



ILLINOIS STATE
BAR ASSOCIATION

THE CHALLENGE

The newsletter of the ISBA's Standing Committee on Minority and Women Participation

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From the Editor

By Susan M. Brazas, Co-Editor, Barrett & Gilbert, Rockford, IL

In this issue we proudly highlight the accomplishments of three of our members of the Standing Committee on Minority & Women Participation. Our Committee Chair, Jorge Montes of Chicago, was selected as Chairperson of the Illinois Prisoner Review Board. Our Board of Governors liaison, Michele Jochner of Chicago, has been honored with the designation of "40 Attorneys Under 40 to Watch" for 2004. Our member Betty Yang of Champaign was named as the ISBA Young Lawyer's

Division Lawyer of the Year for Downstate Illinois.

These honors serve as reminders of the importance of being active and honorable participants in the ongoing process of making positive changes in our profession. We who are fortunate to have leadership roles within the bar, at all levels, have the opportunity to spark enthusiasm and encouragement among our minority and women colleagues. We serve as examples to those newer members of the bar who may be hoping to

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find their way within the profession.

To those who are honored, we extend our congratulations. And we offer this challenge to them and to our other colleagues: may you pave the way for newer lawyers to take up the pursuit of excellence in our profession with compassion, tolerance, and vision.

Profile of Jorge Montes

By Andrew Fox

An 18-year history with the ISBA

This story is about building the future. Since law school, Jorge Montes has been attracted to the ISBA. That attraction came in part because the ISBA took the initiative to come to Jorge when he was a member of the Latin American Student Organization at Loyola University of Chicago. The ISBA helped host events and do printing for the group. Jorge met Janet Sosin whose pivotal role gave shape to the fledgling Latino movement. The ISBA provided the bridge between his activities during his law school years and his long-standing commitment to bar activities here in Illinois. That foundation grew.

The bricks and mortar were laid when Jorge joined the Young Lawyer's Division of the ISBA. Simultaneously, he worked for Hispanic bar associations. He served on the Judicial Evaluation Committee when there were no African Americans, no other Hispanics and only one woman on the Committee. Jorge was a trailblazer. He served as Board Manager to the Chicago Bar Association, and he was President of the Latin American Bar Association, which later became the Hispanic Lawyer's

Association of Illinois. He has hosted television talk shows, published high-quality newsletters, and even hosted a radio show providing legal advice.

But just holding a membership has never been enough for Jorge. He was introduced to the Committee on Minority and Women Participation and has maintained involvement with that group since he first joined the ISBA. Jorge's main focus now is the ISBA.

Vision for the Future

What monumental structure befits the future for such a groundbreaker? Jorge works tirelessly toward his own vision for the future. He sees a day when the ISBA reflects the demographics of minorities in the general legal community. As such, the

ISBA needs to aggressively inform minorities in law of the benefits of being in the ISBA. The benefits of belonging are not always seen in the immediate future, but that concept is hard for younger attorneys to appreciate. The network of legal contacts, the wealth of continuing legal education, and the lifelong friendships are the real tangible benefits of joining and participating in the ISBA. Jorge applauds the efforts of the new President, Ole Pace and the leadership of the ISBA, who have shown unprecedented aggressive efforts to recruit new minority and women membership in the organization.

The Illinois Prisoner Review Board

Fortunately, Jorge has also been

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able to break new ground at the Illinois Prisoner Review Board. As an appointee of Governor Rod Blagojevich, he becomes the first Hispanic Chairperson of the Board, and the youngest in its history. In his work at the Board, he brings an additional level of sensitivity to the criminal justice system. That sensitivity manifests itself through his language capacity and cultural sensitivity to Latinos in the prison system.

In that context, Jorge's mission at the Prisoner Review Board has been to give people, who deserve it, a second chance. The Board, part of the executive branch, provides a necessary check and balance on the legislative and judicial branches of government. The Board is positioned to afford a remedy. He works tirelessly to instill that new mission at the Prisoner Review Board. There needs to be more sensitivity to what function the Board serves in the bigger societal picture.

Jorge also brings heightened sensitivity to the denigrating or "bashing" of immigrants through sheer ignorance. As the son of immigrants, he can adequately

defend the positions and mindset of those people who can often not speak for themselves. He posits that like everyone else, immigrants just want to live normal lives.

On a personal note

Jorge is the proud father of three girls. Fatherhood has added a component of depth and serenity to his repertoire. Jorge is a very active Evangelical Christian who teaches Sunday school every weekend.

Jorge Montes has constructed a solid framework for young lawyers to follow in. He stands as a shining example of the benefits of the ISBA. When the ISBA actively recruits and cultivates minority and women attorneys we shall see many more just like Jorge Montes continue in this tradition.

Andrew Fox, a graduate of Chicago Kent College of Law, is a Member of the Prisoner Review Board who has worked as an Assistant State's Attorney in Cook County, a Bilingual Teacher in Chicago, and a Jesuit International Volunteer in Tacna, Peru.

ISBA Board Member Michele Jochner honored as one of "40 Under 40"

By Susan M. Brazas

This Committee's ISBA Board of Governors Liaison, Michele M. Jochner of Chicago, has been named as one of "40 Illinois Attorneys Under 40 to Watch" for 2004. This honor was bestowed by the *Chicago Daily Law Bulletin*, and a biography of the honorees, including Michele, appeared in a recent Law Bulletin Publishing Company Supplement to the *Chicago Daily Law Bulletin*.

Michele has served as judicial law clerk to Chief Justice Mary Ann G. McMorrow of the Illinois Supreme Court since 1997. She earned her J.D. with honors, and LL.M., from DePaul University College of Law. Michele is best known—around the state and within the ISBA—for her writing skills. She has the all-time record for winnings in the ISBA's Lincoln

Award Legal Writing Contest. Michele won first place four times, most recently in 2002, and also won second place three times. She has authored a large number of articles published in professional journals, covering a diverse range of topics.

Michele served last year as Chair of the ISBA's General Practice, Solo & Small Firm Section Council. She is also co-editor for the ISBA's Bench & Bar newsletter, and is a member of the ISBA's Judicial Evaluations Committee and the President's Special Committee on Mentoring. Michele has also been an active and devoted volunteer for projects within the Chicago Bar Association, the Women's Bar Association of Illinois, and the Chicago Metropolitan Battered Women's Network. She also co-chaired the educational seminar of the 2004 "Women

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Everywhere: Partners in Service Project."

Our Committee extends sincere congratulations to Michele for this well-deserved honor. We are honored to have her as our Committee Liaison and have appreciation for her reputation as an earnest and respected advocate for the improvement of our profession.

Betty Jang named YLD Attorney of the Year - Downstate

By Timijanel B. Odom, Office of the Cook County Public Defender

Standing Committee on Minority and Women Participation reigns again!

The year 2004 rings loud with congratulations for this Committee's second award

recipient, Betty Jang, since the inception of the Young Lawyers Division Attorney of the Year Recognition four years ago. This author was in 2000 the first recipient of the Award in Cook County. We are proud to have the outstanding members of our

Committee recognized by the entire bar.

Each year, the ISBA selects two distinguished attorneys to receive this award, one from Cook County and the other from any of the other 101 counties within Illinois. This tremendous honor is based

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on achievements in the practice of law, including outstanding litigation, zealous advocacy, or counseling and advancements to the legal profession along with other contributions to the advancement of the Bar of Illinois, such as public and community service, and pro bono activities. Each of the candidates is nominated by their peers.

Betty Jang practices law downstate in Champaign with the national law firm of Hinshaw & Culbertson, LLP, where she has been practicing since May 2003. Betty has been an Adjunct Professor at the University of Illinois at Urbana-Champaign College of law, since January

2002. She has had other outstanding work experiences including at the law firm of Thomas, Marner & Haughey in Champaign, and at the Office of the Cook County Public Defender. Thomas P. Cronin of Schiff & Hulbert, Chicago, wrote in his nomination of Betty for the Award: "Betty Y. Jang is a role model to all lawyers and has the depth and breadth of legal experience not commonly seen in other lawyers with the same years of experience. During her legal career she has moved from an enormous, concentrated legal community to a much different legal atmosphere. While most lawyers practice in one community and

never leave it, she successfully evolved her practice and professionalism in a new environment and community."

In addition to her full-time practice at Hinshaw & Culbertson, LLP, Betty makes time to teach three courses at the University of Illinois College of Law in the Trial Advocacy Program. As a coach for the school's trial advocacy team, Betty spends countless hours during the week and on weekends to train law students. This gives her the opportunity to mentor young lawyers, law students, and undergraduate students. Betty also gives back to the legal community through her pro bono and community service activities.

ISBA to hold conference on the future of the profession

By Susan M. Brazas

On December 9 and 10, 2004, during the ISBA Midyear Meeting in Chicago, a Conference on the Future of the Profession will be held. Attorney George Mahoney of Joliet serves as Chair of the Conference. Approximately 80 ISBA members from around the state will be attending by invitation, including Committee on Minority and Women Participation Chair Jorge Montes, Board Liaison Michele Jochner, and Newsletter Co-Editor Susan Brazas.

During this conference, plenary sessions will include presentations by a demographer, an economist, and Altman Weil, Inc. Consultants of Milwaukee, which will present the results of its 2004 survey for the ISBA on Membership Law Firm Economic Benchmarking. These plenary sessions will be open to members of the ISBA Board and Assembly.

The keynote presentation, from 8:45 to 10:00 a.m. in the Ballroom area of the Sheraton Inn and Towers, will be made by Attorney Charles Robinson of

Florida. He is a legal futurist and will speak on his vision of the future of the profession. This keynote presentation is open to all ISBA members.

Breakout sessions for the invitees will cover topics including the public perception of the profession, competition from outside the practice, the regulation of the profession, pro se litigants, and how the judiciary and opposing counsel respond, as well as new delivery methods including multi-jurisdictional practice and electronic filing.

Illinois Supreme Court issues two decisions in family law area

By Susan M. Brazas

The Illinois Supreme Court has recently issued two opinions significant to attorneys practicing in the areas of child custody and child neglect. The decision of *In Re Marriage of Bates*, of October 28, 2004, addressed the Illinois child representative statute. ___ Ill. ___, 2004 WL 2403721 (Oct. 28, 2004). The court considered the previous ruling of the Second District Appellate Court, which had reviewed the decision of the Circuit Court of DuPage County.

The *Bates* court found that the Illinois statute providing for the admission of a child representative's recommendation without testifying, as applied to the child's mother, deprived the mother of procedural due process. However, the court found this deprivation to be harmless. The *Bates*

court further found that the trial court did not abuse its discretion in allowing expert testimony regarding parental alienation syndrome; in failing to conduct an in camera interview with the child about an allegation of the child that her father had struck her; and in allowing the child's representative to call a deputy as a witness.

The decision of *In Re Arthur H.*, issued the same day, reviewed the Second District's holding. The Supreme Court held that the Circuit Court of Winnebago County had erred in declaring seven-year-old Arthur, Jr. a ward of the state because of its finding that his mother had neglected him. ___ Ill. ___, 2004 WL 2403684 (Oct. 28, 2004). The boy's father was represented by Rockford attorney Michael Raridon, a previous

contributing author of this newsletter. The father is currently in a Wisconsin prison on a drug offense and is scheduled for release in 2006. The boy had lived most often with his father in Milwaukee.

The court reasoned that the trial court was required to determine whether the child is neglected, and not whether the parents are neglectful. The court found that the evidence did not support a finding that the boy was exposed to a probable and substantial risk of suffering harm based on the mother's neglect of the boy's siblings. The court found that the State had failed to prove that Arthur Jr. had been neglected, noting that "the natural ties between parents and their children may not be severed on the basis of mere speculation."

Scenes from a middle-class vacation

By John Reardon, Jr.

The monthly magazine of the Winnebago County Bar Association, "The Lawyer," has

recently run some fascinating travel articles describing the vacation trips of some of our Association's members.

Fascinating to me, largely because of their unfamiliarity.

I have selected some scenes from

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my vacations. Some of you may recognize them in your own lives. Others may find in these scenes a glimpse of what you managed to avoid when you had no children.

We are taking a trip to Colorado. "We," at this time, is me, my wife and two children. I know there are two of them because they fought continuously from Illinois to Colorado without ever looking outside to see any of the scenery.

We are camping at the Colorado National Monument. In a tent. During the night, the wind and rain pick up. Our tent. After the wind puts the tent down again, we get out and into the car. A 1988 Chevy Nova. A compact car. With four of us, a very compact car.

We continue to a family reunion, which is pleasant. Little did we know that one of the family children had chicken pox. One of my children gets chicken pox right away; the other one has it, but we don't know it yet. I drive my Nova home to Illinois in a car so quiet I feel like I am driving a hearse.

We are camping in Missouri, on the way to New Mexico. "We," is still four of us, but we now have a minivan. We want to get as far as possible, so we drive a long time. Too long. We find a choice camping spot next to a rodeo. With a loud announcer. But soon the rodeo is over. And the country music dance starts. I do not care for country music. There

are, however, distractions to break up the noise from the dance, such as a very loud train. Every half hour.

In the Midwest, you can hear and smell the rain coming a long way off. Since no one is actually sleeping anyway, we decide to run for it. We throw the tent and sleeping bags into the back of our palatial minivan, and drive. It is about 1:00 a.m. The rain hits.

We drive through the night in the rain toward New Mexico. Our gas gauge sinks lower and lower. My wife obligingly points this out to me. Of course, since it's now 4:00 a.m., and I have had about one-half hour of sleep, I take this suggestion very well. Of course, no gas stations are actually open at this time of night, wherever we are. As the needle drifts alarmingly toward "E," we stop at a gas station, and wait 15 minutes until it first opens for business.

New Mexico is beautiful at sunrise.

We are camping in South Carolina. The heat is stifling. The humidity has somehow managed to reach levels over 100 percent, so when you take a breath, you feel like you are drinking the air. Mosquitoes laugh at our repellent. My wife cracks. We go to a motel. We bathe. We laugh. We swim in a beautiful blue pool. The air conditioning is wonderful.

We are camping in Missouri again. You would think I would know better by now. Night is usually a nice peaceful time

when you are camping. You can put the kids to bed, look at the stars and relax. My son therefore chooses this time to ram his head into the world's rustiest barbecue grill, as I get him ready for bed. He bleeds. Profusely. Who'd have thought the little boy had so much blood in him?

We wake the campground "host," who obligingly points us to the nearest emergency room. Fifty miles away on two-lane highways.

After careening through the night to the hospital, and receiving five stitches in his forehead, my son is, of course, the only person with any energy. Maybe the practice of bloodletting had something to it.

Of course, there have been some beautiful times. Whales in Maine. Sea turtles hatching on a beach and crawling to the ocean. Watching the full moon come up next to a mountain at Big Bend National Park in Texas at night, and then hiking in the cool of the morning. The Badlands and Yellowstone.

Two of my three children, amazingly, have decided that they do not like camping.

John Rearden, Jr. practices in the area of employment law with Oliver, Close, Worden, Winkler & Greenwald in Rockford. He is on the Editorial Board for the Winnebago County Bar Association's monthly magazine, "The Lawyer," in which this article originally appeared.



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