



January/February 2010



**ILLINOIS STATE
BAR ASSOCIATION**

LAW-RELATED EDUCATION

The Newsletter of the ISBA's Committee on Law-Related Education

Happy New Year!

In This Edition:

Lincoln Timeline

Points of Law for Classroom Discussions

Lesson Plan – For the Record (First Amendment)

Bring History Alive In Your Classroom or Community

The Lincoln Memorial in History

Illinois State Bar Association Lawyers in Classrooms Program

Guess who wrote this!

Mock Trial Law Test - See How Much You Know!

Google Scholar Can Help With Law-Related Searches

Presidential Problems

Teen Law College - Valparaiso University Law School

They Had A Dream Too: Young Leaders in the Civil Rights Movement

New Illinois Laws!

Proposed Constitutional Amendments



Lincoln Timeline

All the following events relate to Abraham Lincoln, his family, his presidency, and the Civil War. They are listed in the proper order/timeline. Teachers should “scramble” the events and ask the students to place in proper order. This activity can be used as a pre- and post-test after teaching about Lincoln.

Abraham Lincoln born in Kentucky (1809)
The Lincoln Family moves to Indiana from Kentucky (1817)
Abraham Lincoln’s Mother, Nancy Hanks, dies (1818)
Lincoln’s sister, Sarah, dies (1828)
Lincoln family moves to Illinois, near Decatur (1830)
Lincoln moves to New Salem, Illinois (1831)
Lincoln becomes a lawyer (1836)
Lincoln works to move the State Capital to Springfield--Springfield becomes State Capital (1839)
Lincoln marries Mary Todd (1842)
Lincoln’s first son, Robert, born (1843)
Lincoln’s second son, Edward Baker Lincoln, born (1846)
Lincoln’ third son, William Wallace Lincoln, born (1850)
Lincoln’s fourth son, Thomas (Tad) Lincoln, born (1853)
Lincoln becomes a Republican, leaving the Whig Party (1856)
Lincoln-Douglas Debates take place across Illinois (1858)
South Carolina secedes from the Union (1860)
Lincoln’s first inauguration (1861)
Civil War begins (1861)
Emancipation Proclamation announced (1863)
U.S. Grant assumes command of Union forces (1864)
Lincoln assassinated (1865)
Lincoln monument completed and dedicated in Springfield (1874)
Mary Lincoln’s insanity trial and commitment to a private sanitarium (1875)
Mary Lincoln dies in Springfield (1882)
Robert Todd Lincoln deeds Lincoln Home in Springfield to the State of Illinois with the provision that the home forever maintained in good repair and be open to the public free of charge (1887)
Lincoln Memorial in Washington, DC dedicated; Robert Todd Lincoln present at dedication (1922)
The Lincoln Home officially became a National Historic Site (1972)
Last descendent of Lincoln dies (1985)

Points of Law – Classroom Discussion Topics

Every month the Illinois State Bar Association provides public service announcements to local radio stations. To inspire classroom discussions, we’ve provided a few of the recently broadcast Points of Law on a range of topics. Teachers may wish to invite a lawyer or judge to the classroom to expand discussion and respond to questions students may have on specific areas of law. Don’t forget about



ISBA's Lawyers in Classrooms Program. Find a lawyer to visit your classroom at:
<http://www.isba.org/lawyersinclassrooms/>



All the following Points of Law have to do with driving and/or traffic safety.

POINT OF LAW: Railroads - Everyone learned as a child to stop, look and listen at railroad crossings. When you approach a railroad crossing you must stop within 50 ft. to 15 ft. if there is a posted STOP sign, the signal is flashing or the crossing gate is lowered. You must stop if a flag person signals you to stop or a train is approaching and gives a warning. If a railroad crossing has no warning devices, it is the driver's responsibility to slow down, look and listen for a train before proceeding. Drivers violating these provisions are subject to a \$500 fine or 50 hours of community service. There are certain vehicles that *must stop* at almost all railroad crossings. These are second division vehicles carrying people for hire, school buses, and vehicles carrying hazardous materials. To avoid stalling, drivers should avoid changing gears while crossing the track. And, never enter into the crossing area unless you are absolutely sure you will have clearance to exit the area.

POINT OF LAW: Bicycles and Drivers - Illinois laws ensure that on most roads, bicyclists have the same rights and responsibilities as other vehicles. Bicyclists are prohibited from using expressways, toll-roads, and some other marked roadways. Drivers must yield to bicyclists as they would any motor vehicle and bicyclists must follow the same rules of the road as other vehicle drivers, like stopping at stop signs and red lights, not passing stopped school buses, and traveling in appropriate lanes. Vehicle drivers may pass bicyclists, but should leave at least three feet of space between the vehicle and the bicycle.

POINT OF LAW: Speeding Tickets - Speeding motorists can't talk their way out of receiving a traffic ticket by claiming the law enforcement officer made the arrest outside of his area of jurisdiction. A police officer from one community may pursue a traffic violator across city limits, into another city, or if necessary, even across state lines to make an arrest. The law says the officer has the authority to make an arrest following an uninterrupted pursuit which started in the officer's area of jurisdiction. Also there is nothing in the law that says police radar units must be visible to passing motorists. Radar may not be used within 500 feet of a sign changing the speed limit.

POINT OF LAW: Traffic Accidents - Each year thousands of Illinois residents are involved in traffic accidents. The law says a driver must stop immediately and remain at the scene until the following information has been provided: driver's name, license number, name of owner of the vehicle and vehicle registration number. If injuries occur, drivers must render reasonable assistance, which may include seeing that injured persons are taken to a doctor. In such a case the driver must immediately return to the scene of the accident, or make a report to the nearest police station in three hours. Traffic accidents are bad enough, but failure to stop and report the accident could result in a criminal charge.

POINT OF LAW: Witnessing a Crime or Accident - There are some common sense things you, as a responsible citizen, should do if you witness a crime or accident. Call 911 and report what you have seen. Try to observe as much about the situation as you can. Remember people, clothing, car make,



model and license plate numbers and other information that may be helpful to the police. If it is safe to remain in the area, do so, and report what you witnessed to the police who respond. Don't place yourself in danger or intervene in what could be a dangerous situation. Doing so could harm you and jeopardize important evidence the police may need.

POINT OF LAW: Signs and Signals - Not only is it dangerous to tamper with a traffic or railroad sign, it's also illegal. Under Illinois law, no person may steal, deface, knock down or alter any traffic or railroad sign. This includes all roadside signs that are provided to govern traffic flow, give direction or other information. Criminal charges may be filed against anyone tampering with a traffic or railroad sign, leading to a fine and other penalties. If you notice that a traffic or rail crossing sign has been damaged, knocked over or is missing, report it at once to a local police authority. You may do so anonymously. You could save a life.

POINT OF LAW: Special Parking - Parking in handicapped parking spaces without a permit is a violation of state law and may result in ticketing and/or towing. These spaces are provided by state law to assist those who are unable to walk or have other health restrictions have access to a range of public and private businesses. Handicapped parking spaces should be marked with a sign that indicates the fine for those parking in these spaces without appropriate authority to do so. You may receive a ticket if you are not parked in the space, but your parked car crosses the line and enters or obstructs the reserved area. Any person in violation of the handicapped parking privileges are subject to a fine of \$100 and may also be charged costs in connection with the removal and/or storage of their vehicle if it is towed from the space.

POINT OF LAW: Insurance - In Illinois no one is allowed to drive, register or maintain registration of a vehicle, or let another person drive their vehicle, without a liability insurance policy. The law also requires you to have your proof of insurance in the vehicle. Violation can result in significant financial penalties and even the loss of driving privileges. Illinois sets specific minimum standards for this insurance. When shopping for insurance, there are ways to save, but remember that the less liability coverage you have, the more likely it will be that your personal assets could be exposed to a judgment for monetary damages.

POINT OF LAW: Motorcycles - The operator of a motorcycle has the same right-of-way privileges as the driver of any other motor vehicle. In addition to a motorcyclist's legal rights, common sense dictates special care when a two-wheel vehicle is encountered on the road. Motorcycle operators are entitled to use the full width of a traffic lane. If you are driving an automobile, you should not attempt to pass in the same lane a motorcycle is using, nor should you come to a stop beside a cycle in the same lane. When following a motorcycle, you should allow at least the same distance as when following any other vehicle, and be prepared to stop quickly if a cyclist has any difficulty.

POINT OF LAW: Out of State Tickets - If you are convicted for a traffic violation while traveling in another state, it may show up on your Illinois driving record. The Illinois Secretary of State is authorized to treat certain violations in the same way as if they had occurred in Illinois. For instance, under the Illinois Vehicle Code, failure to appear in court when required can mean a conviction which could appear on your driving record; therefore, if you received a speeding ticket in another state and were convicted because of failure to appear in court, it could be recorded on your Illinois driving record.



POINT OF LAW: School Zones - On school days when children are present school speed zones mean what they say. You may not drive your vehicle at a speed in excess of 20 miles per hour while passing through specially marked school zones. Under Illinois law, appropriate signs must be posted on streets and highways where the school zone is located. These signs must give proper warning that a school zone is being approached and must indicate the maximum speed limit in effect during school days when school children are present. The penalty for not reducing your speed in posted school zones is \$150 for first offense.

For the Record

A lesson plan developed by Cynthia Edwards-Jamieson, Knoxville Community School District, Knoxville, Iowa, and Daniel J. Hanson, Attorney, Clive, Iowa

OVERVIEW - This lesson plan will look at the following issues:

- What kinds of speech or expression are protected?
- What kinds of speech are not protected?
- Can the government put any limits upon a person's freedom of expression?
- Do public school students have the same First Amendment rights as adults?
- Has the United States Supreme Court ever ruled on public school student's First Amendment rights?

GOALS - As a result of this lesson, students will:

- Know what the First Amendment is by reading it and applying it to hypothetical cases.
- Analyze what kinds of speech or expression are protected by reviewing and discussing hypothetical case summaries.
- Analyze what kinds of speech are not protected by reviewing and discussing hypothetical case summaries.
- Know that the government can put limits upon a person's freedom of expression by reviewing and discussing hypothetical case summaries.
- Recognize that public school students do not have the same First Amendment rights as adults by reviewing and discussing hypothetical case summaries.

AUDIENCE - Middle school, high school, and university level.

TIME TO COMPLETE - This can be done in two class periods. However, lengthy discussion should be allowed. It can be expanded to three.

MATERIALS -

1. Blackboard (or overhead projector).
2. Handout #1: First Amendment
3. Handout #2A: Freedom of Speech Violation/Yes or No
4. Handout #2B: Freedom of Speech Violation/Yes or No - Teacher's Guide
5. Brett Martin Case Study

PROCEDURE



1. Write "First Amendment" on the blackboard. Ask students to define using their own terms.
2. Put Handout #1 on the overhead (or make copies and pass out to all). The presenter should read over the handout and answer any preliminary questions. Key concepts and vocabulary should also be discussed.
3. Distribute Handout #2. Have students count off from one to five. Have all the students who share the same number assemble in a common area and then follow the instructions.
4. Before discussing each of the situations listed on Handout #2 explain that some cases are clear-cut and others are not. Students should be aware that many legal questions have no agreed-upon "right or wrong" answers. Most questions of law take into account a variety of circumstances.
5. Discuss each situation in "Handout #2. Ask students how these cases could affect them.

OR

Have all students break into three groups for each question. One group is for those who support "Yes" there was a Freedom of Speech Violation. The second group is for those who support "No" there was not a Freedom of Speech Violation. The third group is undecided and stay in the middle of the room. Give each group time to formulate group responses on their positions and then debate each statement. Teacher can elaborate from Teacher's Guide.

6. Have students read a case study (Page 5) and newspaper clipping on the Brett Martin case. The objective is to read and decide whether there has been a violation of the student's First Amendment right of freedom of speech. The students need to be prepared to give reasons for their answers. Conduct counts in class. Each student is assigned a color (Blue, white, red).

Blues = Attorney for Brett Martin
Whites = Attorneys for school
Reds = Judges

Each group should spend time formulating arguments (questions for judges). The blue and the white groups should develop arguments/reasons which support their side of the case. Regroup into groups of 3 (one white, one red, one blue).

Present arguments to judge (students go first). Judges ask questions and may take notes.

Each judge reaches and announces a decision, with reasons. As a class, chant the decisions and reasons on the board or flip chart.

Analyze decisions - why? Why are there different decisions? What key concepts from Handouts 1 and 2 are present in Brett Martin's case?



EVALUATION - Students understanding of key concepts can be evaluated during charting of judge's decisions on board and discussion of reasons for decisions.

DEBRIEFING - Can be accomplished during discussion/chanting of judge's decisions and reasons.

HANDOUT NO. 1 - FIRST AMENDMENT

The First Amendment to the United States Constitution provides:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The First Amendment applies to Congress. Following the adoption of the Fourteenth Amendment, the United States Supreme Court ruled that First Amendment rights (as well as other civil rights) must be respected by the States. Public schools are instruments of the State and must respect First Amendment rights.

WHAT KINDS OF SPEECH OR EXPRESSION ARE PROTECTED? The First Amendment protects both pure speech and symbolic speech. "Pure speech" is that which is spoken or written. "Symbolic speech" involves expression through symbols. Flag-waving, for example, is symbolic speech. So is flag-burning.

WHAT KINDS OF SPEECH ARE NOT PROTECTED? Freedom of speech is not absolute. A person does not have a right to scream "Fire!" in a crowded theater when there is no fire, because such an utterance presents a clear and present danger to those in the theater. The First Amendment provides some protection to statements of falsehood or ridicule, but defamation, which includes both libel and slander, is not protected by the Constitution. Speech may be protected by the First Amendment even if someone in the audience is offended by the speech. Speech which is so offensive that it constitutes obscenity, however, is not protected. The speech might not be protected by the Constitution if the listeners are a captive audience forced to listen.

CAN THE GOVERNMENT PUT ANY LIMITS UPON A PERSON'S FREEDOM OF EXPRESSION? Yes. The government may, for example, issue rules which restrict when, where and how certain types of expression may be made. Such rules are called time, place or manner restrictions. In general, time, place and manner restrictions must be fair and must be content-neutral, that is, the restriction must not discriminate against a speaker on the basis of his or her message.

DO PUBLIC SCHOOL STUDENTS HAVE THE SAME FIRST AMENDMENT RIGHTS AS ADULTS? No, they do not. Students' rights are more limited. The school has the right and the duty to teach discipline, civility, good manners, and respect for the rights of others. Students who speak whenever and wherever they want may interfere with the school's functions. Even so, students do have the right to their own views and they may express those views as long as there is no interference with school work or the rights of others. Fear of a possible disturbance ordinarily is not enough to justify prohibiting a student from expressing his or her personal views.



HAS THE UNITED STATES SUPREME COURT EVER RULED ON PUBLIC SCHOOL STUDENTS' RIGHTS? Yes, it has. Three significant cases are summarized here:

Tinker v. Des Moines Independent Community School Dist. (1969). Three public school pupils were suspended for wearing black armbands to protest the government's policy in Vietnam. The Supreme Court ruled that, even though the armbands were symbols, they were "speech" within the meaning of the First Amendment. The Court also noted that students do not lose all of their First Amendment rights once they step onto school grounds. The wearing of the armbands, said the Court, was a silent, passive expression of opinion with no accompanying disorder or disturbance. A student's speech may be prohibited if it would materially and substantially interfere with the requirements of appropriate school discipline, or if it would interfere with the rights of others.

Bethel School Dist. v. Fraser (1986). A student used words of sexual innuendo when nominating a fellow student for a post in student government. The speech was intended to be funny, but it was clearly not appropriate as a nominating speech. The Supreme Court upheld the school's discipline of the speaker. The Court characterized the speech as vulgar, plainly offensive, indecent and lewd. The Court said that the school has the right to regulate the manner of public discourse; in other words, the school has the right to discipline a student for making a speech inappropriate to a government nomination. The Court also noted that the speech was made at a student assembly where students were not permitted to leave; they were a captive audience.

Hazelwood School Dist. v. Kuhlmeier (1988). Students wrote articles for the school newspaper concerning student pregnancy and the effects of divorce upon students. The principal objected to the stories on various grounds and the stories were withheld from publication. The Supreme Court, noting that the rights of public school students are not coextensive with the rights of adults, concluded that there was no violation of the First Amendment. The school newspaper was an educational tool, not a forum for public expression the Court said. The Court also ruled that the school has the right to exercise editorial control over style and content, just as publishers of adult newspapers exercise editorial control over their publications.

HANDOUT NO. 2A - FREEDOM OF SPEECH VIOLATION?

Directions: Read each statement and decide whether there has been a violation of the student's First Amendment right of freedom of speech. Be prepared to give reasons for your answer.

YES NO 1. The teacher asks questions in class. Several students, including Scott, raise their hands. Scott repeatedly blurts out the answer even though the teacher has not called on him. The teacher disciplines Scott for speaking in class.

YES NO 2. The teacher asks Mark if he knows the name of a certain historical figure in the American Revolution. Mark, who fancies himself a class clown, does not know the correct answer, but instead makes a joke. The class laughs. The teacher sends Mark to detention.

YES NO 3. An American Government teacher quotes Rush Limbaugh in one of his classes, and asks the students whether they agree with him. Lynetta, who has had no previous disciplinary problems, knows that the teacher likes Rush Limbaugh. She raises her hand, gets recognized by the



teacher, and says, "Rush Limbaugh is a total nutcase." The teacher disciplines her for making an inappropriate comment in class.

YES NO 4. At a school assembly before the big Homecoming football game, one of the football players is heard to scream, "We're gonna murder those (insert appropriate obscenity) tonight!" The coach suspends the player from the Homecoming game, saying that the suspension is justified because of the player's use of "foul language."

YES NO 5. All candidates for student council are permitted to address the student body at an assembly. The principal requires all candidates for student council to submit their speeches to her office in advance. A student who fails to submit a speech in advance, or who deviates substantially from the speech given to the principal, will be disqualified.

YES NO 6. Caroline is a candidate for student council and submits her speech to the principal. The principal tells Caroline that some of the comments in the speech are inappropriate. Caroline respectfully disagrees, saying that the comments are the basis for her election platform. The principal says that Caroline will be disqualified unless she removes those remarks from her speech.

YES NO 7. The principal tells all candidates for student council that they may put up posters in the hallways, but they may not distribute flyers. Violation of this rule will result in disqualification.

YES NO 8. In the hallway between classes, Corey corners Maria at her locker and says, "You're looking really hot today!" Maria is Corey's former girlfriend and now wants nothing to do with Corey. She tries to get away from Corey but he blocks her path and continues to make sexually-related comments. A teacher sees and hears this and orders Corey to the vice principal's office.

YES NO 9. All seniors are permitted to submit a quote to accompany their graduation photos in the school yearbook. The principal reviews the quotes and decides that three of them are inappropriate. In one quote, a student refers to the vice-principal by name and calls him a "pervert." Another student submitted the quote, "Now that I've graduated, I can say with confidence, 'I've just wasted twelve perfectly good years of my life.'" The third quote is, "Oogah boogah!" The students who submitted these quotes get their pictures in the yearbook with no quotes below their pictures.

YES NO 10. Larry wears a T-shirt to school which displays what a vast majority of people would consider an offensive and vulgar statement. Larry is disciplined for wearing the T-shirt and is ordered to "never to wear to school any shirt that will offend people."

YES NO 11. Several students send a petition to the principal, demanding that the school change its policy regarding searches of student lockers. The principal announces: "You've made your point. I don't want to see any more petitions on this matter." The principal receives another petition on the subject an hour later, and directs that all students whose names appear on the petition be disciplined.

YES NO 12. Some students are assembling peacefully on school grounds to protest the locker search policy. The principal has no objection to this, but she does object when one of the students produces a bullhorn and begins shouting demands which can be heard throughout the school (and



throughout the neighborhood). The principal orders the assembly to break up and disciplines the student with the bullhorn.

YES NO 13. Two students at the school newspaper write an article about condom distribution in schools. The student editor approves the story. The supervising teacher, after consulting with the principal, orders that the article not be printed in the school's newspaper. The teacher explains that the principal feels such an article "would be too graphic and offensive."

HANDOUT NO. 2B - TEACHER'S GUIDE - FREEDOM OF SPEECH VIOLATION?

Although some of the situations below are clear-cut, teachers should be aware that many legal questions have no agreed-upon "right or wrong" answers. Most questions of law take into account a variety of circumstances.

1. Scott's First Amendment Rights have not been violated. This is a pretty clear-cut example of the principle that a teacher has the right to maintain classroom order and prevent disruption.
2. Jokes are a kind of speech protected by the Constitution, but once again, the key issue in this problem is the teacher's right to prevent disruption.
3. In this case, the answer is less clear. If there is no indication that Lynetta intended to disrupt the class, then Lynetta should not to be penalized merely for holding an opinion different from the teacher's. Calling Limbaugh a "nutcase" would be neither libelous nor obscene.
4. In general, obscenity involves more than the mere use of a "dirty word" or two; when minor students are involved, a single dirty word might be considered "vulgar." In this case, the coach may have the right to insist that the players behave like sportsmen on and off the field.
5. In this problem, there is a possibility of discipline, but no student is actually disciplined or threatened with discipline. The question is whether the principal has some legitimate concerns that students might try to make a disruptive or libelous or obscene speech, or whether the principal has a legitimate concern that one candidate might substantially and materially interfere with the rights of others.
6. Here, a student is actually threatened with discipline. When the government seeks to censor a speech [or other verbal or written expression] before it is made, this is sometimes known as "prior restraint." As with the problem above, the question is whether the principal has some legitimate concerns that students might try to make a disruptive or libelous or obscene speech. The problem does not provide enough information to make this determination.
7. The question here is whether this is a reasonable, content-neutral "time, place or manner" restriction.
8. There is not enough information here to determine whether Corey's comments were obscene, but they could be. Maria also might qualify as a captive audience. More to the point, sexual harassment is an interference with another's rights and is not protected by the First Amendment.



9. If a school offers to let a student submit a quote, the school cannot ordinarily censor the quote. The school should give advance notice of what kinds of quotes will be unacceptable, and this problem does not say if this was done. The first quote can probably be stricken because it may be libelous. The second quote is uncomplimentary to the school, but probably cannot be censored on that basis. The third quote is not obviously lewd or indecent; even some nonsense is protected by the First Amendment.

10. If the message contains an obvious sexual innuendo which many people may consider vulgar. Whether Larry has a First Amendment right to wear the shirt to school is a close question, but the courts today would probably side with the school. Note that the order given to Larry about wearing offending clothing is arguably vague.

11. The principal is on pretty shaky ground here, as long as the petitions were presented in an orderly and civilized way. Note that the principal decided to discipline those who signed the second petition, even though those students may have signed before the principal made the announcement.

12. In this case, the use of an amplifier has resulted in an infringement upon the rights of others to be let alone, and taking action against the user of the bullhorn may be an appropriate "time, place or manner" restriction. It is less clear, however, whether the principal has the right to break up an otherwise peaceful assembly.

13. In general, the supervising teacher and principal act as publisher for the paper, and the publisher has final say about what stories are inappropriate for the readership.

Brett Martin Case Study - *Prom Joke Leads To Jail In Knoxville, Iowa*

In 1993, a senior at Knoxville High School in Iowa was arrested at the school prom, where he stepped out of his prom date's car in a red dress. Martin and his friend, Terry Massick, decided to go to the prom as a couple after Massick's date, Casey Norton, decided she did not want to go. Massick wore the pants and Martin in a spaghetti-strapped red sequin dress and a long brown wig. Martin was arrested for criminal trespassing by the Knoxville police, who were informed of Martin's plans by school officials. The school officials were concerned about Martin's appearance for two reasons:

- They were concerned whether or not Martin had a ticket for the prom.
- They felt Martin was not dressed "appropriately" for the school function.

* This was a real case. School officials said that the decision to arrest Martin was made by the police. A misdemeanor charge was filed, which could have resulted in a \$100 fine or 30-days in jail. Charges were ultimately dropped.

* * * * *

Distributed by the Center for Research and Development in Law-Related Education, Wake Forest University School of Law, 2714 Henning DR, Winston-Salem NC 27106; 1-800-437-1054.



Bring History Alive In Your Classroom or Community

As we stated in our last newsletter, the 200th Anniversary of the birth of Abraham Lincoln is leading into another series of commemorations. 2010 will be the 150th anniversary of Lincoln's election to the presidency, and 2011 will witness the 150th anniversary of the outbreak of the Civil War. In 2015 there will be remembrances as we witness the 150th anniversary of Lincoln's assassination and burial in Springfield, Illinois. All these offer opportunities for learning! Please note, there may be fees involved in inviting some of the following to your classroom.

Consider inviting Abraham Lincoln to your classroom <http://www.lincolninstitute.com/>

Or, invite General Ulysses S. Grant, Robert E. Lee, George Armstrong Custer to your classroom. *Grant, Lee, Custer and Co.* is a theatrical group that re-enacts Civil War battles for entertainment and education. Grant is portrayed by Sycamore resident Larry Werline, Bill Teshner is Sherman, Tom Peacock of Caledonia plays the part of Custer and Paul Wood from Wheaton plays Lee.

Grant: Larry Werline - lwerline@comcast.net

Lee: Paul Wood - PSKM123@aol.com

Custer: Tom Peacock - OldCurly@msn.com

or http://oldcurly.ownspot.com/32495_69705.asp

As you begin to prepare for sessions on the Civil War, consider inviting a Civil War Reenactor to your classroom.

<http://www.10thillinoisvolcavalry.com/>

<http://www.reenactmenthq.com/units.asp>

<http://www.illinoiscivilwar.org/>



Did you know? At the outbreak of the Civil War (1861), the US Flag had 33 stars representing 33 states. President Lincoln refused to remove the stars representing those states which seceded from the Union. From the first months of the war until 1863, the flag had 34 stars (Kansas had been admitted to the Union in 1861). In 1863, West Virginia separated from Virginia to join the Union. The Union flag then had 35 stars until the close of the Civil War.

The Lincoln Memorial in History

The Lincoln Memorial in Washington, D.C. is one of the nation's most beloved monuments and has stood as witness to numerous historical events. The Memorial was formally dedicated by William Howard Taft on May 30, 1922, during a ceremony attended by Lincoln's only surviving child, Robert Todd Lincoln. It represents the combined work of three artists: Architect Henry Bacon, sculptor of the seated Lincoln, the main statue at the Memorial, was Daniel Chester French, and the internal murals were painted by artist Jules Guerin.



- Marian Anderson’s 1939 Performance: As an incredibly gifted singer, African-American Marian Anderson was refused permission by the Daughters of the American Revolution (DAR) to sing before an integrated audience at Constitution Hall. The DAR’s refusal prompted President Franklin D. Roosevelt and First Lady Eleanor Roosevelt to assist and an open-air concert was held on the steps of the Lincoln Memorial before a crowd of more than 75,000 people, and was broadcast on radio to millions.
http://en.wikipedia.org/wiki/Marian_Anderson
- In 1963 Dr. Martin Luther King delivered his “I Have a Dream” speech from the steps of the Lincoln Memorial to a crowd of over 200,000. King’s speech is now considered an integral part of the Lincoln Memorial story. The location where King stood to deliver the speech, on the landing eighteen steps below Lincoln’s statue, was recognized in 2003 with an engraving on the spot. http://en.wikipedia.org/wiki/I_Have_a_Dream
- During President George W. Bush’s 2001 inauguration celebration, the Rockettes dancers formed a kick line and danced down the monument’s steps.

The Lincoln Memorial was shown on the reverse of the penny (1959-2008) to commemorate the 150th anniversary of Lincoln’s birth; Lincoln’s profile is on the front.

The memorial is also shown on the back of the \$5 bill, the front of which also bears Lincoln’s portrait.

Younger students might enjoy coloring the Lincoln Memorial after discussing its history.
<http://printables.scholastic.com/printables/detail/?id=31849>

<p>Illinois State Bar Association Lawyers in Classrooms Program</p>
--

Teachers, don’t forget that ISBA member lawyers are signing up as volunteers to help you in your classroom presentations. The volunteers are listed on the ISBA’s Website at <http://www.isba.org/lawyersinclassrooms/> There are numerous topics from which to choose, or feel free to find a lawyer in your area, contact him or her, and discuss other options that might benefit your class.

There are lawyers waiting to hear from you!



ISBA Lawyers in Classrooms – Lawyer Sign up Form

This informal program will provide ways for Illinois teachers to search an ISBA volunteer database to find lawyers in their areas who are willing to speak on specific subjects. The list will be available on our law-related education website, <http://www.isba.org/Sections/lawrelateded.asp>, as an on-going resource for teachers.

Mr./Ms./Mrs _____ (full name)
Address: _____
City: _____
County: _____ State: _____ Zip: _____
Office Phone: _____ E-mail: _____

I am willing to speak

_____ In my neighborhood
_____ In my city _____ In my county
_____ In neighboring counties _____ Statewide

Please select all that apply. I'm willing and able to volunteer to speak on the following topics:

- _____ Abraham Lincoln and other famous lawyers in Illinois (grade school)
- _____ Alternative Dispute Resolution – reaching consensus and problem solving
- _____ Becoming a Lawyer (junior high and high school levels)
- _____ Careers in the law (high school level)
- _____ Constitution/Bill of Rights issues (junior high and high school levels)
- _____ Consumer issues/Contracts and responsibility (high school level)
- _____ Current events: law-related issues in the news
- _____ Diversity – the law is on your side (middle and high school)
- _____ Drugs, Guns and Safety issues in schools (junior high and high school levels)
- _____ Employment issues (high school level)
- _____ Environmental issues – how to “green” your classroom
- _____ Establishing good credit...and keeping it (high school)
- _____ Fairy Tales and the Law (using mock trial fairy tales to teach about the law (grade school)
- _____ Famous trials
- _____ First amendment as it relates to schools and students
- _____ Fourth amendment as it relates to schools and students
- _____ How real are lawyers on TV and Film? (high school)
- _____ Marriage and family law (high school level)
- _____ Mock trials – I'd be available to meet with a mock trial team to help fine-tune their presentations
- _____ Planning a class courtroom visit – able to assist with plans and attend
- _____ So what if I'm arrested? What's the worst that can happen? (middle and high school)
- _____ The Adversarial System/steps in the trial process
- _____ The Court System and its role in government (middle and high school)
- _____ The importance of Rules and Authority (grade school)
- _____ The Law School Experience (high school and college)
- _____ Traffic Laws and Courts (high school level)
- _____ Working your way through college (high school)
- _____ Others _____

**Please return completed form to: Donna Schechter, Illinois State Bar Association,
424 South Second Street, Springfield, Illinois 62701 or fax it to 217.525-9063.**



Guess who wrote this!

Of all the forces of nature, I should think the *wind* contains the largest amount of *motive power*--that is, power to move things. Take any given space of the earth's surface--for instance, Illinois; and all the power exerted by all the men, and beasts, and running-water, and steam, over and upon it, shall not equal the one hundredth part of what is exerted by the blowing of the wind over and upon the same space. And yet it has not, so far in the world's history, become proportionably *valuable* as a motive power. It is applied extensively, and advantageously, to sail-vessels in navigation. Add to this a few wind-mills, and pumps, and you have about all. That, as yet, no very successful mode of *controlling*, and *directing* the wind, has been discovered; and that, naturally, it moves by fits and starts--now so gently as to scarcely stir a leaf, and now so roughly as to level a forest--doubtless have been the insurmountable difficulties. As yet, the wind is an *untamed*, and *unharnessed* force; and quite possibly one of the greatest discoveries hereafter to be made, will be the taming, and harnessing of it. That the difficulties of controlling this power are very great is quite evident by the fact that they have already been perceived, and struggled with more than three thousand years; for that power was applied to sail-vessels, at least as early as the time of the prophet Isaiah.



If you guessed Abraham Lincoln, you're right! Lincoln was talking about energy alternatives in 1860! Talk about a forward thinking man! From Lincoln's lecture, 'Discoveries, Inventions and Improvements' (22 Feb 1860) in John George Nicolay and John Hay (eds.), *Complete Works of Abraham Lincoln* (1894), Vol. 5, 113.

Mock Trial Law Test - See How Much You Know!

This year, due to the regional mock trial format, there was no official law test portion of the event; however, a law test was made available on-line. Visit <http://www.isba.org/teachers/mocktrial/2010%20Mock%20Trial%20Law%20Test.pdf> to review the entire test. Teachers may request answers prior to the mock trial event. After the event (March 13), anyone can request the answers.

As part of the test this year, we added some essay type questions to prompt some lawyerly thinking. As critical thinking skills are an absolute necessity for anyone wishing to pursue a career as a lawyer, we thought these might stimulate discussion. For extra credit, the following provide ways for students to learn to think "like a lawyer."

Copies of the Illinois Rules of Professional Conduct are available at: <http://www.state.il.us/court/SupremeCourt/Rules>

Question A. The Illinois Supreme Court issues Rules of Professional Conduct that lawyers in this state must follow throughout their careers. One of the Rules discusses "confidentiality of client information." Even though lawyers are directed to keep matters of clients confidential, Rule 1.6 (c) specifically states, "A lawyer shall reveal information relating to the representation of a client to the



extent the lawyer reasonably believes necessary to prevent reasonably certain death or substantial bodily harm.” Client A, who works at a research laboratory, gives the lawyer letters and files that contain information suggesting that the client mistakenly dumped a significant amount of toxic waste into the town’s water supply rather than disposing of it properly. May the lawyer disclose this information to appropriate authorities?

Question B. Lawyer A meets Lawyer B in a bar one evening and they talk for hours. Lawyer A discloses to Lawyer B that Lawyer A has just been diagnosed with an untreatable disease and he/she only has about six months to live. Then Lawyer A proceeds to tell Lawyer B about a case he/she concluded a number of years ago. Lawyer A admits to Lawyer B that A omitted significant amounts of evidence from discovery and trial which resulted in the opposing party being convicted of murder and given the death penalty. Lawyer B counsels Lawyer A to disclose this information to the appropriate authorities. Lawyer B does nothing with the information because he/she has no identifying information. No name, no case number, no city or county where the trial was conducted, etc. Lawyer A dies. Approximately 5 years after the conversation Lawyer B opens a newspaper and reads about an appeal of a prisoner on death row. Lawyer A’s name was mentioned as having served as opposing counsel. The facts were such that Lawyer B recognized this case as the one Lawyer A talked about years ago. Lawyer B immediately contacts the defendant’s lawyer and the Supreme Court where the appeal is pending and discloses the conversation had with lawyer A some years prior. The judge orders a full investigation into Lawyer A’s files and the information that had been withheld was found and the conviction was overturned, a new trial was held and the party was found not guilty. Question – Did Lawyer B act appropriately? Did Lawyer A act appropriately?

Question C. Lawyer X receives a fax that was obviously sent in error. The fax originated in Lawyer Y’s office and discusses matters pertinent to a case X is handling against Lawyer Y’s and his/her client in a divorce matter. The fax is a letter from Y’s client to Lawyer Y which discloses information that Lawyer X needs to prove certain allegations made against X’s client are false. Illinois Rules of Professional Conduct, Rule 4.4(b) states that “A lawyer who receives a document relating to the representation of the lawyer’s client and knows that the document was inadvertently sent shall promptly notify the sender.”

The fax contains language at the bottom which states,

This message is intended only for the use of the individual or entity to which it was addressed and it may contain information that is privileged, confidential, and exempt from disclosure. If you are not the intended recipient of this message, any dissemination, distribution, or copying is strictly prohibited. If you have received this message in error, please notify us immediately by telephone and return it to us by first class mail. Thank you.

Lawyer X both phones opposing counsel Y and mails the fax to Y with a letter stating that the fax had arrived unsolicited. Lawyer X also makes a copy of the fax for his/her files.

May Lawyer X use the information contained in the inadvertently sent document to benefit his/her own client in the divorce proceeding? May Lawyer X show the copied fax to his/her own client? Must or should Lawyer Y advise his/her client of the possible breach of confidentiality?



Question D. Attorney X is hired by Company A to help them collect large past due accounts from debtors owing more than \$5000 each. Attorney X writes to each of the debtors, on Company A's behalf, informing them that he/she has been retained to collect on the past due accounts. Attorney X states in each of the letters, the amount due, the original date the payment was due, the length of time that the debtor is past due, and when payment is expected. Also included in the letters is a statement that after a reasonable amount of time has passed, Attorney X may be required to turn the matter over to the State's Attorney's Office for prosecution under a criminal statute and that possible warrants may issue if payment is not received in a timely manner.

Is the letter from Attorney X ethically permissible under the Illinois Rules of Professional Conduct?

Answers:

Answer to A, quoting from the Comments to the Illinois Rules of Professional Conduct:

“Although the public interest is usually best served by a strict rule requiring lawyers to preserve the confidentiality of information relating to the representation of their clients, the confidentiality rule is subject to limited exceptions. Paragraph (c) recognizes the overriding value of life and physical integrity and requires disclosure reasonably necessary to prevent reasonably certain death or substantial bodily harm. Such harm is reasonably certain to occur if it will be suffered imminently or if there is a present and substantial threat that a person will suffer such harm at a later date if the lawyer fails to take action necessary to eliminate the threat. Thus, a lawyer who knows from information relating to a representation that a client or other person has accidentally discharged toxic waste into a town's water must reveal this information to the authorities if there is a present and substantial risk that a person who drinks the water will contract a life-threatening or debilitating disease and the lawyer's disclosure is necessary to eliminate the threat or reduce the number of victims.”

Answer to B – No. Lawyer B should have immediately reported the conversation. In Illinois, there is a reporting rule that mandates that a lawyer who knows or suspects another lawyer of misconduct must report to the Illinois Supreme Court. This question is based on an actual series of events that occurred in another state. The surviving lawyer was disciplined by the state's court and received a reprimand for not reporting. See *In re Riehlmann*, 891 So.2d 1239 (2005) (Louisiana). Also see Illinois Rules of Professional Conduct, Rule 8.3, and *In re Himmel*, 125 Ill.2d 539; 533 N.E.2d 790 (1988)

Answer to C- Rule 4.4(b) deals with an issue that lawyers are facing more and more often as the use of email, facsimile and other instant messaging becomes more popular—the inadvertent receipt of an email, facsimile, or other communication. The Illinois Rule requires the lawyer to notify the sender, but is silent on the matter of privilege and the possible use of the communication. As this is new rule language in Illinois, it is untested at this time.

Perhaps more important is what should Lawyer Y do? Rule 1.4 states:

RULE 1.4: COMMUNICATION

(a) A lawyer shall:

(1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by



these Rules;

- (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;
 - (3) keep the client reasonably informed about the status of the matter;
 - (4) promptly comply with reasonable requests for information; and
 - (5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.
- (b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

Adopted July 1, 2009, effective January 1, 2010.

So, the answer to the last part of the question is, yes, Lawyer Y should disclose the error to his/her client.

Answer to D – This type of letter, threatening criminal prosecution for a civil matter, would be improper. Rule 8.4 of the Illinois Rules of Professional Conduct states, in part:

RULE 8.4: MISCONDUCT

It is professional misconduct for a lawyer to:

* * *

- (g) present, participate in presenting, or threaten to present criminal or professional disciplinary charges to obtain an advantage in a civil matter.

The prohibition is designed to prevent a lawyer from intimidating or threatening a person into the resolution of a matter rather than resolving the case on the merits of a cause. To do so subverts the administration of justice. As explained in Illinois' prior Code of Professional responsibility:

The civil adjudication process is primarily designed for the settlement of disputes between parties, while the criminal process is designed for the protection of society as a whole. Threatening to use, or using, the criminal process to coerce adjustment of private civil claims or controversies is a subversion of that process; further, the person against whom the criminal process is so misused may be deterred from asserting legal rights and thus the usefulness of the civil process in settling private disputes is impaired. As in all cases of abuse of judicial process, the improper use of criminal process tends to diminish public confidence in our legal system. Illinois Code of Professional Responsibility – EC 7-21 (1978).

A number of Illinois lawyers have been prosecuted for violations of this Rule. *In the Matter of Ras*, 01-CH-18 (Hearing Board, December 18, 2002) *approved and confirmed*, M.R. 18605 (March 19, 2003) (threatening a priest that his conduct “exposed him to serious criminal liability”); *In the Matter of Schaaf*, 99-SH-64 (Review Board, December 28, 2000) *Administrator’s petition for leave to file exceptions denied*, M.R. 17387 (March 23, 2001) (threatening clients who hadn’t paid their bills with felony prosecution.).



Google Scholar Can Help With Law-Related Searches!

The popular search engine *Google* has launched a legal research site that can help teachers, students and the legal profession locate legal opinions and related articles. The resource is free of charge, unlike most law-related search providers. You can specify searches for cases or articles, and limit searches to exact phrases or specific words. Try it! <http://scholar.google.com/>

Want some sample search ideas? Use some of the Landmark cases discussed in previous Newsletters:

Brown v. Board of Education of Topeka

Dred Scott v. Sanford

Hazelwood v. Kuhlmeier

Marbury v. Madison

New Jersey v. T.L.O.

Terry v. Ohio

United States v. Nixon

Clinton v. New York

Gideon v. Wainwright

Mapp v. Ohio

Miranda v. Arizona

Plessy v. Ferguson

Tinker v. Des Moines School District

Teaching Opportunity:

Ask students to use Google Scholar to determine:

- Which of the cases above is about slavery? (Dred Scott)
- Which one addresses “Jim Crow” issues? (Plessy)
- Which one discusses a “separate but equal” standard in education? (Brown)
- Which one is about unreasonable search and seizure? (Mapp)
- In which did the Court conclude that a "stop and frisk" is a search within the meaning of the Fourth Amendment. (Terry)
- Which one is about separation of powers? (Clinton)
- Which one is about a person’s right to counsel? (Gideon)
- Which one is about Presidential executive privilege? (U.S. v. Nixon)
- Which is about free speech in high school newspapers? (Hazelwood)
- Which case addresses a student’s right to protest by wearing black armbands in school? (Tinker)
- Which case addresses an accused person’s understanding of his or her rights upon being arrested? (Miranda)
- Which case involves drug searches in schools? (New Jersey)

Presidential Problems

For a number of months, we’ve been concentrating our attention on President Abraham Lincoln, his life and his accomplishments. Lincoln is routinely rated as one of the best and most popular Presidents the United States has ever had. How does he compare with some of our other Presidents?



- Two Presidents were impeached. Which were they?
Andrew Johnson and William Clinton.
- One President was forced to resign? Richard Nixon

[In the face of a probable impeachment due to the Watergate scandal and coverup, President Nixon resigned August 9 of 1974. He was later pardoned by his former Vice President, Gerald Ford, for the crimes he may have committed while serving as President.]

- One President was the subject of five different resolutions for censure (none of which passed either house)? George W. Bush
- Seven Presidents have had censure resolutions considered.

John Adams, Andrew Jackson, John Tyler, James Polk, James Buchanan, Bill Clinton,
(And George W. Bush)

- Look at the poll statistics. Since the 1940's when poll records started being kept, Presidents have had tremendous swings in popularity.

Bush 43 achieved an approval of 90% immediately following the 9/11/01 terrorist attacks.

Bush 41 achieved an approval of 89% during the first Gulf War.

Truman had an approval rating of 87% at the conclusion of WWII (1945).

- Since the 1940's when poll records started being kept, which Presidents had the lowest ratings?

Truman had an approval rating of 22% in 1952.

Nixon had an approval rating of 24% in 1974.

Bush 43 had an approval rating of 25% just before the 2008 elections.

(Gallup Polls)

Teaching Opportunity:

What qualities can make or break a President? Consider looking to the C-SPAN Survey of Presidential Leadership <http://www.americanpresidents.org/survey/historians/>

Presidents have been ranked by historians in a variety of categories:

Public Persuasion

Crisis Leadership

Economic Management

Moral Authority

International Skills

Administrative Skills

Relations with Congress

Vision/Setting an Agenda

Pursued Equal Justice for All

Performance Within Context of Times

For each of the categories, you can click on the icon and see which President receives the highest marks.

Ask students to rank the categories. Which do they think is absolutely the most important skill a President could have, and which might be considered less important?



Give students this list of the top 10 presidents and ask them to research and list at least three major accomplishments for each president. As a class, consider the accomplishments; then try to rank them in order of their achievements to see if they match the rankings of the historians:

President and Ranking	Dates in Office	Party Affiliation and Occupation
Abraham Lincoln (1)	1861-1865	(Republican, lawyer)
Dwight D. Eisenhower (9)	1953-1961	(Republican, military)
Franklin D. Roosevelt (2)	1933-1945	(Democrat, lawyer)
George Washington (3)	1789-1797	(Federalist, military, farmer)
Harry S. Truman (5)	1945-1953	(Democrat, farmer, soldier)
John F. Kennedy (8)	1961-1963	(Democrat, lawyer, congressman)
Lyndon Johnson (10)	1963-1969	(Democrat, schoolteacher, congressman)
Theodore Roosevelt (4)	1901-1909	(Republican, rancher, soldier, governor)
Thomas Jefferson (7)	1801-1809	(Democratic-Republican, lawyer)
Woodrow Wilson (6)	1913-1921	(Democrat, lawyer, professor)

Teen Law College - Valparaiso University Law School!

Valparaiso University Law School's Teen Law College program now has its own Web page! You are invited to visit www.valpo.edu/law/ or to go directly to the site at <http://www.valpo.edu/law/teenlaw/index.php>.

Students can get a preview of Valparaiso's Teen Law College by attending Discover Law Day at Valparaiso University Law School on **February 12, 2010**. Valparaiso University Law School, along with many other law schools and bar associations across the United States, is interested in increasing the pipeline to Law School by directly providing information and resources to under represented minority students. They have an annual Discover Law Day for these students. For 2010, DiscoverLaw will take place on February 12, 2010. To enroll students, please contact **Zahra Nwabara at 219-465-7892**, or contact Stephanie Medlock at 219-465-7832 (after January 4, 2010).

Please RSVP by January 30, 2010.

This visit day is typically for under represented minority population Juniors and Seniors who are interested in pursuing a career in the legal profession. They will have the opportunity to find out whatever they need to know regarding law school and the law school admissions process. Faculty, staff and current students will be available for discussions and to answer questions and address any concerns your students might have regarding law school.

Activities of the day generally follow this schedule (subject to change in both content and timing);

- 8.45 am - Arrival of the high school students on campus
- 9.00 am - Welcome (mini presentations/talk by faculty and staff)
- 10 am - Tour
- 11 am - Student Panel - Q & A session with current law students



Noon - Luncheon with law faculty, staff and students
1.45 pm - Departure

For additional information, contact:

Stephanie Medlock, Director, Professional and Community Studies, Valparaiso School of Law,
219-465-7832

<http://www.valpo.edu/law/teenlaw/index.php>

They Had A Dream Too: Young Leaders of the Civil Rights Movement

In time for Martin Luther King's birthday celebrations and commemorations, the American Bar Association Young Lawyers Division has announced the 2009-10 Public Service Project designed to facilitate teaching 11th and 12th grade students about the history of our civil rights struggles and to inspire leadership. The Project includes a film that highlights America's Civil Rights Movement and how young people participated and made a remarkable impact. There is also a written curriculum guide that includes activities and discussion questions.

The ABA Project is adapted from a Texas Young Lawyers Association program. Materials and the film are available at www.abanet.org/yld/thadt

The January 2010 edition of the ABA Journal has an article on the Project, http://www.abajournal.com/magazine/article/civil_obedience/ that indicates that students in younger grades have found the materials as compelling as the more mature students.

Just For Fun

Distribute the paragraph below and ask your class to study it and find what's odd about it!

This particular paragraph is a bit odd. Ask your class to study it and find out why. It's not obvious, but it is a fascinating and difficult quiz for hard-working minds. Watch a clock to find out how long your classroom works at this. It's a critical thinking quandary. Too difficult? Actually it's not. It's just a paragraph that omits a bit of information. In a jam? Want to satisfy classroom curiosity? It's tough, but promising classrooms will crack it and laugh that it took so long! What's wrong with this paragraph? Nothing's wrong, just odd. It's not a typo...it's not an omission...it's not formatting. What is it? It will make you groan...it's that funny!

Answer: Specifically for this E-generation, we thought it would be fun to craft a paragraph that never uses the letter "e". This kind of writing is called a lipogram.

Got this idea from <http://kcbx.net/~tellswor/unusualp.htm>

New Illinois Laws!



Schools and Teachers should be aware of some new Illinois laws that became effective January 1, 2010.

HB 1105, Public Act 96-0772 - Disorderly conduct is now a felony when it involves threats to school property or against people at schools or at school-related activities, whether or not school is in session when the threat occurs.

HB 867, Public Act 96-0041 - Penalties are increased for discharging firearms on school grounds.

SB 141, Public Act 96-0199 - It is now a felony to recruit or solicit minors (including physical force) to become or remain street gang members. Gang recruitment of minors includes threats made over the Internet or via telecommunication devices.

Public Act 95-10310 - 17 year olds charged with a misdemeanor will be under the jurisdiction of the Juvenile Court Act instead of adult court. Those 17-year-olds charged with a felony will still be under the adult court, but 17-year-olds charged with misdemeanor offenses will be tried in juvenile court where they are more likely to receive the rehabilitation services to change their behavior. Illinois will join 38 other states and the District of Columbia that consider 18 as the age of adult jurisdiction for misdemeanors.

Read the full text of this legislation, and other Illinois legislation, at <http://www.ilga.gov/>

Proposed Constitutional Amendments

There will be at least one and perhaps two Constitutional Amendments on the ballot in November, 2010. The legislature has approved an amendment to provide for a method of recalling the governor which the voters will have an opportunity to approve or reject this fall. There is also a petition drive currently underway to propose a second amendment which would change the way that the legislature is redistricted every ten years following the United States census. This petition drive is being promoted by the Illinois League of Women Voters, the Better Government Association, and several other groups. Their website is <http://www.ilfairmap.com/>.

Additional information on the recall and redistricting amendments may be found in the *Update to Understanding the Illinois Constitution* which is on the Illinois Bar Association Website. <http://www.isba.org/teachers/publications/constbook.pdf>

The Illinois State Bar Association's Law-Related Education Newsletter is provided free of charge on a quarterly basis during the school year. We are dedicated to promoting law-related education resources and discussion topics appropriate for use in classroom or community settings. If you do NOT wish to receive this complimentary newsletter, please reply and indicate in the message line that you wish to be removed from our mailing list.



- *Current subscribers: If your e-mail changes, please let us know. And, please feel free to forward this publication to others who may be interested.*
- *Note: The Illinois State Bar Association's Standing Committee on Law-Related Education for the Public does not share or sell this mailing list.*

This and other editions of the ISBA's LRE Newsletter
are available on-line at <http://www.isba.org/Sections/lrenewshome.html>

<p>Illinois State Bar Association 2009-2010 Standing Committee on Law-Related Education</p>

Kimberly Anderson, Chair
Yvonne O'Connor, Secretary
Jessica Baer
Kelli Childress
Lauren DeJong
Kenya Jenkins
Frank Kopecky, Newsletter Editor
Ann Pictor
Hon. Mark Schuering
Zeophus Williams
Melinda Bentley, Staff Liaison
Donna Schechter, Staff Liaison

Pablo Eves, Vice-Chair
Hon. John Coady, Ex Officio
Rex Brown
Hon. Michael Chmiel
Jennifer Franklin
Marylou Kent
Thomas Murray
Jay Reece
Sarah Taylor



**ILLINOIS STATE
BAR ASSOCIATION**

Illinois State Bar Association
Standing Committee on Law-Related Education for the Public

424 South Second Street, Springfield, Illinois 62701
•217.525.1760 •800.252.8908 •Fax: 217.525.9063
www.isba.org

