

Law Related Education

The newsletter of the Illinois State Bar Association's Committee on Law Related Education

The Illinois Supreme Court Heralds New Learning Center in the Illinois Supreme Court Building: Get to Better Know Illinois Courts on Your Next Visit to Springfield

BY CHRISTINE ZEMAN

The state's highest court now provides an opportunity to engage students and the general public in better understanding the judiciary, the third branch of our state government. The Illinois Supreme Court, in partnership with the Illinois Supreme

Court Historic Preservation Commission, has opened an interactive learning center in the beautiful historic Illinois Supreme Court building in Springfield. The learning center exhibits help to highlight the judiciary's

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A Preferred Path to a Profession as a Legal Practitioner

BY DANIEL A. SILVER, J.D.

High school students are in the enviable position of having time to choose a potential professional path. Some key considerations are quality of life and salary. As director of our ABA-approved paralegal studies program at Southern Illinois University Carbondale, a licensed practicing attorney, and a former paralegal, I will share here

with my perspectives on the positive preferred path to the substantially wide array of choices open to a profession as a legal practitioner.

I remind my students that whether you become a licensed attorney or a professional paralegal, if you can imagine something

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independent function as it relates to the executive and legislative branches, and its impact on our daily lives. The goal, according to John Lupton, executive director of the Commission, is to improve civic knowledge and enhance civic engagement by learning about the important work of the courts and ways the court shapes our everyday lives.

The interactive learning center is on the second floor of the Illinois Supreme Court building, which opened in 1908 and underwent a restoration project in 2014. The building, its marble steps and impressive, even grandiose courtroom, with murals painted on its ceiling, is well worth touring. As a local attorney, I often felt humbled walking the then-indented marble steps up to the law library to research precedent, sometimes in books dating a century earlier, before the building's restoration and before digital research became the norm, steps perhaps indented by a Clarence Darrow or an Atticus Finch climbing too to research precedent in the dark wood stacks. According to information available through the Capitol Development Board, the restoration involved 5 prime

contractors and 20 subcontractors to preserve and restore the building's offices, courtroom and public spaces, as well as to update security, cameras, wiring, the HVAC system and other technology to not only restore its historic beauty but also to make it functional for today and tomorrow's important cases to be researched, argued and decided.

Lupton explained at the opening ceremony in late September that the Court and Commission have long envisioned a museum of sorts in the building. Completion of the restoration also lead to the interactive learning center becoming a reality. The exhibits provide background on historic cases before the Illinois Supreme Court, allowing visitors to debate the merits, to vote on how the visitor would rule, and to understand how the rulings impact daily life In Illinois. The learning center includes exhibits on the current justices of the Illinois Supreme Court, the backgrounds of each and how each justice came to be on the court.

Lupton stated that the Commission plans for visitors to Springfield tour the learning center after touring the Governor's mansion



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(learning about the executive branch) and the capitol building (learning about the legislative branch). Students would then tour the Illinois Supreme Court building and the learning center, to learn about the judiciary, the third branch. Lupton explained that the Commission plans to seek grants to help fund the expenses of student groups to the state capitol, to better ensure that the Illinois Supreme Court and its learning center become an important part of students' visit to the state capitol. Chief Justice Mary Jane Thies commented at the opening

ceremony that she hopes that the learning center helps to instill a sense of trust in the Illinois court system, since it seems to be the least understood institution of Illinois government, theorizing that it is in part because people have little experience with it in their daily lives.

Sandra Day O'Connor was the first woman to serve on the United States Supreme Court beginning in 1981 and retiring in 2006. According to the National Center for State Courts which maintains an award in her name and honor, she has

been a "tireless advocate" for improving civics education, especially as it relates to our judicial system, toward improving participation in our democracy. She established an educational tool called *iCivics*, with resources toward that end. Now the Illinois Supreme Court, too, has enabled students and the public to better know the judicial system, the role it plays in our system of democratic government and its impact on our daily lives through the learning center in the beautiful historic Illinois Supreme Court building in Springfield. ■

A Preferred Path to a Profession as a Legal Practitioner

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on or off this planet, there is an area of law related to that thing. The average salary for an attorney is \$98,422 per year in Illinois. Illinois paralegals average \$60,390 per year. Those salaries will vary up and down depending on the legal practitioners' years of experience, legal specialties, and location within the state.

Whether one ends up as a licensed attorney or a professional paralegal, in my opinion, the undergraduate should major in an ABA-approved paralegal studies program. American Bar Association (ABA) approved paralegal programs are those programs for paralegal study that have been reviewed and deemed to meet the ABA *Guidelines for the Approval of Paralegal Education Programs*. Such programs demonstrate a high level of rigor at an accredited college/university geared toward success in a paralegal career including professional ethics, legal research and writing, technology, and legal specialty courses concentrating on practical applications in a law practice setting. (www.americanbar.org/groups/paralegals/).

As a physician's assistant is to a medical doctor, a paralegal performs many of the duties traditionally performed by an attorney. For example, paralegals assist with client communications, document preparation, legal research, discovery, and so much more. However, in Illinois, paralegals cannot provide legal advice, except under the direction of an attorney, nor can paralegals establish a client relationship or represent a

client in court.

The American Bar Association defines paralegals as persons qualified by education, training, and work experience who are employed or retained by a lawyer, law office, corporation, governmental agency, or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible. (www.americanbar.org/groups/paralegals/). Paralegals may not engage in the unauthorized practice of law, so paralegals in Illinois must operate at all times under the supervision of an attorney.

In Illinois, the law office and/or supervising attorney is responsible for their paralegals' adherence to the Illinois Rules of Professional Conduct. *Model Rules of Pro. Conduct* r. 5.3 (Ill. S.C. 2023). In Illinois, paralegals must work under the supervision of an attorney. This means that the supervising attorney must review and sign legal pleadings even as the pleadings are prepared by the paralegal.

The attorney may delegate a wide range of work to the paralegal as long as the supervising attorney retains appropriate oversight. A supervising attorney may employ a paralegal as a conduit of information to relay legal advice, fee structures, and other information to a client; however, the paralegal may not independently provide legal advice or make fee arrangements with clients. When properly utilized, paralegals will be tasked with anything the supervising attorney

may need including, but not limited to, conducting client interviews to gather background information.

Paralegals will correspond with clients, counsel, and others on factual and informational matters. Paralegals will conduct legal research, draft pleading, and prepare whatever form documents are required, depending on the area of law practiced. Paralegals will organize and maintain forms and client files.

Paralegals will assist with summarizing medical records, abstracting depositions, and briefing court opinions. They will assemble and analyze records from courts or agencies relevant to a case or client and will assist in preparing trial notebooks. Paralegals will remain up to date on all relevant law office software and computer-assisted legal research. Paralegals will maintain the office calendar, tickler system, and digital court rules.

There are currently more than 5,000 active paralegal job openings in the United States. (www.zipppia.com/paralegal-jobs/trends/). The availability of paralegal-related jobs is so great in part because paralegals work not only in private law offices, but also in corporations of all sizes, within their corporate legal departments. Paralegals and attorneys are employed in all of the state and federal administrative agencies like the CIA, FBI, IRS, EPA, Homeland Security, and the Space Force.

There is employment for paralegals and

attorneys in government offices like prisons and state's attorneys and public defenders. There are nurse paralegals and employment with insurance agencies. As paralegals advance within their professions, they may trade up to become office managers and office administrators.

They obtain titles such as legal coordinators and litigation support managers. Paralegals work at courthouses as court administrators, court clerks, and, where talents permit, court interpreters. With experience and additional training, paralegals may also go on to become mediators.

Because of the wide variety of paralegal positions around the world, paralegals have the flexibility to trade up in their own firms or to move from firm to firm and state to state. There are full-time paralegal positions and part-time positions to accommodate lifestyles, and paralegals even work from their own homes electronically communicating with their employers, even employers from foreign nations. Our students are drawn to the program especially in these economic times because this is a profession where they will not only be able to find employment, but they will be able to keep employment for the rest of their lives,

and likely no matter where they end up living.

Because we are the only undergraduate program where every teacher is a licensed attorney, practical, real-life professional experiences are a regular part of all of our courses at SIUC. Fifty one percent of paralegal students graduate with a bachelor's degree. Twenty nine percent graduate with an associate degree. Five percent graduate with a master's degree, 4 percent with a doctorate, and 11 percent with other degrees. (www.zippia.com/paralegal-jobs/demographics/).

Majoring in paralegal studies is particularly helpful in preparing for law school because we cover from a practical perspective many of the same required courses a law student will be taking the first few years in law school. Students will take an introduction to law course, civil procedure, estate planning, business entities, family law, torts, bankruptcy and creditors' rights, and technologies in the law office. There will also be courses in criminal law and procedure, and in their final semesters, students will intern at a law office or administrative agency.

We get tremendous feedback from our graduates' experiences in law school.

Graduates from our paralegal studies program consistently report they have an advantage over other law students who came to law school from other undergraduate majors. Having an edge at the outset of a law school education is invaluable due to the incredibly competitive nature of law school.

High school students who are randomly asked what they intend to major in often do not have adequate information on which to base their decision. Hopefully, this short article provides a compass from which you can determine that the preferred path to engaging in the legal profession is to major as an undergraduate in an ABA-approved paralegal studies program. This is true whether you ultimately choose to be a licensed practicing attorney or a professional paralegal. In all events, the best of good fortune in your professional pursuits. ■

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Redlining in Florida

BY MADONNA T. LECHNER

Redlining is an illegal practice in which lenders avoid providing credit services to individuals living in or seeking to live in, communities of color because of the race, color, or national origin of the residents in those communities.

On October 19, 2023, the U.S. Attorney's Office filed a proposed settlement in federal district court. The U.S. Attorney for the Middle District of Florida had negotiated the settlement with Ameris Bank (Ameris) to resolve a complaint under investigation by the U.S. Department of Justice (DOJ). The settlement is subject to court approval. Ameris is a state-chartered financial institution headquartered in Atlanta, Georgia. DOJ alleged that Ameris had violated the anti-discrimination provisions

of the Fair Housing Act and the Equal Credit Opportunity Act.

DOJ found that Ameris, from 2016 through 2021, avoided providing home loans and other mortgage services in majority-Black and Hispanic neighborhoods in Jacksonville, Florida. Ameris had located and maintained its branch offices in majority-white neighborhoods. Ameris had no branch office located in a majority-Black and Hispanic census tract in Jacksonville. Ameris knew its branches were not serving the credit needs of majority-Black and Hispanic areas in Jacksonville, but did not take steps to address this failure.

Ameris' loan officers targeted majority-white areas to generate loan applications, and avoided marketing, advertising, and outreach

in majority-Black and Hispanic areas. From 2016 through 2021, Ameris' peer lenders generated applications from residents of majority-Black and Hispanic census tracts at over three times the rate of Ameris. The disparity between the rate of applications generated by Ameris and the rate generated by its peer lenders from majority-Black and Hispanic areas was statistically significant, not caused by chance.

Ameris failed to assign any mortgage bankers to majority-Black and Hispanic areas, failed to supervise its mortgage bankers to ensure coverage of the areas, and failed to take any meaningful efforts to compensate for its lack of branches or outreach in the areas. Ameris effectively denied equal access to home loans for those

residing in, or seeking credit for properties located in the areas.

DOJ characterized Ameris' policies and practices as the unlawful redlining of majority-Black and Hispanic communities in Jacksonville, on the bases of the race, color, and national origin of the residents of those communities. Some of these communities had first been redlined in the 1930s.

DOJ maintained that Ameris' conduct was not justified by business necessity and was not necessary to achieve a substantial, legitimate, non-discriminatory interest. In DOJ's view, Ameris had engaged in discrimination that was intentional and willful and was implemented with reckless disregard for the rights of individuals based on their race, color, and national origin.

DOJ has now announced a \$9 million agreement with Ameris to resolve the allegations that the Bank engaged in redlining Black and

Hispanic neighborhoods in Jacksonville. The agreement is designed to make homeownership a reality for minority families who had been unfairly denied access to credit. In accordance with the settlement, Ameris will provide financial remedies to Jacksonville's underserved communities, as follows.

- Invest \$7.5 million in a loan subsidy fund that will be made available to residents of majority-Black and Hispanic neighborhoods and those seeking credit in those communities.
- Invest \$900,000 for advertising and outreach targeted toward the residents of these neighborhoods.
- Invest \$600,000 to develop community partnerships to provide services that increase access to residential mortgage credit.
- Open a new branch in a majority-Black and Hispanic neighborhood

in Jacksonville.

- Ensure that at least three mortgage loan officers are dedicated to serving majority-Black and Hispanic neighborhoods.
- Retain a consultant to assess the bank's compliance management system as it pertains to redlining risk.
- Employ a full-time Director of Community Lending who will oversee the continued development of lending in majority-Black and Hispanic neighborhoods in Jacksonville. ■

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Thursday

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