

The Catalyst

The newsletter of the Illinois State Bar Association's Standing Committee on Women and the Law

Legal technology resources for your practice

BY KIMBERLEY CRUM KLEIN

Do you sometimes wonder how we ever lived without those little mini-computers that we all carry around in our pockets and briefcases these days? Hopefully by now you have found many ways to use the incredible mobile power of apps on your device to make your practice more efficient. The technology world moves quickly, so just when you get comfortable using one app, three new ones

are released that are even better. Our busy lives sometimes make it difficult to keep track of the vast number of new apps that are released constantly, so here is a list of a few apps for both iPhone and iPad that can help you with productivity in your legal practice. (All of these are compatible with Apple products, but they may or may not

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Proper use of preferred gender pronouns

BY SARAH D. ZIGULICH

While the English language is generally limited to two pronouns denoting male and female subjects, legal writing is even more inclusive and predominantly uses only the male gender pronouns "he, him, his." Most contracts include language under headings such as *Interpretation* and *Construction of the Agreement* that reads, "Unless the context of this Agreement otherwise clearly requires, references to the plural include the singular and the singular, the plural and references to the masculine

include the feminine and the feminine, the masculine." Another common boilerplate is as follows, "Any word in the text of this Agreement shall be read as singular or as plural and as masculine, feminine or gender neutral as may be appropriate under the circumstances to carry out the parties' intent." However, said provisions may soon be outdated due to the growing trend of gender neutral pronouns being used as preferred gender pronouns.

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be available on other platforms.)

Slack—This is a group collaboration tool that has the tech world buzzing. It works by allowing you to create what it calls “channels” that your team or group can access to communicate and collaborate on projects. You can also create private channels if you have sensitive information to which you only want a few people to have access. The app allows you to share files, pictures, documents, spreadsheets, and any other electronic information with the group. The app syncs with Google Drive and DropBox as well as other document storage services. You can use it on your phone, tablet, or computer so it is available no matter where you are. There is a free basic plan that you can use to see how it works, and then there are various paid plans if you need something more robust or more extensive features. This app allows multiple attorneys and/or support staff to collaborate on a file and to communicate with one another about the project all in one place. You can even make a client a user if you have a situation where you need to collaborate and communicate with the client. (As an aside, it is a good idea to be aware of this app when you are conducting discovery, as it could hold relevant documents and communications just as email or a hard-drive can.)

TrialPad—This is a powerful and sophisticated app for trial presentations. You can use this to present evidence to a judge or jury without having to use expensive presentation software on a computer. You can run it from your iPad so it is easy to use with a little practice and generally user friendly. You can make presentations to a group by connecting a projector or TV. The app contains a feature called “Callout” which allows you to enlarge certain sections of text for a jury or audience to view on a screen or projector. You can then manipulate that text with highlights or notes or animation if necessary. Within the app, you can organize your cases in folders with smaller

organization subfolders within each case, just like a paper file. When you’re in the middle of trial you have all of your exhibits at your fingertips within the app and can bring them up and display them in the courtroom as needed.

TranscriptPad—This is an excellent app for any attorney who uses an iPad and works with transcripts. In fact, if you are drowning in transcript documents this might be a lifesaver for you. You can use it to review transcripts and you can carry every transcript with you at all times within the app. It allows you to organize cases in folders and then to store transcripts within those case folders so that you can find what you need easily and quickly. As you are reading, you can highlight key sections or answers in various colors if you want to use a color-coding system, and you can flag certain answers or pages to return to them easily. You can even code certain issues as you read and then generate a code report within the app that gives you a list of those issues to review or to concentrate on.

PDF Reader App—Some type of PDF document app is a must-have for any lawyer in any type of practice. The PDF file format is ubiquitous now, and you must have a way to interact with it. There are several good apps available in the app store for all different platforms and devices. My long-time favorite is PDF Expert, but GoodReader and iAnnotate are both excellent programs as well. These robust apps allow you to work with PDF documents just the way you would if they were pieces of paper in front of you, but with a seemingly infinite number of tools. You can use them to highlight text in numerous ways or you can fill in blanks on forms. You can use the app to have a client sign a document, and you can store your own signature as a stamp within the app to sign documents. The apps have stock stamps available or you can create custom stamps that say anything you want them to say. You can add text notes or editing notes to any document, or you can add exhibit

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OFFICE

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

EDITORS

Cindy G. Buys
Kelly Thames Bennett

MANAGING EDITOR / PRODUCTION

Katie Underwood
✉ kunderwood@isba.org

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

Postmaster: Please send address changes to the Illinois State Bar Association, 424 S. 2nd St., Springfield, IL 62701-1779.

stickers and page numbers to documents. These apps make it easy to add new pages, to merge multiple documents, and to rearrange and delete pages within a PDF document.

ADR Mediation Tool—If you use mediation in your practice, this simple but full-featured app allows you to enter pertinent information about your case including any contingency fees, case expenses, and the result you want for your client. The app then provides you with a settlement target based on the information you enter regarding the case. As negotiations progress in the matter, you can enter demands and offers into the app and immediately see the mid-point without

having to do the calculations yourself. You can put in different scenarios to provide an estimate of the effect that a certain demand or offer might have on the bottom line. There is also an option to display all of the results graphically in bold colors so you can see the history and the results of the negotiations, which is an excellent way to illustrate for a client what has happened and where you are in a given settlement negotiation.

Courtroom Objections—This is a type of “guidebook” app that could be beneficial for all lawyers, and might be especially helpful for new lawyers. This app gives you lists of common objections organized by category, such as Objections to Form or

Objections to Admissibility. Within each category, there are subcategories, which include objections like Ambiguous or Assumes Facts. Within each subcategory, there are guides to the wording of the objection and an explanation of the rule, as well as possible responses if your question is the one being objected to by opposing counsel. The app also provides the relevant Federal Rule of Evidence for reference. This app could be open on your phone right next to you on the trial table and work as an immediate reference during a trial or hearing. ■

Kimberley Crum Klein is a partner at Klein & Mosser, LLC in Elgin where she focuses on Criminal and Family Law.

Proper use of preferred gender pronouns

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Sexologist and Marriage and Family therapist Joanne Z. Flannery will give us a breakdown of the preferred gender pronoun movement and its importance.

What is a “preferred gender pronoun?”

A preferred gender pronoun, also known as a “personal gender pronoun” is the pronoun that a person uses when referring to themselves. The most popular pronouns are he/him/his/himself and she/her/hers/herself. However, in the interest of greater equality, the following gender neutral pronouns have been created: they/them/theirs and ze/zir/zirs. Some people prefer to only use their name in which case that should be respected.

How are gender pronouns assigned or chosen?

There is no correct method when it comes to choosing your preferred gender pronoun. No one should assign a gender pronoun for another person. Gender pronouns are chosen by each individual. When a person has a gender identity or gender expression that matches their assigned sex, the term cisgender is used. Generally speaking, cisgender people will feel comfortable maintaining the gender

pronouns that society already uses to refer to them, such as he/him/his/himself and she/her/hers/herself. It is considered a privilege to not have to worry about which pronoun someone is going to use for you based on how they perceive your gender.

How do you know the correct pronouns to use when speaking to someone?

Share your pronouns with them and ask them their pronouns. It shows a great deal of respect to inquire regarding one’s preferred gender pronouns. It may seem embarrassing, at first, but it demonstrates that you desire to be gender inclusive and educate yourself on transgender topics, including staying current with terminology. Because the dominant discourse in our society is one of transphobia, expressing oneself as anything other than the assigned binary mainstream-accepted genders of male and female is brave and affirming.

What are your thoughts on neutral gender pronouns becoming mainstream?

I think that it is likely, but that it will take time. I currently cite my personal gender pronouns in my email signature and

I let others know that I prefer she/her/hers after I state my name when introducing myself. Those two simple actions are a clear way to show my support for gender expression. It also sets an inclusive tone and one of respect for transgender and gender non-conforming individuals. I would encourage more people to indicate their preferred gender pronouns when introducing themselves or after their signatures.

Even if you prefer not to announce your pronouns, the fact that new words are being introduced into the English language should be a salient concern for all citizens. It will probably only minimally impact legal writing, but the terms have already begun to be used colloquially. ■

Sarah D. Zigulich (preferred pronouns: she, her, hers) is an associate attorney at Anderson & Boback, LLC and practices in all areas of matrimonial and parentage law at the trial and appellate levels. She can be found at illinoislawforyou.com.

Joanne Z. Flannery (preferred pronouns: she, her, hers) is an Associate Marriage and Family Therapist (AMFT) with a Master’s degree in Sexology. She can be found at sexologyinternational.com.

Chair column

BY JULIE A. JOHNSON

There has been a lot of noise over the last few weeks. There have been a lot of protests, demonstrations and calls to action. If you were waiting for your perfect call to action, my challenge to the lawyers of the Illinois State Bar Association, women and men alike, is to see this opportunity we have before us and to lead by example as we wrap up 2016 and begin 2017.

One huge way that the ISBA can show strong leadership is to stand in collective support of enacting state legislation to provide paid family leave for the residents of Illinois. The ISBA Assembly will be asked to vote on a resolution to support the currently pending First Amendment for Senate Bill 260, commonly known as the Family Leave Insurance Act.¹ The bill was filed last July by Illinois Senator Daniel Biss and is currently in an early draft and will

likely be substantially amended before it comes for vote. It is anticipated that action will be taken on the bill after the first of the year. The voice of the ISBA is influential in Springfield. Let's make sure our voice is heard on this issue!

Paid family leave is a difficult issue for many Illinois attorneys. The amount of leave available for new parent attorneys, whether paid or unpaid, is completely inconsistent from firm to firm. Issues of how this bill will affect Illinois lawyers whether as firm employees, solo practitioners or owners/equity partners of law firms are important to address. Let us all send the message that Paid Family Leave is a priority for Illinois lawyers, while at the same time sending our comments and suggested revisions to Senate Bill 260.

The ISBA is not being asked to vote

specifically in support of the language of the bill as it stands today, but to stand in support of Illinois passing a paid family leave act that balances the needs of new parents with the needs of employers, especially small law firms. Members of the Standing Committee on Women and the Law are available and will be visiting various Sections and Committees during the Mid-year meeting to garner support and to answer questions regarding the Assembly resolution vote. It is our sincere hope that the ISBA will stand in support of Paid Family Leave. ■

1. <<http://www.ilga.gov/legislation/fulltext.asp?DocName=09900SB0260sam001&GA=99&SessionId=88&DocTypeID=SB&LegID=84221&DocNumber=260&GAID=13&Session=>>

ISBA's *New Website* for

NEW LAWYERS

With Content & Video Curated for Lawyers in Their First 5 Years of Practice



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- ✓ Articles distilled into 5 quick takeaways
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- ✓ YLD news, photos and events
- ✓ Tool to determine MCLE compliance deadlines
- ✓ Short videos covering tech tips and practice points
- ✓ And more!

Letting go of guilt

BY KRISTEN PRINZ

My work and my family are my two greatest joys. I am extremely grateful to work with a team and clients that challenge and inspire me. And, I am even more grateful to have a husband and two young daughters that do the same. However, there never seems to be enough time to be the best lawyer, leader, mother and wife I can be.

When my oldest daughter, Zoey, was born 3 ½ years ago, I didn't slow down at work at all. I just kept barreling forward and tried to put the same level of effort in at home. I chaperoned field trips during the day and prepped for depositions at night. I rushed out the door in the morning and rushed home at night to make sure I got in some playtime before bedtime. I felt guilty leaving my daughter to go to work and I felt guilty leaving work to go home.

When Olive was born last year, I assumed I would continue doing more of the same. I returned to work six weeks after she was born and tried to ease back in to my routine. It didn't work.

I felt I couldn't slow down because my work team and my family depend on me. But I was exhausted. I wasn't getting enough time with my family. I wasn't spending enough time at work. And, I hadn't been to the gym in 402 days.

The guilt got worse because I wasn't taking care of myself and I was never fully present wherever I was. My daughters are growing up and changing at light speed and I simply could not keep up. They are spending their days with caretakers and teachers instead of me or the rest of their family.

When Olive was three months old, I asked my husband if he felt guilty about not having enough time with our daughters. "No," he said. "We love them. We care for them. And, guilt is a useless emotion." I wanted to smack him. How could he not feel guilty that we were missing moments we could never get back? How could he not feel guilty that he was regularly late to

work? How could he not feel guilty that he might be failing as a parent and a leader?

I realize now that internal monologue may have been influenced by hormones and sleep deprivation. Still, my guilt was palpable. So was my exhaustion.

A few weeks later, I was sitting around a conference table with my all male monthly CEO group. I was ready to quit the group (and nearly everything else). In the midst of telling these guys that I couldn't keep up with the group or anything else anymore, I broke down.

In response, each of the men shared their feelings about the strains of raising a family and leading a business. They each have their own stresses; small children,

grown children, wives that stayed home, wives that work, and family members who are ill or struggling. One of them finally said, "I just decided I am not going to feel guilty about where I spend my time."

He was so blunt and trite that my first reaction was an internal eye roll. But, after I left the meeting, it hit me that guilt was a distraction. When I'm at work, I want to be fully at work so that my time is well spent. When I'm with my husband, children, family and friends, I want to be fully present so that my time is well spent.

I would be lying if I said that I know live in a post-guilt, fully-present state of mind. But I'm trying. ■



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ISBA's Diversity Leadership Council

Friday, December 9, 2016

4:30 to 6:30 p.m.

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Chicago, IL 60611

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AND WE WANT YOUR HELP!

Register today at ISBA.org/diversity/reception and be a part of the Movement for Inclusion

The ISBA Diversity Leadership Council consists of the following sections and committees of the ISBA: Racial & Ethnic Minorities & the Law Committee, Sexual Orientation & Gender Identity Committee, Human Rights Section Council, Women and The Law Committee, Disability Law Committee and the International and Immigration Law Section Council.

Upcoming CLE programs

TO REGISTER, GO TO WWW.ISBA.ORG/CLE OR CALL THE ISBA REGISTRAR AT 800-252-8908 OR 217-525-1760.

January

Tuesday, 01-10-17- Webinar—
Technology and Business Planning for a Law Firm. Practice Toolbox Series. 12:00 -1:00 p.m.

Thursday, 01-12-17- Live Webcast—
Immigration Law Update Spring 2017—Changes which Affect Your Practice and Clients. Presented by International and Immigration. 12:00- 1:30 p.m.

Friday, 01-13-17- Chicago, ISBA Regional Office—Implicit Bias in the Criminal Justice System. Presented by Criminal Justice. 9:00 a.m. – 4:45 p.m.

Wednesday, 01-18-17- Live Webcast—
The Nuts and Bolts of Drafting Non-Disclosure Agreements: Tips for the Practicing Lawyer. Presented by Business & Securities. 10:00 a.m. – 11:00 a.m.

Wednesday, 01-18-17—Live Webcast—
Presented by Labor and Employment. 12:00 p.m. – 1:30 p.m.

Tuesday, 01-24-17- Webinar—How to Stop the 8 Things Killing Your Law Firm. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 01-25-17- Live Webcast—
Helping Immigrant Children- Special Immigrant Juveniles. Presented by International and Immigration; co-sponsored by Bench and Bar. 11:00 a.m. – 12:00 p.m.

Wednesday, 01-25-17- Live Webcast—
Housing Justice v. Housing Injustice: How Unfair Housing Practices Keep Segregation Intact. Part 1: SCOTUS Opinion, Fair Housing Policies and Housing Voucher Programs. Presented by REM; multiple cosponsors (see agenda). 1:00 – 3:00 p.m.

Thursday, 01-26-17—Chicago, ISBA Regional Office—Family Law Table Clinic

Series—Session 3. Presented by Family Law.

Friday, 01-27-17- Chicago, ISBA Regional Office & Live Webcast—Recent Developments in State and Local Tax—Spring 2017. Presented by SALT. 8:30 a.m. – 12:45 p.m.

February

Wednesday, 02-01-17—Chicago, ISBA Regional Office—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.

Friday, 02-03-17- Springfield, Illinois Department of Agriculture—Hot Topics in Agricultural Law- 2017. Sponsored by Ag Law. All Day.

Friday, 02-03-17- Chicago, ISBA Regional Office—2017 Federal Tax Conference. Presented by Federal Tax. 8:20 a.m. – 4:45 p.m.

Monday, 02-13 to Friday, 02-17—Chicago, ISBA Regional Office—40 Hour Mediation/Arbitration Training. Master Series, presented by the ISBA—WILL NOT BE ARCHIVED. 8:30 -5:45 daily.

Tuesday, 02-14-17- Webinar—
Hardware & Software: You Bought It, You've Got It... Now Use It! Practice Toolbox Series. 12:00 -1:00 p.m.

Monday, 02-20-2017- Chicago, ISBA Regional Office & Fairview Heights—Workers' Compensation Update – Spring 2017. Presented by Workers' Compensation. 9:00 a.m. – 4:00 p.m.

Wednesday, 02-22-17- Live Webcast—
Housing Justice v. Housing Injustice: How Unfair Housing Practices Keep Segregation Intact. Part 2: Landlord Privileges/Defenses and Tenant Rights/Remedies. Presented by REM; multiple cosponsors (see agenda).

1:00 – 3:00 p.m.

Thursday, 02-23-2017—Webcast—
Written Discovery Part 2: Electronic Discovery – How to Seek, Locate, and Secure. Presented by Labor & Employment. 1:00 – 3:00 p.m.

Friday, 02-24-2017- Chicago, ISBA Regional Office—Wrongful Death, Survival, and Catastrophic Injury Cases. Presented by Tort Law. 8:45 a.m. – 1:00 p.m.

Tuesday, 02-28-17- Webinar—
Introduction to Microsoft Excel for Lawyers. Practice Toolbox Series. 12:00 -1:00 p.m.

March

Thursday, 03-02-17—Chicago, ISBA Regional Office—Family Law Table Clinic Series—Session 4. Presented by Family Law.

Friday, 03-03-17- Chicago, ISBA Regional Office & Webcast—8th Annual Animal Law Conference. Presented by Animal Law. 9:00 a.m. – 5:00 p.m.

Thursday, 03-09 and Friday, 03-10—New Orleans—Family Law Conference NOLA 2017. Presented by Family Law. Thursday: 12:00 pm – 5:45 pm; Reception 5:45- 7:00 pm. Friday: 9:00 am – 5:00 pm.

Tuesday, 03-14-17- Webinar—Matter Management Software- Why Outlook Isn't Good Enough. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 03-22-17- Live Webcast—
Housing Justice v. Housing Injustice: How Unfair Housing Practices Keep Segregation Intact. Part 3: Mortgage Fraud, Subprime Lenders, and Foreclosure Crisis. Presented by REM; multiple cosponsors (see agenda). 1:00 – 3:00 p.m. ■