORAH, an active member of the Illinois State Bar Association, is a past chair of the Labor and Employment Law Section Council. He has been a judge with the Illinois Human Rights Commission since 2009. Prior to his appointment, he spent 27 years in private practice, concentrating in employment law.

BY MARK E. WOJCIK

Troy Riddle

Troy Riddle has been the assistant dean for diversity, equity, and inclusion and the chief diversity officer of The John Marshall Law School for almost five years. He brings an abundance of experience and passion to creating a diverse student body



at the law school, which will translate to a more diverse bench and bar in Illinois. He frequently conducts programs for diverse high school and college students to encourage them to apply to law school (not only John Marshall, but any of the accredited law schools in Illinois).

Riddle organizes diversity-week activities, incorporates diversity issues into the law school experience for students and faculty, and teaches directly and by example the importance and benefits of diversity. The law school and legal community are richer for his contributions. His efforts helped to make the law school one of the most diverse in the country.

Diversity is not something new for Riddle – he has practiced and promoted it his entire career. Riddle previously served as the assistant dean and multicultural affairs officer at Widener University School of Law in Wilmington, Delaware, and as the assistant director for diversity initiatives with the Law School Admission Council (LSAC), where he was responsible for DiscoverLaw.org content, programming, and campus coordinator activities.

Riddle was also instrumental in launching LSAC's Diversity Matters Award, an award that encourages and recognizes the diversity efforts of LSAC's ABA-approved member law schools.

Riddle holds a business degree from Cleary University, a masters of business administration from Philadelphia University, and a law degree from Widener University School of Law.

He is a member of the National Association of Diversity Officers in Higher Education (NADOHE), the National Association of Law Student Affairs Professionals (NALSAP), and the Society for Diversity. He is also a member of the Executive Committee of the Association of American Law Schools Student Services Section. He is also a candidate to become a Certified Diversity Executive (CDE).

Additional information about Riddle can be found at these links:

- <http://news.jmls.edu/featured-news/troy-riddle-named-chief-diversity-inclusion-officer-at-johnmarshall/>
- <http://www.newscenter1.tv/story/37569853/john-marshall-assistant-dean-troy-riddle-appointed-to-aals-student-services-section-executive-committee>
- <http://diversityprelawconference.org/speakers/troy-riddle-esq-mba/>
- <http://www.marketwired.com/press-release/john-marshall-law-school-recognized-as-one-most-diverse-law-schools-country-2195166.htm> ■

MARK E. WOJCIK is a professor at The John Marshall Law School in Chicago.

Empowering women for a stronger future

BY LINDSAY K. SANCHEZ

ON MARCH 8, 2018, A GROUP OF women attorneys from the Kane County Bar Association (KCBA) Women in the Law Committee celebrated International Women's Day over lunch while engaging in lively conversation. The topic? The progress of women in the legal field. Midway through the discussion, one attendee posed the question, "Why, in 2018, we are still having to discuss whether women have made progress in the legal field?" It is a question that unfortunately cannot be answered easily, but one that, thanks to recent cultural movements, may someday no longer need to be asked. Cultural movements such as the #MeToo, #TimesUp, and #BanBossy have sparked dialogue that is long overdue. However, the question remains—is this dialogue enough to inspire change?

During that March 8 meeting, the Women in the Law Committee discussed some of these movements as they relate to the legal profession we are a part of. Not too long ago, women lawyers were hard to find in Kane County. In fact, during the 1970s, the legal field was male-dominated and the term "hobby lawyers" was often used to describe female attorneys with children. It was not uncommon for male counterparts to comment on the way women attorneys dressed or for dress codes to prohibit women from wearing certain clothing.

Now, however, women are more present in the legal profession than ever. In 2016, the American Bar Association reported that, for the first time ever, women make up over 50 percent of law students.¹ One-third of the United States Supreme Court justices are women. In Kane County, we have nine female judges and the current chief judge is female. Yet, according to the Illinois Attorney Registration & Disciplinary Commission's 2016 Annual Report, women accounted for only 38 percent of the attorneys registered in Illinois.² Stories of ill-placed comments on

the appearance of female attorneys are less common and, hopefully, the term "hobby lawyer" is no longer used. The perception is that women have made major strides within the legal field, but to what extent are women still facing an uphill climb in the legal field compared with our male counterparts? How can female attorneys use some of these social movements to bring positive change to our positions in the legal field? And how can women work collectively to continue making strides?

In 2014, Sheryl Sandberg started a campaign to discourage the use of the word "bossy" when describing girls, as the term has a negative connotation and therefore discourages girls from becoming leaders.³ The purpose of the "#BanBossy Campaign" was to empower girls to explore leadership roles and encourage them to be assertive like their male counterparts. BanBossy received polarized reviews. Supporters of the campaign included celebrities such as Beyoncé, Condoleezza Rice, and Jennifer Garner. However, there are many opponents to the campaign as well, who believe that banning the use of the word "bossy" will not solve the root of the problem, namely, that leadership and assertiveness are most often seen as male qualities.

Our Women in the Law Committee discussed this campaign in relation to our roles as female attorneys. There is a perception amongst the public, and perhaps within our legal community, that a good attorney is an assertive attorney, one that will fight to the death for their client and that does not give in to the opposing side. Clients seek out attorneys that are known for their tough courtroom or negotiating skills. In fact, it is not uncommon to hear someone describe an attorney as a "bulldog in the courtroom." It seems, then, that "assertiveness" is a good quality for an attorney to possess, right? Why, then, are assertive women often considered "bossy" but assertive male attorneys are not? It would seem that female attorneys exhibiting the same

assertive, bulldog-like qualities as a male attorney should be in high demand, much like their male counterparts. Yet, it is more likely that these female attorneys will be perceived as bossy or b**chy, rather than successful and effective.

What if, instead of banning the use of the word "bossy" or accepting the toxicity of the word, we begin to see the word differently? If "bossy" is really the female version of being assertive, why not look at the word as having the same meaning as assertive? A female lawyer described as bossy can mean that she is in control, knows what needs to be done, and is not afraid of providing direction and guidance to others. It can also indicate that she is assertive. Are these not all qualities of a leader? Women may not be able to control other people calling them bossy, but we certainly can control how the word is viewed by others. So why not embrace the word and start changing it into a positive descriptor of strong, assertive, and competent women? It is incumbent on male counterparts to support the re-invention of the perception of words such as "bossy" as well. Changing how people view certain descriptors used to describe female attorneys can lead to the empowerment of women in the legal field, giving them the courage to continue breaking down barriers in the legal field.

There is a TED Talk from 2016 by Reshma Saujani titled "Teach Bravery, Not Perfection."⁴ She ran for a state congressional seat when she was 33 years old. Throughout her campaign, she was convinced that she was going to win and bring a female's voice to a traditionally male-dominated sector. Saujani lost, and she lost badly. Her discussion, however, was not about failure. It was about how it took courage for her to run for an office at the age of 33. She went on to found Girls Who Code, a national nonprofit organization working to close the gender gap in technology and change the image of what a programmer looks like and does.

In the five years the company has been

around, it had grown from teaching 20 girls how to code to now teaching almost 40,000 by the end of this year.⁵ Saujani has partnered with some of the largest tech companies across the country to get more women employed in the field of computer science, as it is still a heavily male-dominated industry. Without spoiling the entire TED Talk, which I highly encourage everyone to watch, Saujani posits the idea that girls, from a young age, are taught to be perfect, while boys are taught to seek adventure. Girls are taught to make sure their appearances are just right before they leave the house; yet very little, if any, emphasis is put on the appearance of boys before they leave the house. In school, girls are less likely to volunteer answers, not because they do not know the answer, but because they are fearful of possibly being wrong and how they may be perceived by their peers. Boys are encouraged to explore, try new things, and (gasp) be wrong sometimes. We are not encouraging young girls to take risks or be imperfect. This leads to young girls who are afraid to voice their opinions, try new things, and grow.

This does not stop when girls grow up either. By not teaching girls to be brave when they are young, we are setting those girls up to translate that need for perfection into their professional world. Many believe this is part of the reason men still dominate in leadership roles. Men are willing to take a chance at something and experience missteps along the way because they have been taught from early on that it is OK to take chances. This mentality plays out in the legal field on a daily basis. Men still hold the majority of judicial positions, they represent the majority of partners in law firms, and they are more likely to first chair a trial than women. While this might be in part due to other factors, a driving force behind this is that women are hesitant to take the risks associated with obtaining those positions out of fear of not being perfect. Women may not be willing to run a campaign to be elected for a judicial position because losing

would mean failure. Women may not seek a partner position within in a law firm out of fear that they may not be perfect in carrying out their responsibilities as partner. Women may be fearful of taking a first chair position on a trial because they might make a mistake and therefore not present the perfect trial (if there is even such a thing). Men, for the most part, do not worry about perfection—they gravitate toward challenges.

The amazing thing about all of this is that women possess qualities inherent to them that can be incredibly beneficial to the legal profession, but, due to this “perfection over bravery” mentality, they may not be willing to take a risk in embracing those qualities. For instance, women tend to score higher than men on emotional intelligence tests.⁶ Higher emotional intelligence has several benefits to the legal profession, including connecting with clients better and developing lasting relationships with clients, listening to clients better, and relating to jurors and witnesses.⁷ Yet emotional intelligence in an attorney is often overlooked for qualities such as experience, legal competency and results. If women were encouraged from a young age to have a fearless mentality, it is not hard to imagine a world where women would bring their unique qualities, such as higher emotional intelligence, into the legal field and thrive. Encouraging women to strive for risk taking rather than perfection will open a world of opportunities for women solely because women will be empowered to take chances and fail, but more importantly, take chances and succeed—just like men.

As a young attorney who grew up in the Kane County legal community, I always enjoy hearing stories of how our legal community has grown and expanded over the years. What I enjoy even more is listening to the stories of the trailblazer female attorneys who came before me and paved the way for me to take part in this legal community. It amazes me to hear how far we have come (I have to admit I am

happy that I do not hear the term “hobby lawyer” anymore). But I cannot help but to look at the future and see vast opportunities for even further growth for women in our legal community. As so many of these social movements are underscoring, women have the capacity, and the duty, to empower themselves and each other. We can change the way certain terms used to describe us are perceived by the public, embrace those qualities that are uniquely ours, and start teaching and encouraging younger girls to take chances and risks. However, none of this will work without support and encouragement from within. As women lawyers, we have to band together, support each other, and encourage each other in order for progress to continue. Discussions on the progress of women in the legal field will never go away, but by continuing these important discussions, and starting to take action as a collective group, women can start making these discussions less about how far we still have to go and more about how far we have come. ■

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This article was originally published in the Kane County Bar Association's *Bar Briefs* April 2018 Diversity issue.

1. Elizabeth Olson, *Women Make Up Majority of U.S. Law Students for First Time*, N.Y. Times, Dec. 16, 2016.

2. Attorney Registration & Disciplinary Commission, *Annual Report of 2016* (April 28, 2017), available at <https://www.iardc.org/AnnualReport2016.pdf>.

3. Jessica Roy, *I Don't Give a \$*& If You Call Me Bossy*, TIME (March 12, 2014).

4. https://www.ted.com/talks/reshma_saujani_teach_girls_bravery_not_perfection (Last visited March 11, 2018).

5. <https://girlswhocode.com/about-us/> (Last visited March 11, 2018).

6. Debra Cassens Weiss, *Emotional intelligence of female trial lawyers can work in their favor*, *BigLaw partner says*, ABA Journal, Sept. 14, 2017.

7. *Id.*

Is sexual orientation discrimination sex discrimination?

BY MOHAMMAD IQBAL

TITLE VII OF THE CIVIL RIGHTS

ACT of 1964 prohibits employers from discriminating based on sex.¹ Whether it prohibits employers from discriminating against gay and lesbian employees is a controversial issue, as there is a disagreement between circuits. *Jameka K. Evans, v. Georgia Regional Hospital, et al.* was the case that could have resolved the issue.² In *Evans*, the Eleventh Circuit Court of Appeals held that the plaintiff, Jameka Evans, a former security guard for the defendant hospital in Savannah, Georgia, could not sue her former employer for sexual orientation discrimination because “sex” as used in Title VII does not mean sexual orientation.

In arguing for *certiorari* before the United States Supreme Court, plaintiff Evans stressed the importance of her case, in part, because of the disagreement between the circuit courts and the conflicting positions the government had taken.³ The Equal Employment Opportunity Commission (EEOC) maintained that sexual orientation discrimination was illegal under Title VII, while the Department of Justice (DOJ) argued that sex discrimination did not include discrimination on the basis of sexual orientation.⁴ However, the Supreme Court refused to hear her petition to resolve whether sexual orientation discrimination is illegal under Title VII.⁵ In denying Evans’s petition for review, the Supreme Court let stand a disagreement between the federal circuit courts whether “sex” as used in Title VII also means sexual orientation. This article summarizes the case and analyzes the legal theories. A summary is given at the end.

Background

Plaintiff Jameka Evans worked at the hospital as a security officer for

about a year and then left voluntarily. During her time at the hospital, she was denied equal pay or work, harassed, and physically assaulted or battered. She was discriminated against on the basis of her sex and targeted for termination for failing to carry herself in a “traditional woman[ly] manner.”⁶ Although she was a gay woman, she did not broadcast her sexuality. However, her silence did not conceal her identity. It became evident that she identified with the male gender, because of how she presented herself wearing a male uniform, low male haircut, shoes, etc.⁷ She was punished because her status as a gay female did not comport with her supervisor’s gender stereotypes and it caused her to experience a hostile work environment. For example, a less qualified individual was appointed to be her direct supervisor.⁸ After Evans lodged her complaints about some regulation or policy violations, her supervisor asked plaintiff Evans about her sexuality, raising the inference that her sexuality was the basis of her harassment and that upper management had discussed it during the investigation.⁹ Evans quit her employment and since there were no state laws protecting gays, lesbian, and bisexual people in the State of Georgia, she filed a *pro se* lawsuit against the defendant hospital in federal court. She alleged that she was discriminated against because of her sex on two grounds:

1. Discrimination based on her sexual orientation, or status as a lesbian.
2. Discrimination based on gender non-conformity.

The “gender non-conformity” discrimination ground in the second claim was previously upheld in the Supreme Court’s *Price Waterhouse v. Hopkins* decision.¹⁰

A magistrate judge issued a report and recommendation (R&R) to dismiss the case. With respect to plaintiff’s

claim of discrimination based on her sexual orientation, the magistrate judge reasoned that—based on caselaw from all circuit courts that had addressed the issue—Title VII was not intended to cover discrimination against homosexuals.¹¹ With regard to plaintiff’s claim of discrimination based on gender non-conformity, the magistrate judge concluded that it was “just another way to claim discrimination based on sexual orientation,” no matter how it was otherwise characterized.¹² The magistrate judge recommended dismissing all of Evans’s claims with prejudice, without allowing her to leave to amend, because, according to the judge, she pled no actionable claim nor seemed likely to be able to do so.¹³ Objecting to the R&R, plaintiff argued that her gender non-conformity and sexual orientation discrimination claims were actionable under Title VII as sex-based discrimination. The district court conducted a *de novo* review of the entire record, adopted the R&R, and dismissed the case with prejudice. Plaintiff appealed to the Eleventh Circuit.¹⁴

On appeal, plaintiff Evans, with the support of the EEOC as *amicus curiae*, argued that the district court erred in dismissing her claims. She argued that, contrary to the district court’s assertion, sexual orientation discrimination is, in fact, sex discrimination under Title VII. For her claim of discrimination for failing to conform to gender stereotypes, she contended that her status as a lesbian supported her claim of sex discrimination, because discrimination against someone for her orientation often coincides with discrimination for gender nonconformity. Evans further asserted that discrimination based on gender stereotypes is a broad claim that encompasses more than just her appearance and provides for suits based on various other stereotypes, such as family structure.¹⁵

Discrimination “because of . . . sex” and “Gender Non-Conformity” Doctrines

The Eleventh Circuit rejected Evans’s claim of sexual orientation discrimination based solely on the Fifth Circuit’s 1979 *Blum* decision, which held that discharge for homosexuality was not prohibited by Title VII.¹⁶ The two-judge majority concluded that the court’s binding precedent forecloses such an action. The panel held that a lesbian who experiences discrimination because of her sexual orientation does not experience sex discrimination, but experiences discrimination because of gender nonconformity. This does not establish that every LGBT individual who experiences discrimination because of sexual orientation has a “triable case of gender stereotyping discrimination.” The plaintiff needs to include enough factual allegations to state her claim.¹⁷ The dissent pointed out that the majority was following the 1963 law before Title VII was enacted and before the U.S. Supreme Court handed down *Price Waterhouse v. Hopkins*.¹⁸

In *Price Waterhouse*, the accounting firm did not promote Ann Hopkins for partnership. Hopkins sued under Title VII for sex discrimination, claiming that she was denied promotion because she did not dress and act as the firm believed a woman should. The Supreme Court held that gender stereotyping—requiring women or men to comply with the stereotypes associated with their sex—is discrimination “because of . . . sex” and stated:

We are beyond the day when an employer could evaluate employees by assuming or insisting that they matched the stereotype associated with their group, for, “[i]n forbidding employers to discriminate against individuals because of their sex, Congress intended to strike at the entire spectrum of disparate treatment of men and women resulting from sex stereotypes.”¹⁹

Thus, the Supreme Court further held that Hopkins was subjected to discrimination “because of sex” and denied partnership because she did not sufficiently meet the partners’ expectations of how a woman should dress and behave, and that she could sue and may prove

illegal sex discrimination based on sex-stereotyping.²⁰

Interpreting “Sex” Prong in “Sexual Orientation”

The Eleventh Circuit held in *Evans* that while plaintiff Evans could not sue for sexual orientation discrimination under Title VII, she could sue for discrimination based on gender nonconformity, and sent the case back to the lower court to allow her the opportunity to allege facts under that theory. The Eleventh Circuit court *en banc* refused to reconsider its nearly 40-year-old precedent, despite the fact that LGBT individuals achieved a landmark civil rights victory in 2015.²¹

In April 2017—a month after the Eleventh Circuit issued its *Evans* decision—the Seventh Circuit reached an opposite conclusion and held that Title VII covered LGBT individuals. The court reasoned that it would require considerable calisthenics to remove “sex” from “sexual orientation.”²² The court held that sexual orientation discrimination is protected under Title VII’s “because of sex” prong, where a lesbian is subjected to discrimination because of same-sex romantic associations (had she been a man, a relationship with or attraction to a woman would not have led to discrimination).²³

The Seventh Circuit held that “it is actually impossible to discriminate on the basis of sexual orientation (or gender identity) without discriminating on the basis of sex.” The majority in the *Hively* case used the same rationale as used by other circuit courts to hold that sexual orientation discrimination is illegal because it is based on a sex stereotype of whom an individual should be attracted to. However, the dissent in *Hively* stressed that the Supreme Court did not hold that sex stereotyping was itself illegal, but merely held that it could establish sex discrimination.²⁴

In addition to the divergent views among the circuit courts, there is disagreement between agencies. EEOC supported the plaintiff Evans’s rights while the DOJ opposed protecting LGBT persons. The DOJ argued in *Evans* that

the department speaks for the “people” and that if Congress wanted to include the protection, it would have so legislated. Thus, there is disagreement whether all instances of sexual orientation and gender identity discrimination should also be considered “sex” discrimination under federal law.

Plaintiff Evans appealed to the U.S. Supreme Court to grant *certiorari* to resolve the disagreement between the circuits on the issue and ensure that Title VII’s full protections extend to all workers. However, the Supreme Court refused to hear her case, leaving the issue unresolved.²⁵

Summary

“The nature of injustice is that we may not always see it in our own times.”²⁶ Perhaps, that is why the issue whether the prohibition in Title VII of the Civil Rights Act of 1964 against employment discrimination “because of . . . sex” encompasses discrimination based on an individual’s sexual orientation has divided the federal appeals court. Until recently, all federal appeals courts have held that Title VII does not protect discrimination against LGBT individuals. However, the Seventh Circuit decision has divided the circuits. The meaning of federal law, thus, varies depending on where the parties live. Such a conflict can prompt the Supreme Court to review. Until then, LGBT plaintiffs may fall back on the gender non-conformity doctrine. Second, approximately 20 states in the nation prohibit discrimination based on sexual orientation. The plaintiffs in these states may use the state law protection. ■

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Sexual orientation | Continued from page 9

1. Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000 et seq.
2. *Evans v. Georgia Regional Hospital*, 850 F.3d 1248 (11th Cir. 2017).
3. See, e.g., Brief Amici Curiae of the States of New York, California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maryland, Massachusetts, Minnesota, New Mexico, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington, and the District of Columbia as in support of petitioner-appellant Jameka Evans, on Petition for a Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit, before the Supreme Court of the United States, No. 17-370. (Question Presented: Whether the prohibition in Title VII of the Civil Rights Act of 1964 against employment discrimination “because of . . . sex” encompasses discrimination based on an individual’s sexual orientation?)
4. Margot Cleveland, *7 Things To Know About The Supreme Court’s Refusal To Consider Adding Sexual Politics To Employment Law*, *The Federalist*, Dec. 13,

2017.
5. Adam Liptak, *Supreme Court Won’t Hear Case on Bias Against Gay Workers*, *N.Y. Times*, Dec. 11, 2017.
6. *Evans*, *supra* note 2.
7. *Id.*
8. *Id.*
9. *Id.*
10. *Price Waterhouse v. Hopkins*, 490 U.S. 228 (1989).
11. *Evans*, *supra* note 2. At the time the magistrate wrote the decision, the Seventh Circuit had not delivered its contrary holding in *Hively v. Ivy Tech Community College*, (7th Cir. 2017) (en banc). Therefore, the judge had no opportunity to address disagreement between the circuits in the R&R.
12. *Id.*
13. *Id.*
14. *Id.*
15. *Id.*
16. *Blum v. Gulf Oil Corp.*, 597 F.2d 936, 938 (5th Cir. 1979).
17. *Evans*, *supra* note 2.

18. *Evans*, *supra* note 2 at 1281 (Judge Rosenbaum concurring and dissenting in part, and stating the law in 1963: A woman should be a ‘woman.’ She should wear dresses, be subservient to men, and be sexually attracted to only men. If she doesn’t conform to this view of what a woman should be, an employer has every right to fire her).
19. *Price Waterhouse*, *supra* note 10 at 251 (cites omitted).
20. *Id.*
21. See, e.g., *Obergefell v. Hodges*, 135 S. Ct., 2584, 2598 (2015) (holding that the fundamental right to marry is guaranteed to same-sex couples by both the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution).
22. *Hively v. Ivy Tech Community College*, 853 F.3d 339, 351 (7th Cir. 2017) (en banc).
23. *Id.*
24. *Id.*
25. Liptak, *supra* note 5.
26. *Obergefell*, *supra* note 21.



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Diversity Committee updates

Editor's Note: Each year, the ISBA's diversity-related committees and section councils—consisting of the Standing Committees on Women and the Law, Racial and Ethnic Minorities and the Law, Sexual Orientation and Gender Identity, and Disability Law, the Human Rights Section Council, and the International Law and Immigration Section Council—are invited to share their group's accomplishments and successes from the past year. Following are this year's contributions.

BY MICHELLE J. ROZOVICS

International & Immigration Section Council

THIS YEAR, THE INTERNATIONAL

Law & Immigration Section Council sponsored two important CLE seminars, and scheduled a third. In January 2018, we co-sponsored a program entitled "Six Months to GDPR—Are You Ready?" with Intellectual Property, the Business and Securities Section, and Corporate Law Department. This program discussed General Data Protection Regulation, effective in May 2018, designed to protect the identifiable information of all individuals within the European Union, and the impact on certain U.S. businesses. In February 2018, our popular Immigration Law Update program was given a new twist, focusing on reviewing the first year of the Trump administration. Panelists discussed the travel ban, DACA, Temporary Protected Status programs, and the impact of the "buy American, hire American" executive order on business immigration.

In the fall of 2018, the International Law & Immigration Section Council will present a CLE with the Cook County Bar Association and a Canadian law firm, Cambridge LLP, entitled "Cross-Border Litigation: Essential Considerations for U.S. Lawyers." We specifically will examine contracting and enforcing obligations with Canadian businesses. We invite attorneys from all disciplines to attend.

Additionally, the International Law & Immigration Section continued to be instrumental in sponsoring and providing feedback on proposed Illinois laws that impact international and/or immigration issues. Of note, the Illinois TRUST Act was passed this year, which

codifies Illinois' status as a sanctuary state. The section council plans training and outreach for local law enforcement on this law. Further, we voted on laws advocating that immigration status not be considered when making licensing decisions, and myriad other laws relating to civil procedure, criminal procedure, and immigrants. We also continue outreach and training on the consular notification law, which Illinois adopted in 2015 and requires all Illinois law enforcement and judges to provide notice to arrested foreign nationals of their rights to have their home consulate informed, as is their right (and the duty of the U.S.) under the Vienna Convention on Consular Relations.

Each year, our section council reaches out to members of the Consulate Corps in Chicago (CCC), which comprises the 86 consulates general and honorary consulates located in Chicago. Our section council representatives provide a tour of the Cook County jail and criminal courts, so the Consular Corps becomes familiar with U.S. procedures and can assist the citizens of consulate countries when necessary. We also help the CCC become familiar with certain essential civil court functions and administrative legal offices.

The Section Council continued its mission to reach out to Illinois law students to educate them about career opportunities in international and immigration law. Section Council members traveled to Northern Illinois University in the fall of 2017, and Washington University in St. Louis in the spring of 2018, to discuss their careers and answer student questions. SIU Professor Cindy Buys also coordinated the opportunity to teach Russian law students, which has been an ongoing effort for a number of years to educate Russian students about basic U.S. legal principles.

The section's newsletter, *The Globe*, published six editions in 2017-18. Articles were written by members of the section council, students interested in practicing international and immigration law, and other practitioners. A wide variety of subjects were covered, including immigration, international customs and trade, and international business. We invite submissions to our newsletter.

Our section council is comprised of very dedicated and active members. We welcome ISBA members who are interested in immigration and/or international law. ■

MICHELLE J. ROZOVICS is the Managing Attorney of the Rozovics Law Firm, LLC in Crystal Lake, Illinois. She is the 2017-18 chair of the International Law & Immigration Section Council.

Emily Masalski receives Alta May Hulett Award

BY KRISTEN PRINZ

EMILY MASALSKI IS A

RECOGNIZED leader amongst women lawyers in Chicago. In 2017, she was named one of *The Chicago Daily Law Bulletin's* 40 Attorneys Under 40 to Watch. This year, Leading Lawyers highlighted her work and passion in an article.

Since moving to Chicago to practice law in 2007, Masalski has been involved continually with organizations in the legal community to advance and empower women in the legal profession. In the past seven years, this involvement has included many leadership roles, including serving on the Executive Committee of the Chicago Bar Association's Alliance for Women (AFW) from 2011 to 2013 as co-chair of the annual awards luncheon and then as co-chair of the Cross-Career and Networking Subcommittee. She also has contributed to advancing women in the law through the Illinois State Bar Association on the Standing Committee on Women & the Law, including chairing the committee in 2016. In addition, she serves or has served on the Assembly, and currently as chair of the Environmental Law Section Council.

Masalski has also been a role model to young women attorneys by serving in leadership roles with the American Bar Association, where she was an "under 35" ISBA Delegate to the ABA House of Delegates, working on projects in the Young Lawyers Division (including recognition as a "Star of the Quarter"), being selected to the SEER Leadership Development Program, and filling several roles on the ABA Section of Environment, Energy, and Resources. Through these leadership positions, Masalski has used her friendly yet persistent communication style to encourage women attorneys to get involved and make a difference in their profession.

Despite the demands of both her client work and her leadership roles, Masalski finds time to make a difference in the



Anna Krolikowska, Emily Masalski, and Kristen Prinz

lives of women in our community, too. She has been involved with the Lawyers' Committee for Better Housing (LCBH), through which she supervised two associates in *pro bono* matters, including eviction defense cases. She is committed to the issue of gender-based violence and educating her peers on the subject. Toward that end, she was a leader in organizing the Chicago Symposium on Campus Sexual Assault in November 2015, which was sponsored by the ISBA and several other bar associations.

Masalski has also been an unwavering advocate for nursing mothers. She drafted Senate Bill 0344 "Lactation Accommodation in Airports Act," testified at a public hearing before the Chicago City Council Finance Committee, created a change.org petition to Mayor Rahm Emanuel and City of Chicago Department of Aviation seeking to establish lactation rooms at O'Hare Airport (which garnered over 1500 signatures), and coordinated outreach to Illinois legislators. Masalski's persistence and persuasiveness resulted in Illinois State Senator Kimberly Lightford introducing SB 0344 in April 2015. The bill passed the Illinois General Assembly in May/June 2015 and was signed into law by Governor Bruce Rauner.

Masalski gets results that benefit women attorneys and women in the community at large, not just because of her persistence

and persuasiveness, but also because she always acts with the highest level of ethics. Her clients and law firm colleagues see this commitment, resulting in her election to principal at Deutsch, Levy & Engel and more recently as partner at Rooney Rippie & Ratnaswamy LLP. The respect that the legal community at large has for Masalski is reflected in the numerous awards she has received, including ISBA Young Lawyer of the Year, Illinois Rising Star by *Illinois Super Lawyers* magazine, and Emerging Lawyer by Leading Lawyers Network. She encourages colleagues by her example and also makes time to encourage young women considering a career in the law by mentoring Girl Scouts in the AFW's Project Law Track.

Masalski is the embodiment of the spirit of Alta May Hulett. She stands up for her beliefs and is a constant advocate for professional women. ■

KRISTEN PRINZ is an employment lawyer, business counselor, and founder of *The Prinz Law Firm*. She focuses on providing clients with strategic and cost-effective legal and business-planning solutions to assist business owners, entrepreneurs, and professionals in building and realizing their potential. She can be reached at (312) 212-4450.

Editor's Note: See June 2015 issue of Diversity Matters for more information on SB 0344.

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- ✓ And more!

Meet the Diversity Fellows

THE PURPOSE OF THE DIVERSITY

Fellows Program is to increase diversity and meaningful inclusion in the active membership of the ISBA and its section councils and committees; to give further emphasis to ongoing efforts to raise awareness of the importance of diversity and inclusion within the ISBA; and to develop a diverse group of future leaders of the ISBA. These goals will be achieved by introducing new members (especially young lawyers and under-represented groups) to the work, structure, and policies of the ISBA. The Diversity Fellows Program is a complement to effort to the program of appointive “under-represented” seats on the Board of Governors.

There are currently two Diversity Fellows, Douglas E. Spale and Bianca B. Brown. Please encourage their active involvement in your section council or committee.



Douglas E. Spale is an associate at Peterson, Johnson & Murray – Chicago LLC. He concentrates his practice on representing both private and public-sector clients on real estate finance, zoning and land use, tax increment financing, annexation, subdivision and development agreements, FOIA issues, asset sales and purchases, and various other municipal matters. He is a member of the Illinois

State Bar Association, Cook County Bar Association, Chicago Bar Association, and American Bar Association, and is admitted to practice law in Illinois and the Northern District of Illinois. He is a member of the Auxiliary Board of Northwestern Memorial Hospital and volunteers with the Off the Street Club.

Prior to starting his law career, he was raised in Nebraska, and spends many weekends during the fall attending Husker football games. In his leisure time, he loves being outdoors, especially participating in field trials with his Labrador retriever, Sunka. He also enjoys attending various Chicagoland sporting events and concerts.

Spale is in his second year as an ISBA Diversity Fellow. Throughout his fellowship, he has had the opportunity to attend and participate in committee meetings and attend the ISBA Annual Meeting. He believes that during his fellowship he has gained a better understanding of how the ISBA and DLC promotes the betterment of Illinois lawyers and the practice of law. In addition, he has appreciated the opportunity to use the ISBA’s network of upstanding legal professionals to help navigate different obstacles and challenges in his own legal career.



Bianca B. Brown currently serves as an assistant state’s attorney with the Cook

County State’s Attorney’s Office Civil Actions Bureau, where she represents Cook County and its agencies in civil rights 1983 claims, wrongful convictions, and personal injury cases. Prior to joining the State’s Attorney’s Office, Brown served as a regional director and assistant attorney general for the Illinois Attorney General’s Office in its Consumer Fraud and Protection Division, where she oversaw the South Regional Office. She represented litigants in civil litigation matters in trade and commerce involving violations of the Consumer Fraud Act.

In January 2018, Brown was elected by the ISBA Board of Governors to fill the ABA House of Delegates “under 35” seat for Cook County. Additionally, Brown has evidenced a passion for diversity by being heavily involved in other bar associations. She has been the Black Women Lawyers Association’s (BWL) Recording Secretary and Judicial Evaluation Committee Chair. She also serves as a mentor with the Chicago Bar Association’s Project Law Track Program in conjunction with the Girl Scouts of Greater Chicago. Furthermore, two years ago, she was appointed by the Illinois Supreme Court to serve as a hearing board member for the Illinois Attorney Registration and Disciplinary Commission. She continues to serve in that capacity.

Her colleagues describe her as intelligent, hard working, and steadfast. Kenya Jenkins-Wright noted, “She is committed to diversity and has a passion for ensuring that minorities are included and represented in different areas of the legal profession. She has shown stellar leadership skills with her involvement in BWLA and mentoring programs that promote diversity.” Watch for her continued success within the ISBA. ■

Upcoming CLE programs

To register, go to www.isba.org/CLE or call the ISBA Registrar at 800.252.8908 or 217.525-1760.

September

Friday, 09-07-18 – Beardstown, IL—
Second Annual: Abraham Lincoln's Legacy.

Tuesday, 09-11-18 to 02-12-19 on
Tuesdays – ISBA Chicago Regional
Office—Fred Lane's Trial Technique
Institute.

Wednesday, 09-12-18 – ISBA Chicago
Regional Office—Experts: Find Them; Prep
Them; Defeat Them. Presented by Tort Law.

Friday, 09-14-18 – ISBA Chicago
Regional Office—Family Law Update 2018.
Presented by Family Law.

Thursday, 09-20-18 – ISBA Chicago
Regional Office and LIVE Webcast—
Cannabis Law: What You Need To Know to
Represent Cannabis Business and Investors.
Presented by Health Care.

Wednesday, 09-26-18 – ISBA Chicago
Regional Office and LIVE Webcast—Bail
Bond Reform. Presented by Racial and
Ethnic Minorities and the Law.

Friday, 09-28-18 – ISBA Chicago
Regional Office and LIVE Webcast—Solo
and Small Firm Practice Institute.

October

Monday, October 8, 2018 – ISBA
Chicago Regional Office—Workers'
Compensation Update Fall 2018. Presented
by Workers' Compensation.

Monday, October 8, 2018 – O'Fallon—
Workers' Compensation Update Fall 2018.
Presented by Workers' Compensation.

Tuesday, 10-16-18 – NIU Naperville—
Real Estate Law Update – 2018. Presented
by Real Estate.

Thursday, 10-18-18 – ISBA Chicago
Regional Office and LIVE Webcast—
Second Biennial Illinois Appellate Practice
Seminar. Presented by Civil Practice and
Procedure.

Monday, 10-22 to Friday, 10-26 – ISBA
Chicago Regional Office –40 Hour
Mediation/Arbitration Training. Master
Series, presented by the ISBA.

Wednesday, 10-24-18 – Bloomington—
Real Estate Law Update – 2018. Presented
by Real Estate.

Friday, 10-26-18 – SIU Carbondale—
Solo and Small Firm Practice Institute.

November

Friday, 11-09-18 – ISBA Chicago Regional
Office—Civil Practice and Procedure
Update – 2018. Presented by Civil Practice
and Procedure.

