

# Law Related Education

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

## Meet Your Editor: Journey Through the Legal Profession Thus Far

BY BRITTANY SHAW

I have been licensed for nearly three years as an attorney and am licensed in both Illinois and Missouri. When COVID-19 took us by storm in early 2020, I was a "baby lawyer" working as an independent contractor for a Chicago-based criminal and civil rights firm. Shortly after Governor J.B. Pritzker issued a statewide "Stay-at-Home"

order, that professional relationship ended and I was left with my own firm, with little practice experience in my current field and watching countless CLE (Continuing Legal Education) presentations in my living room on a day-to-day basis. Thus, in a few short weeks, I went from specific practice areas to

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## In the Company of Attorneys: Alternative Careers in the Legal Profession

BY MADONNA T. LECHNER

I graduated from the University of Iowa in January. That time of year in Iowa City is particularly bleak, and my prospects were bleaker. I started feverishly applying for jobs that would suit a graduate with a newly minted liberal arts degree. One of the avenues I pursued was employment with the federal government. A friend who worked for a federal agency in Chicago shared a job announcement with me. It was for an investigative position with the Office for Civil Rights, U. S. Department of Health, Education and Welfare. Ultimately, I worked

for that agency in its Chicago regional office for 34 years, first as an investigator, and later, as a team leader. In all aspects, I worked closely with attorneys.

Although I am not a lawyer, I was fortunate to have a career closely aligned with the legal field. As a federal investigator, I was responsible for determining if public schools and universities were complying with the federal civil rights laws. I traveled to various campuses in various states to investigate complaints

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“anything I am competent to do while the courthouses are closed” practice and it was not an easy transition.

The most difficult part of being a young, solo practitioner was the fact that I happened to be the only lawyer anyone my age knew. I received countless referrals, assisted various friends, family members, and classmates, as well as members of the community. Sounds great and fruitful, right? Wrong. As a young, social justice and equity-minded, fresh out of law school idealist, I did not like to charge people money for my services. One of my favorite sayings was, “I want people to have access to counsel and the courts without charging an arm and both legs.” (I stopped using this phrase after I subsequently broke both of my legs in a car accident in December 2020.) This proved to be a very unworkable business strategy, which resulted in me reprising my previous role as a part-time security guard to keep the bills paid. Although I ultimately ended up taking in nearly \$25,000 my first year alone (which isn’t too shabby), nearly \$20,000 of that went to ordinary business/office expenses. Approximately two months into solo lawyer/security guard, I decided to become an AmeriCorps Attorney VISTA (Volunteer in Service to America).

Between May 2020 and August 2021, I worked as an attorney for the Civil Rights Legal Aid Program (CRLAP) at First Defense Legal Aid, a Chicago-based nonprofit organization. Our program was designed to address minimal damages civil rights cases that may not be attractive to private attorneys, in an effort to combat some of the injustices committed by law enforcement and other actors of the criminal legal system. We partnered with a few private firms that co-counseled cases with us pro bono, where the experience in many aspects of litigation was invaluable and mutual. While we were unable to help everyone, due to capacity and case viability issues, we negotiated thousands of dollars in settlements for our clients. This opportunity proved very stressful, but also

very rewarding and gave me insight on other areas of the law I may seek to explore one day.

Despite the rewarding aspects of the work, it was not financially sustainable. We received a small stipend of \$1100 a month, which was supplemented by security, work with my own firm, and overnight shifts on the FDLA Hotline. The goal of the program was to have us identify with the communities we serve (namely underprivileged communities in Chicago) and so our pay was in line with the Federal Poverty Guidelines. Aside from the work itself, one of the best benefits of doing this work was the option for a cash stipend or an education award that can be applied towards future education or student loans. If you are young and searching for a way to get involved with your community, please consider becoming an AmeriCorps VISTA.

I have been a staff attorney at ArchCity Defenders in St. Louis, Missouri since May 2021. I am currently practicing criminal and municipal law, and am the coordinator for our RESTART expungement program, where we assist the community with clearing their criminal records at little to no cost to them. While student loans are always a concern, I am committed to remaining a public servant as long as it remains feasible. Thankfully, we have programs like PSLF (Public Service Loan Forgiveness) that exist to lift some of the financial burden after a certain number of years. I still have a way to go, but look forward to what the future holds as I continue to navigate the legal profession.

**Do you have an interesting case or topic that you believe the public would love to hear about? We are consistently looking for authors of all walks of life to share legal knowledge and information related to the legal community in our newsletter. You may send your article to [bshaw@archcitydefenders.org](mailto:bshaw@archcitydefenders.org) before the 10<sup>th</sup> of each month to have your article published in the next edition. Happy writing!■**

## Law Related Education

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## In the Company of Attorneys: Alternative Careers in the Legal Profession

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or conduct government-initiated reviews. I wrote lengthy investigative reports with recommendations for action. Those reports were reviewed and approved by attorneys and issued to the educational institutions.

The regulations implementing Title VI of the Civil Rights Act were passed by Congress shortly before I entered the federal workforce. I got in on the ground up enforcing that statute, which prohibited discrimination on the basis of race, color and national origin in public schools and universities. One of the most challenging assignments under that regulation concerned the *de facto* segregation of public schools in the northern states. One typical instance of such discrimination involved a school district's requirement that African American students walk past the schools in their neighborhoods to schools at a distance so that they were not in class with non-minority students.

Another issue under Title VI was the

disparate treatment of students whose primary language was not English. This led to wide ranging adoption of programs for limited- English students by public schools.

I was also a first-hand witness to the passage of federal statutes prohibiting discrimination on the basis of sex, disability, and age (Title IX, the Americans with Disabilities Act, the Individuals with Disabilities Education Act, and the Age Discrimination Act). Those statutes did not exist when I was in college. After my entrance into the federal workforce, there was a rapid development of civil rights law.

One of my assignments under the newly formed disability statutes was to review the football stadium of a large university. That led to extensive renovation of the structure to render it accessible to individuals with physical disabilities. Many complaints filed on the basis of disability concerned the treatment of students with physical and/or mental disabilities. School districts were

required to develop individualized education programs for these students to ensure they had equal access to educational programs. As a team leader, I wrote and signed many letters of findings which are now published in the *Individuals with Disability Education Law Report*. Under Title IX, I was responsible for numerous complaints alleging sexual harassment. I negotiated a multi-district settlement of a complaint filed against 32 school districts in a large metropolitan area. The issue concerned the failure of the school districts to hire female administrators.

My career with the federal government in the area of civil rights was very satisfying and rewarding. As a team, the investigators and attorneys with whom I worked addressed wide ranging inequities on the basis of race, color, national origin, sex, disability, and age in educational systems throughout the Midwest. ■

## Eviction Mediation

BY ELIAS ARNOLD & MISSY GREATHOUSE

In response to the potential flood of Covid-19 related evictions, many new eviction mediation programs have been launched across the State of Illinois. Dispute Resolution Institute, Inc. (DRI), a nonprofit community mediation center, has been funded by the Illinois Equal Justice Foundation (Eviction Help Illinois) to launch court-based eviction mediation programs across Central and Southern Illinois. DRI's mission is to help people in conflict find common ground, resolve disputes, and reach agreement. Since 2009, DRI has helped thousands of people resolve their disputes by providing free mediation services.

Mediation gives people with a disagreement or problem an opportunity to talk about it, brainstorm possible solutions, discuss if those solutions will work, and possibly come to an agreement.

The mediation is led by a mediator, who is an impartial third-party trained in conflict resolution skills. The mediation process encourages the landlord and tenant to engage in an honest and respectful conversation with each other, with the assistance of the mediator. The process may assist in repairing a relationship that has broken down or give the chance for a dignified exit from situations that are no longer working for the parties.

Eviction mediation cases involve issues between landlords and tenants. Generally, landlords file an eviction case to take possession of the property and/or to collect past due rent. In most eviction cases, the landlord will file a complaint to start the case and serve a copy of the complaint and an eviction notice on the tenant. Once the tenant is served, a court date is set for the parties first appearance. The first appearance

will be held in front of the eviction judge and is used by the court to determine if the tenant was properly served. If properly served, the court will review the case and assess whether it is a good fit for eviction mediation. Please note, landlords and tenants have the option to enter mediation prior to the court involvement if they request mediation prior to filing the complaint. Eviction cases enter the eviction mediation program either by agreement of the parties or by order of the court. Once in the program, DRI employees will collect their contact information and schedule a date for mediation. All eviction mediations are provided by mediators using Zoom, making it an easy and convenient method for all parties involved.

At mediation, parties are encouraged to consider all possible options to settle their

case. Mediation can assist in working out payment plans, move out dates, and pay and stay agreements. Additionally, parties can learn about rental assistance options available, whether from a state agency such as the Illinois Housing Development Authority (IHDA), a county funded program, or from a nonprofit organization. Eviction mediation allows the parties to choose an agreement that works best for them, instead of relying on a decision from the court. The court is limited on how it can decide an eviction case. In mediation, the parties have the opportunity to discuss what is the best way to move forward and to reach an agreement that may benefit all parties. However, like all mediations, any agreement reached by the parties is dependent on their willingness to engage in the mediation process.

Allowing the parties to mediate an agreement can benefit both landlords and tenants. While the court may have required the tenant to move within the next few days, in mediation the tenant may be able to negotiate a move out date that gives them adequate time to find new housing. A move out agreement can benefit the landlord by including a requirement that the tenant leave the property in a certain condition. If a tenant is interested in staying in the property, they may be able to create a payment plan to catch-up on their rent, enter into a pay and stay agreement, or apply for rental assistance. These options allow the tenant to stay housed, while ensuring the landlord receives the past due rent.

Once mediation is concluded, with or without an agreement, the parties return to court for a status check on the case. DRI provides a mediation report to the court reporting whether an agreement was reached by the parties. If an agreement has been reached, the court may dismiss the case or enter a status date to ensure the agreement is completed before closing the case. If an agreement has not been reached, the case will be set for a bench trial. A bench trial is a trial in which no jury is selected and the parties present evidence to a judge only.

While mediation can be an intense process depending on the current relationship between the landlord and tenant, our hope is the parties will leave the mediation with either an agreement or more information than they had prior to mediation. DRI currently provides free mediation services to landlords and tenants in the first judicial circuit, sixth judicial circuit, and twentieth judicial circuit. To date, DRI has provided mediation to over 1,700 landlords and tenants throughout these three circuits.

Landlords and tenants who are interested in free mediation services, both prior to court filing or after, can contact our office at [case@dri-inc.org](mailto:case@dri-inc.org) or 618-549-1200. Anyone interested in learning more about mediation or conflict resolution services is welcome to contact our office at [info@dri-inc.org](mailto:info@dri-inc.org) or 618-549-1200. ■

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*Elias "Eli" Arnold serves as the programs manager of Dispute Resolution Institute, Inc., a nonprofit community mediation center. Eli has been employed with DRI under multiple titles since starting as an undergraduate intern in 2012. Eli has had an essential role in the administration of the First Judicial Circuit Family Mediation Program, the Illinois Agricultural Mediation Program, the Jackson County Small Claims Mediation Program, and the First Judicial Circuit Eviction Mediation Program. Additionally, Eli has served as a mediator for DRI since completing his training in 2018. Eli received a bachelor of science in paralegal studies and a bachelor of arts in anthropology from Southern Illinois University – Carbondale, and a juris doctor degree from Southern Illinois University School of Law. Eli resides in Murphysboro, IL, with his partner and two dogs.*

*Melissa "Missy" Greathouse is the executive director of Dispute Resolution Institute, Inc., a nonprofit providing conflict resolution services throughout Illinois, both within and outside of the court system. Missy is a licensed attorney, mediator, facilitator, trainer, and trained social worker. Additionally, Missy is an adjunct clinical assistant professor at Southern Illinois University School of Law where she teaches alternative dispute resolution and mediation skills. She serves in many leadership roles in ISBA including as the ex-officio of the Child Law Section, CLE coordinator of the Alternative Dispute Resolution Section, Third Judicial Circuit Assembly member, member of the Special Committee on Racial Inequality, member of the Bar Elections Supervision Committee, and member of the Standing Committee on Women and the Law. Outside of her ADR work, Missy serves as the treasurer of Illinois State CASA and as the treasurer of Girl Scout Troop #765. Prior to law, Missy was a foster care case manager and specialized foster home licensing worker in St. Louis, MO. She received a bachelor of science in social work from Saint Louis University, and a juris doctor degree from Southern Illinois University School of Law. Missy resides in the metro-east with her husband, daughter, and two cats.*

## Illinois Council for the Social Studies Fall Conference

BY JUDGE MICHAEL CHMIEL

The Illinois Council for the Social Studies is going to have a Fall Conference on Friday, October 14, 2022, at 8 a.m. to 2 p.m., at Harper College in Palatine.

If you are interested and would like to register for this event, please visit: <https://sce.eiu.edu/wconnect/CourseStatus.asp?&course=22FAICSS>

Sessions begin at 8:30a with 15-min breaks in between sessions and there will be lunch with a speaker at 12:45p. ■