WBAI
Women's Bar Association of Illinois

WBAI, 321 S. Plymouth Ct., Suite 4S
Chicago, IL 60604
Telephone: (312) 341-8530
Fax: (312) 341-8533
Email: wbai@wbaillinois.org
Web Page: www.wbaillinois.org

WBAI's 66th Annual Joint Professional Dinner A Resounding Success!

It started on time, it ended on time, and people had so much fun they even stayed after the ceremonies concluded at the **WBAI's 66th Annual Joint Professional Dinner**. The event was held on Thursday, November 8, 2007, at the Mid-Day Club in downtown Chicago. Nearly 350 people attended the Joint Professional Dinner to network with various professionals from the Chicagoland community and to honor the accomplishments of the recipients of the 2007 "**Women With Vision Awards**."

The WBAI honored three outstanding "Women With Vision" in various professions at this event. The honorees were recognized women who have demonstrated visionary approaches to their professions and to enriching the lives of others, including the women who they have helped to empower at various points throughout their lives. This year's honorees were:

Honorable Sara Feigenholtz, Illinois State Representative, 12th District
Stella Foster, *Chicago Sun-Times* Journalist/Columnist
Mary Morten, Interim Executive Director of Chicago Foundation for Women

Representative Feigenholtz was first elected to the Illinois General Assembly in November 1994 and has been serving the State of Illinois for over two decades in various leadership roles. As a state lawmaker, Representative Feigenholtz authored and championed legislation that runs a gamut of issues including adoption reform, AIDS funding, stem cell research, contraceptive equity for women, affordable and accessible health care, environmental issues and improving the quality of education in Illinois.

Ms. Foster is the author of "Stella's Column," which appears twice weekly in the *Chicago Sun-Times*. She is a veteran of the Chicago media scene and has enjoyed an illustrious career as a writer, a broadcaster, and the long-time assistant to the late Irv Kupcinet. Ms. Foster's writing career was launched in the early 1980s, and, since then, she has been active in various charitable and humanitarian organizations. Each year, Ms. Foster hosts a networking "Diva Party" that attracts a diverse array of Chicago's most powerful women and raises funds for Ms. Foster's favorite charities.

Ms. Morten currently serves as the interim Executive Director for the Chicago Foundation for Women, where she is overseeing a year-long, statewide anti-violence initiative for women and girls entitled: "What Will it Take? Building the Safest State for All Women and Girls." She also serves as the Board Chair for the Illinois Center for Violence Prevention. Ms. Morten is the immediate past Director of the Office of Violence Prevention for the Chicago Department of Public Health. In this position, Ms. Morten was responsible for the citywide implementation of the violence prevention plan, "Prevent Violence! Chicago."

As the above descriptions reveal, these women with vision have and will continue to blaze new trails as women and for women. Their contributions have made the community at large more secure, more responsible and more colorful.

The WBAI thanks the Joint Professional Dinner co-chairs, **Karina DeHayes** and **Kathryn Gallanis Matern**, as well as the Women With Vision chair, **The Honorable Jeanne Reynolds**, and the many members of the committee who worked hard to make the event a smashing success. If you missed this fabulous event, be sure to sign up early for next year's dinner.

This signature event was graciously sponsored by ***Jensen Reporting & Videoconferencing*** and ***JAMS – the Resolution Experts***.

CO-EDITOR'S COLUMN

By Sarah Breitlander and Michele Jochner

Welcome!

Welcome to the Spring Issue of the WBAI newsletter for the 2007-2008 bar year. As co-editors, we are pleased to once again have such a wide variety of substantive and informational articles in addition to the several postings of positive differences being made by our women colleagues on a day-to-day basis. Women are all too often reluctant to brag or boast about their many professional accomplishments, and our goal is to recognize the many deserving accolades, professional awards, accomplishments, verdicts, appointments to boards or commissions, publications, new jobs and efforts to rock the *status quo*. In that spirit, we note that one of the many benefits of the WBAI membership is the opportunity to meet other attorneys for the exchange of information and support. Anyone wishing to join the newsletter committee, write an article or submit any newsworthy item should telephone or e-mail us at the contacts listed below. We welcome your efforts!

Substantive Law Articles and CLE Credit

We encourage the submission of substantive law articles to be considered for inclusion in subsequent WBAI newsletters. Not only may we publish your article, but you may earn CLE credits for writing such articles. The MCLE Board of the Supreme Court of Illinois has advised that it will provide CLE credits for anyone "evincing legal scholarship." An important requirement is that the attorney should maintain contemporaneous records of the hours spent on the publication.

Illinois Supreme Court Rule 795(d)(7) states in relevant part the following:

"Writing law books and law review articles, subject to the following:
(i) An attorney may earn credit for legal textbooks, casebooks, treatises and other scholarly legal books written by the attorney that are published during the two-year reporting period.
(ii) An attorney may earn credit for writing law-related articles in responsible legal journals or other legal sources, published during the two-year reporting period, that deal primarily with matters related to the practice of law, professionalism, diversity issues, mental illness and addiction issues, civility, or ethical obligations of attorneys. Republication of any article shall receive no additional CLE credits unless the author made substantial revisions or additions.
(iii) An attorney may earn credit toward MCLE requirements for the actual number of hours spent researching and writing, but the maximum number of credits that may be earned during any two-year reporting period on a single publication shall be half the maximum CLE hours required by Rule 794(a) and (d). Credit is accrued when the eligible book or article is published, regardless whether the work in question was performed in the then-current two-year reporting period. To receive CLE credit, the attorney shall maintain contemporaneous records evincing the number of hours spent on a publication."
Thus, Illinois attorneys may earn credit for writing substantive law articles. The Supreme Court's MCLE Rules are available online at the MCLE Board's web site at www.state.il.us/court/SupremeCourt/Rules/Art_VII/ArtVII.htm#c. If you have any questions regarding the legal topics that may be of interest to the WBAI, please feel free to contact Michele Jochner at mjochner@gmail.com or (312) 793-5563.

Sarah Breitlander is an associate at the law firm of Vedder Price P,C.. Previously, Sarah served as law clerk to Illinois Supreme Court Justice Anne M. Burke during her tenure on the Illinois Appellate Court, First District. Sarah has also served as judicial extern to the Honorable James H. Alesia during his tenure as District Court Judge for the Northern District of Illinois, and the Honorable Robert W. Gettleman, District Court Judge for the Northern District of Illinois. Sarah graduated cum laude from The John Marshall Law School in 2003.

Michele Jochner serves as a Judicial Law Clerk for Justice Charles E. Freeman of the Illinois Supreme Court, after serving in the same position for Justice Mary Ann G. McMorrow prior to Justice McMorrow's retirement in July 2006. Michele is a 1990 graduate of DePaul University College of Law (J.D. with Honors, Order of the Coif) and earned an LL.M. degree from DePaul in 1992. She is a frequent author and lecturer on a wide array of legal topics.

President's Message

By Karen M. Enright

"Real generosity toward the future lies in giving all to the present."
Albert Camus, The Rebel

This observation from Albert Camus inspires me daily from a note perched on the edge of my computer screen. It serves as a reminder that everything we accomplish today, big or small, affects the outcome of our future efforts. With that thought in mind, I am especially proud of the 2007-2008 Women's Bar Association Officers, Directors and Committees for all that we have accomplished over the last 9 months. Our constant and comprehensive work has moved us significantly toward achieving our goals, and the effects of our efforts will continue to motivate the future success of our organization. The energy and dedication shown by each and every member has been invaluable. I am consistently awed by the vigor and passion our leaders display. We have demonstrated that a team of diligent and devoted individuals can make a considerable contribution to the realization of our very worthy aspirations.

September was a busy time at the WBAI. First, we were very fortunate to add a new and integral member to our team when we welcomed Eriana Spencer as our new Executive Director. Before joining the WBAI, Eriana was the general manager of the Cincinnati Jungle Kats and a seasonal game operations assistant for the Chicago Rush. Eriana has a proven track record of successful management experience and fundraising for both organizations. As the new WBAI Executive Director (a/k/a Superwoman), Eriana has been focused, motivated and dynamic. In the short time she has been with us, Eriana has already been instrumental in increasing membership, and she continues to establish her role as a very valuable member of our team.

Also during the month of September, the WBAI hosted a Boutique Night to generate proceeds for the Susan G. Komen Breast Cancer Foundation. We completed the month by celebrating with the Women's Bar Foundation during their scholarship reception on September 27th. The Women's Bar Foundation awarded academic scholarships to outstanding law students from schools throughout the State of Illinois. We are very proud of the scholarship recipients and honored to participate in the event.

During the fall months, the WBAI Public Office Committee developed and implemented a new training program for members of the Committee to more efficiently and thoroughly evaluate and investigate candidates seeking judicial office. Due to the considerable efforts of Public Office Chairpersons, Deane Brown, Kim Kayiwa and Bridget Healy Ryan, the WBAI, for the first time in our history, has created a training video and developed written materials for its committee members. The committee spent countless hours and untold effort producing the video and written materials. In addition, the committee organized and presented three individual training sessions for its investigators and interviewers. The training materials have also been made available for review by those members of the WBAI interested in joining the Public Office Committee.

Further, the Public Office Committee has been involved in investigating and interviewing candidates for Supreme Court appointments and those candidates seeking election or retention in the general election. The Committee continues to schedule the investigation and interviews of candidates seeking appointment to the bench through the Circuit Court. Congratulations on all of your hard work!

In October the WBAI linked with Sidley & Austin and Merrill Lynch to host a program discussing Section 529 college savings plans and other funding options for education. The event was a huge success, and we are especially grateful to our sponsors for providing the invaluable information and written materials for our members during this most instructive and enjoyable lunchtime program.

On November 8th we welcomed another class of new lawyers at the swearing-in ceremony held at the University of Illinois-Chicago Pavilion. The Law Firm of Querry & Harrow generously hosted our New Members Reception on November 28th. Thanks to the efforts of WBAI members Dan Gallagher and Larry Kowalczyk, new and old members had an opportunity to meet and share ideas about the WBAI.

In addition, the Honorable Jeanne Reynolds enlisted the expertise of Jane Pigott, the Managing Director of the R3 Group, LLC, to speak to WBAI members about the "Rules of the Game." The event was very well attended, and we all learned some new tricks of the trade.

Also on November 8th we held our Joint Professional Dinner at the Mid-Day Club. The WBAI applauded the efforts of three phenomenal women: State Representative Sara Feigenholtz, Chicago Sun-Times columnist Stella Foster and Past President of the Chicago Foundation for Women Mary Morten for their outstanding contributions and promotion of women in the areas of government, media and community service.

The cold winds of December did not stop the WBAI officers, directors and members from attending the various meetings and seminars at the ISBA Mid-Year meeting held in our very own Windy City. WBAI members were prominent and well-received speakers and contributors to the Committee on Professionalism, the Illinois Judges Association and the Supreme Court dinner.

December also brought our first of four Leadership Seminars held in collaboration with the ISBA Standing Committee on Women and the Law and the Standing Committee on Minority and Women Participation. Under the direction of our Recording Secretary, Michele Jochner, the WBAI has developed a leadership training series. The first seminar was held December 12th and featured Vicki Kunkle, a nationally acclaimed speaker, author and renowned expert on mass appeal and persuasiveness. Vicki spoke to our members regarding the effects of stereotypes and the glass ceiling for professional women. We thank Corboy & Demetrio, P.C. for its generous sponsorship of this event.

On December 6th the WBAI joined forces with the law firm of Baker & McKenzie to host the "Baker's Bazaar: Women Supporting Women," an event intended to create and encourage interest in women-owned businesses. The Bazaar provided numerous networking opportunities and offered a wide variety of business products available from the women-owned businesses. It was an eye-opening and motivating experience.

On December 20th, the Honorable Jeanne Reynolds, our WBAI Vice President, hosted a tea at the Mid-Day Club for WBAI Past Presidents and the current Officers and Directors, providing a rare and invaluable chance for the current officers and directors to thank the Past Presidents for all of their support and to reflect with them about future plans and goals for the WBAI.

The WBAI celebrated the New Year with the second leadership training seminar on January 17th. Our featured speaker was Susan Sneider, the author of the ABA's best-selling book, A Lawyers Guide to Networking. Ms. Sneider offered invaluable insight regarding an assortment of networking techniques for personal and professional advancement. The third leadership training seminar, on February 20, offered the indispensable wisdom of Carrie Hightman. Ms. Hightman is the Executive Vice President and Chief Legal Officer of NiSource Inc., a Fortune 500 company engaged in the transmission, storage and distribution of natural gas to 3.8 million customers. Ms. Hightman presented a program entitled "10 Strategies for Success" applicable to legal and non-legal positions. Her guidance and suggestions were very well received. We thank The Horton Group for its kind sponsorship of both the second and third leadership training seminars.

Wrapping up a successful year devoted to leadership, the fourth and final leadership seminar was held March 13. Hitting close to home for many of us, Dr. John Olmstead discussed Life on Balance, addressing the many rewards and pitfalls women face trying to balance their lives as successful lawyers with the ever-present and important personal demands on their time.

In furtherance of this year's theme of leadership, we hosted our 94th Annual Judicial Reception on March 6, 2008, at which we acknowledged two outstanding leaders in our community by presenting the Mary Heftel Hooton Award to the Honorabl James Holderman, Chief Judge of the United States District Cour for the Northern District of Illinois, and the Honorable Dian Larsen. Both judges were recognized for their outstandin contributions to women in the law and for their encouragemen and support for women on the bench. Judge Holderman' wonderful and inspiring poem for the WBAI will be publishe soon in our newsletter. Our Committee Chairs Deane Brown an Jessica Arong O'Brien were instrumental in achieving the highes attendance at this year's reception held at the Hotel Allegro in th Walnut Room. Thank you Deane, and Jessica, for all of you hard work!

We also were excited to participate in March in both the Annua Women's History Month Courthouse, as well as ou Bloomingdales/Ellen Tracy Event. In April, we were happy t cosponsor a seminar entitled "Women in the Courtroom," wit the Black Women Lawyer's Association and the Illinoi Association of Defense Trial Council. Finally, we very muc look forward to our 94th Annual Dinner, which is scheduled fo June 5th at the Hilton Hotel, and we are working hard to make thi a spectacular event.

My vision for this year has come full circle with the hel friendship and guidance I have received from Past Presidents a well as the current members, Officers and Directors of the WBA Our sponsors this year have provided tremendous and invaluabl support making our various events and contributions possibl Through your generous gifts of time, hard work, dedication an financial recourses you continue to pave a bright future fo women lawyers and the WBAI.

MARK YOUR CALENDARS NOW FOR THE WBAI 94TH ANNUAL INSTALLATION DINNE DON'T MISS THIS GREAT EVENT!

On Thursday, June 5, 2008, the Women's Bar Association Illinois, will install its 94th President, the Honorable **Jeanne M Reynolds**, an Associate Judge in the Domestic Relations Divisi of the Circuit Court of Cook County, and its Officers ar Directors for its 2008 /2009 bar year. As we enter a new bar yea Judge Reynolds and the WBAI will focus on a theme of **"Wome Empowering Women."** Judge Reynolds has embraced the wi advice of the great Esther Rothstein, who challenged wome attorneys **"not to give back to others because we have to, b because we can."** Esther Rothstein was the President of th WBAI in 1961 and a true pioneer in women's issues. H thoughts echo the WBAI mission statement, which advocates f the advancement of women in the legal profession and t promotion of issues that affect all women.

Carol Marin, political editor of NBC news and *Chicago Su Times* political columnist, will be the honored keynote speak Ms. Marin will also receive the WBAI coveted *Women Wi Vision Award.* The *Women With Vision Award* is presented

annually to honor and recognize women who have demonstrated visionary approaches in their professional endeavors and who have made a contribution to the well-being and empowerment of women. As one of the most respected political commentators and journalists, Ms. Marin has dedicated her career to empowering change and addressing many of these same issues. Ms. Marin has reported on causes affecting women, children, and the vulnerable in our community, and she has highlighted the need for change among world issues.

Ms. Marin is recognized world-wide for her integrity, honesty, fairness, and courage to stand behind her convictions. In 1997, Ms. Marin resigned from her position as lead anchor for the NBC Channel-5 6:00 p.m. and 10:00 p.m. newscasts in protest over her employer's decision to give Jerry Springer a commentary segment during these prime newscasts. Ms. Marin enjoyed a triumphant return to NBC in 2004. Currently, Ms. Marin is the political editor for NBC5, political columnist for the *Chicago Sun-Times*, the co-director with Don Moseley of the DePaul Documentary Project, and CEO of her own production company, Marin Corp Productions. She has received countless awards for her unheralded journalistic contributions, including the George Foster Peabody Award, the Emmy Award, the Alfred I. DuPont-Columbia Award, and the coveted Gracie Award from the American Women in Radio and Television.

In addition, **Justice Sheila M. O'Brien**, of the Illinois Appellate Court First District, will receive the WBAI's highest honor- the *Myra Bradwell Award.* This award salutes the efforts of Myra Bradwell (1831-1894). Ms. Bradwell was a great lawyer and editor who continuously fought for women's rights her entire life. Originally denied admission to the Illinois State Bar in 1873 solely because she was a woman, she fought hard and eventually gained admission to the bar in 1890. Ms. Bradwell went on to achieve many reforms for women, including winning the rights of married women to keep their own paychecks, protecting widow's rights, and extending suffrage and full equality for women. Justice O'Brien's exemplary career and lifelong commitment to promoting and advancing women lawyers and issues important to women epitomizes the true spirit and character of the great Myra Bradwell.

For more information on this great event, please consult the flyer on the back cover of this newsletter, or contact the WBAI office at (312) 341-8530. We look forward to seeing you there!

MEET THE WBAI'S NEW EXECUTIVE DIRECTOR - ERIANA SPENCER

If you have been to one of the WBAI events lately, or have called the WBAI office, chances are that you have already meet our new Executive Director, Eriana Spencer. Eriana has been a hard worker all her life. Born to a mother that dedicated her life to making sure her children were well educated, Eriana received h Bachelor of Arts in Political Science from DePaul University and currently pursing her Masters of Science in Sports Manageme from the United States Sports Academy. Eriana enjoys sports a was recently the General Manager of the Cincinnati Jungle Ka and arena football team. Outside of being the Executive Director the Women's Bar Association, she is the Operations Manager f the Chicago Rush arena football team. In her spare time she enjo planning events and has recently started her own event manageme company. Eriana loves being able to surround herself w powerful, influential women, and that is why working for t Women's Bar Association has been gratifying for her. "Being woman of color and a woman in general, it is important to build network of women that have the same beliefs and goals. That why it is important to have organizations such as the Women's B Association." Eriana hopes to be a positive influence to wom everywhere and show the younger generation that hard work do indeed pay off.

MEMBERS IN THE NEWS

Jean M. Prendergast of Crisham & Kubes, Ltd., was recently appointed by the Illinois Supreme Court to serve as the Vice-Chair of the Illinois Supreme Court Committee on Character & Fitness for the First District.

Past WBAI President **Debra Walker** has been keeping busy with public-service commitments. On December 6, 2007 at the Chicago Sheraton Hotel, the inaugural Conclave Professionalism was hosted by the Illinois Supreme Co Commission on Professionalism, with 75 lawyers and judg throughout Illinois participating. Deb served the Commission as chair of the Conclave planning committee, and she has been member of the Commission since its inception in 2001. **Rev. Je Jackson** served as keynote speaker on improving diversity in legal profession. We also congratulate Debra on her victory in February primary as a county-wide candidate for Cook Cou judge.

Aurora Austriaco is the Democratic candidate for St Representative of the 65th District, which includes Park Ridge, southern part of Des Plaines, Niles, Elk Grove Village, Norwo Park and the southernmost part of Arlington Heights and I Prospect. Congratulations!

Elsie Holzwarth gave a talk in the Inter-religious Center Rockefeller Chapel at the University of Chicago, commemorat the 200th anniversary of the abolition of the slave trade.

Felicia Di Silvestro, Senior Vice President - Wealth Managem at Smith Barney, is a partner in the firm's Griffo/Guernsey Gro which has been ranked as one of the leading financial advisor tea by Research Magazine.

WBAI Past President Dawn Gonzalez was selected for inclusion in the 2008 "Illinois Super Lawyers" magazine published by Law & Politics. She also recently moderated a panel discussion on "Ethical Tidal Waves and Logistical Swamps in the Tri-Partite Relationship or Defense Counsel and Coverage Counsel" at the ABA's TIPS Insurance Coverage Litigation Committee's Midyear Program in Marina Del Ray, CA, and spoke on "Complicated Additional Insured Claims" at the DRI's Insurance Coverage and Claims Institute in Chicago.

WBAI Recording Secretary, **Michele Jochner**, is a candidate for the position of Third Vice President of the Illinois State Bar Association. If successful, Michele would assume the presidency of that group in 2011, which has only had three previous women presidents. Michele, who has been a member of the ISBA's Board of Governors since 2002, served as Secretary of that organization during the 2006-2007 bar year, has chaired numerous committees and sections of the ISBA over the years, and created its now-annual Solo and Small Firm Conference. Michele also was recently elected Vice-Justice of the Phi Alpha Delta Law Fraternity, Chicago Alumni Chapter, and she has been a moderator and speaker at a number of ISBA CLE programs across the State during the past few months.

Congratulations to **Susan Levy**, who recently was named Jenner & Block LLP's newest Managing Partner. She is the first female managing partner in the firm's 94-year history. Ms. Levy is a skilled trial attorney and has headed up Jenner's Women's Forum as well as its eight-member policy committee, which is the equivalent of a corporate Board of Directors.

WBAI Board Member **Deane Brown** was extensively quoted in the April 2008 issue of Business Week Chicago. In an article entitled, "Where Women Attorneys Get Ahead," Deane spoke about the unique challenges faced by women attorneys who are also mothers, and related that being a partner at her firm, Beermann Swerdlove, has allowed her to maintain a flexible schedule and an improved quality of life.

Celia G. Gamrath, a partner at Schiller DuCanto and Fleck, is included in Neifeh and Smith's national book, Best Lawyers in America (2008 ed.). She is also named in this year's editions of the Leading Lawyers Network and Super Lawyers and was recently elected to the Board of Trustees of The John Marshall Law School.

Tania K. Gray has joined the firm Reed Centracchio & Zac, LLC, located at 70 East Lake Street, Suite 500, Chicago, Illinois 60601. She can be reached at 312-551-1552 or tgray@rczlaw.com. Her practice lies exclusively in family law.

The international humanitarian organization, Concern Worldwide U.S., recently honored several Chicago women with its 2008 Brigid Awards: **Hon. Carol A. Kelly**, Supervising Judge of the Juvenile Justice Division of the Circuit Court of Cook County, **Sarah Flosi**, co-founder and coordinator of the St. Clement Church/Our Lady of Mercy Legal Clinic in Albany Park, and **Mary A. Houghton**, one of four co-founders who helped launch ShoreBank to bring economic development to Chicago's southside neighborhoods. This was the tenth year the awards have been given to extraordinary women who demonstrate justice, generosity and compassic their lives and work.

WILPOWER: THE POWER OF WOMEN IN THE LAW

By Margot Klein

WILPOWER, the political action committee of the Women's Association of Illinois, focuses on the POWER of women in Comprised of 11 active WBAI members, WILPOWER's Boa Trustees annually presents substantive programming on key i of political impact, works in diverse ways to help create pol change and plays an active role in state and local election undertaking a vigorous candidate review and endorsement proc To start the bar year, WILPOWER joined forces with the Women Lawyers Association of Greater Chicago, Inc., the County Bar Association, the Decalogue Society of Law DL21C, the Hispanic Lawyers Association of Illinois and Women's Bar Association of Illinois to present "Wor Economic Empowerment: Where are We Today and What Must be Done?" Speakers included State Senators Mattie H and Kimberly A. Lightford; State Representative Sara Feigenl Laverne Hall, Director of Business Diversity for the Chicago B of Education; Ines Monte, Brennan & Monte; Melissa Jos Director, Equal Opportunity Programs, Women Employed; M Perkins, Professor, Chicago State University; Elaine De General Counsel, and Clerk of the Circuit Court of Cook Co Dorothy Brown. The panel covered a wide range of legal i affecting women, including women's employment rights, E guidelines on caregivers' rights, family leave insurance initia local governmental goals for minority and women o businesses, pro bono expungement programs and other econ equity issues.

WILPOWER next moved onto a candidate review process f February 5, 2008 Primary Election. Using a questionnaire d by WILPOWER's Board of Trustees, WILPOWER eva candidates running for Illinois State Senate, Illinois State Ho Representatives, Cook County Circuit Court Clerk, Cook C Recorder of Deeds and Cook County State's Attorney. Bas the questionnaire responses, WILPOWER endorsed cand whose positions indicated a strong commitment to prom fostering, advancing and protecting the interests and welf women. In addition, WILPOWER made financial contributi candidates in a few key races: Amy Sue Mertens, candida Illinois Senate, 5th District; Aurora Abella-Austriaco, candid Illinois House, 65th District; William Burns, candidate for I House of Representatives, 26th District; Barbara Flynn incumbent, candidate for Illinois House of Representative Anita Alvarez, candidate for Cook County State's Att WILPOWER will undertake a new candidate evaluation proc the November 2008 elections and will strive to work with officials to promote the positive changes necessary to advan protect the interests and welfare of women.

WILPOWER was formed in 1998 as a political action com with several goals, including encouraging women to be active and effective part of governmental affairs, promoting t

understanding of the nature and actions of government as well as the records of office holders, supporting candidates who promote, foster, advance and protect the interests and welfare of women and providing financial support to individual candidates or fund-raising committees. Through its programming and its active participation in the political process, WILPOWER works to serve these critical goals. For more information about WILPOWER and its activities, contact any of WILPOWER's officers: President, **Margot Klein**, mklein@lafchicago.org; Vice-President, **Michelle Kohut**, mmk@corboy.com; Co-Treasurers **Karen Dimond**, 9dimond@jmls.edu, and **Adeena Weiss-Ortiz**, adeenaw@yahoo.com; or Secretary, **Michael Gonzalez**, at gogdgonzo@sbcglobal.net.

Margot Klein is an attorney with Legal Assistance Foundation of Metropolitan Chicago.

IT MAY BE WISE TO ABIDE BY RULE 222 REGARDLESS OF THE AMOUNT OF DAMAGES SOUGHT

By Sarah R. Breitlander

A recent Fourth District decision concerning the implications of failing to abide by Illinois Supreme Court Rule 222 ("Rule 222") has caused many Illinois litigators, regardless of whether they are seeking money damages in excess of $50,000, to be more cautious when filing complaints on their clients' behalf. Specifically, the Fourth District in *Grady v. Marchini*, 375 Ill. App. 3d 174, 874 N.E.2d 179 (4th Dist. 2007), held that Rule 222 requires a judgment in excess of $50,000 be reduced to $50,000 where the plaintiff fails to attach an affidavit to the complaint stating that plaintiff seeks in excess of $50,000. *See Grady*, 375 Ill. App. 3d at 178. For many Illinois litigators, the *Grady* decision necessitates a change in practice when filing complaints on their clients' behalf.

Illinois Supreme Court Rule 222

Rule 222 was created to reduce the cost of discovery by equating the expenditure of time and money required to prepare a case for trial with the complexities of the disputed issues. David B. Mueller, Lee J. Schwartz, *The New Discovery Rules: Reshaping the Landscape for Illinois Litigators*, 83 Ill. B.J. 622 (Dec. 1995). Thus, the rule sets forth reforms in the discovery process in cases seeking money damages not in excess of $50,000. 166 Ill. 2d R. 222, Committee Comments, at cxix. Specifically, Rule 222 requires mandatory disclosure of discoverable information and imposes limits on the discovery that may be taken in such a case. *Id.*

> Rule 222 provides in part as follows:
>
> **(a) Applicability**. This rule applies to all cases subject to mandatory arbitration, civil actions seeking money damages not in excess of $50,000 exclusive of interest and costs, and to cases for the collection of taxes not in excess of $50,000. . . . This rule does not apply to . . . actions seeking equitable relief . . . .
>
> **(b) Affidavit *re* Damages Sought.** Any civil action seeking money damages shall have attached to the initial pleading the party's affidavit that the total of money damages sought does or does not exceed $50,000. If the damages sought do not exceed $50,000, this rule shall apply. Any judgment on such claim which exceeds $50,000 shall be reduced posttrial to an amount not in excess of $50,000. Any such affidavit may be amended or superseded prior to trial pursuant to leave of court for good cause shown, and only if it is clear that no party will suffer any prejudice as a result of such amendment. Any affidavit filed pursuant hereto shall not be admissible in evidence at trial.

166 Ill. 2d R. 222(a), (b).

The Decision in *Grady v. Marchini*

At a recent meeting of the Chicago Bar Association's Comme Litigation Committee, Jeffrey H. Bunn, past Chair of Commercial Litigation Committee and a partner with the law of Horwood, Marcus & Berk Chtd., presented for comment discussion the decision in *Grady*. In *Grady*, the plaintiff fil personal injury action to recover damages resulting defendant's negligence, seeking damages "in an amount excee $15,000." *Id.* at 175. The plaintiff's case was designated as an (or Law Magistrate) case. *Id.* at 175. The jury ultimately retu a verdict for the plaintiff and awarded $97,700 in damages. *I* 176.

The defendant filed a post-trial motion pursuant to Rule 222(reduce the verdict to $50,000, claiming that (1) the matter captioned as an LM case and the caption had been premise plaintiff's initial pleading and (2) the plaintiff failed to attac affidavit to her complaint stating that the money damages so did or did not exceed $50,000 as required by Supreme Court 222(b). *Id.* at 176. The trial court granted defendant's motic reduce judgment to $50,000. *Id.* at 176.

On appeal, the *Grady* court framed the issue as: "Does Sup Court Rule 222(b) Require Reduction of Judgment?" *Id.* at The plaintiff argued the trial court erred in limiting her damag $50,000 because (1) she never filed an affidavit pursuant to 222(b) averring that the total damages sought did not ex $50,000 and (2) in her complaint she sought damages in exce $15,000. *Id.* at 178. In response to plaintiff's argument, the *G* court stated:

> The language of Rule 222(b) is clear. A party shall attach his or her affidavit, which states whether the damages sought do or do not exceed $50,000, to the initial pleading . . . . The use of the term "shall" indicates a mandatory intent . . . .
>
> [T]he use of "shall" in imposing an obligation on the party to file an affidavit with his or her initial pleading stating whether or not he or she is seeking damages in

> excess of $50,000 is . . . mandatory. Plaintiff did not file an affidavit saying she was seeking in excess of $50,000. We conclude that she is precluded from recovering more than $50,000. Rule 222(b) requires the judgment be reduced to $50,000.

Id. at 178. The *Grady* court then affirmed the trial court's judgment. *Id.* at 181. No petition for leave to appeal the decision was filed in the Illinois Supreme Court.

The Trouble with *Grady*

It should be noted that, unfortunately, *Grady* appears to rely solely on the language of Rule 222, and not on the specific facts of the case before it, as support for its decision that the plaintiff's judgment be reduced to $50,000. It is this sole reliance on the language of Rule 222 that bothers so many litigators upon reading the case. As stated by the Honorable Peter Flynn of the Circuit Court of Cook County, "The trouble with *Grady* is that, more than likely, the *Grady* court arrived at its decision because the complaint in *Grady* was designated as an LM case, which by definition applies to actions in which the damages are $50,000 or less; the plaintiff herself designated the complaint as an LM case; and, as a personal injury action, the plaintiff alleged damages only in an amount exceeding $15,000. Therefore, without the Rule 222(b) affidavit, the defendant in *Grady* could have been, and perhaps was, misled into believing that the amount in controversy was considerably less than the amount sought or received by plaintiff. Those facts would have made the *Grady* result understandable, but, unfortunately, they were not the stated basis for *Grady's* holding. Instead, the *Grady* court simply and starkly held that Rule 222 automatically and mechanically requires—no matter what the circumstances might be—that a judgment be reduced to $50,000 in any civil action seeking money damages in which the plaintiff has not filed a Rule 222 affidavit stating that more than $50,000 is sought. So far as appears from *Grady*, that would be true even if, for example, the complaint itself sought $5 million in damages."

Indeed, it appears the *Grady* court unequivocally held that Rule 222 requires the judgment be reduced to $50,000 where the plaintiff failed to attach an affidavit to her complaint stating that she sought in excess of $50,000. *See Grady*, 375 Ill. App. 3d at 178. Although the court noted later in its opinion that the plaintiff designated the case as a Law Magistrate case by typing the letters "LM" on her initial complaint, the court noted such facts only as support for its "find[ing] [that] it [was] disingenuous for plaintiff to claim the circuit clerk . . . provided the designation." *Id.* at 179. Thus, although the facts in *Grady* may have influenced the court's decision, the *Grady* court did not expressly rely on those facts in arriving at its conclusion. As a result, Rule 222, if strictly construed as it was in *Grady*, poses a problem to many litigators.

The Effects of *Grady*

From An "Opt-in" To An "Opt-out" Approach

As stated above, the purpose of Rule 222 is to reduce the cost of discovery in cases seeking money damages not in excess of $50,000. Thus, before *Grady*, it was generally accepted (at least in Cook County) that Rule 222 was more of an "opt-in" approach to expedited and streamlined discovery in cases seeking damages of $50,000 or less. The Committee Comments to Rule 222 further support the theory that Rule 222 is an "opt-in" rule by providing, "The limited and simplified discovery procedures are triggered by the filing of an appropriate affidavit as set forth in paragraph (b)." *See also Kapsouris v. Rivera*, 319 Ill. App. 3d 844, 850, 747 N.E.2d 427, 432 (2d Dist. 2001) ("[R]ule [222] is triggered by the filing of an 'Affidavit re Damages Sought' as set forth in paragraph (b) of the rule"). However, the ruling in *Grady* appears to have applied an "opt-out" approach to Rule 222, requiring an attorney to either (1) file an affidavit stating that the damages sought exceed $50,000 so that the provisions of Rule 222 do not apply or (2) risk having any favorable judgment entered in their behalf subsequently reduced to $50,000 pursuant to Rule 222. This spin on Rule 222 may not have been what the Illinois Supreme Court had in mind when adopting the rule.

A Change in Practice

At the Commercial Litigation Committee meeting, Bunn asked the room full of litigators, "How many of you, prior to *Grady*, routinely attached affidavits averring that you were seeking over $50,000?" Fewer than ten percent of the attorneys raised their hand in response. Since *Grady*, however, many litigators, from personal injury lawyers to commercial litigators, have begun filing Rule 222 affidavits with their complaints, averring that the damages sought in their case exceed $50,000. "All practicing litigators need to know that this case is out there," says Bunn. To many attorneys, the minor task of attaching a Rule 222 affidavit to the complaint upon filing is much simpler than the alternative—being forced, after a significant victory, to brief the issue of whether their case should be diminished to $50,000 or, even worse, having a court actually grant a defendant's motion to diminish the award based on *Grady* and having to appeal the issue.

Filing a *Grady* Motion

And now for the next logical question: what if an attorney has already filed an initial complaint seeking money damages without attaching a Rule 222(b) affidavit and, after reading *Grady*, wishes to file an affidavit to avoid any future litigation that may result from *Grady*? One alternative could be to request leave of court to file an amended complaint and attach the Rule 222(b) affidavit to the amended complaint. However, the language in Rule 222(b) stating that the affidavit shall be attached to the "initial pleading" (and not to the complaint on file) seems to imply that attaching a Rule 222(b) affidavit to subsequent amended complaints may be insufficient. As a result, the better alternative may be to file a *Grady* motion with the court, requesting leave or an extension of time to file a Rule 222(b) affidavit.

An attorney could file such a *Grady* motion by filing a motion pursuant to Rule 222(b). However, the plain language of Rule 222(b) — "[a]ny such affidavit may be amended or superseded prior to trial pursuant to leave of court for good cause shown" — seems to presume that a Rule 222(b) affidavit is already on file. Thus, Rule 222(b) may be an improper vehicle for requesting leave to file a Rule 222(b) affidavit for the first time.

Rather than filing a motion pursuant to Rule 222(b), an attorney may want to consider filing a motion for an extension of time to file a Rule 222(b) affidavit pursuant to Illinois Supreme Court Rule 183 ("Rule 183"). Rule 183 provides, "The court, for good cause shown on motion after notice to the opposite party, may extend the time for filing any pleading or the doing of any act which is required by the rules to be done within a limited period, either before or after the expiration of the time." 134 Ill. 2d R. 183. The general consensus of those in attendance at the recent Commercial Litigation Committee is that Rule 183 provides the most comfort to litigators after reading the *Grady* decision.

Whether a motion is brought pursuant to Rule 222(b) or Rule 183, counsel must first consider what constitutes good cause for leave to file a Rule 222(b) affidavit. In *Vision Point of Sale, Inc. v. Haas*, 226 Ill. 2d 334, 353, 875 N.E.2d 1065, 1078 (2007), our Supreme Court stated that a court may receive evidence of mistake, inadvertence or attorney neglect in determining whether good cause exists. Further, as Bunn observed, the inconsistency between Rule 222(a) and Rule 222(b) may constitute good cause for the court to extend the time for filing a Rule 222(b) affidavit. Rule 222(b) mandates that "*[a]ny civil action seeking money damages* shall have attached to the initial pleading the party's affidavit that the total of money damages sought does or does not exceed $50,000." 166 Ill. 2d R. 222(b) (emphasis added). However, Rule 222(a) clearly states that the rule applies only to "civil actions seeking money damages not in excess of $50,000." 166 Ill. 2d R. 222(a). Thus, the inconsistency within Rule 222 may give rise to a credible claim of mistake that would constitute good cause for the court to grant leave and extend the time for a plaintiff to file his or her Rule 222(b) affidavit.

Also, while the best course of action may appear to be filing a *Grady* motion, such a motion carries risks. For starters, filing a *Grady* motion may have the unwanted effect of calling attention to the decision in *Grady*, giving an otherwise unaware opposing counsel ammunition to limit the plaintiff's recovery to $50,000, and turning an otherwise non-issue into a contested issue. And as Ian Fisher, a partner at Schopf & Weiss LLP and Vice Chair of the Commercial Litigation Committee, humorously points out, "What happens when your motion is denied?"

In considering whether any risks outweigh the benefits of filing a *Grady* motion, it should be noted that personal injury plaintiffs may be at greater risk to have their judgments reduced pursuant to *Grady* and, therefore, may have a greater need to file a motion for leave to file a Rule 222(b) affidavit stating that the damages sought in their complaint exceed $50,000. Unlike commercial cases wherein a plaintiff is required to allege in the complaint the specific amount of damages sought, section 5/2-604 of the Illinois Code of Civil Procedure ("Code") (735 ILCS 5/2-604) exempts personal injury actions from the requirement of pleading specific damages. Thus, in a personal injury action, a plaintiff need only allege that she seeks in excess of the minimum amount necessary to comply with the circuit rules of assignment where the claim is filed, which is set at $15,000 for the law division in most counties but $30,000 for the law division in Cook County. Gen. Order No. 1.2, 2.1(a)(1)(i).

As a result, if a personal injury plaintiff fails to attach a Rule 2 affidavit averring that the damages sought exceed $50,000 alleges in her complaint only that she seeks in excess of $30,0 would not be clear whether the damages sought were some between $30,000 and $50,000 or whether the damages s actually exceeded the $50,000 cut off in Rule 222. *See* Ali Noble-Allgire, *Revised Supreme Court Rule 222 Will B Federal Courts*, 84 Ill. B.J. 317 (June 1996). It follows th personal injury defendant will have a stronger argument th plaintiff's failure to file the affidavit should result in an diminished to $50,000 because the defendant believed tha amount in controversy was less than the amount actually soug plaintiff and was therefore prejudiced by the failure to file the 222(b) affidavit. Conversely, a defendant in a commercial wherein the complaint alleges the specific amount of dar sought, would have a much weaker argument that he believe amount in controversy was less and was prejudiced by the fail attach a Rule 222(b) affidavit.

Finally, keep one additional thing in mind with regard to a motion. If the decision is made to bring such a motion, it is a better to file the motion sooner rather than later. A motic leave to file a Rule 222(b) affidavit filed earlier in the case make it harder for a defendant to argue that he or she will prejudice from the filing of the affidavit and that the court c cure such prejudice before trial.

Conclusion

Regardless of whether Illinois litigators agree with the decis *Grady*, they seem to agree that, in high-stakes litigation, it is to be safe than sorry. The moral of this story? Unless and un *Grady* decision is explained, distinguished or overruled, pru dictates that you file your Rule 222(b) affidavit.

Six Key Steps to Reach Rock Star Status As a Lawyer

by Vicki Kunkel

Why is it that some companies, professionals and lawyers ge media buzz and are heralded as thought-leaders while other impressive people and organizations fail to even get noticed' words: **professional branding**.

Professional branding can put money in your pocket by:

1. creating buzz about you and your firm in the media;
2. generating word-of-mouth marketing about your firm services it offers;
3. increasing your professional value and, in turn, inc your salary;
4. differentiating you from your competition.;

To get those extra dollars flooding into your business, there low-cost, yet effective strategies you can use to promote you and position yourself as a thought-leader in your industry:

1. **Develop a thlog**. Not a blog, a "thlog." Back at the start of the new millennium, savvy business owners launched blogs to build rapport with customers and attract prospects. According to Blogcount, today there are more than 547,150 blogs out there – all competing for eyeballs and an audience. To stand out in such a crowded field, you need to rethink your approach. Rather than just throw up a blog where you talk about your products, your company or your industry in general, position yourself as a thought-leader in your blog. A "thlog" offers more value-added information for busy consumers. Your material has to be new, untested ground, and offer counterintuitive insights on new developments. You have to be perceived as the groundbreaker in your industry – not just someone who posts general commentary or sales spiels. One way to do that is to conduct your own independent research on something your clients may find helpful, then post that research on your thlog. (More on this topic below when I talk about developing surveys.) Beyond research, though, your thlog should offer detailed insight and explanations of recent industry developments.

2. **Do a survey or identify a trend in your industry**. There is no faster way to get media coverage than to do a survey. (I know: as a former television news anchor and producer we LOVED surveys -- especially on topics of interest to everyday people.) To be effective and get the most mileage, do a survey that is targeted toward your demographic – and will be of interest to the general public. For example, a client of mine who had an Internet store where she sold decorative toilet seats did a survey where she asked, "Besides taking care of the nature call, what do YOU do while on the toilet?" Fifty-three percent said they read a magazine, 22 % performed some type of grooming activity such as combing hair, filing nails, shaving or putting on makeup, 18 %, talked on their cell phone, 4 percent ate a quick snack or drank a beverage while "relaxing" on the can and 3% did things that, well, we can't talk about in a "G"-rated article! She sent the survey results to local radio, television and newspaper stations, most of which ran the story and gave her nice plugs for her online business! Sales skyrocketed!

   Another client – a patent attorney – did a survey where he asked how many minutes per day people talked on a landline phone vs. how many minutes per day they spent on a wireless phone. Again, this was a human-interest topic that the media ate up.

   You don't need a lot of money to do a survey, either. Sites such as SurveyMonkey.com allow you to create and distribute your own surveys for free. If you have a strong client mailing list, you can send the surveys – which will be automatically tabulated – to your list. Finally, don't forget to keep your eyes on the horizon for new trends: I landed a story in Entrepreneur magazine because of my insights on the trend of people moving out of the suburbs and back into the city.

3. **Do the You Tube Dance**. According to one media research study, 69.5% of Internet users actively view video content online. Men are more likely to do so (76% versus 60.2% of women) but age is not a defining element. Everyone is watching!

   Creating the right type of video and targeting the right type of group on You Tube, Veoh, Google Video or myriad other free video upload services out there can send your credibility – and your sales –- skyward as well. And when you upload the video to one of these services, you get an html code that allows you to put the video right on your own site. One caveat, though: just as your "thlog" needs to be relevant, timely and titillating, so, too, does your video. You don't have to have studio-like production quality, but you do need content that engages the audience: it can't be just a sales pitch.

   The best way to get a lot of "You Tube Hits" is to do a short video where you give your opinion or advice on current legal topics of the day. One of my clients who did this on the Vick dogfighting scandal landed an appearance on CNN because one of the producers happened to see her You Tube video on the topic. After appearing on CNN, her phone rang off the hook with potential new client inquiries.

   You don't have to be a great performer, either. Just be genuine, engaging and at least a little entertaining. The real key is to provide genuinely interesting (i.e.; "helpful") information for your viewers.

   To increase traffic to your video (which can be located on You Tube, your website or your "thlog") create a "group" for your potential customers and tag it with words of interest to your audience. For example, the patent attorney could develop a video explaining how to find the most comfortable fit for your head shape, or how to select the best headphone for your needs – whether that is talking on the phone, gaming on the Internet or listening to music over the web. He could tag this video with words such as "music, "gaming," "hands-free phone use" and, of course, "headsets."

4. **Develop a personal web site that is separate from your business or company site**. Each attorney in your organization should have a personal web page. In our post-Enron world, consumers want to know more about the backgrounds of leaders at even small firms and companies. New technology in Japan that allows mobile phone users to scan product bar codes at the point of purchase to learn more about the ethics and personal backgrounds of the executives behind the companies is coming to the U.S. That means company leaders had better be pro-active in managing their personal brands. A key point: your personal site shouldn't merely be a recitation of your business accomplishments; it should also say something about you personally.

5. **Get quoted as an expert in the media**. To get quoted as an expert, you often need a platform – some type of visibility, credentials or credibility. That's where the video broadcasts, personal web sites and surveys come into play. But you can also highlight credibility through your title, such as "lawyer in a firm that specializes in high-tech." Once you have a platform, there are many organizations out there that can put you in touch with reporters for a nominal fee. One example: PR Leads. For $99 per month, they will send reporter inquiries on your topic directly to your inbox each day. So, if your expertise were in technology, you would receive queries from tech reporters

looking to get a comment from an expert like you on a relevant topic. PR Web is another: they'll send out your press releases to high-profile news organizations and business magazines for around $80 per press release.

6. **Develop a tagline**. Finally, develop a tagline, or a catchy moniker that people can identify with you. A few examples: a seminar promoter I worked with dubbed himself "The Butt Man," because, as he put it, he "puts butts in seats" at seminars; a lawyer who called himself "The Pot Lawyer," because his Arizona practice represented people convicted of pot possession and usage; a software developer who called himself "Geek-in-Chief." You get the idea. Whatever tagline you choose, it should be something people will remember. It can be as humorous or as serious as you like, but it must be memorable!

Put these six steps into place and you'll be the one getting all the media attention – and the customers!

Vicki Kunkel is a communications expert. Her upcoming book, "Instant Appeal: The 8 Primal Factors That Create Blockbuster Success," published by AMACOM, will be available this fall. Visit her website at www.beapowerplayer.com

WBAI First Vice President Jeanne Reynolds Takes the Helm of the North Suburban Bar Association

Many of our WBAI officers wear multiple hats! The **Honorable Jeanne M. Reynolds**, WBAI First Vice President, was sworn in September 18th as the President of the North Suburban Bar Association (NSBA). The NSBA has a long history of supporting the legal community through the personal and professional development of its members, and providing quality legal support and guidance to Chicago and its Northern Suburbs. The NSBA is comprised of attorneys, judges, and professionals dedicated to the advancement of excellence in the legal profession, as well as ethical conduct, diversity, competence, practice development and collegiality. In addition, the NSBA strives to ensure the fairness and accessibility of the legal system, to promote public understanding and confidence in the justice system, and to work closely with the Circuit Court of Cook County to improve the administration of justice.

Throughout the year, the NSBA sponsors monthly meetings and events for professional career and legal development, continuing legal education, fundraising, and community outreach endeavors. These include the annual Installation Dinner, Holiday Party, Law Day, Judges Night, and many others. Most recently, the NSBA held its annual Gary Wild Dinner, an event dedicated to recognizing the charitable efforts of Misericordia for its extraordinary service provided to over 550 physically and mentally disabled individuals. Sister Rosemary Connelly from Misericordia accepted this award. In addition, the Honorable Moshe Jacobius, Presiding Judge of the Domestic Relations Division of the Circuit Court of Cook County, will be honored at the NSBA's annual Judges Night reception on May 6, 2008.

Several WBAI Members Successful in the 2008 Election Primary Races

We would like to congratulate our fellow WBAI members who were successful in the 2008 primaries:

First District Supreme Court
Justice Anne M. Burke

First District Appellate Court
Hon. Sharon Johnson Coleman

Representative in the General Assembly, 65th
Aurora Abella-Austriaco

State's Attorney
Anita Alvarez

Clerk of the Circuit Court
Dorothy Brown

Judge of the Circuit Court
Anne Catherine Brady
Hon. Dennis J. Burke
Eileen O'Neill Burke
Ann Collins-Dole
Anna Helen Demacopoulos
Margarita Kulys Hoffman
Michael B. Hyman
Hon. Marilyn F. Johnson
Diana Kenworthy
Maureen Ward Kirby
Hon. Joan Powell
Hon. Jesse G. Reyes
Debra Walker

Nominating Committee Elects New WBAI Officers and Board Members for the 2008-2009 Bar Year

In Mid-February, the general membership of the WBAI met and elected the following members to serve on the WBAI Nominating Committee: **Kristin Barnette, Hon. Elizabeth Budzinski, Michelle Kohut, Lori Levin, Mary Nicolau, Jill O'Brien** and **Hon. Neera Walsh**. These seven members joined the following people who automatically serve on the Nominating Committee, per the WBAI By-Laws: **Jennifer Sender** (2006/2007 President); **Dawn Gonzalez** (2005/2006 President); **Hon. Jeanne Reynolds** (1st Vice President); and **Patrice Ball-Reed** (2nd Vice President).

WBAI's 66TH ANNUAL JO

NT PROFESSIONAL DINNER

In early March, the Nominating Committee met and is pleased to announce that the slate of WBAI Officers and Directors has been finalized for the 2008-2009 bar year. The new officers and directors will be sworn-in during the WBAI Installation Dinner on June 5, 2008.

WBAI Officers and Board of Directors 2008-2009

President: **Hon. Jeanne M. Reynolds**
First Vice-President: **Patrice Ball-Reed**
Second Vice-President: **Kathryn Gallanis-Matern**
Treasurer: **Deane Brown**
Financial Secretary: **Karina DeHayes**
Recording Secretary: **Michele Jochner**
Corresponding Secretary: **Bridget Healy Ryan**
Director (starting 1 year term): **Adria Mossing**
Director (starting 2 year term): **Eugena Whitson-Owen**
Director (starting 2 year term): **Navdeep Gill**
Director (starting 2 year term): **Rosa Tumialan**
Director (starting 2 year term): **Sarah Breitlander**
Director (starting 2 year term): **RoxAnne Rochester**
Director (starting 2 year term): **Jennifer Irmen**
Director (finishing 2 year term): **Margot Klein**
Director (finishing 2 year term): **Michelle Kohut**
Director (finishing 2 year term): **Jessica Arong O'Brien**
Ex-Officio: **Karen Enright**

Retiring Officers and Directors
Hon. Maria Kuriakos
Jennifer Sender

"HATS OFF" TO OUR PAST PRESIDENTS - THE WBAI PAST PRESIDENTS' TEA

In December, the Board of the WBAI saluted our Past Presidents for their continued support and encouragement of the WBAI and all women attorneys! The party was a holiday tea held at the Mid-Day Club. Entitled "Hats Off to the WBAI Past Presidents," the WBAI sought to thank each of the Past Presidents, who are all trailblazers in their own right, for constantly challenging the WBAI to continue its core mission of promoting the advancement of women in the legal profession and the promotion of issues that affect all women. Many of our Past Presidents have continued on in their careers as attorneys, judges, politicians, advocates, teachers, philanthropists, entrepreneurs, journalists, mediators, and community leaders. T WBAI is proud of the unique talents and accomplishments of each its Past Presidents!

The Officers and Directors of the WBAI as well as the members the Hooton Committee were invited to join the Past Presidents at t

party. Past Presidents included **Charlotte Adelman**, **Hon. Hela Berger**, **Elaine Strauschild Blatt**, **Hon. Elizabeth Budzins Karen Dimond**, **Barbara Disko**, **Sharon Eiseman**, **Dawn Gonzalez**, **Susan Haddad**, **Dolores Hanna**, **Jewel Klein**, **Jac Lustig**, **Lori Levin**, **Denise Staniec**, and **Thelma Brook Sim** Special guests included the **Honorable Justice Anne M. Bur Paula Hudson Holderman**, and the **Hon. Kathleen Burke**. As y may guess from the pictures, the theme suggested hats to be mandated attire!

WORK-LIFE BALANCE? THE ANSWER IS . . . OPTIONS

BY: KAREN A. ENRIGHT AND RUTH M. DEGNAN, WINTERS ENRIGHT SALZETTA & O'BRIEN, L.L.C.

The phenomenon of "work-life balance" is a relatively rec development in the legal profession. Historically, the legal fi was overwhelmingly male[1]. The few women who participated so in world dominated by a model where men worked and wom did not. The work-life norms were established from t perspective. Married men in almost all instances had wives w stayed home to raise the children and manage the family's ho life. For the few women who practiced law during this time, th were few options but to make the best of it both professionally a personally. Significantly though, the average attorney work fewer than 40 hours per week – "a schedule that would clearly considered 'part-time' by today's standards."[2] As a result, th was little need to consider, much less formally address conce regarding "work-life balance" because the system was inheren balanced.

By 1985 however, women made up 40% or more of the first y and total enrollments at ABA approved law schools in the Uni States.[3] For the 2006-2007 academic year, women made 46.30% of the first year students and 46.9% of the total enrollme Despite the fact that the number of women entering the le profession has generally increased consistently over the last twe years, as of 2006, women made up only 30.2% of the total num

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of attorneys practicing law,[5] and only 17.2% of law firm partners.[6] Why the disparity? Where have all the women gone?

How much of this attrition is directly attributable to the inability to maintain an acceptable work-life balance as opposed to other, more typical factors impacting rates of attrition? The research demonstrates that concerns regarding work-life balance are increasing dramatically. Studies have shown that nearly two-thirds of all lawyers in private practice report difficulty managing the demands of work and personal/family life.[7] Even more compelling, 75% of women and 64% of men at the associate level and 59% of women at the partnership level agree that advancement in their firm depends on putting career before personal/family life.[8] Consistent with this finding, more than 50% of partners and more than 66% of associates report that they "often or very often put work before personal/family life." Not surprisingly, these pressures are felt disproportionately by women, especially women at the associate level.[9]

Concurrently, there is consistent pressure on law firms to offer higher salaries to attract the best and brightest talent. This necessarily raises the level of required billable hours to justify the high salaries. Efforts by firms to juggle these competing pressures are failing. The money incentive is slowly becoming less of a marketing tool, as prospective hires are increasingly looking for firms that will provide legitimate options to maintain an acceptable work-life balance.[10] Attorneys want and need options to meet the professional and personal demands in their lives. When choices are unavailable or unacceptable, these attorneys are looking elsewhere.

Linda Bray Charnow, with the Project for Attorney Retention, describes the striking correlation between the level of hours required and the increased rates of attrition, regardless of the level of financial compensation. For example, Charnow reports that "while most women will become mothers in their lifetime, only 7% of mothers between the ages of 24-45 with children under the age of 18 work over 49 hours per week." Law firms that require more than 49 hours per week and do not provide part-time work options or do not promote attorneys who fail to meet the target for billable hours, will lose most of their female associates when those women choose to have children, along with the significant investment the firm has made recruiting and training those women.[11] This level of attrition is costly. One study estimates the average total cost of an associate's departure at $315,000, approximately twice the average associate's salary.[12]

While the level of attrition among women is startling, concerns regarding the ability to maintain a fulfilling and balanced lifestyle are crossing the gender barrier with increasing frequency. As a result, the issue has inevitably received greater attention. Charnow reports that men are leaving private practice for jobs that require a lower time commitment to permit them to meet professional goals as well as willingly play an active role in their children's lives, meet other family responsibilities, or simply pursue other personal interests. Charnow further identifies a correlation between the level of attrition for male attorneys and the outdated male stereotypes that hinder the extent to which male attorneys are willing to embrace the alternative work arrangements being offered. Men do not want to be seen as having opted for the "mommy track," so they are leaving firms with high time requirements for firms with lower time commitments.[13]

Moreover, maintaining a healthy work-life balance is attracting even greater attention as the necessity to provide care for aging parents occurs with greater regularity, imposing additional demands on the already overbooked schedules of the younger generation. The work-life balance conundrum applies universally in the legal profession. It affects lawyers trying to maintain an individual lifestyle that embraces more than a career, and those lawyers trying to more feasibly manage childrearing concerns and lawyers whose elderly parents or other family members require increasing attention. Another development whose consequences are only recently becoming apparent is the greater prevalence of married couples juggling two demanding careers.[14] This phenomenon will play a gradually more significant role in this dilemma. As these young couples begin to have families, the responsibilities for childcare and family life management must necessarily be shared between them in a manner which did not present itself to prior generations. In addition, as our societal norms have evolved men are more interested in playing a more day-to-day, hands-on and visible role in childrearing. For couples who each maintain demanding careers, who struggle to bridge the gap between their rewarding and hard-earned careers and their desire to participate actively in their families' lives in an appropriate and fulfilling way, the options have been limited.

It is a different world and our professional norms must change.

Suggestions for making it work . . .

There are a number of options available to the legal profession to promote a healthier work life balance among employees. These "flexible work arrangements" exist in many and varied forms:

Full-Time Flexible Options: Variations of full-time schedules that do not affect salary, benefits or time frame for career advancement.

- **Flextime**: The most widespread form of flexibility. Employees choose starting and ending hours, but they usually must be at work during a core period when all employees are present;
- **Flexible week:** A variation on the standard workday and workweek. For example: (1) fewer but longer days ("compressed work week"); (2) shorter days in a six-day week; and (3) two or more weeks with longer and shorter days, but an average not exceeding 37.5 or 40 hours per week, or whatever the standard work week is within the company; and
- **Work-at-home, Flexplace or Telecommuting:** Some or all work done at a location other than the regular worksite, usually an employee's home, or a satellite or branch office. Telecommuting implies that an employee is connected to the office by use of electronic equipment (e.g., computer, fax machine).

Flexible Reduced-Time Options: Options that involve fewer hours than full time. These arrangements can affect salary, benefits and career advancement to varying degrees depending on the arrangement, its length, and
policy.

- **Part-time:** Most familiar to e
most sought after by employees
reduced-hour options. A redu
schedule that can take vario
reduced weekly hours, reduce
hours, or transactional work (full
specific project with time of
projects).
- **Job Sharing:** Two people share
the responsibilities of one full-tir
- **Part-time telecommuting:** A
flexible arrangement. An examp
an employee works at a location
the main worksite and works fe
than full time.

Adopted from Catalyst, "INFObrief, Flexible Work Arra
and "Making Work Flexible: Policy to Practice," (1996).

While these options describe feasible and appealing a
implementation of these programs must include
attention to the attitudes and organizational support p
address the very real concerns that participation in such
carries with it an inescapable stigma. Indeed, in a
graduates of five of the top ten law schools, Catalyst r
both men and women feel participating in flex
arrangements adversely affects their career advancemen
women in law firms and 91% of women working a
counsel believe that using a flexible work arrangement
detrimental affect on their advancement.[15] Additiona
study reports that 67% of women and 49% of men pra
cite women's commitment to personal and family respor
a barrier to advancement.[16]

The current model for work-life balance in the legal pro
lacking in feasible alternatives that women, primarily
children, are willingly, indeed gratefully taking optio
that their choices will have an irreparable impact on the
for career advancement along the traditional path.[17]
business model that is rewarding or profitable for any c
involved. In the recruitment and training of young a
average break-even point is 1.8 years.[18] In the current
however, associates no longer plan to stay with a sin
long enough to make partner. They accept a position
leave in two years.[19] This data readily demonstrates t
profession not only has an ethical obligation to deve
that will enhance work-life balance, from a business p
well, there is a crisis demanding attention.

The profession should be assured, however, tha
attorneys will not be the only winners when they c
more satisfying work-life balance. The law firms win
research is replete with studies documenting the cle
between increased levels of contentment among en

increased levels of production. Indeed, 53% of part-time professionals report that their commitment to their employer increased due to their arrangement, and 48% of part-time professionals reported that their commitment to their job increased.[20] While many law firms currently offer some type of alternative work arrangement, the degree to which attorneys have been taking advantage of the options has been limited.

Other industries are feeling the same crunch, the same need to provide attractive work options to create a more balanced system. An excellent example was recently highlighted. The accounting firm of Deloitte & Touche USA LLP has implemented a program described as "the most comprehensive effort so far to reconcile the demands of a global economy with the needs of a diverse, multigenerational workforce."[21] The program adopts the image of a corporate lattice, as opposed to a corporate ladder, on which employees can move around, up, down or laterally, as their circumstances change. Specifically addressing concerns regarding potential harm to career advancement, this lattice model allows parents and other employees to "drop out or ease up without fear of forfeiting a shot at a top job after they return."[22] As programs such as this become more prevalent, the cultural norms will inevitably change as well. The assumption that less time means lower commitment or smaller effort will eventually expire as more women and men embrace a new model for professional employment.

Organizations like the American Bar Association Commission on Women in the Profession, The Project for Attorney Retention (PAR)[23], Catalyst[24] and locally, the Women's Bar Association of Illinois and the Chicago Bar Association Alliance for Women have prioritized the development and promotion of a healthier work-life balance for all attorneys. The very existence and proliferation of these groups is a sign that attitudes are changing for the better, and more viable options are sure to be implemented with greater ease and regularity. Indeed, the Project for Attorney Retention recently announced that twenty-three of the nation's leading law firms have joined PAR as founding members, demonstrating publicly their commitment to "bridging the gap between what lawyers are looking for and what most law firms offer in terms of work-life balance."[25] As increasing numbers of large and small employers provide more choices to accommodate the changing professional landscape, more lawyers will take advantage of these choices.

It's working already . . .

In preparing this article, we conducted a small number of very informal interviews. The responses we received demonstrate the practicability of options like those described above, where predominantly women but men as well, have found or created alternative work arrangements to suit their changing circumstances. While small employers are significantly more likely to offer flexibility to all or most employees than employers of other sizes,[26] the circumstances described to us occurred in most cases as a result of case by case, ad hoc arrangements in both small and large employment settings. Most importantly, in every case the employees reported great satisfaction with their arrangements.

Jackie Dunn, a mother of three, left a lucrative position as a litigator at a top law firm with the birth of her first child. She returned to the judiciary as a law clerk believing the more regular and predictable schedule would permit a more manageable life as a new mother. With the birth of her second and third children, the full time clerkship became too demanding. She now shares a position as a law clerk to Federal Magistrate Judge Arlander Keys. Working three full days a week, her partner, Julie Kemnitz works the other two days. When they started the job-share four years ago, there was no specific policy or guideline for such an arrangement. Kemnitz, a mother of two, made the proposal to Judge Keys, having been aware that Judge Wayne Anderson, had been using similar arrangements on an ad hoc basis for some time. Kemnitz credits Judge Anderson with helping to assure Judge Keys of the feasibility and usefulness of the arrangement. Four years later, the job-share continues to be a brilliant solution for all. Ms. Kemnitz explains, " wouldn't still be working if I couldn't do this." Since Dunn and Kemnitz have started their job share, their arrangement has become a model of sorts for other law clerks in the Northern District of Illinois seeking alternative work arrangements. Asked to describe her level of satisfaction, Ms. Dunn states, "In terms of possibilities that were available to me, I won the lottery."

Bridget Quast is equally effusive about the arrangement she had as a clerk to the late Justice Alan Hartman, of the Illinois Appellate Court. After working full time for Justice Hartman for approximately one year, Ms. Quast proposed that upon her return from maternity leave after the birth of her first child, she maintain her full time status but work three days a week from home. Ms. Quast described her concern that Justice Hartman would be unwilling to consider the arrangement because he was very traditional, very "old school." She was pleasantly surprised at his swift agreement to "make it work." She maintained the position for four years, through a second pregnancy, and only stopped when Justice Hartman passed away. She credits the success of the arrangement to the solid working relationship they shared prior to her proposal and her level of dedication to making her absence from the office painless for Justice Hartman. Ms. Quast maintains, "It was the perfect situation for me."

Independent of one another, both Ms. Dunn and Ms. Quast pointed out that their level of dedication to their employer and their jobs increased after implementing the more flexible and accommodating work arrangement. This commentary is certainly consistent with statistical findings making the same conclusion.[27]

Pat Brown, an attorney with the Cook County Public Guardian's Office, pursued another path. After working full time in the juvenile division of the office for several years, with the birth of her children she opted to cut back her hours and work as a contract attorney for the Public Guardian. This arrangement allows her to accept or decline assignments based on her own need or desire to work. She works less in the summers when her children are home from school, and picks up more work when the school year begins. She has maintained the position for the last nine years and describes her level of satisfaction as very high, especially when her children were younger. Brown explained that the Public Guardian's Office employs contract attorneys for many different types of assignments so making the option available to employees of the office did not require significant change.

While all of these women acknowledge the negative impact that alternative arrangements can have in terms of financial compensation, benefit reduction, professional recognition and career advancement, they were universal in expressing their appreciation for being able to maintain a more balanced, family friendly work environment. They describe the negative implications as being, on balance, far outweighed by the benefits of the arrangements.

Making it work: Winters Enright Salzetta & O'Brien, L.L.C.

We are very proud of the extent to which our law firm, Winters Enright Salzetta & O'Brien, L.L.C., recognizes the importance of and provides extensive flexibility to achieve a healthy work-life balance. As a small litigation firm (4 partners, 2 associat attorney *Of counsel*), there is no formal policy regarding altern work arrangements, but in practice it exists for all of us.

Karen Enright, a founding partner and current president o Women's Bar Association of Illinois maintains a successful lucrative law practice as a wife and mother to two young boys 7 and 5). She returned to work full time after the birth of ea her sons and maintains a rigorous schedule, estimating her and work related activities account for approximately 55 hour week. Karen works just as hard on non-work related activ participating regularly in triathlons and other athletic events. explains that maintaining an acceptable work-life balance req significant effort and credits her ability to do so to the flexibilit firm provides. While she tries to maintain a consistent schedule, the beginning and end times are discretionary. She v compressed weeks at times and works from home as necessary a partner and founding member of the firm, she enjoys the l and the burdens of being her own boss. Karen is emphatic tha work-life balance is an ever present issue that requires con effort and dedication. It can be a real struggle at times an solutions are not without pitfalls. Overall however, the f attitude is one which values hard work and mutual respect. these values as a foundation the flexibility necessar accommodate everyone's lifestyle choices comes fairly easily.

Choosing a different path, Ruth Degnan is *Of Counsel* at the and has worked part-time from home for the past six years provides regular support for the firm through legal research writing assignments she accepts on a contract basis. She desc the arrangement as ideal for her family. Ruth and her husband four children, ages 7, 5, 4, and 1. "Working from home allow to set my own hours to a great extent, be present and active i day to day lives of my children, and I'm practicing an aspect o that I have always enjoyed. I feel very lucky to have arrangement. I think I have the best of both worlds."

Pursuing yet a different alternative, Paul Salzetta joined the fi a partner in 2000 with a very unique employment arrangement wife, a successful partner at Ernst & Young was nine months three year assignment in Amsterdam. Seeking more flexil Paul partnered with Winters, Enright and O'Brien. The pa agreed that Salzetta would commute from Amsterdam to wor week a month at the office and spend the other three weeks month in Amsterdam with his wife and two sons. During his away from the office, Paul was available via telephone and e and managed his case load to the extent it could be accompl away from office. While this was a temporary arrangement, i successful because all of the parties involved maintained open of communication and the expectations on all sides were c articulated. Paul quantifies his level of satisfaction with arrangement at 100%. He continues to maintain a more fle work arrangement as his wife's schedule requires extensive tra

In order to achieve an acceptable work-life balance, all player be called upon to adjust our focus, reevaluate our priorities reconfigure our efforts. This flexibility is an integral element creation and implementation of work arrangements that mee needs of all parties involved. Attitudes are slow to change changing they are as our profession has begun to acknowledge the shifting landscape in which we exist. A genuine dedicated commitment by both employers and employees to create a rewarding and gratifying work environment will benefit everyone involved.

Footnotes

1. Prior to 1975, women accounted for less than 20% of the first year and total enrollment in ABA-approved law schools. Bureau of Labor Statistics, "First Year and Total JD Enrollment by Gender 1947-2006," http://www.bls.gov
2. Project for Attorney Retention, "Reduced Hours," http://www.pardc.org/Publications
3. Bureau of Labor Statistics, "First Year and Total JD Enrollment by Gender 1947-2006"
4. *Id.*
5. American Bar Association Commission on Women in the Profession, "*A Current Glance at Women in the Law 2006*"
6. Catalyst, *Quick Takes: Women in Law,* 2007 (citations within), http://www.catalyst.org .
7. Catalyst, *Beyond a Reasonable Doubt: Creating Opportunities for Better Balance*, 2005.
8. Significantly, only 46% of men who are partners agree that their advancement in the firm depends on putting career before personal/family life. Given the fact that men make up 84% of the equity partners in law firms, is it any wonder that the work-life balance concerns have disproportionate impact on women? *Id.*, see also, NAWL, "2006 Report: NAWL's First National Survey on Retention and Promotion of Women in Law Firms," October 2006, http://www.abanet.org/nawl/docs
9. Catalyst, *Beyond a Reasonable Doubt: Creating Opportunities for Better Balance*, 2005
10. See generally, The Project for Attorney Retention, Linda Bray Charnow, "The Business Case for Reduced Hours," http://www.pardc.org/Publications/business_case.shtml
11. *Id.*
12. Catalyst, "Beyond a Reasonable Doubt: Building the Business Case for Flexibility,"
13. *Id.*, See also, Hayes, Hannah, ABA "Perspectives," *Tipping the Scales in Favor of a Balanced Workplace.*" Winter 2006
14. Catalyst, Viewpoints, *Workplace Flexibility is Still a Women's Advancement Issue,* August 2003 (citations within)
15. Catalyst, *Women in Law: Making the Case*, 2001
16. *Id.*
17. Catalyst, Viewpoints, *Workplace Flexibility is Still a Women's Advancement Issue*, August 2003 (citations within)
18. *Supra*, note 12.
19. *Supra*, note 10
20. Catalyst, *A New Approach to Flexibility: Managing the Work /Time Equation*, 1997
21. Chicago Tribune, Sept. 9, 2007, Sect. 5, at 1, col. 1, Barbara Rose, "*Workers Selecting Own Career Track*"
22. *Id.*
23. The Project for Attorney Retention is "an initiative of the Center for WorkLife Law at the University of California Hastings College of Law" conducting studies and issuing reports and recommendations regarding work-life issues in the legal profession. http://www.pardc.org/about
24. Catalyst describes itself as "the leading nonprofit corporate membership research and advisory organization working globally with businesses and the profession to build inclusive environments and expand opportunities for women and businesses."
25. Project for Attorney Retention, News Release, Sept. 4, 2007.
26. Catalyst, *Quick Takes: Work-Life Benefits*, March, 2007.
27. *Supra*, note 20.

Karen M. Enright is a partner with Winters Enright Salzetta & O'Brien, L.L.C., where Ruth M. Degnan is of counsel This article previously appeared in the 2008 issue of "Women in the Law," published by the Chicago Daily Law Bulletin.

A Will For Wellness

By Paul Shaheen

Don't hope, decide.

This is the mantra law firms both big and small are now taking when it comes to enhancing the health and wellness of their employees.

Why? Because nowadays there's more to employee health care and employee health plans than just deductibles, co-pays and out of pocket maximums.

In the past, most companies that offered group medical benefits did nothing more than engage in an annual routine: they'd shop for insurance, find the best price and plan they could, explain it as best as possible to their employees, then sit back, use the plan, and hope for a favorable renewal.

Unfortunately, with health costs continually on the rise (another nine percent on average increase is expected for 2008 per PricewaterhouseCoopers), firms have come to find this 'sit back and hope' strategy is no longer sustainable.

Bluntly, many firms are now deciding to do something about their renewal, and we're not just talking about changing plans or raising deductibles.

Certainly a firm can try to 'outrun a renewal' so to speak by changing health carrier plans every year or two, but all that does is create confusion, a lack of benefit continuity, and loads of paperwork. Moreover, if your employees aren't healthy, attempting to move to another carrier will at some point become unsuccessful.

So what to do?

How about working from within?

Rather than seeking different answers from different carriers, perhaps the best step might be to engage your employees into the values and virtues of better health, because the healthier your employees are, the better chance you'll have of controlling employee benefit costs over the long haul.

Doing so brings many advantages, and not JUST lower health care premiums:
Ask yourself: As a law firm, what's your greatest asset?
Of course, it's your people, and the expertise of what you do.

If you were a manufacturer, you'd do everything possible to keep your machinery free of breakdowns and defaults. Shouldn't you approach your employees the same way? For as a COO of a major law firm so eloquently once said:

"The best and only way for us to provide outstanding customer service is to be sure our associates and staff are in the best health to deliver on our promises."

Secondly, and as a follow up to the previous point, what's the holy grail of lawyers and law firms? From everything I heard, it's productivity.

If that's true, the best way to keep employees productive is to keep them healthy, and that's where engaging your employees to be more health- conscious comes in.

Now you may be thinking: Doesn't my health plan offer annual physicals? If so, shouldn't my employees be taking advantage of this? Furthermore, why is it my job to make my employees take care of themselves. Isn't that something they should be doing on their own?

In theory, that's true. But in practice? That's another story. Statisticssuggest less than 50% percent of the general population has seen a doctor for a physical in the last five years. Worse, of those who have seen their doctor, 80% of what they're told is forgotten, and of what they remember, 50% is remembered incorrectly (per the Wellness Council Of America).

What to do about it? Well, if employees won't head to the wellness, then bring the wellness to them.

Here are just a few ways to do so:

--If your firm has at least 15 or more employees, consider offering on-site wellness screenings. Believe it or not, you might be able to do them at little to no charge. Many group health carriers (such as Blue Cross, Humana and United Healthcare) have PPO network vendors who'll not only go out to job sites and perform these screenings, they'll also apply the cost towards your plan's annual wellness benefit. Further, the results of the screenings are delivered to your employees directly (hence, no privacy issues), offering easy-to-follow suggestions on how to take action on what the results suggest. Those results, by the way, can be staggering. In 2007, Horton, through its worksite wellness partner Interactive Health Solutions, performed nearly 3,000 screenings and found nearly 25% of those tested to have medical conditions (like high blood pressure, diabetesor pre-diabetes) they were previously unaware of.

Moreover, those conditions extrapolated into millions of dollars of unmanaged claims, and literally thousands of unproductive work days.

These are the sorts of costs, not to mention revenue leakage, th law firms simply cannot afford.

Fear not, however. Even if your firm is small, there's still PLENT you can do to promote a wellness culture:

-Fill your lunch room with posters promoting the advantages smoking cessation, good nutrition and such.

-Offer cash incentives for those willing to attend smoking cessatic classes, many of which are offered at your local hospital and heal clinics.

-That lunch room vending machine full of sugar- filled soda? Mal it all bottled water, or, make the water free, and charge more for t soda itself.

Don't hope, decide.

This is just a start. There's much more:

-Most medical carriers offer wellness tools on their respective we sites. Blue Cross and Blue Shield of Illinois, for example, provid employees the ability to do an on line wellness screening. Furthe through its BluePoints program, your employees can earn 'rewa points' whenever they use BXBS's wellness portal. Those poin can then be redeemed for prizes at stores like Best Buy et al.

-Offer incentives for employees for taking their annual physical For instance, have your employees bring you a privatized (HIPP safe) Explanation of Benefits statement each year showing pro they've taken their annual physical. And if they do, you can offer incentive, such as a paid day off, or a reduction in medical premiu (it's legal to offer up to a 20% reduction in premium for a employee who takes part in an annual physical or worksite wellne program.)

You could even offer small cash incentives like a $50, $75 or $1 gift card to anyone who takes an on-line OR on-site screenin Keep the amounts at these thresholds to avoid tax consequenc Again, don't hope, decide.

And to the notion of gift cards, here's another idea that work successfully at one employer: offer a higher level of gift ca depending upon the level of participation. For instance, you ha ten employees: f50% of the employees get a physical, participar each get a $50 gift card. If you get 75% participation, they get a $ card, and if it's 100%, they all get a $100 card. This encourages team effort and 'rallies' the troops so to speak.

But back to the question you might still be asking: Why shoulc offer incentives for something my employees should be doing their own? Well, there's a saying I heard a couple years ago I' never forgotten:

"Lead with their wallets, and their hearts and minds will follow."

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Ask yourself again: Are you just hoping to keep your health costs under control, or would you rather try doing something about it?

While some claims are admittedly unavoidable, a sustained wellness culture can over the long run help keep those claims to a minimum.

Take charge, don't rely on your insurance carrier or someone else. Be anagent of change from within.

Don't hope, decide.

Paul Shaheen is a Vice President with The Horton Group in the Horton Benefit Services Division. With a concentration on the legal industry, he specializes in providing employee benefits and employee benefit communication tools to groups from 2 to 300 lives. He serves as a member on a number of Horton's key carrier advisory boards. Paul studied Economics and Communication at the University of Michigan and has continued his insurance education by obtaining both the Registered Health Underwriter (RHU) and Registered Employee Benefit Consultant (REBC) designations.

Planning For The Unimaginable: Considerations In Setting Up Guardianship For Your Minor Children

By Robert Varek

Introduction

One of the most common reasons that younger people engage in estate planning is to ensure that their children will be taken care of in the event of a tragic loss of both of the parents. Turning this impulse into a workable estate plan presents challenges to the parents and to the party assisting with the estate plan. Many attorneys pass quickly over this portion of the process, emphasizing the small likelihood of something happening to both parents. But such an oversight minimizes one of the principal reasons that their clients have undertaken the estate planning process, and can lead to significant problems down the road. As with the rest of the estate planning process, success depends on a thorough understanding of the laws applicable to guardianships and careful drafting to implement the clients' wishes. Whether you are an attorney helping clients through this process or a parent making these decisions yourself, considering the following issues will result in a better estate plan.

Guardianship Statutes

There are two general categories into which all state guardianship statues fall. The first are those states which require a court to approve and appoint the guardian. Courts in these states, including Illinois, will give "due regard" to appointments made in a will, but they will also consider a host of other factors. The second category includes those states which will appoint the guardian designated by the parents. Even in these states, the courts will reject an appointment if it is not in the best interests of the child. The principal procedural difference between the two categories is that a court will immediately issue "letters of guardianship" in the latter case. A sub-category exists which also includes Illinois. Certain states permit a minor fourteen years old or older to object to an appointment.

Many estate planners neglect to inform their clients of these distinctions. In doing so, they may leave the clients with an improper understanding of what they have accomplished during the planning process. As parents or as attorneys, one should keep in mind the real ramifications of the choices one makes in an estate plan. Only then can all the parties involved be confident that they have made the best decisions with respect to this sensitive and important issue.

Types of Guardian

Most states, including Illinois, permit the separation of the role of guardian into two distinct offices. The guardian of the estate (also referred to as the guardian of the property) is the individual charged with the responsibility of managing a minor's property. The guardian of the person is the individual given legal custody of the minor. Choosing whether or not to sever these roles by appointing two separate individuals is a critical component of the planning process.

Choosing a single person to serve both roles is obviously a simpler and more streamlined solution. Many estate planning specialists recommend this structure under most circumstances. There are times, however, where separating the roles will provide a solution that suits the needs of the child. Most commonly, clients may feel that the person best suited to raising a child in their home may not be financially sophisticated enough to handle the task of administering the child's trust. On the other hand, what may look like a panacea from a distance can also lead to problems. Placing family members into these separate roles can sometimes lead to tension or outright hostility between the parties. Only careful deliberation by the clients, with the guidance of their counsel will yield the proper solution for their particular circumstances.

Factors to Consider When Choosing A Guardian

Among younger clients, there is no single issue which causes more discussion, consternation, and sometimes outright conflict, than choosing whom to appoint as guardian. There are three common problems faced by families making these decisions. The first is a lack of options. Family size continues to shrink and more families find themselves scattered around the country, leaving fewer attractive options for guardians. The second problem is the inverse of the first, too many quality options with too little to distinguish among them. Finally, there are those families faced with making a decision that generates conflict between the clients. Each parent often advocates on behalf of someone from their side of the family, and tensions can escalate dramatically as they work this out. A compromise is out there.

Each of these three scenarios poses its own problems, but objectively looking at certain factors can help families and lawyers arrive at a satisfactory conclusion. Exercises such as ranking the options from best to worst in each category, writing pros and cons and even role playing can help take some of the heat out of the discussion.

1. Be inclusive when first making a list of possible guardians. Refusing to consider someone out-of-hand can lead to immediate tension. Furthermore, there may be a less than obvious choice who would be an excellent candidate.
2. Do not rule someone out purely on the basis of their current financial status. Keep in mind that the estate plan being drafted is going to provide substantial support for the minors. If someone is an ideal guardian for other reasons, there are drafting tips (discussed below) available to make sure that it can work financially.
3. Consider the age and health of the guardian. Younger parents often reflexively want to choose their parents as the guardian. That is often a valid option, but one must consider their age and the age of the children.
4. Consider the number and ages of any children in the guardian's home. This is particularly important for parents with more than one child.
5. Evaluate the lifestyle of the household as well as the individual. A candidate may be a nurturing and capable parent, but may have extensive obligations at the office or other activities outside the home. One cannot expect this to change simply because they have been appointed as a guardian.
6. Establish criteria for evaluating the spiritual or religious values of the candidates. Explicitly stating the core values of most importance to the parents can help evaluate the candidates they are considering. Don't emphasize piety at the expense of practical values.

It is most important to keep in mind that there is no perfect candidate. Nobody is ever as qualified as the parents themselves, and planner and parent alike must keep in mind that they are just trying to arrive at the best option. Considering the foregoing issues should help make that process somewhat easier, but it is still a difficult and emotional process.

Getting The Most Out Of The Estate Planning Process

There are a virtually infinite number of drafting options and tools available to make sure that all of the issues which confront parents with respect to guardianships are addressed to their complete satisfaction. Nowhere else in the estate planning process is more ripe for cultivation through the imagination of the clients and the creativity of the planner. Creating a workable and satisfying guardianship framework involves many components.

First and foremost is the need to provide for successor guardians. While this is particularly critical in the scenario which finds a child's grandparent being appointed guardian, it is essential to make such provisions in every case. Failing to do so could undermine the entire process, leaving the courts without direction as to the parents' wishes.

Do not overlook the need to provide for the guardian. In addition t the awarding of stipends directly, provisions may be drafted whic allow distributions to the guardian for childcare and househo expenses, as well as the costs of improved housing. Keep in min that the clients are adding immediately to the family of th guardian, and such an addition is not without its costs. One gener method for making sure that a guardian does not suffer undu hardship is to authorize distributions for any expense which th guardian would not incur but for his or her role as guardian.

It may be beneficial to provide that the client's home be maintain as the residence for the children and the guardian's family. Agai this is the sort of arrangement that should only be created aft careful analysis of the particular client's situation as well discussion with the potential guardian.

Directions given to guardians with respect to the education of th children may be general or specific. Objective standards, such state school report card rankings, can and should be used wherev possible. Religious education should be considered as well.

Conclusion

The priorities and goals of parents undertaking this process a many and varied. Fortunately, there are myriad tools available make sure that client and planner are able to meet those goals. Th factors listed above will help the client choose the right guardia and the drafting tools discussed herein demonstrate the manner which a plan can be tailored to every need. Planning for the wors case scenario is never a pleasant exercise, but by considering the topics it can be made easier and, in the end, a relief to parents.

Robert J. Varak is a graduate of the University of Illinois (B. 1993) and The John Marshall Law School (J.D., 1996), where was recognized as a Dean's Scholar. In over a decade as practicing attorney, he has focused on estate planning and busine law. Mr. Varak has created plans for estates of all sizes, from t most modest of estates up to and including complex estates wi assets valued at millions of dollars. While the primary goal of mo of Mr. Varak's clients is to ensure that their children are provid for financially, the plans he implements for his clients inclu creative tools to assure every parent that the guardiansh educational and other needs of their children are complete addressed while minimizing the costs and expense which m diminish many estates.

Mr. Varak also has extensive experience in business law as both transactional attorney and litigator. He has successfully litigat on behalf of Fortune 500 corporations as well as individu entrepreneurs, and he understands that every deal or laws requires a unique plan suited to the business he represents.

The Illinois Supreme Court Sheds Light on the "Gray Areas" of the Relation-Back Doctrine in Porter v. Decatur Memorial Hospital

By Michele M. Jochner

The question presented in *Porter v. Decatur Memorial Hospital*, 227 Ill. 2d 343 (2008). was whether, pursuant to section 2-616(b) of the Code of Civil Procedure (735 ILCS 5/2-616(b)(West 2004)), count III of plaintiff's second amended complaint related back to his timely-filed original and first amended complaints and, therefore, whether plaintiff's motion for leave to file a second amended complaint was improperly denied as time-barred. Chief Justice Robert Thomas, writing for a unanimous Illinois Supreme Court, answered these questions in the affirmative.

Plaintiff Larry Porter filed his original one-count complaint in this matter on March 25, 2002. That complaint named Dr. Oliver Dold as the sole defendant and Decatur Memorial Hospital (Hospital) as a respondent in discovery. Plaintiff alleged that on January 12, 2001, he sought treatment at the hospital's emergency room for injuries he received in an automobile accident and was treated by Dr. Dold, who diagnosed plaintiff as having an incomplete spinal injury. Plaintiff asserted that Dr. Dold was negligent in failing to properly diagnose and treat plaintiff's spinal injury, and that this negligence caused plaintiff to sustain additional spinal injury resulting in loss of function in his legs.

On January 6, 2003, plaintiff filed a first amended complaint, wherein he repeated the allegations against Dr. Dold and added a second count which now named the Hospital as a defendant. Plaintiff alleged that as a result of the wrongful acts and omissions of the Hospital and its employees and personnel, his diminishing neurological function went undiagnosed and untreated, causing him additional injury.

On June 21, 2004, plaintiff filed a motion for leave to file a second amended complaint. This pleading added a third count, also against the Hospital. Plaintiff now specifically alleged that during treatment at the Hospital he underwent a CT scan of his cervical spine which was improperly read by Dr. Gordon Cross, a radiologist who plaintiff asserted was an apparent agent of the Hospital. Although the Hospital objected to plaintiff's motion on the ground that the claim against Dr. Cross was a completely new and different claim which was barred by the two-year statute of limitations in section 13-212 of the Code of Civil Procedure (735 ILCS 5/13-212 (West 2004)), the trial court allowed plaintiff to file the second amended complaint. The court found that the second amended complaint related back to the original and first amended complaints because, pursuant to section 2-616(b) of the Code, it arose out of the same transactions or occurrences as alleged in those timely-filed pleadings.

Thereafter, the Hospital filed a motion to dismiss count III pursuant to section 2-619 of the Code (735 ILCS 5/2-619 (West 2004)), arguing again that it was time-barred. Following a hearing, the trial court granted the Hospital's dismissal motion, now finding that the allegations contained in count III did not relate back to the original counts plaintiff filed against the Hospital. The trial court found that the original complaints failed to put the Hospital on notice to prepare a defense for Dr. Cross or as to any radiological issues. Plaintiff subsequently filed a motion to reconsider the dismissal. The trial court denied the motion, but also determined that its earlier ruling to allow plaintiff leave to file count III of his second amended complaint was contrary to its later ruling granting the Hospital's 2-619 dismissal motion. Accordingly, the circuit court revised its original ruling on plaintiff's motion for leave to file a second amended complaint to deny plaintiff leave to amend on the basis that the second amended complaint did not relate back. On appeal, a majority of the appellate court affirmed the judgment of the trial court.

The Illinois Supreme Court reversed the judgment of both the appellate and circuit courts. The Supreme Court determined that pursuant to the plain language of section 2-616(b), the key inquiry was whether the cause of action asserted in the newly-filed pleading "grew out of the same transaction or occurrence set up in the pleadings" which were filed within the limitations period.

In answering this question, the court engaged in a thorough and informative discussion of the history and purposes of the relation-back doctrine as found in section 2-616(b) of the Code. The court determined that one purpose of the doctrine "is to preserve causes of action against loss by reason of technical default unrelated to the merits." Accordingly, the requirements of section 2-616(b) should be liberally construed to allow resolution of litigation on the merits and to avoid elevating questions of form over substance. In addition, the court observed, both the statute of limitations and section 2-616(b) have the goal of providing defendants with "a fair opportunity to investigate the circumstances upon which liability is based while the facts are accessible." Therefore, it follows that the rationale behind the "same transaction or occurrence" rule found in section 2-616(b) is that a defendant is not prejudiced by an amendment if his or her attention was directed within the limitations period to the facts that form the basis of the claim asserted against the defendant. Thus, it must be determined whether the defendant had such notice under the facts presented.

As part of its analysis, the court looked to its prior opinion in *Zeh v. Wheeler,* 111 Ill. 2d 266 (1986) for guidance. In *Zeh*, the court discussed the "same transaction and occurrence" language contained in section 2-616(b), and found that the statute's focus is upon identity in the occurrence or transaction between the original and amended complaints. *Zeh* explained that this analysis is grounded in the belief that if a defendant has been made aware of the occurrence or transaction which is the basis of the claim, he or she can prepare to meet plaintiff's claim, whatever theory it may be based upon. The court also noted in *Zeh* that this approach is consistent with that taken by the federal courts pursuant to Rule 15(c) of the Federal Rules of Civil Procedure. (Fed. R. Civ. P. 15(c)).

After tracing the history of the relation-back doctrine under both Illinois and federal law, the Illinois Supreme Court clarified the relation-back rules and their application as follows:

- Relation back is appropriate where a party seeks to add a new legal theory to a set of previously alleged facts.
- Relation back is not appropriate where an amendment states an entirely new and distinct claim for relief based on a completely different set of facts.

The court then turned from these largely black-and-white situations to what it termed as the "grey area" where an amendment adds new factual allegations which can be characterized as falling within the general "transaction" alleged in the original complaint. The court set forth the applicable rules as follows:

The amendment will not relate back where

- The original and amended facts are separated by a significant lapse of time; or
- The two sets of facts are different in character, i.e., one alleges slander and the other physical assault; or
- The two sets of facts lead to arguably different injuries.

The amendment will relate back where the new factual additions satisfy both prongs of a two-pronged test:

- There must be a "sufficiently close relationship" between the original and new claims, both in temporal proximity and in the general character of the sets of factual allegations; and
- The additional facts are part of the events leading up to the originally- alleged injury.

It is the court's clarification of this "grey area" that is of particular importance in this opinion as the court has now formally adopted the "significantly close relationship" test as set forth in the 1985 federal decision in In re *Olympia Brewing Co. Securities Litigation*, 612 F. Supp. 1370 (N.D. Ill. 1985) to determine whether new allegations contained in amended pleadings grew out of the transaction or occurrence set forth in the prior pleadings, as well as to determine whether a defendant can be considered to have had adequate notice. In the words of the court, under this test, "a new claim will be considered to have arisen out of the same transaction or occurrence and will relate back if the new allegations as compared with the timely filed allegations show that the events alleged were close in time and subject matter and led to the same injury."

The court then applied the "sufficiently close relationship" test to the facts in the case before it, and concluded that the new factual allegations set forth in count III of plaintiff's second amended complaint "grew out of" the transaction or occurrence set up in the earlier pleadings. The court found the following:

- the new and prior allegations were closely connected in time and location;
- the new and prior allegations were similar in character and subject matter, involving claims of medical malpractice that resulted in failure to appreciate plaintiff's declining neurological status; and
- the new allegations were part of the same events leading up to the same ultimate injury for which damages were being sought.

The court concluded that based upon plaintiff's earlier allegations, the Hospital was on notice that he was asserting negligent treatment by the employees and agents of the Hospital in failing to appreciate and report his diminishing neurological status, as the plaintiff's timely first amended complaint alleged that the Hospital had provided "personnel" - including nurses, aides, attendants "and others" - for the care and treatment of plaintiff, and that they had not met the standard of care in plaintiff's case. Plaintiff alleged that as a result, his declining function went undiagnosed and untreated causing him loss of function in his legs. Count III added th allegation that an alleged agent of the hospital, Dr. Cook, misreac and misinterpreted plaintiff's spinal CT scan and, as a result, hi diminishing neurological function went undiagnosed and untreated causing him to lose extremity function. The court determined tha there was a sufficiently close relationship between the prior anc amended allegations to show that the latter allegation grew out o the same transaction or occurrence as set up in the earlier ones, anc the Hospital had sufficient notice. Accordingly, the cour concluded that the second amended complaint related back to th timely filed first amended complaint, and that the circuit court errec in dismissing the count and not allowing plaintiff to file the secon amended complaint.

Significantly, the court also found that by asserting that there wa no relation-back here, the Hospital took "too narrow a view" of th "same transaction or occurrence" language in section 2-616(b), an improperly ignored the "grew out of" language that is also in tha section. The court underscored that "[s]ection 2-616(b) itself wa largely designed to notify a party that claims will be asserted tha grow out of the general fact situation set forth in the origina pleading." (Emphasis supplied). Thus, the court concluded that th allegation in plaintiff's second amended complaint about Dr. Cross interpretation of the CT scan was simply "an amplification tha grew out of the earlier allegation about failing to report diminishin neurological function, both of which arose out of the sam transaction or occurrence."

At the end of its opinion, the court also observed that the appellat court had previously divided over how broadly to interpret sectio 2-616(b)'s relation back doctrine. However, the court declined t formally overrule any prior appellate court opinions, stating instea that "our decision today should provide adequate guidance fo future cases."

WOMEN'S BAR FOUNDATION ELECTS OFFICERS AND DIRECTORS FOR YEAR 2008

By Bates McIntyre Larson

At the January annual meeting of the members of the Women's Foundation (WBF), the following members of the Women's Association of Illinois were reelected as Directors of the WBF for th year terms: Carol A. Hogan, Rosemary Krimbel, Patricia E. Mu Dixie Lee Peterson, and Jean M. Prendergast. The members of WBF elected the following new Directors to three-year terms: Di Ratekin, Rosa Maria Silva, and Catherine Basque Weiler. At the quarterly meeting of the Board of the WBF, held immediately after annual meeting of the membership, the following Officers were ele for the year 2008:

President:	Dixie Lee Peterson
Vice-Presidents:	Judith Schuch (Fundraising)
	Bates McIntyre Larson (External Affa
	Carol Hogan (Scholarship Director)
Secretary:	Bernadette Freeman
Treasurer:	Bernadette M. Barron
Asst. Treasurer:	Mary A. Melchor

Additional Directors whose terms continue during the year 2008 are:

Joanne R. Driscoll *(Past President)*	Dolores K. Hanna *(Past President)*
Karina DeHayes	Jacqueline S. Lustig
Mary Ann Hynes	Kaarina Salovaara

The WBAI has appointed the following *ex officio* Directors:

Diane B. Brown	Catherine J. Casey

The WBF elected the following members to the Scholarship Recipient's Council:

Toya Horn Howard	Michelle Zier

The WBF also elected the following members to the Honorary Council:

Laurel G. Bellows	Sharon L. King
Robert A. Clifford	Florence Miller
Sharon L. Eiseman	Beth Clark Rodriguez
Janice R. Forde	Leonard J. Schrager
Etha Bea Fox	Patricia Unsinn

Women's Bar Foundation 2007 Scholarship Reception A Success At The Mid-Day Club
By Bates McIntyre Larson

In September 2007, the Women's Bar Foundation (WBF) held its 2007 Annual Scholarship Reception, proudly sponsored by DLA Piper and Huron Consulting Group. The 2007 reception was held at the Mid-Day Club, and was the scholarship event for the WBF to be held in the evening. Ten scholarships were given to the following highly accomplished women:

ELIZABETH GASTELUM Southern Illinois University School of Law Past Recipients Scholarship

(Photo by Paul Berg Photography)

TRACY SHESSLER Northern Illinois University College of Law Women's Bar Foundation Scholarship

KATARZYNA HOMENDA DePaul University College of Law Women's Bar Foundation Scholarship

MEGAN SULOK Loyola University Chicago School of Law Women's Bar Foundation Scholarship

GRAY MATEO University of Illinois College of Law Cary Ann Bechly Scholarship

LAUREN TOBIASON The John Marshall Law School Women's Bar Foundation Scholarship

LESLEE NELSON Loyola University Chicago School of Law Chief Justice Mary Ann G. McMorrow Scholarship

MARGARET WAKELIN Northwestern University School of Law Women's Bar Foundation Public Interest Scholarship Given in Honor of a Law Student Who Has Demonstrated a Commitment to Working for the Public Interest

TOPE ODOFFIN
The John Marshall Law School
Esther Rothstein Scholarship

CATHY YU University of Chicago Law School
Women's Bar Foundation Scholarship

Reception guests were welcomed by WBF President Dixie Lee Peterson. Scholarship presentations were made by Carol Hogan, Vice President and Scholarship Director. Each recipient was proudly introduced by her school's Dean or Assistant Dean, who shared the remarkable achievements and paths to success of this year's recipients.

(Photo by Paul Berg Photography)

The 2007 Scholarship Reception was a financial success, raising money to pay for the annual scholarships that are not endowed. The financial success of the event was attributable to the charitable donations of many individuals, past recipients, and firms, but it would not have been possible without the generous support of the Reception's sponsors, DLA Piper and Huron Consulting Group. The WBF also extends its thanks to its Golden Contributors: Dolores K. Hanna, Dixie Lee and Don Peterson, Perkins Coie LLP, Kevin M. Forde, Ltd., Hon. Mary Ann G. McMorrow, Schiff Hardin LLP, Jones Day, Crisham & Kubes, Ltd., Wildman Harold, Sharon L. King, Loyola University Chicago School of Law, Mary Ann Hynes, Corboy & Demetrio, Patricia E. Mullin, McAuliffe Pattishall, and Sidley Austin LLP.

Women Leading Women – Ninth Annual Women Everywhere: Partners in Service Project Recognizes Judge Diane Larsen
By Jennifer Yu

On March 12, 2008, Cook County Circuit Court **Chief Judge Timothy C. Evans** and the Women Everywhere: Partners in Service Project Planning Committee will hosted the ninth annual

Judicial Reception in support of the Women Everywhere Project. At the event, Cook County Circuit **Judge Diane Larson** received the "Outstanding Partner" award for her commitment to the project. Having been an active participant and tireless proponent of the Women Everywhere Project for several years, Judge Larson's dedication has helped the Women Everywhere Project to grow in success year after year.

Inspired by Rosemary Brown's famous slogan, "Until all of us have made it, none of us have made it," the ninth annual Women Everywhere: Partners in Service Project is themed *Women Leading Women*. Volunteer activities are being scheduled through the Women Everywhere Project for April 25, 2008 and June 13, 2008.

Women Everywhere Project Co-Chair **Judge Neera Walsh** explains that Judge Larson was a natural choice as a recipient of the award: "Judge Larson's participation in past Women Everywhere Projects has encouraged other young women to reach for and attain careers in the law. We at Women Everywhere believe that Judge Diane Larsen exemplifies the spirit of our program. She is a woman who did not come from a 'legal' background. Instead, Judge Larson's exposure to the legal system sparked an interest which encouraged her to become a lawyer and then a judge. I hope that this year's Women Everywhere Project will inspire women of varied levels of experience within the legal community to volunteer and to help spark an interest in our participants to reach for something they may not have considered before."

The Judicial Reception provides judges with an opportunity to meet with members of the Women Everywhere Project Planning Committee to learn about its activities and the ways in which volunteers can make a difference. It also marked the beginning of the Women Everywhere volunteer events for 2008. On April 25, 2008, Women Everywhere will hold its Educational Projects Day. Educational Projects include trial and appellate court tours, mock trials, and inspiring speeches by community leaders. Offered to junior and senior young women from local high schools, attendees are also invited to eat lunch with the judges and participate in discussions with guest speakers. One of the goals of the day is to encourage young women to develop long lasting relationships with volunteers from the legal community as well as to foster budding interests in the law. In addition to the educational seminars, the Women Everywhere Project will award two scholarships to participating students. The two young women selected will receive financial assistance towards their college education based on essays about women role models in their lives.

The Women Everywhere Project's ninth annual Agency Projects Day will be held on June 13, 2008. Through the project, both female and male volunteers are encouraged to give back to their community by volunteering their time to one of nearly 30 participating service agencies dedicated to helping women and children in need. Volunteers can sign up to participate individually or firms and organizations may pair with an agency for a group activity. Volunteer activities may include painting and cleaning projects, tutoring and legal service activities or leading discussions on a variety of legal topics. By donating a few hours to the project, volunteers help make a difference in the lives of women and children in need all across Cook County.

The Women Everywhere Project is the collaborative effort of multiple women's bar groups working together to plan volunteer activities for the legal community on behalf of women and children in need. The Women Everywhere Planning Committee is comprised of members of the following women's bar groups: Asian American Bar Association; Black Women Lawyers Association of Greater Chicago, Inc.; Chicago Bar Association Alliance for Women; Chicago Bar Association Yong Lawyers Section Women in the Law Committee; DuPage Association of Women Lawyers; Filipino American Bar Association; Hadassah Attorneys Council; Hispanic Lawyers Association of Illinois Latina Lawyers Committee; Illinois Association of Defense Trial Counsel; Illinois State Bar Association Minority and Women Participation Committee; Illinois State Bar Association Women and the Law Committee and the Women's Bar Association of Illinois.

For more information about the 2008 Women Leading Women volunteer activities or if you would like to make a donation to the Women Everywhere: Partners in Service Project, please contact Ellen Girard at egirard@quarles.com. To enroll your law firm or to enroll as an individual please go to www.women-everywhere.org or contact WE Co-Chair and Volunteer Coordinator Jacquelyn Pinnell at jpinnell@quarles.com. Volunteers can choose either a full or half-day commitment of their time.

Jennifer Yu is a Legal Placement Consultant with Ajilon Legal.

WBAI MASTER CALENDAR FOR *2007/2008*

MAY 2008

Thursday, May 8th New Lawyer Swearing-In

Monday, May 12TH Hooton Meeting 5:00 pm

Wednesday, May 28th WBAI Board Meeting 5:30 pm

JUNE 2008

Thursday, June 5TH WBAI Annual Installation dinner

Monday, June 9th Washington, DC Trip – Supreme Court Bar Admission Ceremony

For further information on programs and events, please contact the WBAI office at (312) 341-8530 or log on to our website www.wbaillinois.org.

THE WBAI 13th ANNUAL
"NO THREAT, NO SWEAT" GOLF OUTING

Oak Meadows Golf & Banquet Facilities
Addison, Illinois
for directions call (630) 595-1800
or visit http://www.dupagegolf.com

THURSDAY, JULY 17, 2008

Registration and BBQ Lunch:	12:00 noon
Tee Off - All Holes	1:00 p.m.
Cocktail Reception & Silent Auction	5:00 p.m.

Don't miss this year's Cocktail Reception where there will be a Silent Auction with lots of incredible items to bid on.

This is a **SHOTGUN SCRAMBLE** event which means players of all skill levels are welcome!

Sign up as a foursome if you like. Singles, twos and threes will be matched up with others. Bring clients, friends and spouses, the more the merrier!

COST: $150 for members, their guests and judges, and **$175** for non-members.

INCLUDES: The cost includes 18 holes of golf, electric cart, beverages, BBQ lunch, and a cocktail reception.

DEADLINE: Payment must be received in full by **July 10th**. Fill out the reservation form below and mail it to the **WBAI** with your payment as soon as possible. You may also register online at www.wbaillinois.org. Payment must be made with your reservations. Sorry, no walk-ins, and no refunds after July 10th.

For more information regarding the event, **including sponsorship opportunities**, please contact Eugena Whitson-Owen at (312) 894-3310 or ewhitsonowen@salawus.com

DON'T MISS OUT!! SPACE IS LIMITED, SO REGISTER EARLY!!

Name: ____________ Phone #:____________ Email: ____________ WBAI MEMBER (Y/N)____

Name: ____________ Phone #:____________ Email: ____________ WBAI MEMBER (Y/N)____

Name: ____________ Phone #:____________ Email: ____________ WBAI MEMBER (Y/N)____

Name: ____________ Phone #:____________ Email: ____________ WBAI MEMBER (Y/N)____

____ WBAI Members, their guests and judges at a cost of $150 each................................for a total of $__________

____ Non-Members at a cost of $175 each..for a total of $__________

Enclosed is a check for a total of $ __________

Mail Payment to: WBAI, 321 S. Plymouth Ct., Suite 4S, Chicago, Illinois 60604 Phone 312/341-8530
Or register online at www.wbaillinois.org (payment **must** be made by July 10, 2008)

You are cordially invited to the

Women's Bar Association of Illinois

94th Annual Installation Dinner

Installing
Hon. Jeanne Reynolds as **President**
&
the **2008-2009 Officers & Directors**

Thursday, June 5, 2008
Hilton Chicago
720 S. Michigan

President's Reception
sponsored by

JENNER&BLOCK

Reception in the Normandie Lounge @ 5:00pm
Dinner in the Grand Ballroom @ 6:00pm

For ticket sales and table sponsorship opportunities, please contact the WBAI at 312-341-8530.