

YOUNG LAWYERS DIVISION NEWSLETTER • ILLINOIS STATE BAR ASSOCIATION

YOUNG LAWYERS DIVISION UPCOMING EVENTS

Upcoming Law Ed events and seminars for lawyers.

To register, call 217/525/1760

FEBRUARY 2007

CHICAGO

23—Food for Thought: Educational Institutions
Confronting Food and Dietary Related

LOMBARD

23—Science in the Courtroom 6 MCLE hours*

CHICAGO

26 & 27—Bootcamp: Microsoft Word & Microsoft Excel for Legal Application 1.0 Professionalism MCLE hours*

MARCH 2007

SPRINGFIELD

3—Traffic Law Update 5.75 MCLE hours* *.50 PMCLE hours applied for

CHICAGO

7—E-Discovery in the Federal Courts - 2007

CHICAGO

8 – 10—Basic Skills: The New Attorney's Introduction to the Effective Practice of Law

COLLINSVILLE

9—Pleas, Appeals & Incarceration 6.75 MCLE hours*

SPRINGFIELD

9—2006/2007 Federal Tax Conference 6.50 MCLE hours *.50 PMCLE hours applied for

CHICAGO

16—From Legal Practice to What's Next: The Boomer-Lawyer's Guide to a Smooth

CALENDAR

Tips for healthy living in the new year

-By Dr. Shanna Fritsch, Chiropractic Physician, Two Hands Chiropractic and Acupuncture, LLC

tress Reduction! Stress can cause headaches, muscle tension, irritability, depression, and anxiety. Take steps to reduce stress in your daily routine. Take yoga, stay active, hit the gym, join a sports team, learn to meditate, stretch, or just set aside time to do nothing. Your body will thank you.

Don't over-medicate! Your body expresses a problem by creating pain. Do not cover these symptoms by taking painkillers. You are NOT fixing the problem; you are only masking the pain. Constant use of painkillers can cause a whole slew of other health issues. See a massage therapist, see a chiropractor, see someone who can diagnose the problem and get you some relief. The longer a problem is allowed to manifest itself, the longer it will take to cure it!

Drink more water. Choose water over soda. Drink a glass of water in between your morning cups of coffee. Besides the normal 8-10 glasses recommended each day, you should drink an extra glass for every caffeinated beverage you consume. For example, if you drink two cups of coffee today drink 10-12 glasses of water. Even mild dehydration can cause muscle tightness, headaches, and even a feeling of hunger. Next time you feel the need for a snack, try a tall, clear glass of water.

Don't over-do the coffee and soda! Caffeine is a diuretic. It increases the amount of calcium excreted in your urine for several hours after you drink it. Research also shows that caffeine may decrease the amount of vitamin D absorption in your body. This is not ideal because Vitamin D is essential for the absorption and use of calcium. Therefore, long-term over-use of caffeine (found in coffee, soda, painkillers and cold medicines) may lead to decreased creation of bone and increased deg-

radation of bone (a cause of osteoporosis). This is especially important for women, who tend to lose so much more bone density as they age. Remember—young women are not exempt, decreased formation of new bone begins around age 20 and bone density loss begins by age 30.

Keep your weight in check. Just a few new pounds can put stress on your spine and other joints, causing pain due to biomechanical dysfunction. The increased number of fat cells can also cause changes in your hormones, which may cause a decrease in your sex drive, an increase in the probability for depression, and even an increase in PMS symptoms.

Make fast food a rarity. Sure, it is convenient, but Super Size Me? No thanks! In all seriousness, if you must eat fast food, try one of the new healthier alternatives. The most serious effects of eating fast fatty foods are unseen, such as increased cholesterol levels, high blood pressure and clogging of the ar-

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E-mail etiquette

By Maxine R. Weiss

n today's world of technology, many of us have fallen into the habit of e-mailing with our clients and opposing counsels. While the swift speed of cyberspace certainly has its advantages, it also has an array of problems that follow it. This article shall briefly summarize some e-mail dos and don'ts that are a recommended checklist in day-to-day use.

1. Write your e-mails like you write your letters.

When writing e-mails, it is easy to forget to use things like dates, headers and salutations. This problem especially arises when you are responding to an e-mail. For example, it is not uncommon for a client to send an e-mail that says something along the lines of, "I placed the documents in the mail today." The automatic response is, "Great, thanks," without any formalities. However, depending on the relationship you have with the client, and how you want to be perceived in the eyes of that client (or opposing counsel), a more appropriate response might be: "Dear Client: I am in receipt of your e-mail dated January 1, 2007 wherein you indicated that your signed documents have been mailed. Thank you for the notice. I shall alert you when I receive same. Very truly yours, Maxine R. Weiss." Etc. Again, this response is client-dependent. Some clients might take offense to a rigid response, while others may be expecting one. Always ask yourself before you send or reply to an e-mail, "Who is my audience?"

2. Watch your tone.

The tone of an e-mail is easily misconstrued. Due to the fact that e-mails have a tendency to be informal, e-mails that lack niceties (as many professional correspondences should) can easily be misinterpreted. Even not responding fast enough to an e-mail can cause miscommunication problems. For whatever reason, e-mails that do not include smiley faces or cute semantics often read as cold and even aggressive. To avoid this problem, I recommend stepping up the friendly professional language, such as "Kindly find attached..." or "With warm regards..." The simplest choice of words can make or break the tone of your e-mail.

3. Double-check your recipient's address.

Another common problem with sending e-mails is your client's e-mail address. If for some reason you have the wrong address, the e-mail may float around in cyberspace for a period of time before ever returning to your inbox with that dreaded "failure" notice. E-mail can be the fastest way to alert a client to the new status of their case, but at the same time, I always recommend following up with a phone call or a letter via regular (snail) mail, or both.

4. Make copies of your e-mails.

Most law firms keep copies of every letter received and sent in each individual case. It is important to do the same with e-mails. You may question the importance of printing out "insignificant" e-mails such as, "Great job in court today, thanks!" But this tiny courtesy could hold some influence when your client decides three months later that they are now unhappy with the uncontested judgment entered and are considering an ARDC complaint against you. My motto: err on the side of caution. I print everything (or at least save it in the client's computer file). Truth be told, I would rather kill a tree then kill my career. If you are worried about the potential high volume of paper after you've printed off every e-mail ever sent/received, try waiting until you and (for example) your client have corresponded back and forth a few times before printing off the chain of e-mails. This also makes it easier to understand the communications that took place when and if you go back in the file at a later date.

5. Caution on who will see the e-mail

Always ask yourself where your e-mail might end up. It's a lot easier to forward an e-mail, or even make changes (falsify) to an original e-mail, than it is a typed letter. It goes without saying that you should never send an e-mail to your co-worker complaining about your boss; 30 seconds after it's been sent it could be sitting in your employer's inbox flashing "Fwd." If there is anyone in the world that you DO NOT want to see the e-mail you are about to send, then maybe it should not be sent at all. After all, in the "old days" attorneys used to pick up the

phone or initiate an in-office conference when they needed to converse with a colleague or client. Of course, if you are worried about your e-mail being changed or falsified, keeping records of the e-mails you send as referenced under #4 above can protect you in this area as well.

6. Careful what you wish for.

Do not give your e-mail out to just anyone. While I recognize that this can be difficult if your e-mail is listed as a contact on your Web page, business card, etc., there are ways to avoid overuse. There are certain clients that I prefer to communicate with via e-mail and I make that very clear to them. In closing a conversation, I will tell them, "E-mail is the best way to reach me." However, there are other clients that I have found are impossible to e-mail with. Those are the clients that send me a "quick question" every 90 minutes and expect a quick response. Most lawyers will chime together on this one... there are no quick questions; or at least no quick answers. For the clients that abuse e-mail, I usually respond to their e-mails with a request for a teleconference or in-office meet-

7. Pause before hitting send.

Proofread your e-mail before hitting send. Most e-mail services have spelling and grammar checks that all to often go unused. Double-check that your e-mail is being sent TO the person you intend it for. For example, did you hit "reply to all" when you only meant to reply to the sender? and vice versa. Your response may be intended for only some people's eyes; alternatively, if you do not include certain people in your e-mail, you may be seen as going behind that person's back. E-mail may seem like the fastest way to communicate, but sometimes it is the fastest way to miscommunication. Just like everything in lawyering, proofread, proofread, proofread.

Questions? E-mail me (ha ha) at: mrw@family-law-illinois.com

With warm regards,

Maxine R. Weiss
THE LAW FIRM OF DEBRA J.
BRASELTON, P.C ■



2007 Lincoln Award Writing Contest winners selected

- By Stephen Anderson, Editor, ISBA Bar News

n article by Roman J. Seckel of Drendel & Drendel, Batavia, has been judged the first place winner in the 2007 ISBA Lincoln Award Legal Writing Contest. He will receive \$2,000 and a plaque, which will be presented on Friday, June 22, during the ISBA Annual Meeting.

Seckel's article, "Standing for Nonparents Seeking Custody or Guardianship of Minors in Light of In re: R.L.S." will be published in the February issue of the Illinois Bar Journal.

Other Lincoln Award recipients are Andrew N. Harris, a law clerk in the Cook County Circuit Court, and Robert Thomas Shumaker, a law clerk in the 4th Appellate District, Lincoln.

Harris will receive the second place prize of \$1,000 for his article, "The Impact of Melena v. Anheuser-Busch on Mandatory Arbitration Agreements."

Shumaker's article, "One Step For-

ward, Two Steps Back: Intrastate Forum Non Conveniens in Wake of Langehorst v. Norfolk Southern Railway Co." earned the third place prize of \$500.

The 20 submitted manuscripts were reviewed by Appellate Justice William E. Holdridge of Peoria, Judge Barbara L. Crowder of Edwardsville, Dean Peter C. Alexander of the Southern Illinois University School of Law, Carbondale, and assistant Cook County public defender Evelyn G. Baniewicz of Chicago.

Book review

A Time to Kill By Author John Grisham

"This addictive tale of a young lawyer defending a black Vietnam war hero who kills the white druggies who raped his child in tiny Clanton, Mississippi, is John Grisham's first novel, and his favorite of his first six. He polished it for three years and every detail shines like pebbles at the bottom of a swift, sunlit stream. Grisham is a born legal storyteller and his dialogue is pitch perfect... Crosses burn, people die, crowds chant "Free Carl Lee!" and "Fry Carl Lee!" in the antiphony of America's classical tragedy."

- Tim Appelo, Amazon.com Web site

ow. What can I say about this book except...wow. It is every bit as good as the movie, perhaps even better. (And that is high praise coming from an adoring fan of Matthew McConaughey. Don't worry guys—Ashley Judd is in the movie, too.) In fact, very few things could make me put this book down, including exhaustion, the holiday season and the brief that I needed to write. Tim Appelo describes this book as an "addictive tale" and

that is a very accurate description.

The first chapter of this novel will nearly make you want to throw the book away without finishing it when it kicks you in the face with the gruesome details of the rape and torture of a small black child in Ford County, Mississippi. After the first chapter, you think the emotional turmoil will end, but the plot immediately twists and turns until the little girl's father, Carl Lee, guns down the two rednecks in plain sight inside the courthouse. The reader (as well as most of the characters in the book) is left wondering whether Carl Lee should be given a medal or fried in the electric chair for these very premeditated murders. Even before you can recover from your mixed emotions, you're hit over the head with the racism and hatred that filled the south during this time frame, including the frequent appearances of the Klu Klux Klan throughout the book. An interesting legal twist occurs when the father asks Attorney Jake Brigance (i.e., the amazing Mr. McConaughey) to represent him when he is tried for the murders. What is so interesting about this, you say? Well...he asks him BEFORE

By Heather M. Fritsch, Law Office of Heather M. Fritsch, Sycamore

he guns down the rapists and Jake Brigance is left to ponder whether he could have prevented the murders. This guilt is likely why he agreed to take a death penalty case for a mere \$9,000 retainer. Further, Attorney Brigance is targeted by the KKK, who burn a cross in his yard, threaten his life and burn his house down with his dog in it. His wife and child (sorry guys...exit Ashley Judd) have to leave town for the entire time the case is before the court due to the danger, and Jake has to decide whether to stick with his client even though his very life is in danger or walk away and take the safe route. Of course, being Matthew McConaughey....umm...I mean, Jake Brigance, he stays and sees it through.

This was the most heart-wrenching book that I have read in quite some time. It hits on many major issues—politics, racism, right vs. wrong, whether the law is truly black and white, and the death penalty. Every single word was jammed with meaning. This truly is one of Grisham's finest works.

I give it two very enthusiastic thumbs up (and a wink for good measure). ■

What's been going on in the ISBA YLD?

By Gina M. Arquilla, Arquilla & Fink, Ltd.

Part I- Children's Waiting Rooms

o you know what the ISBA Young Lawyers Division (YLD) council does? Do you know how it impacts you or the legal community? This series of articles will address some of the key initiatives that the ISBA YLD council has taken part in this year. The ISBA YLD is dedicated to promoting and contributing to programs involving children and the law.

Nine years ago, the Illinois State Bar Association's Young Lawyers Division founded the Children's Assistance Fund, to sponsor children's waiting rooms in courthouses throughout the state of Illinois. Children's waiting rooms provide children a separate waiting area apart from the usual business conducted in the courthouse. The waiting rooms are designed to distract children from the often difficult reality of court activity, particularly in criminal cases involving a relative of the child. To achieve this important end, the waiting rooms are stocked with toys, televisions, DVD players, games, and movies.

Since 2000, we have expanded our grants beyond children's waiting rooms to some incredible local children's organizations for programs related to the law, including the Big Shoulders Fund, Horizons for Youth, Youth for Tomorrow Mentoring Program, the South Suburban Family Shelter, and the West Humboldt

Park Center for the Performing Arts, and the Women's Treatment Center.

There are so many deserving programs which have a direct impact on children and the law, and thus, the impetus for creating the Children's Assistance Fund. In order to raise money, we host a Holiday Party benefiting the Illinois Bar Foundation's Children's Assistance Fund. In addition, two years ago we added an additional fundraiser—the ISBA YLD Annual Golf Classic, which involves a fun filled day of golf, CLE credit ("How to Build Your Client Base- Without Landing in an Ethics Sand Trap"), and silent auction. Annually, the ISBA YLD raises about \$70,000. Our council votes on grants submitted by various existing organizations which benefit children and the law.

This year, I am so proud to report that in addition to our charity events, we have helped fund the development of a DVD "How to Guide to Setting up a Children's Waiting Room," which will ultimately be available to all the counties in Illinois. Our council also gives grants to the various counties wanting to set up waiting rooms.

If you are interested in becoming more involved in the ISBA/YLD, or in contributing your time (or dollars) to the Children's Assistance Fund, please feel free to contact Gina M. Arquilla at garquilla@arquillafink.com.

YLDNews

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ISBA / YLD 3RD ANNUAL GOLF CLASSIC





To Benefit the Illinois Bar Foundation YLD's Children's Assistance Fund

held on Monday, July 23, 2007 at Indian Lakes Resort in Bloomingdale, Illinois.

Golfer registration is \$150 per golfer, which includes cocktails, dinner and silent auction. We also have many fabulous sponsorship opportunities available. For non-golfers, dinner tickets are available for \$50.

For more information, please contact Co-Chairs Kelley A. Gandurski at 312-744-7634 and Brett Swanson 312-899-9020.

What can I be with a J.D.?

By Heather M. Fritsch, Law Office of Heather M. Fritsch, Sycamore, IL

n the last issue, we focused on practicing law as an Attorney with the Office of the State's Attorneys Appellate Prosecutor's Office and spoke with Martin P. Moltz, the Deputy Director of the Second District Office. This issue, we will focus on Paul Miller, Assistant General Counsel in the Office of Governor Rod Blagojevich.

LEGAL CAREER OPTION #5: ASSISTANT GENERAL COUNSEL IN THE OFFICE OF GOVERNOR ROD BLAGOJEVICH

Attorney Paul Miller

Paul Miller graduated from Chicago-Kent College of Law in May of 2000. After graduation, Mr. Miller was a private sector attorney for three years. During this time frame, he worked in the corporate department of a large law firm. In 2003, Paul decided to go to work for the State of Illinois. Attorney Paul Miller is now the Assistant General Counsel in the Office of Governor Rod Blagojevich.

The Office of the Governor has less than 100 employees. Although there are only eight attorneys in the Office of the General Counsel, said office also oversees several hundred agency attorneys under Executive Jurisdiction. Some examples of these agencies include everything from the Illinois Environmental Protection Agency to the Illinois Department of Revenue. The attorneys from these agencies all report to the Office of the General Counsel and are considered to be part of the Iarger "law firm" of the Office of the General Counsel.

One aspect of Paul's position that he truly enjoys is that no two days are alike. He has primary responsibility for the transactional work in the office, including the drafting and negotiating of contracts on behalf of the office. Additionally, many of Paul's day-to-day duties involve working closely with State agencies on transactional and personnel matters. Some days, Paul assists with the drafting of legislation or the drafting of an executive order; other days, he does legal research with regard to certain aspects of State or Federal law. Along with these duties, Paul reports to the Chief of Staff, Deputy Governors and other Senior Staff members. He states that "there's always something interesting going on." Mr. Miller is a practicing attorney with the State, so he uses his law degree every

single day. However, a good portion of his duties include additional layers of analysis that involve business and/or policy decisions, politics and even media ramifications. Thus, even though he is not technically practicing traditional law every day, his legal degree assists with the critical thinking aspect of these non-traditional areas of his job. Paul's position also includes a decent amount of travel. Accordingly, he has two offices—one in the James R. Thompson Center in Chicago and one in the Capitol Building in Springfield. He explained that the attorneys in his office follow the Governor to Springfield and they will be in Springfield when the General Assembly is in session.

When asked what he considered the best thing about his career, Attorney Miller stated: "The best things about my current job are the variety in my work, the high caliber and integrity of my colleagues, the responsibilities I've assumed, and, most importantly, the opportunity to help effectuate real change for people. Many people say they go to law school to help others, and I'm confident that I'm doing that on a daily basis. Things that I've worked on in my tenure with the State include pension reform, healthcare initiatives and legislation to raise the minimum wage. These are just a few things that I can think of where I am proud to have made a contribution." When asked what he considered the worst thing about a career in the public sector, Paul stated that it involved the compensation structure for younger attorneys. He stated that it is a trade-off-you get tremendous experience, but the pay is much less compared to private sector law firm jobs. Paul continued by stating that, if you become frustrated with this aspect of the position, it is important to "just remember the tremendous experience and responsibilities you'll be assuming."

Paul explained that there are also a couple of junior attorneys in the office. Some days these attorneys accomplish smaller tasks such as the tracking of contracts or correspondence. However, most days these junior attorneys focus on research, drafting memoranda and assisting with the major projects of the office. Paul further stated that, one great thing about being a public sector attorney (especially in a smaller office) is that you're granted an extraordinary amount of responsibility, which is terrific for young lawyers.

So...what do you need to do if you'd like to obtain a position in the Office of the General Counsel? The State of Illinois is always looking for talented, dedicated lawyers to fill vacancies at all levels. Paul explained that State agencies often look for an attorney with specific expertise (such as income tax experience or familiarity with regulatory matters), so specializing in a particular substantive area can be beneficial. However, like most employment opportunities, timing is key. For this reason, be persistent and network with people who may know of interesting public sector opportunities.

When asked what advice he had for young lawyers who want a position in the Office of the General Counsel, Paul stated: "Work hard at your current job, be persistent (and flexible) in your pursuit of a public sector job, and as I've said already, network to meet people in the public sector. Obtaining a public sector job can take a long time—both to identify the right job and to navigate all the necessary procedures, but it tends to be quite rewarding."

If you are interested in obtaining a position with the State, a good place to start is the State of Illinois' Web site at http://www.illinois.gov. Under the "Government" section, you can search for State agencies. Paul would recommend that you look at all of the State agencies and see what interests you, as this will help narrow your search. He explains that it is much more productive to identify the areas that you're interested in and then work to see if there are employment opportunities in those areas. Second, you should visit the Illinois Department of Central Management Services Web site at http://www. cms.il.gov/cms/1_employ/>, where you can learn more about job openings with the State. Paul then reiterates that the third thing you should do is network like crazy and find people that are employed in the public sector. These individuals will likely know of job opportunities and the individuals that you can speak to if you want to learn more about a specific position.

Note: Paul Miller has just accepted a position to become General Counsel to State Treasurer Alexi Giannoulias. Paul attributes this promotion to what he's learned in his time with the Office of the Governor and the tremendous support of his colleagues.

Tips for healthy living in the new year

Continued from page 1

teries. All of these unseen problems put great strain on your heart.

Eat Fresh Foods. Once you have decreased the consumption of artificial flavor enhancers found in most junk food you will be amazed to find how good fresh foods taste...and you will feel better, have more energy and probably lose weight too!

Don't smoke! In addition to the well-known, long-term effects of smoking cigarettes, such as lung cancer, the nicotine in cigarettes restricts oxygenated blood flow throughout your body causing the inability for important structures such as your muscles, bones, discs

and organs to maintain themselves, heal themselves and fight off cancer-causing free radicals.

I am sure you have probably heard all of this before. But this year take time to appreciate your health. You need it. Your busy, stressful schedule demands it. You don't need to start everything on this list today. Pick your vice and concentrate on it. Make 2007 a year to respect your body—after all it is your most prized possession.

Two Hands Chiropractic and Acupuncture, LLC is located in the Leo Burnett Building at 35 W. Wacker Drive, Chicago, Illinois 60601. For more information, check out Dr.

Shanna Fritsch's Web site at www.twohandsforhealth.com or e-mail her at info@ twohandsforhealth.com.

Dr. Shanna Fritsch received her Doctorate of Chiropractic from the National University of Health Sciences in Lombard, Illinois, one of the most renowned, established and respected chiropractic educating institutions in the world. Her Certification in Acupuncture and Meridian Therapy was rewarded from National University's Postgraduate Program. She received her Bachelor of Science degree in Cellular Biology with a minor in Chemistry from Northern Illinois University in DeKalb, Illinois. She is an active member of both the Illinois Chiropractic Society and the American Chiropractic Association. Dr. Fritsch's special interests include ergonomic-furniture design and Traditional Chinese Medicine.



YOUNG LAWYERS DIVISION NOMINATION FORM FOR THE 2006-2007 YOUNG LAWYER OF THE YEAR AWARD

| AWARDS | | TWO AWARDS WILL BE PRESENTED—ONE TO A YOUNG LAWYER IN COOK COUNTY AND ONE TO A YOUNG LAWYER FROM OUTSIDE COOK COUNTY | | | | |
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| ELIGIBIL | ITY: NOMINEE MUST BE A M | IEMBER OF THE ILLINOIS STATE BAR ASSO | CIATION AND UNDER THE AGE OF 36 | 5. | | |
| 1) 2) | NAME: [PLEASE PRINT OR TYPE]NAME OF LAW FIRM, COMPANY, OR ORGANIZATION: | | | | | |
| 3) | ADDRESS: | CITY:TELEPHONE | ST:BIRTHDATE | ZIP: | | |
| 4) | EMPLOYMENT HISTORY: (USE ADDITIONAL PAGES AS NEEDED) | | | | | |
| | | | | | | |
| 5) | ATTACH A STATEMENT OF the reasons why nominee should receive this award. Please limit your response to two (2) typed pages. Describe the nominee's particular achievements in the practice of law, including outstanding litigation, advocacy, or counseling and advancements to the legal profession, along with other contributions to the advancement of the Bar of Illinois, such as public service, community service, and pro bono activities. Copies of published articles may be attached. | | | | | |
| 6) | REFERENCES: (PLEASE LIST TWO, INCLUDE ADDRESS AND TELEPHONE NUMBER) 1. | | | | | |
| NAME OF NOMINATOR (IF DIFFERENT FROM NOMINEE, INCLUDE NAME, ADDRESS AND TELEPHONE | | | · · | , | | |
| | DATE: | SIGNATURE: | | | | |
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CONTACT JANET M. SOSIN, YLD STAFF LIAISON, 312-726-8775, 800-678-4009 OR JSOSIN@ISBA.ORG, IF YOU HAVE ANY QUESTIONS.

Do yourself a favor

Say goodbye to paper and get this newsletter electronically

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You'll get it faster. Opt for the electronic version and bypass the ISBA print shop and post office. We'll send you an e-mail message with a link to the latest issue as soon as it's posted on the Web, which means you'll get it days, even weeks, earlier than you would in print.

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You'll help keep section fees low. At \$20/year, section membership is a tremendous value. But paper and postage costs continue to rise. By choosing the electronic over the paper version, you help keep our costs—and yours—down.

How?

Just go to http://www.isba.org/newsletters/enewsletters.html. Submit an easy-to-complete form and have any newsletter—such as the next issue of <code>YLDNews</code>—delivered to your inbox.

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