



YLD NEWS

The newsletter of the Illinois State Bar Association's Young Lawyers Division

Business development in the 21st Century: Building your personal brand online

Erin E. Wright, Esq.¹

Remember the old adage, *it's not what you know, it's who you know*? Today we should add, *it's who you know personally, online, on LinkedIn, on Facebook, and on Twitter*. It may come as a surprise that at the end of 2010, more than two billion people world-wide were online. More than 77 percent of Americans are online, and almost nine out of 10 of those Americans (87 percent) use social media. In fact, people spend more time on social networking sites than they do reading and responding to e-mails.

Just as businesses build their brands online, lawyers should too. While there is no replacement for meeting a potential client face-to-face, the first introduction is often made online when the potential client Googles your name. Therefore, it makes sense to put your strongest foot forward to make your best introduction, and doing so online

is an extension of doing so in person. Fortunately, managing the way you are portrayed online is relatively easy and in many cases free. No matter who your target audience is, any or all of the following will get you started on building your brand online:

Create a Web site. While there is no need for anything overly sophisticated or fancy, your Web site should contain a professional picture, your address and contact information, a description of what you do and how you can help, and directions and a map to your office. The purpose of your Web site is to formally introduce yourself to potential clients and to help facilitate an in-person meeting.

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Searching for the Holy Grail (a.k.a., the Work-Life Balance)

By Douglas F. McMeyer of Husch Blackwell, LLP

The practice of law does not always lend itself to being an active and involved parent. Every attorney knows what it feels like to have a catastrophic breakdown in a case just as you are starting to think about heading home for the day. We all know what it means to have to cancel plans with our significant other because the partner, client, or judge needs something right away. What we can often lose, especially in the adrenaline rush of the moment, is how those actions impact out loved ones at home.

This is especially true when the loved one who misses out on time with us is a child.

For the purpose of this article, it is not necessary to rehash the host of studies that serve to make working parents feel bad about the time they lose with their children. It is enough to acknowledge that our children need us and that the way we do our jobs and the way our job affects us impacts their perception of us, the

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Changes to Illinois Supreme Court Rule 216

By Maxine Weiss Kunz

The majority of litigators are familiar with Illinois Supreme Court Rule 216 ("Rule 216"), which governs a request for admission of fact and request for admission of genuineness of document. Many articles have been published on the pitfalls of failing to timely to respond to such a request within the designated timeframe, that being 28 days. However, you may not know that certain amendments were made to Rule 216 on October 1, 2010 and the same became effective January 1, 2011. The changes are as follows:

Addition of Paragraph (f): Number of Requests.

Under the new Rule 216, the maximum number of requests for admission a party may serve on another party is limited to 30. You should note that if a request has subparts, each subpart counts as a separate request. There are two ways around this new rule: by agreement of counsel to allow for a higher number of requests or leave of court for good cause shown. Thus, if you wish to serve the other party with more than 30 requests, and they are not agreeable to same, you will have to file a motion with the court and your motion should include what you believe to be good cause for such a request (i.e., judicial economy, balance of hardships in favor of your client, and so forth).

The Committee Comments shed light on the reason for this new subpart to Rule 216. Foremost, the prior procedure led some attorneys to serve hundreds of requests for admission; this was seen as an abuse of Rule 216. Other referenced problems include the bundling of discovery requests to form a single document into which the requests to admit were intermingled. The Committee viewed this practice as causing a disadvantage to litigants that do not understand the ramifications of Rule 216, particularly *pro se* litigants.

Addition of Paragraph (g): Special Requirements.

The second new addition to Rule 216 is set forth in subparagraph (g), which reads as follows: "A party must: (1) prepare a separate paper which contains only the requests and the documents required for genuine document requests; (2) serve this paper separate from other papers; and (3) put the following warn-

ing in a prominent place on the first page in 12-point or larger boldface type: **"WARNING: If you fail to serve the response required by Rule 216 within 28 days after you are served with this paper, all the facts set forth in the requests will be deemed true and all the documents described in the requests will be deemed genuine."** Failure to abide by this cautionary rule could result in sanctions against the party serving the request, especially if your opponent is *pro se*. Note that the warning font is to be 12-point or larger and boldface.

According to the Committee Comments, this warning is again intended to protect disadvantaged litigants, especially *pro se* litigants who do not understand that failure to respond within 28 days results in the request being deemed admitted.

Bear in mind that the ultimate goal of a 216 request is to remove the requested fact or document from contest at a hearing or trial. The new rules are intended to ensure that this goal is still realized, while removing some of the abuse tactics and procedural traps that formerly surrounded the rule. ■

Maxine Weiss Kunz has been licensed to practice law in Illinois since 2005 and has served on the ISBA Young Lawyer Division's Council for a similar length of time. She is currently an associate for Rosenfeld Hafron Shapiro & Farmer where she concentrates in the practice of family law. Feel free to contact Maxine via e-mail at mw.kunzlaw@gmail.com.

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Leadership for inclusion at Illinois Law: Student member Carol Celestine

By T. K. Peach, University of Illinois Law Student Representative

“I’m sure a lot of people in ISBA have had leadership roles before,” says Illinois Law student Carol Celestine, who recently joined the Law Student Division to find professional development opportunities. As the 1L Representative of the Black Law Students Association at the University of Illinois, Celestine reaches out to law students every day, and she welcomes mentoring from both recently admitted and more experienced attorneys. “I feel like the perspective would be different if just one person would say: hey, I’ve been through it, here’s how to do better.”

“I like to have as many people involved in the dialogue as possible because I feel like people have so many good ideas and good perspectives,” Celestine explains. She credits her family’s West Indies background with her early exposure to traditional organizational goals of structure and clarity, yet continually evaluates whether her leadership style is successful at promoting the inclusiveness she enjoys. “Basically, traditionally the African-American population in law school has always been small, and sometimes that leads to a feeling of isolation. Not that you don’t want to interact with the wider school body, but sometimes you feel like you don’t belong. That’s the focus—outreach and mentoring.”

In her community leadership role at Illinois Law, Celestine is familiar with the challenges of encouraging law students to network with attorneys. “Sometimes if students aren’t forthcoming or more direct, it’s because we’re respectfully intimidated,” she says. “Also, we think you’re so busy and we don’t want to waste your time.” Celestine suggests drawing nervous law students into conversation about their resumes. As an example, she cites one of the best questions an attorney has recently asked her, “What were the most meaningful things you did when you were part of that?”

“I felt like that was an invitation to just bare my soul: this is what I did, this is what was most meaningful to me, and this is why. It really opened up the conversation after that. It was a nice icebreaker in that I was really excited to tell this person about these meaningful experiences I had. You can do anything any day, and it’s just something you did, but there’s no emotion, there’s no investment in it. But if you

ask somebody what’s meaningful, you’ll get better responses, a better picture of who that person is, of what drives them.”

Asking Celestine about her resume is, in fact, a great conversation starter. New to Illinois, Celestine hails from Hempstead, New York, where she grew up in a diverse community with Hispanic, Caribbean and African influences. Celestine’s goal was always to become a lawyer after gaining some experience in the business world, and by the time she graduated from Brown University, she had become fluent in Spanish, coordinated a program that educated inner-city kids about nutrition and enjoyed cross-cultural volunteer experiences in Thailand and Ecuador. Following graduation she worked as a real estate agent and personal banker. She was thrilled by the opportunity to explore what she characterizes as the “philosophical diversity” of the Illinois Law community.

“Sharing ideas with people who are in the same field as you are, the interchange of ideas and strategies—I like that side of networking,” Celestine says. “Sometimes I see really worthy causes, and they’re so ineffective because no one’s really organizing people, trying to fashion a vision, and they just peter out. That’s a tragedy, I think, and so if no one’s willing to do it I’ve always been willing to step



Carol Celestine

up.” Celestine is excited about ISBA’s initiatives for promoting diversity and inclusion in the legal profession, and she hopes to become increasingly involved over her next two years of law school.

When Celestine came by our ISBA table to talk to our student board members about leadership opportunities, we were delighted. At Illinois Law, Celestine’s leadership with the Black Law Students Association and her constant efforts to promote an inclusive student culture have quickly earned the respect of her classmates. As she puts it, “I like the fact that people here keep striving for the best, and I want to be part of that. It’s my home now, so I feel like you’ve got to give it your all. That’s my sort of thing.” ■

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Business development in the 21st Century: Building your personal brand online

Continued from page 1

Create a LinkedIn Account. LinkedIn is a free online professional networking Web site designed to connect you with other professionals. Your LinkedIn account should contain much of the same information as your Web site and is an excellent way to generate referrals. LinkedIn is a tool to connect online with those you have personally met at professional events and is an efficient way to provide updates about your practice to your connections.

Create a Google Places Advertisement. As part of Google Maps, this free service allows you to register your professional location. To create your listing, you can include your name and address as well as the type of service you offer. Google Places is invaluable because when the public searches nearby, your practice will appear. This is one more way to stay relevant and accessible.

Create a Professional Facebook Page. Facebook has 600 million users and counting,

and as a result, businesses have been flocking to establish corporate Facebook pages. Lawyers and their firms should do the same. Facebook users can indicate that they “Like” you or your firm, and by doing so you can communicate directly with your “fans.” In addition, your community becomes more integrated as users become linked with other fans. Facebook is free and provides another opportunity to present your firm’s logo and your contact information so fans and the public may connect with you.

Tweet on Twitter. If you like connecting online, setting up a Twitter account to communicate with your “followers” and the public at large may be for you. You can tweet up to 140 characters, so messages must be concise. Like Facebook, businesses are flocking to Twitter to stay connected with their customers. Twitter can be effective because you can post instant status updates regarding legal victories, newsworthy events, and your commentary. Twitter requires more ac-

tive maintenance than the other suggestions above because Twitter is designed to change quickly and continuously. Twitter accounts that engage other followers tend to be more successful than those accounts that simply tweet but never engage others by replying or re-tweeting followers.

Social media is a rapidly expanding community and businesses are eager to keep up with their consumers. Lawyers, too, should follow suit. Potential clients and the public at large are online and are likely searching for you. Put your best foot forward by introducing yourself in a variety of online forums that are free, relatively easy to use, and exceptionally effective at increasing the value of your personal brand. ■

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SCHOOL of LAW

Voluntarily dismissing a lawsuit and later refileing is not an escape hatch through which to disclose new witnesses if witness disclosure deadlines already passed in the original lawsuit

By Alyx J. Parker, Ansel Law Ltd.

After taking a voluntary dismissal of a lawsuit where Rule 213 witness disclosure deadlines have passed, can a litigant re-file the lawsuit and disclose new witnesses? Section 2-1009 of the Code of Civil Procedure allows a plaintiff to dismiss their lawsuit without prejudice at any time before trial or hearing begins (upon notice and payment of costs). However, if and when the plaintiff re-files the matter, the litigants do not have carte blanche to reopen witness disclosures, if witness disclosure deadlines passed in the original lawsuit. This is due to the interplay between the Supreme Court's requirement of strict adherence for Rule 213 witness disclosures and the protections afforded within Supreme Court Rule 219(e). Accordingly, an attorney must take great care when dealing with Rule 213 witness disclosure deadlines, as a voluntary dismissal will not remedy omissions by simply re-filing the lawsuit and disclosing the omitted witness(es).

I. Rule 213 disclosure requirements are mandatory and subject to strict compliance

The Illinois Supreme Court in *Sullivan v. Edward Hospital*, 209 Ill. 2d 100, 806 N.E.2d 645, 282 Ill. Dec. 348 (2004) explicitly stated that, "[t]he Rule 213 disclosure requirements are mandatory and subject to strict compliance by the parties." *Id.* at 109. The *Sullivan* court further stated:

Rule 213 permits litigants to rely on the disclosed opinions of opposing experts and to construct their trial strategy accordingly. The supreme court rules represent this court's best efforts to manage the complex and important process of discovery. One of the purposes of Rule 213 is to avoid surprise. To allow either side to ignore Rule 213's plain language defeats its purpose and encourages tactical gamesmanship.

Id. at 109-10; see also *Dalan/Jupiter, Inc. ex rel. JRC Midway Marketplace, L.P. v. Draper and Kramer, Inc.*, 372 Ill. App. 3d 362, 370, 865

N.E.2d 442, 310 Ill. Dec. 118 (1st Dist. 2007); *Foley v. Fletcher*, 361 Ill. App. 3d 39, 47-48, 836 N.E.2d 667, 296 Ill. Dec. 916 (1st Dist. 2005); *Spurgeon v. Mruz*, 358 Ill. App. 3d 358, 361, 832 N.E.2d 321, 295 Ill. Dec. 170 (1st Dist. 2005); *Bill Marek's The Competitive Edge, Inc. v. Mickelson Group, Inc.*, 346 Ill. App. 3d 996, 1007, 806 N.E.2d 280, 282 Ill. Dec. 305 (2nd Dist. 2004).

II. Rule 219(e) Voluntary Dismissals and Prior Litigation

Rule 219(e) provides in pertinent part:

A party shall not be permitted to avoid compliance with discovery deadlines, orders or applicable rules by voluntarily dismissing a lawsuit. In establishing discovery deadlines and rulings on permissible discovery and testimony, the Court shall consider discovery undertaken (or the absence of same), any misconduct, and orders entered in prior litigation involving a party.

Committee Comments to Rule 219(e) provide as follows:

Paragraph (e) addresses the use of voluntary dismissals to avoid compliance with discovery rules or deadlines, or to avoid the consequences of discovery failures, or orders barring witnesses or evidence. This paragraph does not change existing law regarding the right of a party to seek or obtain a voluntary dismissal. However, this paragraph does clearly dictate that when a case is refiled, the Court shall consider the prior litigation in determining what discovery will be permitted, and what witnesses and evidence may be barred. The consequences of noncompliance with discovery deadlines, rules or orders cannot be eliminated by taking a voluntary dismissal.

A. *Morrison v. Wagner*

The Illinois Supreme Court noted that Rule 219(e) "prevents voluntary dismissals from being used as an artifice for evading discovery requirements." *Morrison v. Wagner* 191 Ill.

2d 162, 166, 729 N.E.2d 486, 246 Ill. Dec.113 (2000). Rule 219(e) prevents such action by discouraging the abuse of voluntary dismissals by attaching additional adverse consequences later when the party who obtained the dismissal seeks to refile. *Id.* at 167. When a case is refiled, the Rule requires the court to consider the prior litigation in determining what discovery will be permitted and what witnesses and evidence may be barred. *Id.*

B. *Smith v. P.A.C.E.*

In the original lawsuit in *Smith v. P.A.C.E.*, 323 Ill. App. 3d 1067, 753 N.E.2d 353, 257 Ill. Dec.158 (1st Dist. 2001), the plaintiff had failed to respond to discovery requests and listed several expert witnesses in his disclosures, but failed to reveal these experts' opinions. *Id.* at 1070-71. Upon a motion by the defendant, the trial court barred the plaintiff from calling any witnesses at trial. *Id.* at 1071. The plaintiff then voluntarily dismissed his original lawsuit. *Id.* Shortly thereafter, plaintiff refiled his lawsuit. *Id.* The trial court for the refiled action barred plaintiff from calling trial witnesses. *Id.* The First District agreed that the plaintiff had disregarded the discovery process and had voluntarily dismissed his original action to avoid the sanction order that had been entered against him. *Id.* at 1074-75. Moreover, the First District noted that the trial court in the refiled action had the power to restrict the plaintiff's ability to call witnesses in the refiled action based upon what occurred in the original action. *Id.*

C. *Jones v. Chicago Cycle Ctr.*

In *Jones v. Chicago Cycle Ctr.*, 391 Ill. App. 3d 101, 908 N.E.2d 150, 330 Ill. Dec. 298 (2009), on the eve of trial, the plaintiff attempted to disclose new medical conditions and new expert testimony, but was barred from doing so by the trial court. *Id.* at 103-04. The following day, the plaintiff sought a voluntary dismissal of the action pursuant to Section 2-1009(a). *Id.* at 104. The trial court granted plaintiff's voluntary dismissal, but also imposed costs upon the plaintiff that were to be paid prior to any refileing of the plaintiff's action. *Id.* Citing to Rule 219(e) and the Committee Com-

ments to that Rule, the First District found that the plaintiff's voluntary dismissal was an attempt to avoid the consequences of discovery failures or orders barring witnesses or evidence. *Id.* at 114. The First District held that such an attempt to avoid the consequences of discovery failures was sufficient evidence to show unreasonable non-compliance and/or misconduct. *Id.* at 114-15.

III. Discovery Can Be Limited in the Re-filed Lawsuit

Rule 219(e) makes clear that a party cannot avoid the consequences of non-compliance with discovery deadlines, orders, or rules by voluntarily dismissing a lawsuit. The policy concerns behind this are obvious. If litigants were permitted to simply voluntarily dismiss a lawsuit after discovery and witness

disclosures were completed and then get a "second bite" at disclosing more witnesses, documents or opinions, such conduct would avoid the clear rules laid out in our Code of Civil Procedure and the Supreme Court Rules. Particularly, such conduct would avoid the mandatory requirements of Rule 213 witness disclosures that are subject to strict compliance. See *Sullivan*, 209 Ill. 2d at 109-10.

Rule 219(e) is not limited to situations where a litigant has disregarded the discovery process and been sanctioned. The Comments to Rule 219(e) provide that the Rule not only addresses a situation where a party attempts to avoid a court-imposed sanction, but it also addresses the use of a voluntary dismissal to avoid compliance with discovery rules or deadlines, or get around the consequences of discovery failures.

Furthermore, Rule 219(e) does not require the court in the refiled action to find bad faith or scienter on the part of the parties to limit the discovery in the re-filed action. The relevant factors are that the litigants made their witnesses disclosures and the witness disclosure deadline passed. Permitting any further discovery or disclosures than those already made in the original lawsuit would violate the strict adherence requirements of Supreme Court Rule 213. See also *Sullivan*, 209 Ill. 2d at 109-10. It would also encourage tactical gamesmanship and interfere with the Supreme Court's clear goal of allowing litigants to rely on disclosed opinions and construct trial strategy accordingly. *Id.* Furthermore, permitting a party to essentially get an unfettered "do-over" would be a waste of judicial time, money and resources. ■

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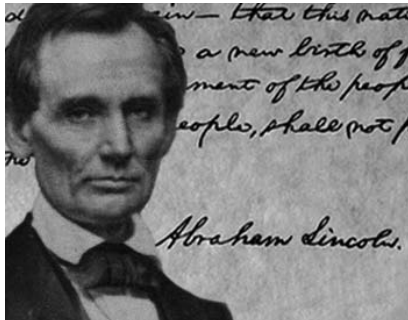
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Searching for the Holy Grail (a.k.a., the Work-Life Balance)

Continued from page 1

world, and their future. So how then does one reconcile the demands of a job that is often insensitive to family life with the needs of children? To help answer that, I drew from my own experience as the father of two young children and touched base with a number of other attorneys, in various-sized markets and firms to see what tips they had.

Set goals

Like every undertaking, you have to start with some idea of where you want to finish. According to one mother, if you wait for family life to come to you, you're going to miss it altogether. Two main goals were identified by virtually everyone I spoke with. Make it home for dinner and spend some time, every week-end with the kids.

Make time for dinner—at home, not at the office

Though it evokes images of "Leave it to Beaver" several studies have indicated that this simple step is one of the most important things we can do for our children. Though we can all acknowledge that this is not always an obtainable goal, it provides a starting place and a solid objective to work toward.

Spend some time every weekend with your kids

Try and keep the weekends as weekends, and when you can't, try working for discrete periods. For instance, one parent I spoke with works on weekend mornings and tries to keep her afternoons free to spend time with the family, run errands, etc. She then returns to work in the evening when necessary. She points out that just by getting up and getting going she can often get in eight or nine hours of work on the weekend and it doesn't feel like a significant sacrifice.

Be honest with your kids

It was fairly consistent among all the attorneys I spoke with that at some point or other they tried to conceal from their children what was going on at work. Across the board, this tactic was a failure. The tip then is to be honest. If you are out with your family and you get an e-mail saying that something is wrong, just tell people that. As one person put it, "trying to sneak off and read your blackberry or hammer out an answer on your iPhone while walking through Disney World is neither cool nor subtle." Moreover, if you're stressed, the people around you will know. Instead of hid-

ing, come clean and let people know that you are worried about work. They may not be able to help you, but at least they will know that you aren't upset with them.

Be honest with your employers and clients

This suggestion is particularly difficult for the gunners in the class because it requires you to say no. Sure, you can bill 2800 hours, but can you do it and spend time with your kids and still sleep? I'd guess not, so try and set limits. Draw a line that says you aren't generally available from 6:30 to 8:30 so you can have dinner as a family and put your kids to bed. Let people at work know that you are taking that time and that you will be available after 8:30.

Let your kids know that your work is not their responsibility

Kids like to fix things. Accordingly, we need to let them know what is and is not their responsibility. I learned this one the hard way. When my three-year-old daughter came up to me as I was working on a sunny Saturday afternoon and handed me a picture she had drawn. She told me that it was "the answer to everything" and told me to show it to my boss. She went on to say that she had "found all the cases and put them all in" her picture. It was her expectation that by doing this for me I could stop working and spend time with her. I explained that it didn't work that way, but that I appreciated her wanting to help. Nonetheless, I spent the next 45 minutes making Play Dough animals at the dining room table.

Set Reasonable Expectations

To the extent practicable, we need to make our kids aware of the schedules we have. Several folks I spoke with keep a family calendar. Two people use the Web site <www.cozi.com> to keep their family calendars as they can sync the Cozi calendar with Microsoft Outlook and therefore keep everything on the same page.

The calendar is important not just for doctor's appointments and weddings, but discovery deadlines and trial schedules. Though each practice is unique, even the young attorney can predict, to some degree, when they are going to be busy. The trick is to notify your kids when something is coming so they know what's happening, why it is happening, and that it's temporary.

Prioritize Your Family Events

Just like in Number 3, this requires you to say no. (Sorry Gunners). Pick the events you are going to attend. One word of caution, however, be careful of the message your choices send. If you choose the soccer game over the teacher parent conference, you are implicitly sending the message that soccer, and your child's performance therein, is more important to you than their performance in school.

Listen to Harry Chapin – "Cat's in the Cradle"

The next tip I received was to always remember that we are modeling behavior for our children. They see how we act and what we prioritize and use that as their basis to construct what's "normal." So ask yourself, are your actions indicative of the way you want your child to act when they are an adult. Does your example set the kind of tone you want to see your grandchildren raised with. If not, its time to make a change and adopt a life more in keeping with what you would like their future to look like.

Talk to others and ask for help

Finally, make sure to talk to other parents. As one father put it, "you wouldn't go into court on a critical motion without researching your position and bouncing ideas off of trusted colleagues. Why would you try and raise a child without doing at least as much." The free exchange of ideas, and the wholesale plagiarism of the approach used by other parents, was critical to the success (or some semblance thereof) that many felt that they had reached. ■



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Report on ABA YLD Midyear Meeting

By Tarek A. Fadel and Kenya Jenkins-Wright

The Assembly of the American Bar Association Young Lawyers Division met on February 12, 2011, at the Hyatt Regency in Atlanta, Georgia. The ISBA Delegates in attendance were: Chair of the Law Student Division Tarek Fadel, council members Matthew Huff, Chris Niro and Kenya Jenkins-Wright.

The ABA Young Lawyers Division (ABA YLD), the ABA's largest entity with more than 147,000 members, continues to further Association goals by serving the community and the legal profession, providing valuable professional development and bar leadership to all young lawyers, shaping young lawyer policies and priorities, and promoting excellence and fulfillment in the practice of the law.

Four important resolutions were heavily debated at this meeting. Resolutions presented and voted on at the YLD Assembly are later taken to the ABA House of Delegates meeting and voted on. Resolution 1YL urges all ABA-Approved Law Schools report employment data on whether graduates obtain full- or part-time employment within the legal profession, both in the private and public sector, or employment in alternative professions, as well as whether such employment is permanent or temporary. This employment information data also should be included on the ABA-Approved Law School's Web sites, in their catalogues, and in their acceptance notices sent to applicants for admissions, or include where such data can be found. Resolution 1YL also urges the ABA-Approved Law Schools to increase transparency regarding their graduates' salaries by displaying data regarding the salaries on their Web sites when such disclosures would not violate the confidentiality of graduates' salary information, and to also display the national median salary information, by employment type, for all law school graduates, and the median salary information for the schools' respective states and regions. This resolution also urges the ABA-Approved Law Schools to publicize the actual cost of the law school education, on a per-credit basis, and the average cost of living expenditures. It is urged that the Section of Legal Education and Admissions to the Bar considers revising the Standards for Approval of Law Schools to require law schools to provide on their Web sites, and in other reasonable methods of communications, ad-

ditional employment and placement of graduates data and collect more information from schools through the Section's Annual Questionnaires to be published by the Section as part of its consumer-information function. Lastly, the resolution urges the Section of Legal Education and Admissions to the Bar to consider using and adopting a model questionnaire created by the ABA which will incorporate the various provisions of this resolution. Michael Bergmann, ABA YLD incoming chair and ISBA council member, and Delegate Niro both participated in the debate in support of the resolution. Justin Heather, who represented the Illinois Delegates on behalf of the CBA YLD, originally rose in opposition to this proposal, however, reached an agreement prior to the debate and rose in support of this resolution at the debate. After debate, Resolution 1YL passed.

The second resolution contested was Resolution 2YL which, if approved, urges Congress, the Executive Branch, and Commercial Lenders to assist students or former students who are not covered by the provisions of the student loan overhaul passed into law on March 20, 2010, but who are experiencing financial hardship due to high levels or student-loan debt, by developing and implementing programs that extend federal student loan repayment terms and federal student loan programs and making repayment terms for federal student loans as beneficial to the borrower as possible. This would allow students to qualify for income-based repayment, consolidations, and other forms of loan repayment assistance. The second resolution also urges that loan forgiveness programs are implemented for public service lawyers similar to the "Direct Loan Public Service Loan Forgiveness Program" authorized by Congress for health care professionals in the "Higher Education Opportunity Act." Encouraging Congress to raise or eliminate the income level associated with the federal income tax deduction for interest paid on qualifying student loans. After much debate, Resolution 2YL passed.

The third resolution on the debate was Resolution 3YL which urges the creation and continued support of formal flextime procedures and programs and flextime partnership tracks to provide the opportunity

for advancement. The third resolution also encourages flextime programs by proving resources and programs that would support the advancement of flextime lawyers and support diversity and modern lifestyles. Resolution 3YL passed.

Finally, there was argument regarding Resolution 4YL. This resolution recommends the State Bar Associations, attorneys, and the public to support the independence and impartiality of the judiciary and to halt politically motivated efforts to affect judicial decisions. During arguments on this debate, ABA YLD Chair-Elect Bergmann argued in support of the resolution. Delegate Niro also participated in the debate in support of the resolution. Delegate Huff argued against this resolution stating that this resolution was not the appropriate way to meet the goals and the ABA and other Bar Associations should better publicize the judges that should be retained. After much debate, Resolution 4YL passed.

The 2011 ABA YLD Spring Conference will be held on May 12-14, 2011, at the Caesars Palace in Las Vegas, Nevada. ■

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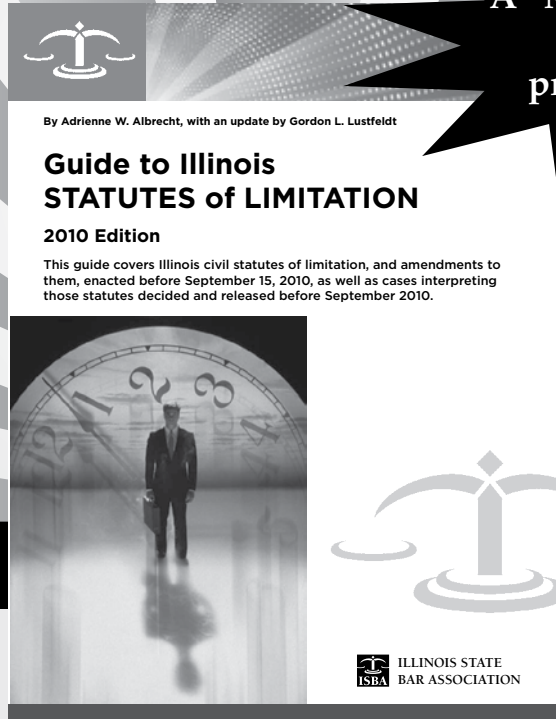
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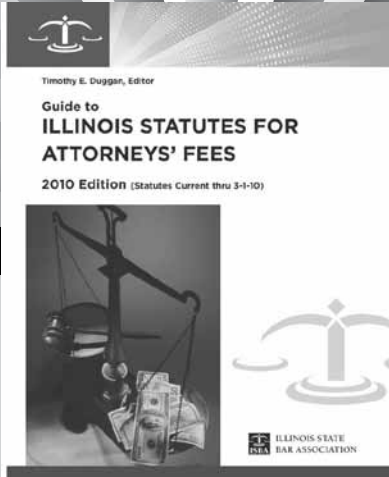
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