

YLD News

The newsletter of the Illinois State Bar Association's Young Lawyers Division

Upcoming changes to Illinois Child Support Law

BY STEPHANIE TANG

Up until now, Illinois has followed the “Percentage of Income” model of child support, calculating support based on a flat percentage of only the non-residential parent’s income without any consideration of the residential parent’s income. However, it is likely Illinois will soon join 39 other states in adopting an “Income Shares” model of child support, which would dramatically change how child support is calculated. Both the Illinois House and Senate passed House Bill 3982 (the bill adopting this change) and the Bill is now awaiting signature by Governor

Rauner. If signed into law, the statute would go into effect on July 1, 2017. Overall, the statute adds more specificity to the current child support law, taking into account a parent’s additional expenses, working potential, and parenting time.



Stephanie Tang

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Diversity in the practice

BY MALIHA SIDDIQUI

I am considered a minority by almost any metric: brown-skinned, Indian-American, female, Muslim, millennial. I almost always make any room I walk into a little more *diverse*.

However, growing up, I was never made to feel like an outsider. In contrast, I fit in well with the diverse community I grew up in, excelled in a diverse undergraduate institution, and pursued my law degree in what I consider to be a

relatively diverse law school. I was never made to feel inferior as a result of things I have no control over, and didn’t realize how fortunate I was to be protected from that feeling.

After the bar exam, and before I was sworn in, I must have sent out hundreds of resumes. Although I didn’t want to admit it, I worried about gender bias. I worried about whether my name

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Alternative legal careers

BY NATALI MARQUEZ-PONCE

If you have a law degree, the law firm career is not your only option. There are many alternative legal careers available to you after you earn your *juris doctor*. Some alternative careers you may consider, include, but are not limited to the following: arbitrator, mediator, journalist, lobbyist, consultant, legal recruiter, professor, entrepreneur, and therapist. A law degree can open up many new opportunities and career paths. Having applied to law school already evidences that you are smart, hard working, dedicated, and goal-oriented. Law school teaches you, amongst many skills, how to be analytical, organized and efficient. These are attributes and skills that will be useful in any career and will aid you in obtaining the job that you truly desire.

Before delving into the alternative career options, here are some questions you can answer to gain a better understanding of what career path you want to pursue.

1. What am I passionate about?
2. If I could choose any career, what would it be?
3. Am I interested in private or public work?
4. Am I willing to spend additional time earning an additional degree or certification?
5. Who do I know that went to law school, but is not working at a law firm?
6. Am I interested in a particularly field, and if so, are there volunteer or internship opportunities in that field?

After answering these questions, it's time to learn about the alternative legal career opportunities that interest you and how to pursue such a career.

You can start by reaching out to people with alternative legal careers and schedule an in-person meeting with them to learn how they chose their career. If you know the field in which you want to pursue a career, schedule meetings with people practicing in that particular field to discuss what specific steps you need to take to

secure such a position.

Another great way to learn about alternative careers is to attend CLE courses on the topic, which are provided often by your state and local bar associations. There are also online resources to aid you in your search. For example, as part of your ISBA membership, the ISBA hosts an online Alternative Legal Careers – Practice Resources Center with great articles and resources to help you in your search.¹

One last piece of advice—While searching for an alternative legal career, remember every opportunity is a networking opportunity. If you're looking for more tips on networking, read my article, Networking DOs and DON'Ts.² ■

1. <<https://www.isba.org/practiceresourcecenter/alternativelegalcareers>>.

2. <<https://www.isba.org/sections/younglawyersdivision/newsletter/2015/12/networkingdosanddon%E2%80%99ts>>.



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ISBA Mutual
Lawyers' Malpractice Insurance

A new option for new lawyers: Your first downtown office

BY MARIE SARANTAKIS

You're a young lawyer, still establishing your base. You may be trying to make a good impression on a new prospective client. Perhaps you are interviewing your first potential hire for your solo practice. Maybe you just need a place to respond to e-mails. Or you are simply seeking a calming space to unwind between meetings and court dates while downtown.

Sometimes your home office (at the moment, your kitchen table) won't cut it for interviews. Besides, the scenery is kind of tired. And even though you enjoy chatting with your local baristas over a caramel macchiato, coffee shops just don't give you the kind of privacy your legal career often demands. Essentially, what you need an *"office away from the office."*

There is a fitting new option that you may not yet be aware of: the ISBA Mutual's new offices in downtown Chicago. The newly renovated space is conveniently located at 20 S. Clark Street, just one floor beneath the Illinois State Bar Association. It's a short walk to public transportation, courthouses, government offices and, because there *is* sometimes life after work, great theater and dining options, too.

And better yet? **It's free!**

When the ISBA Mutual was planning to create a new space, a key consideration was to configure an environment where lawyers would be able to have a convenient location to conduct work, networking activities, and even CLEs. With a contemporary design and modern decor, the ISBA Mutual space meets a host of needs.

For those who enjoy working in a coffeehouse environment, you'll surely appreciate the Mutual's Internet café. There you'll find bar style seating for casual conversations or café tables to spread out your work. While there you are welcome to use the complimentary WiFi or to catch up a segment of Court TV on the big



The author works from the ISBA Mutual's new Chicago office.

screen television. Enjoy all of the delicious coffee and tea your palate desires, all while overlooking a breathtaking view of Chicago's skyline.

If your work demands more privacy, the space also features four "micro-offices." These spaces are just the right fit for confidential phone calls or a distraction-free work zone. Adjacent to the offices you will find a meeting space where you can collaborate with colleagues.

And if you ever need an area to host a group gathering or depose witnesses, the ISBA Mutual space offers two conference rooms to suit your needs. Both feature state-of-the-art technology – from media streaming transceivers to a conference call system that is integrated into the audio system – and easily accessible power sources with USB charging capabilities.

All of these spaces are open and accessible to you at no charge between 8:00 a.m. and 6:00 p.m. on weekdays. "It makes sense for us to have a literal open-door policy for Illinois lawyers, whether they're

insured by us or not," says Chair of the ISBA Mutual Board, John Theis. Reservations aren't necessary. Just drop by and visit the space. Whether it's the Internet café or micro offices, you're sure to find a practical location to suit your needs. ■

The details...

What: FREE downtown office space

Where: ISBA Mutual
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When: Weekdays between 8 a.m.
and 6 p.m.

**Who
can use:** Any Illinois lawyer

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Upcoming changes to Illinois Child Support Law

CONTINUED FROM PAGE 1

What is the “Income Shares” Model?

HB 3982 provides that the Illinois Department of Healthcare and Family Services shall adopt rules establishing child support guidelines, create worksheets to help determine child support, and develop a table reflecting the percentage of combined net income that parents living in the same household in Illinois ordinarily spend on their children. The Bill states that one purpose of the guidelines is to allocate child support in a similar way as if the parents had stayed married. The new formula does this by expanding the factors courts should consider to include both parents’ combined net incomes, the number of nights each parent has with the minor child(ren), and the number of children in the family.

Additional Contribution to Expenses Under the Income Shares Model

In addition to providing guidelines for child support, HB 3982 also provides that courts can order either or both parents to contribute to child care expenses, extracurricular expenses, school activities, health insurance, and unreimbursed health insurance. While the current statute generally provides that courts may order parents to contribute to these expenses, HB 3982 provides further guidance as to what expenses fall under each of these categories and how they should be considered in relation to each parent’s child support obligation.

For example, the Bill specifies that “child care expenses” include camps, deposits for child care programs, and “expenses reasonably necessary to enable a parent or non-parent custodian to be employed, attend education and training activities, or job search.” The Bill goes on to instruct courts to prorate child care expenses in proportion to each parent’s percentage share of the combined net income, then add the expenses to the child support obligation.

Deviating from Guidelines

Contrary to the current statute, HB 3982 explicitly states several times that there is a rebuttable presumption that the amount of the award that would result from applying the new child support guidelines is the correct amount to be awarded. Mirroring the current maintenance statute, the Bill provides that should a court deviate from guidelines, it should make written findings specifying reasons for deviation. By way of example, the statute states that possible reasons for deviating may include payment of extraordinary medical expenses necessary to preserve life of a child or parent or payment of expenses for a child with special medical or developmental needs.

Unemployed or Underemployed Parents

HB 3982 codifies and expands the rulings of the seminal and often-cited cases regarding imputation of income, including *In re the Marriage of Gosney*, 394 Ill. App. 3d 1073 (3d Dist. 2009). The Bill specifies that if either parent is voluntarily underemployed or unemployed, a court should calculate child support based on that parent’s potential income. This suggests that courts may increasingly rely on testimony from vocational experts to testify as to relevant factors including occupational qualifications, job opportunities, and earnings levels in the community.

The proposed statute also considers when there may be an insufficient work history to determine a parent’s probable earning potential. It specifically provides that in these cases, there is a rebuttable presumption that the parent’s potential income is 75% of the most recent U.S. Department of Health and Human Services Federal Poverty Guidelines for a family of one person.

Shared Parenting and Split Care

Unlike current child support law, HB 3982 specifically addresses situations

in which a parent has possession of the minor child for 146 or more overnights a year (shared parenting) or when each parent has physical care of at least one child (split care). For shared parenting arrangements, the Bill codifies the “offset method” for calculating child support frequently argued by lawyers for residential parents under the current child support scheme. Specifically, the Bill instructs courts to first multiply each parent’s portion of the support obligation by the percentage of time the parent is allocated with the minor child. The court is then to offset these respective obligations, with the parent owing more child support paying the difference between the two amounts.

For split care arrangements, the Bill instructs courts to use two different child support worksheets to determine the support each parent owes the other. The court should then similarly offset the resulting obligations and the parent with the greater obligation will be ordered to pay the difference.

Modifying Past Child Support Orders

Before lawyers rush to court on July 1 to modify previous child support orders, HB 3982 states that enactment of the Bill in and of itself does not constitute a substantial change in circumstances for purposes of modifying past-ordered support. The Bill provides that a court may only grant a petition for modification that seeks to apply the changes upon a finding of a substantial change in circumstances that warrants application of the changes. ■

Stephanie Tang is currently an Associate Attorney at the family law firm, Hurst, Robin, & Kay, LLC. Stephanie joined the firm after working for three different Judges who currently preside over family law cases in three Illinois county courts. She graduated from Northwestern University with honors in Legal Studies and went on to graduate Magna Cum Laude from University of Illinois College of Law.

Diversity in the practice

CONTINUED FROM PAGE 1

sounded too ethnic and perhaps not American enough. I was already sure it was definitely too Muslim. In an already saturated field of newbie lawyers, every detail mattered. I should have used my Starbucks name, I mused on more than one occasion.

I wish I could say that these thoughts were unfounded.

During law school, I interviewed for a position at a well-respected firm. I walked into my second interview nervous, but excited. The interview lasted less than five minutes and consisted of the interviewer doodling on my resume and asking, "So, why does a pretty girl like you want to work here?"

The following year, I inquired about an associate position at another well-regarded firm. "You're Indian, right?" they asked. "We already have one of your kind."

On both occasions, I shrugged off the comments. I probably laughed nervously and changed the topic. I was too shocked to respond any differently.

This is why diversity matters. This is why representation matters. This is why organizations that promote and empower women are so important. I thought these issues were vestigial remnants of days gone by, but my own experiences have taught me otherwise. As the future of the profession, it is our responsibility to recognize that we are inheriting these very real and prevalent issues that require our attention. ■

Did you know?

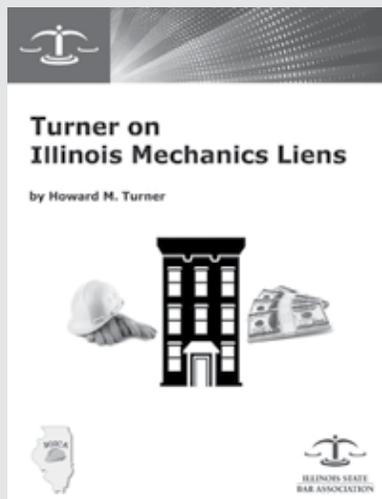
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September

Thursday, 09/01/16- Webinar— Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

Thursday, 09/08/16- Webinar— Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

Thursday, 09/08/16- Webcast— Monetizing Intellectual Property. Presented by IP. 12:30 p.m. – 2:15 p.m.

Friday, 09-09-2016- Webcast— Telemedicine: Diagnosing the Legal Problems. Presented by Health Care. 9:00 a.m. – 11:00 a.m.

Wednesday, 09/14/16- Webcast—Hot Topic: Union Dues/Fair Share—Friedrichs v. California Teachers Association. Presented by Labor and Employment. 10:00 a.m. – 12:00 p.m.

Wednesday, 09-14-16—Webinar—2016 Military Law Overview. Presented by Military Affairs. 12:00 p.m. – 1:15 p.m. (maybe later).

Thursday, 09/15/16- CRO—Family Law Table Clinic Series (Series 1). Presented by Family Law. 8:30 am – 3:10 pm. Vid: NONE THESE WILL NOT BE RECORDED OR ARCHIVED.

Friday, 09-16-06- CRO and Live Webcast—The Fear Factor: How Good Lawyers Get Into (and avoid) Bad Ethical Trouble. Master Series Presented by the ISBA—WILL NOT BE RECORDED OR ARCHIVED. 9:00 a.m. – 12:15 p.m.

Wednesday, 09-21-16—Webcast— Restorative Practice in Illinois: Practical

and Creative Alternatives to Resolve Civil and Criminal Matters. Presented by Human Rights. Part 1- 10:00 a.m. – 12:00 p.m. Part 2- 1:00 p.m. – 3:00 p.m.

Thursday, 09-22-16- Webcast—Family Law Changes and Mediation Practice. Presented by Women and the Law. 11:00 a.m. – 12:00 p.m.

Thursday, 09/22/16- CRO and Webcast—Recent Developments in E-Discovery in Litigation. Presented by Antitrust. 1:00- 5:15 pm.

Thursday, 09/22/16- Webinar— Introduction to Boolean (Keyword) Searches for Lawyers. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

Monday, 09/26/16- Friday, 09/30/16—CRO—40 Hour Mediation/Arbitration Training Master Series. Presented by the ISBA. 8:30 am – 5:45 pm each day. MASTER SERIES WILL NOT BE ARCHIVED.

Friday, 09-30-16—DoubleTree Springfield—Solo and Small Firm Practice Institute Series. A Balancing Act: Technology and Practice Management Solutions. Presented by GP, SSF. 8:00 a.m. – 5:10 p.m.

October

Wednesday, 10-05-16—CRO—Cybersecurity: Protecting Your Clients and Your Firm. Presented by Business Advice and Financial Planning; co-sponsored by IP (tentative). 9:00 a.m. – 5:00 p.m.

Thursday, 10/06/16- Webinar— Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

Thursday, 10-06-16—Webcast—Nuts and Bolts of EEOC Practice. Presented by Labor and Employment. 11:00 a.m. – 12:30 p.m.

Monday, 10-10-16—CRO and Fairview Heights, Four Points Sheraton—What You Need to Know to Practice before the IWCC. Presented by Workers Compensation. 9:00 a.m. – 4:00 p.m.

Thursday, 10/13/16- Webinar— Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

Thursday, 10-13-16—IPHCA, Springfield—Open Meetings Act: Conducting the Public's Business Properly. Presented by Government Lawyers. 12:30 – 4:00 p.m. This program will not be recorded and put in the archives.

Thursday, 10-13-16—CRO and webcast—Limited Scope Representation: When Less is More. Presented by Delivery of Legal Services. 1:00 p.m. – 5:00 p.m.

Wednesday, 10-19-2016—Webcast—Tips for Combating Compassion Fatigue. Presented by Women and the Law. 10 a.m. – 11 a.m.

Wednesday, 10-19-16- CRO and Live Webcast—From Legal Practice to What's Next: The Boomer-Lawyer's Guide to Smooth Career Transition. Presented by Senior Lawyers. 12:00 p.m. to 5:00 p.m.

Thursday, 10/20/16- Webinar— Introduction to Boolean (Keyword) Searches for Lawyers. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm. ■

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