



# THE PUBLIC SERVANT

The newsletter of the Illinois State Bar Association's Standing Committee on Government Lawyers

## Someone you should know: The Honorable Harry Leinenweber

By Justin Leinenweber

When Harry Leinenweber arrived at Montgomery Ward's corporate headquarters on West Chicago Avenue, the receptionist had a message for him: call your office. Leinenweber was in Chicago that day to take a deposition in a lawsuit he was defending for the large retailer. His life was about to change forever.

Leinenweber called his secretary who informed him that the President of the United States had called, and she gave him a phone

number he was to call.

"I direct dialed the President of the United States. President Reagan said 'Harry, I was about to sign a commission appointing you as a federal district judge for the Northern District of Illinois, but I thought I better get your permission first. Do I have it?' And I stumbled out 'yes you do.'"

"What did you do afterwards?" I asked my dad as we sat in his chambers on the 19th floor of the

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## In-sites

News articles and parent conversations seem to discuss cyber-bullying more and more. There are quite a few resources available on the Internet.

The U.S. Department of Health and Human Services hosts Stop Bullying and specifically addresses cyberbullying: <<http://www.stopbullying.gov/cyberbullying/>>. This site has a blog, videos and a newsroom. Another resource is <[www.stopbullying.org](http://www.stopbullying.org)>, where "Don't Stand By, Stand Up" is promoted. Here, you can download the free Alex Wonder Kid Cyberdetective Agency Game to help stop cyberbullying.

The Illinois Attorney General Lisa Madigan has devoted a portion of her Web site to stopping cyberbullying. <<http://illinoisattorneygeneral.gov/cyberbullying/>> provides a variety of resources for kids, teenagers, parents, and educators seeking information and advice on stopping and preventing cyberbullying.

<<http://www.cyberbullying.us/resources.php>> is a site devoted exclusively to cyberbul-

lying. There are many resources for parents and teens as well as teachers, with a plethora of teaching materials and student projects.

The Anti-Defamation League provides education and outreach on bullying and cyberbullying. <<http://www.adl.org/education-outreach/bullying-cyberbullying/>>. You'll find strategies and resources for educators, kids, and parents.

Commonsense Media provides links to your own personal toolkit, differentiated by school level. <<https://www.common sense media.org/educators/cyberbullying-toolkit>>. Advice for parents, resources for administrators, and resources for kids are well-organized links.

A Parent's Guide to Bullying is available at <<http://www.connectsafely.org/cyberbullying/>>. The site lists books, articles and reports that deal in depth with the subject.

There are many resources and these are just a few. With a little research, you can help your child navigate the bad side of the Web. ■

## Someone you should know: The Honorable Harry Leinenweber

*Continued from page 1*

Dirksen Federal Building in Chicago.

"I took the deposition," though he confirmed it was certainly difficult to concentrate.

Harry D. Leinenweber began his legal career in Joliet, Illinois, as a member of a small firm and a part-time city attorney.

"Life," he explained, "to a certain extent, is being in the right place at the right time."

His early days as a lawyer were spent in a historic limestone courthouse that once served as a focal point of downtown Joliet. Joliet was once known as the "Stone City," and its limestone bedrock has provided construction materials for buildings all over Chicagoland. If you have seen the Chicago Water Tower, then you have seen Joliet limestone and can get a sense of what the old courthouse looked like.

In the late 1960s, the powers-that-be in Joliet decided to tear down their courthouse and replace it with a modern concrete building—a decision that can only be described as unfortunate. As City Attorney, Leinenweber had a small role in the lawsuits that challenged the demolition, which ultimately made their way to the Illinois Supreme Court, and the Court upheld Joliet's ability to demolish the courthouse.

"Speaking of old courthouses, we're sitting on the site of a beautiful old one. It's too bad they tore it down."

Ludwig Mies van der Rohe designed the Dirksen Federal Building and it was completed in 1964. My father's office faces southeast and has floor-to-ceiling windows that allow sweeping views of the South Loop as well as the Metropolitan Correctional Center where you can see the inmates play basketball on the rooftop gym. Today there are no inmates out. The roof is covered with wire to prevent escape by helicopter.

When asked about the challenges of being a government attorney, my dad noted that one of the hard parts of the job was telling city officials that they could not do what they wanted to do.

"A big part is providing cover for officials who want it in case the deal they're working on goes south."

For example, Leinenweber noted that Joliet officials once tried to surreptitiously pass a tax increase. When he told them they could not do it, they listened.

For those attorneys who have appeared before my dad it may come as no surprise that he identified preparedness, civility, and cooperativeness as key skills for government attorneys. Leinenweber explained that some of the biggest mistakes and arguments he sees occur during the discovery process. He is particularly attuned to government lawyers who proclaim that records are very difficult or impossible to obtain. Those who make such claims, he indicated, had better come with some evidence to support that contention.

"Modern discovery is a lot easier than it used to be. You can just strike a key on some programs."

Here, I have a bone to pick with my dad and I let him know it. As a former assistant attorney general, I am well aware of the limited resources some government attorneys have at their disposal—especially when it comes to electronic discovery. Leinenweber is not unsympathetic, but notes again the importance of being forthcoming and being able to demonstrate why the request is so difficult to comply with.

The practice of law for government attorneys has changed over the years just as it has for all practitioners. When asked to describe some of the bigger changes he has observed over the years, Leinenweber explained:

"The world is more complicated. Laws are more complicated. And apparently there is more money to devote to litigation. A \$50,000 case was huge when I started, now many lawyers wouldn't even touch that."

I ask my dad about some of his more memorable cases.

"In 27 years I've had a lot of cases."

But the case that comes immediately to mind is one of his most recent: David Coleman Headley—the Chicago terrorist who was responsible for scouting locations in Mumbai, India and Copenhagen, Denmark for Lashkar-e-Taiba to strike. Between November 26 and 28, 2008, Lashkar terrorists killed more than 160 people, including four Americans and two Israeli-Americans. Headley helped make it all possible.

"What stands out to you about that case in particular," I ask my dad.

"Headley's effect. He was completely convinced that those people deserved to die because they were Hindus, and India had killed

Pakistanis in Cashmere. The Danish newspaperman deserved to die because they had printed cartoons depicting the prophet."

We discussed the difficulties of trying a terrorism case in a U.S. court. Leinenweber explained that the national security issues were very challenging to deal with, and he stressed that the case was very hard for the jury.

"We had extra security, bomb-sniffing dogs, metal detectors, and the jurors had to meet offsite and be brought in through an underground location."

My dad seemed proud of his role in that case and particularly impressed by the work of the attorneys on both sides, as well as the considerable sacrifices made by the jurors.

I closed by asking him an obvious question: "What advice do you have for a young government attorney like me?" His answer comes as no surprise.

"Be prepared. Be on time. Be civil and cooperative. When it comes to discovery, be reasonable and try to keep the courts out of it and resolve the dispute on your own."

As I leave his office and the beautiful views of Chicago, the inmates have come out to play a pickup game of basketball. I head back to my office with the advice fresh in my mind. Advice that is as true today as it ever was, or ever will be. I hope I can always live up to his example. ■



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# How to block unsolicited or unwanted telephone calls (revisiting the Do Not Call Registry)

By The Honorable Steven L. Nordquist

Telemarketers have been for years contacting consumers on their home telephones soliciting business for their companies. When consumers got fed up with the annoying solicitation/harassment on their home phones, Congress eventually adopted "The Do Not Call Registry Act of 2003." Most of you are aware of this Act. However, it is important to review some of the provisions of the Act, as it has changed somewhat since it was first adopted.

As originally created, one could register a phone number on the National Do Not Call Registry. This registration was good for five years. Upon the expiration of the five-year period, the consumer was required to renew the number(s), otherwise the number(s) were released from the do not call registry, and telemarketers were again able to contact the phone numbers.

The other question was whether the registration applied to cell phone numbers. Now both landline and cell phone numbers are eligible for registration on the National Do Not Call Registry. Consumers may register up to three phone numbers, landline or cell, in one application. Once registered, telemarketers have up to 31 days before they have to discontinue contact with the number. After 31 days, they are barred from contacting those properly registered phone numbers.

However, there are exceptions. Organizations calling for charitable donations, political organizations or telephone surveyors are exempt from the "do not call" requirements. Further, debt collectors can contact you if you owe a debt to their client. Also, if you purchased something from a company, you have established a "business relationship" with that company that allows the company to contact you even though you're on the do not call list. This loophole allows the company to contact you up to 18 months after your last purchase, delivery or payment involving the company. However, if you contact the company directly to discontinue calls; they are required to honor your request.

The registration of phone numbers is now good until your number is disconnected and reassigned to someone else, or until you choose to remove the phone number from the registry. The previous five-year duration no longer applies to registered numbers. It is a good practice to verify that your phone numbers are still registered with the Registry. In order to verify your phone number(s), go to the Web site, <[www.donotcall.gov](http://www.donotcall.gov)>. Once there, click on "verify a registration." You'll be prompted to include your phone number and e-mail address. The registry will e-mail you with information as to whether you are successfully registered and the date you registered your phone number(s).

The National Do Not Call Registry is managed and enforced by the Federal Trade Commission (FTC). The FTC is expressly authorized to implement and enforce the Do Not Call Registry pursuant to the Act. If there is a violation of the Act, you may file a complaint with the FTC to prosecute the offending organization for violation of the registry provisions. By the way, recorded messages or "robocalls" are also a violation of the Act whether or not the number is on the do not call registry. Penalties subject the violator to a civil fine of up to \$16,000 per violation. Complaints may be filed through the website referenced above.

Lastly, another way to block *specific phone calls*, which may not be subject to the Do Not Call Registry Act, is as follows. (This procedure applies to use of a specific phone number calling an iPhone 4 or higher).

1. Go to the phone app and touch or click on "recent calls."
2. Scroll down or up to the number you want to block
3. Touch or click the "i" in the right hand margin of the number you want blocked.
4. Scroll down to "block this caller" and touch that selection.
5. The number is now blocked and will remain blocked until you go in and "un-block" the number. ■

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Postmaster: Please send address changes to the Illinois State Bar Association, 424 S. 2nd St., Springfield, IL 62701-1779.

## Upcoming CLE programs

To register, go to [www.isba.org/cle](http://www.isba.org/cle) or call the ISBA registrar at 800-252-8908 or 217-525-1760.

### May

**Thursday, 5/1/14- Webinar**—Introduction to Fastcase Legal Research. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 11:00.

**Thursday, 5/1/14- Teleseminar**—Trusts and the New Medicare Tax. Presented by the Illinois State Bar Association. 12-1.

**Friday, 5/2/14- Chicago, ISBA Chicago Regional Office**—Beyond Bullying and School Violence: Issues and Best Practices. Presented by the ISBA Education Law Section. All Day.

**Friday, 5/2/14- Springfield, President Abraham Lincoln Hotel**—Civil Practice Update. Presented by the ISBA Civil Practice and Procedure Section. 9:00-4:00.

**Friday, 5/2/14- Teleseminar**—Attorney Ethics and Elder Abuse (Live Replay from 1/10/14). Presented by the Illinois State Bar Association. 12-1.

**Friday, 5/2/14- East Peoria, Embassy Suites**—Insurance, Surety Bonds, and Bankruptcy Issues for Construction Projects. Presented by the ISBA Construction Law Section, ISBA Commercial Banking, Collections and Bankruptcy Section, ISBA Insurance Law Section, and ISBA Tort Law Section. 8:25am-4:15pm.

**Monday, 5/5/14- Webinar**—Advanced Tips to Fastcase Legal Research. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 11:00.

**Tuesday, 5/6/14- Teleseminar**—Limitations on Closely Held Company Owners-Business Opportunities and Non-competes. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/7/14- Teleseminar**—Attorney Ethics When Supervising Other Attorneys (Live Replay from 1/24/14). Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/7/12- Chicago, Standard Club**—Tips of the Trade: A Federal Civil Prac-

tice Seminar 2014. Presented by the ISBA Federal Civil Practice Section. 9-4:30.

**Friday, 5/9/14- Webinar**—Boolean (Keyword) Searches on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 11:00.

**Friday, 5/9/14- Teleseminar**—Ethics of Beginning and Ending an Attorney-Client Relationship. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/14/14- Teleseminar**—Ethical Issues for Business Attorneys (Live Replay from 1/7/14). Presented by the Illinois State Bar Association. 12-1.

**Thursday, 5/15/14- Teleseminar**—Role of “Trust Protectors” in Trust Planning. Presented by the Illinois State Bar Association. 12-1

**Thursday, 5/15/14- Chicago, ISBA Chicago Regional Office**—It’s Not Just Family Law Anymore. Presented by the ISBA Family Law Section. 8:30-5.

**Friday, 5/16/14- Teleseminar**—Ethics of Working with Witnesses. Presented by the Illinois State Bar Association. 12-1.

**Friday, 5/16/14- Chicago, ISBA Chicago Regional Office Suite 950**—2014 SIU Health Care Institute (viewing of live webcast). Presented by SIU and the Illinois State Bar Association and the ISBA Health Care Section. 9-3:30.

**Monday, 5/19/14- Teleseminar**—Attorney Ethics and Digital Communications (Live Replay from 1/31/14). Presented by the Illinois State Bar Association. 12-1.

**Tuesday, 5/20/14- Teleseminar**—2014 Sexual Harassment Update. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/21/14- Teleseminar**—Techniques for Tax Efficiently Withdrawing Capital From a Closely Held Company. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 5/22- Friday, 5/23/14- Carbon-dale, SIU School of Law. Attorney Education in Child Custody and Visitation Matters in 2014 and Beyond.** Presented by the ISBA Bench and Bar Section, SIU School of Law and The Dispute Resolution Institute. 12:30-5pm; 9-4:45.

**Wednesday, 5/28/14- Teleseminar**—UCC Issues in Real Estate Transactions. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 5/29/14- Teleseminar**—Trust Investments: A Guide to Trustee Duties & Liability under the UPIA. Presented by the Illinois State Bar Association. 12-1.

**Friday, 5/30/14- Teleseminar**—Attorney Ethics and Social Media. Presented by the Illinois State Bar Association. 12-1.

### June

**Tuesday, 6/3/14- Teleseminar**—Family Feuds in Trusts. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 6/4/14- Teleseminar**—2014 Ethics in Litigation Update, Part 1. Presented by the Illinois State Bar Association. 12-1.

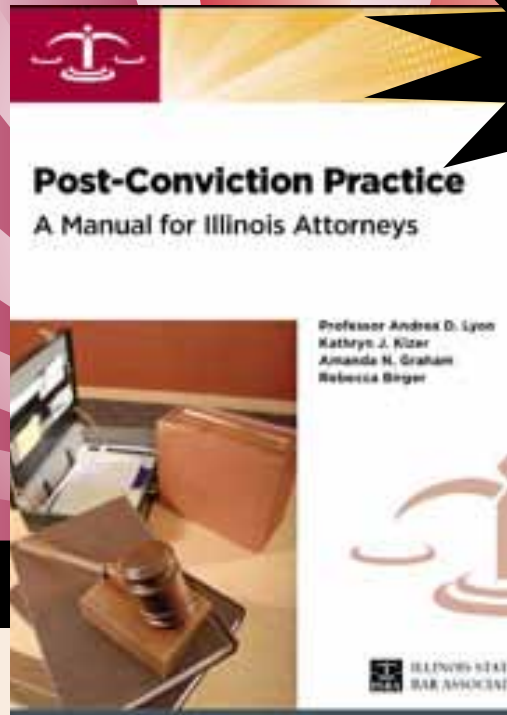
**Thursday, 6/5/14- Teleseminar**—2014 Ethics in Litigations Update, Part 2. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 6/5/14- Lombard, Lindner Conference Center**—Real Estate Transactions- Beyond the Ordinary and Mundane and Interactive Ethics and Professionalism Panel Discussions. Presented by the ISBA Real Estate Section. 9-4:15.

**Friday, 6/6/14- Live Studio Webcast (room C)**—The Do’s & Don’ts of the BAIID Machine. Presented by the ISBA Traffic Laws and Courts Section. 12-1.

**Friday, 6/6/14- Webinar**—Introduction to Fastcase Legal Research. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 1:00. ■

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