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ILLINOIS STATE BAR ASSOCIATION

THE PUBLIC SERVANT

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

2015 Ethics Extravaganza—Another well-received CLE production

By Mike Jadron

On March 6, 2015, the ISBA's Committee on Government Lawyers presented the 2015 Ethics Extravaganza live from the 29th floor of the Hilton Hotel in Springfield. The Committee prepared the course materials and content,[1] recognizing that the ethical issues confronting the government lawyer can differ from those faced by a lawyer in private practice. The Ethics Extravaganza is not just any ordinary CLE presentation, nor is it a karamu or fiesta. The Ethics Extravaganza, moderated this year by Committee member Barbara Goeben, provided an interactive experience focusing on ethical issues encountered by the governmental lawyer. In keeping with the age old maxim of "if it isn't broke, don't fix it," the Kate Kelly Players once again presented caricatures of nightmare-inducing ethical dilemmas faced by government lawyers. The light-hearted scenarios addressed serious subjects facing the government lawyer including conflicts of interest, substance abuse, a client's diminished capacity, responsibility for non-attorney staff actions, and attorney-client privilege.

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Beware the errata sheet!

By Kevin Lovellette and Summer Hallaj

The deposition is an invaluable tool in litigation not only as a means to discover the facts and arguments that may be used at trial, but also as a means of preserving a witness' version of events against later recantations. But in practice, how final is a witness' deposition testimony? The answer depends on whether the case is litigated in State or federal court. Depending on the jurisdiction, errata sheets may be used to substantively alter a witness' or party's deposition testimony. It is therefore essential for government lawyers to understand the ways in which opposing counsel may utilize subsequent alterations of deposition testimony, as well as the limitations on the use of errata sheets.

The following hypothetical illustrates the type of situation in which a government lawyer may find himself or herself when an opposing party seeks to retrospectively alter the substance of a witness' original deposition testimony. Suzy, a skilled government defense lawyer, takes the deposition of the Plaintiff, who alleges that he was assaulted by a government employee. During the deposition, Suzy successfully obtains an admission by the Plaintiff that he did not actually see the person who assaulted him, does not specifically remember seeing the Defendant at the time of the assault, and cannot be sure that the Defendant was the person who assaulted him. At the end of the deposition, the Plaintiff reserves signature. Two months later, in his response to Suzy's motion for summary judgment, the Plaintiff submits an errata sheet in which the Plaintiff adds testimony that although he did not see who assaulted him, he knows the assailant is the Defendant because a friend at the scene told the

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2015 Ethics Extravaganza—Another well-received CLE production

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This year, the Kate Kelly Players once again starred Kate Kelly, with special guest co-star Lynn Patton. Rounding out the troupe were Mike Jadron, Kevin Lovellette, and Emily Vivian, each of whom provided crucial supporting roles to the stars. Using the five scenarios as a backdrop, James Grogan, Deputy Administrator and Chief Counsel of the Illinois Attorney Registration Commission, guided the attendees through lively discussions identifying the multiple ethical dilemmas, predicaments, and illegal activities illustrated by the scenarios. The scenarios provided the framework for Mr. Grogan to discuss the relevant Rules of Professional Conduct, highlight case law, and provide anecdotal real life illustrations. The collegial setting of government attorneys inspired dynamic discussions and ample opportunities to question the panel. In addition, the participants attending the entire program were rewarded with cookies, brownies, and 4 hours of Professional Responsibility MCLE credit. ■

1. The Committee used two scenarios with the permission of the American Bar Association's Government and Public Sector Lawyers Division.

Beware the errata sheet!

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Plaintiff that he saw the Defendant's name on the assailant's uniform. This is the first time that the eyewitness statement has been mentioned. Suzy wants to move to strike the errata sheet changes from Plaintiff's response, but is unsure of the extent to which Plaintiff is permitted to subsequently alter his deposition testimony under applicable law.

The answer to Suzy's dilemma is simple if the Plaintiff brought his lawsuit in State court. Supreme Court Rule 207 governs subsequent changes to deposition transcripts.[1] This rule allows deponents who have reserved signature to make corrections to their deposition transcript "based on errors in reporting or transcription."[2] Such alterations "will be entered upon the deposition with a statement by the deponent that the reporter erred in reporting or transcribing the answer or answers involved."[3] However, "[t]he deponent may not otherwise change either the form or substance of his answers."[4] Therefore, under Rule 207, Suzy should be successful in her motion to strike Plaintiff's errata sheet changes, because Plaintiff's proposed changes were clearly substantive in nature.[5]

Suzy may also move to strike the errata sheet on the basis that the changes were untimely. Under Rule 207, once the court reporter has made the transcript available for the deponent's review, the deponent has only 28 days in which to review the transcript and submit changes.[6] Therefore, if Plaintiff's errata sheet was submitted after this 28 day period, the court should not accept the changes.[7]

The resolution of Suzy's motion to strike is less clear if the Plaintiff's lawsuit was filed in federal court. Rule 30(e) governs subsequent changes of deposition testimony in a federal case.[8] This rule permits a deponent who reserved signature to review his deposition transcript and make changes "in form or substance."[9] If the deponent requests changes, the deponent must "sign a statement listing the changes and the reasons for making them."[10]

Although Rule 30 allows a deponent to substantively change his or her deposition testimony, this right is not without limit. In regard to a deponent's subsequent alterations of substantive deposition testimony, the Seventh Circuit has held, "a change of substance which actually contradicts the transcript is impermissible unless it can plausibly be represented as the correction of an error in the transcription, such as dropping a 'not.'"[11] The Seventh Circuit noted that the original version of the transcript must be retained "so that the trier of fact can evaluate the honesty of the alteration" in determining whether the substantive correction should be permitted.[12] Suzy is likely to win on her motion to strike if she convinces the federal court that the Plaintiff's requested change in

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OFFICE
Illinois Bar Center
424 S. Second Street
Springfield, IL 62701
Phones: 217-525-1760 OR 800-252-8908
www.isba.org

CO-EDITORS
Kathryn A. Kelly, 219 S. Dearborn, Ste. 500, Chicago, IL 60604
Lynn E. Patton, 500 S. Second Street, Springfield, IL 62706

MANAGING EDITOR/ PRODUCTION
Katie Underwood
kunderwood@isba.org

testimony—that he knows that it was Defendant who assaulted him—contradicts Plaintiff's original deposition testimony that he cannot be sure who attacked him.

As under State law, the Federal Rules of Civil Procedure limit the time period within which a deponent may submit an errata sheet. Under the federal rules, a deponent must submit any changes to his deposition transcript within 30 days of being notified by the court reporter that the transcript is available for review.[13] At least one court within the Seventh Circuit has strictly construed this time limit, finding that a deponent's 30 days begins to run at the time the transcript is submitted to the deponent's attorney, regardless of when the attorney actually submits the transcript to the deponent.[14] Furthermore, Rule 30's requirement that the court reporter make the transcript "available" to the deponent is satisfied when the court reporter notifies the deponent that he may come to her office to review the transcript; the court reporter is not required to send the deponent a copy of the transcript.[15] In other words, the deponent's 30-day time period begins to run as soon as he receives the court reporter's notification that the transcript may be reviewed at the court reporter's office.[16]

Suzy has an additional ground to support her motion to strike. Suzy may argue that Plaintiff's errata sheet should be stricken because it is an improper attempt to create an issue of fact to defeat summary judgment. As a general rule, a party opposing summary judgment is not permitted to submit a contradictory affidavit to create an issue of fact.[17] This rule has been extended to prohibit the submission of errata sheets that substantively change deposition testimony in an attempt to create a question of law to defeat a motion for summary judgment.[18] Suzy should note, however, that there are two limited exceptions to this general rule: a contradictory affidavit may be submitted in response to a motion for summary judgment if the contradictory affidavit clarifies ambiguous deposition testimony or includes newly discovered evidence.[19] Newly discovery evidence is limited to evidence that could not have been discovered through the use of due diligence prior the deponent's deposition.[20]

Finally, even if Suzy's motion to strike is denied, the court accepts Plaintiff's errata sheet, and the case proceeds to trial, Suzy will likely still be permitted to impeach the Plaintiff using his unamended deposition transcript.[21] Government lawyers can use all the rules and case law available to limit the ability of a witness to recant deposition testimony. ■

Kevin Lovellette is an Assistant Illinois Attorney General and currently supervises the Employment Litigation Unit in the General Law Bureau. Summer Hallaj is an Assistant Illinois Attorney General in the Prisoner Litigation Unit of the General Law Bureau. All opinions in this article are theirs and are not necessarily the opinions of the Office of the Attorney General.

1. ILCS S. Ct. Rule 207.
2. *Id.*
3. *Id.*
4. *Id.*
5. *Id.*
6. *Id.*
7. *Id.*
8. Fed. R. Civ. P. 30(e).
9. *Id.*
10. *Id.*
11. *Thorn v. Sundstrand Aerospace Corp.*, 207 F.3d 383, 389 (7th Cir. 2000).
12. *Id.*
13. Fed. R. Civ. P. 30(e).
14. *Welsh v. R.W. Bradford Transp.*, 231 F.R.D. 297, 301 (N.D. Ill. 2005).
15. *Parkland Venture, LLC v. City of Muskego*, 270 F.R.D. 439, 441 (E.D. Wis. 2010).
16. *Id.*
17. *See e.g., Buckner v. Sam's Club, Inc.*, 75 F.3d 290, 292 (7th Cir. 1996); *Chmielewski v. Kahlfeldt*, 237 Ill. App. 3d 129, 133 (2nd Dist. 1992); *Pedersen v. Joliet Park Dist.*, 136 Ill. App. 3d 172, 176 (3rd Dist. 1985).
18. *Truly v. Sheahan*, 135 F. App'x 869, 871 (7th Cir. 2005).
19. *Buckner*, 75 F.3d at 292.
20. *Yow v. Cottrell, Inc.*, No. 3:04-CV-888-DRH, 2007 WL 2229003, at *5 (S.D. Ill. Aug. 2, 2007).
21. *La Salle Nat. Bank v. 53rd-Ellis Currency Exch., Inc.*, 249 Ill. App. 3d 415, 433 (1st Dist. 1993).

An overview of Illinois' pregnancy fairness laws

By Justin L. Leinenweber

On January 1, 2015, Public Act 98-1050, a legislative enactment intended to protect pregnant women and new mothers from discrimination and retaliation in the workplace, went into effect. The new provisions in Illinois law establish that pregnancy, childbirth, and medical conditions related to pregnancy or child birth are now protected under the Illinois Human Rights Act (775 ILCS 5/1 *et seq*.). It is critical that employers, including government agencies, know the new legal requirements regarding discrimination and retaliation, as well as reasonable accommodations and notice to employees. Those who do not understand the new requirements risk a lawsuit.

Current Laws did not Protect Pregnant Women

The Illinois General Assembly determined that current workplace laws did not adequately protect pregnant women and new mothers from workplace discrimination. Lawmakers noted that pregnant women and new mothers were often forced into unpaid leave or fired, despite the fact that employers could often make reasonable accommodations that would allow them to continue to work. Because women make up nearly fifty percent of the Illinois workforce and more than fifty percent of those women are of childbearing age, the problem impacted thousands of Illinois citizens. Some of the problems women faced without reasonable accommodations included lost wages, unemployment, lost opportunities and benefits. These all combined to have lifelong repercussions for women's economic security and the well-being of their families.

Most women are able to work during pregnancy. Enabling them to do so, the General Assembly concluded, is not only good for them but good for businesses. Providing pregnant women with reasonable, temporary accommodations can lead to increased productivity, retention, and morale, while decreasing re-training costs and health care costs associated with pregnancy complications.

Pregnancy is Now a Civil Right in Illinois

In Illinois, it is now a civil rights violation to discriminate against applicants or employees because they are pregnant, have recently given birth, or have medical conditions related to pregnancy or childbirth. The new legal provisions apply to all employers having one or more employees—without regard to whether they are part-time, full-time, or probationary employees. The change in Illinois law occurred by amending the Illinois Human Rights Act to include pregnancy as a protected class. "Pregnancy" has been broadly defined to include: pregnancy, childbirth and medical conditions related to pregnancy or childbirth. 775 ILCS 5/1-103(L-5).

Under the new provisions, it is now a civil rights violation to make employment decisions, including but not limited to: hiring, segregating, recruiting, promoting, renewing employment, providing training, discharging, disciplining, determining tenure or seniority, or making any decision regarding the terms, privileges or conditions of employment, on the basis of pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. Women affected by pregnancy, childbirth, or medical conditions related to pregnancy or childbirth are to be treated the same for all employment-related purposes, including benefits under fringe benefits programs, as other persons not so affected but similar in their ability or inability to work, regardless of the source of the inability to work or employment classification or status. 775 ILCS 5/2-102(I).

Employers Must Provide Reasonable Accommodations to Covered Women

Employers must provide reasonable accommodations to applicants and employees who request them and are covered by the statute, unless the accommodation would result in undue hardship to the employer. Employers must engage in an interactive process with the person similar to that required under the Americans with Disabilities Act to determine what, if any, accommodation should be provided. "Reasonable accommodation" has been defined to include: "reasonable modifications or adjustments to the job application process or work environment, or to the manner or circumstances under which the position desired or held is customarily performed, that enable an applicant or employee affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth to be considered for the position the applicant desires or to perform the essential functions of that position[.]" 775 ILCS 5/2-102(J).

Typical reasonable accommodations may include, but are not limited to:

- More frequent or longer bathroom and rest breaks
- Additional hydration *i.e.* water breaks
- Private non-bathroom space for expressing breast milk or breastfeeding
- Seating modifications
- Assistance with manual labor
- Light duty assignment
- A temporary transfer to a less strenuous or hazardous position
- Creating a more accessible worksite
- Acquisition or modification of equipment
- Job restructuring
- Part-time or modified work schedule
- Modification of examinations, training materials, or policies
- Reassignment to a vacant position
- Providing time off to recover from conditions related to childbirth
- Granting a leave necessitated by pregnancy, childbirth, or medical or common conditions resulting from pregnancy or childbirth

Employers may request documentation regarding the need for a reasonable accommodation from the applicant's or employee's health care provider—provided that the request is job-related and consistent with business necessity. The request must also be limited to: (1) information concerning the need or medical justification for the requested accommodation; (2) a description of the medically advisable accommodation; (3) the date the reasonable accommodation became medically advisable; and (4) the probable duration of the reasonable accommodation will be required.

Employers May Not Retaliate and Must Reinstate Returning Employees

The new provisions also prohibit employers from retaliating against an employee.

Employers cannot deny employment opportunities or benefits, or take any adverse actions against applicants or employees because they requested, attempted to request, used, or attempted to use a reasonable accommodation. Employers can neither require applicants or employees to accept an accommodation when they did not request it and choose not to accept it, nor require an employee to take leave if another accommodation can be provided.

Employers must also reinstate returning employees to their original job (or equivalent position) with equivalent pay, seniority, retirement, fringe benefits, and other applicable service credits, unless the employer can demonstrate "undue hardship." 775 ILCS 5/2-102(J).

Employers Do Not Have to Provide an Accommodation If It Would Cause an Undue Hardship

Employers are not required to provide accommodations if they can show that it would cause an undue hardship on the employer's ordinary operation. The burden of proving undue hardship rests squarely on the employer. Undue hardships may include actions that are prohibitively expensive or disruptive when considered in light of factors including: (1) nature and cost of the accommodation needed; (2) overall financial resources of facility, number of persons employed, effect on expenses and resources; (3) overall financial resources of the employer, overall size of business; and (4) type of operation. 775 ILCS 5/2-102(J). Moreover, employers are not required to create additional positions that the employer would not otherwise have created, or to discharge, transfer, or promote any employee who is not qualified to perform the job.

Employers Must Provide Notice of These Rights

Finally, the new provisions require that employers provide employees with appropriate notice of these rights in a conspicuous location on the work premises and must also include notice in employee handbooks. The Illinois Department of Human Rights has prepared a Pregnancy Rights Notice in English and Spanish that employers may obtain on the department's website, <http://www2.illinois.gov/dhr/Publications/Pages/Pregnancy_Rights_Notice_Requirement.aspx>. Employers should take care to post these notices in a conspicuous location at their premises. ■

Stone Street Partners v. City of Chicago Department of Administrative Hearings—Non-lawyers cannot represent corporations at administrative hearings

By Patrick T. Driscoll, Jr.

The Appellate Court of Illinois, in *Stone Street Partners, LLC v. City of Chicago Dept. of Administrative Hearings*, 2014 IL App. (1st) 123654, 382 Ill. Dec 412 (2014) reviewed the issues of notice to corporations of municipal code violations and the propriety of non-lawyers appearing on behalf of a corporation at a municipal administrative hearing.

The court was faced with an incomplete record on appeal. The record did show that the City of Chicago (City) sent notice of building code violations on one of the Stone Street (Stone Street) properties to the property in question, despite a City ordinance requiring notice to be sent to the corporation's registered agent or its business address. The notice was sent out in 1999. At an administrative hearing, a non-lawyer property caretaker appeared for Stone Street. At that hearing, there was a finding that Stone Street was liable and was fined $1,050. The administrative judgment was not "registered" with the Circuit Court until 2004. The City recorded the judgment in 2009. Stone Street claims it never knew of the 1999 order until 2011 when it filed a motion to vacate and set aside the 1999 order before the City's administrative hearing officer. Stone Street claimed that the person who appeared for Stone Street in 1999 was not authorized to do so. The administrative hearing officer held that the Administrative Hearings Department did not have jurisdiction to vacate the judgment due to the passage of time.

Stone Street then filed a multicounty complaint in the Circuit Court in 2012, seeking administrative review of the 2011 administrative order denying the motion to vacate. Other counts sought declaratory judgment, quiet title and damages. The Circuit Court granted the City's motion to dismiss.

The Appellate Court first looked to the sufficiency of notice given to Stone Street in 1999. The City's Code required that notice of administrative hearings be sent to a corporation's registered agent. The City sent the notice to the property address and not to the registered agent. The Appellate Court, in criticizing the process followed by the City, reminded litigants at administrative hearings that they are entitled to due process of law, with "the opportunity to be heard, the right to cross-examine adverse witnesses, and impartiality in ruling upon the evidence." *Stone Street*, ¶ 11. The court held that "notice in administrative proceedings need only be ‹reasonably calculated … to apprise [the respondents] of the pendency of the action and to afford them an opportunity to present their objections.›" *Stone Street,* ¶ 12. Because the notice of hearing was not properly served, jurisdiction of the administrative hearing process was not established. Therefore the judgment entered in 1999 was not valid and could be attacked at any time where there was no jurisdiction over Stone Street.

The court turned to the City's claim that Stone Street waived objections to service by its non-attorney employee participating at the hearing. The employee had filed an appearance on behalf of Stone Street. The court analyzed the similarity between administrative hearings and judicial proceedings and rejected the City's claim that administrative proceedings are so different than judicial proceedings that would permit corporations to appear through non-lawyers. The court noted that the Illinois Supreme Court recently affirmed that a corporation must be represented by counsel in legal proceedings. *Stone Street*, ¶ 17. The City's administrative rule allowing non-lawyers to represent corporations at administrative hearings is not valid where it attempts to control the role of the Supreme Court to administer the practice of law.

Supreme Court Rule 282 (b) allowing corporations to defend against small claims through a non-lawyer in tort or contract claims under $10,000 is not applicable to administrative proceedings because those hearings are not based on tort or contract claims. The enforcement of ordinances and imposition of fines are not covered by Supreme Court Rule 282 (b). The non-lawyer representative's appearance does not waive objection to jurisdiction over the corporation.

The court, with one justice concurring in part and dissenting in part, reversed the dismissal of the case and remanded the case for further proceedings.

The court did not address whether the government agency alleging an ordinance violation must be represented by counsel.

The issues raised in Stone Street are not concluded. On September 20, 2014, the Supreme Court granted leave to appeal in Docket No. 117720. Resolution of the issues in *Stone Street* by a decision of the Supreme Court is essential to come to a final determination whether corporations may be represented by non-attorneys at administrative proceedings. ■

Committee on Government Lawyers co-sponsors "Human Trafficking and the Commercial Exploitation of Children" seminar

By Eileen M. Geary

"Human Trafficking and the Commercial Sexual Exploitation of Children" was the title of an all-day seminar presented on October 10, 2014, by the Illinois State Bar Association and Baker & McKenzie, LLP. The ISBA's Committee on Government Lawyers was one of a large number of co-sponsors of the event. The seminar was coordinated by Yolaine M. Dauphin and Annmarie E. Kill and held at the offices of Baker & McKenzie.

Speakers included attorneys, a law professor, a Director of the Salvation Army Promise Program, a federal district court judge, judges in the Circuit Court of Cook County, a retired police detective, clinical psychologists, the Cook County State's Attorney, and a member of Administer Justice in Elgin. The interdisciplinary approach to the topic brought practical knowledge and a breadth of experience to the attendees.

Among the presenters were Victor Boutros, an attorney with the U.S. Department of Justice in Washington, D.C.; and Professor Jody Raphael of the DePaul University College of Law. A brief overview of some portions of the laws addressed by these speakers follows.

Congress enacted the Trafficking Victims Protection Act in 2000 and amended the statute in 2008. *See* 18 U.S.C. §1589. The statute focuses on coercion, and section 1589 is entitled "Forced labor." The statute provides, in summary, that a person who knowingly provides or obtains the labor or services of a person by one or a combination of means listed in the statute is punishable for a violation of the statute. The means listed include: force and threats of force; physical restraint or threats of physical restraint; serious harm or threats of serious harm; abuse or threatened abuse of law or a legal process; or "by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint." 18 U.S.C. §1589(a). Subsection (b) was added by the 2008 amendment, and provides that benefiters of such forced labor described in (a) violate the statute. Section (b), for instance, refers to persons who knowingly benefit financially or by receiving anything of value from such forced labor. 18 U.S.C. § 1589(b).

Additionally, section 1591 of chapter 18 of the United States Code makes punishable "Sex trafficking of children or by force, fraud, or coercion." 18 U.S.C. §1591. The statute applies to persons who, in or affecting interstate or foreign commerce, knowingly recruit, entice, harbor, transport, provide, obtain, or maintain by any means a person; or who knowingly benefit financially or by receiving anything of value, in relation to a person under 18 years old or by force or threats of force, fraud, or coercion, to engage in a commercial sex act. 18 U.S.C. §1591.

In Illinois, the Safe Children's Act, effective beginning in 2010, made a number of amendments to the Illinois Criminal Code and provides, for example, immunity from prosecution for a prostitution offense where "it is determined, after a reasonable detention for investigative purposes, that a person suspected of or charged with a violation [of the prostitution provision of the Code] is a person under the age of 18." 720 ILCS 5/11-14(d). The amendments also focused on having minors considered as neglected and abused children under Illinois law where appropriate. The statute provides that proof that a parent, custodian, or guardian of a minor commits or allows to be committed the offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons for forced labor or services upon such a minor constitutes prima facie evidence of abuse and neglect. 705 ILCS 405/2-18(2)(k).

Other speakers discussed how these laws have assisted them in working to protect minors and others from the harm caused by human trafficking. The seminar also brought together attendees from a number of disciplines, including law, counseling, and social work, who continue to raise awareness of the harm caused to minors and other vulnerable persons as a result of the actions of traffickers. ■

Upcoming CLE programs

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

May

Friday, 5/1/15- Teleseminar (live replay)—Ethics in Employment Law Practice. Presented by the ISBA. 12-1.

Friday, 5/1/15- Collinsville, Double Tree Hotel—Criminal Law: Back to Basics. Presented by the ISBA Criminal Justice Section. 9:00-4:30.

Friday, 5/1/15- Chicago, ISBA Regional Office—Introduction to Public Private Partnerships (P3s). Presented by the ISBA Construction Law Section; co-sponsored by the Illinois chapter of the National Society of Professional Engineers and the Illinois Land Surveyors. 8:30-4:30.

Monday, 5/4/15- Teleseminar—2015 Fiduciary Litigation Update. Presented by the ISBA. 12-1.

Tuesday, 5/5/15- Teleseminar—Drafting Effective Employee Handbooks. Presented by the ISBA. 12-1.

Wednesday, 5/6/15- Chicago, ISBA Regional Office—Settlement in the Federal Courts. Sponsored by the ISBA Federal Civil Practice Section; co-sponsored by the Seventh Circuit Bar Association. 11:55am-4:15pm.

Thursday, 5/7/15 – Lombard, Lindner Conference Center—"Residential Real Estate Transactions: From Listing to Closing." Presented by the ISBA Real Estate Section. 8:50 am – 4:30 pm.

Thursday, 5/7/15 – St. Louis, Washington University School of Law—What Every Lawyer Needs to Know About Current Antitrust Enforcement Trends. Presented by the ISBA Anti-Trust Section, Co-sponsored by Washington University School of Law and the Bar Association of Metropolitan St. Louis. 9:30 am – 1:45 pm.

Thursday, 5/7/15- Teleseminar—Business Valuation in Transactional Documents: Formulas, Comps, & the Market. Presented by the ISBA. 12-1.

Thursday, 5/7/15- Chicago, ISBA Regional Office—"Because You're Worth It!": Achieving Advancement and Fair Compensation in the Legal Profession. Presented by the ISBA Committee on Women & the Law; co-sponsored by the ISBA Committee on Racial and Ethnic Minorities and Young Lawyers Division. 1-4 with reception from 4:15-6pm.

Friday, 5/8/15- Chicago, ISBA Regional Office—Civil Procedure Update and Review. Presented by the ISBA Civil Practice and Procedure Section. 8:50-4:15.

Tuesday, 5/12/15- Teleseminar—Letters of Intent in Transactions- Framing a Deal and Avoiding Liability. Presented by the ISBA. 12-1.

Wednesday, 5/13/15- Chicago, ISBA Regional Office—The Best CLE Program for Divorce Lawyers. Master Series presented by the ISBA. Full Day.

Wednesday, 5/13/15- Live Webcast—The Best CLE Program for Divorce Lawyers. Master Series presented by the ISBA. Full Day.

Wednesday, 5/13/15- Teleseminar. 2015 FMLA Update. Presented by the ISBA. 12-1

Thursday, 5/14/15- Chicago, ISBA Regional Office—ISBA Solo & Small Firm Practice Institute Series- Protecting Your Practice: Finances and Technology. Presented by the Illinois State Bar Association and the ISBA ISBA Young Lawyers Division. 8:30-5:30.

Thursday, 5/14/15- Live Webcast—ISBA Solo & Small Firm Practice Institute. Presented by the Illinois State Bar Association and the ISBA Young Lawyers Division. 8:30-5:30.

Friday, 5/15/15- Teleseminar. Ethics for Estate Planners. Presented by the ISBA. 12-1.

Monday, 5/18/15- Teleseminar (live replay)—Ethics of Maintaining Client Confidences in a Digital World. Presented by the ISBA. 12-1.

Tuesday, 5/19/15- Teleseminar—Drafting Confidentiality & Nondisclosure Agreements. Presented by the ISBA. 12-1.

Wednesday, 5/20/15- Teleseminar—Fiduciary Duties and Liability of Nonprofit/Exempt Organizations. Presented by the ISBA. 12-1.

Wednesday, 5/20/15 – Live Webcast—Succession Planning for the Family Business. Presented by the ISBA Business Advice and Financial Planning Section. 9:00 – 11:00 am.

Wednesday, 5/20/15 –Live Webcast—Jury Instructions – A Refresher Course. Presented by the ISBA Federal Civil Practice Section. Noon – 2:00 pm.

Thursday, 5/21/15- Teleseminar—Attorney Ethics in Transactional and Litigation Negotiations. Presented by the ISBA. 12-1.

Thursday, 5/21/15- Chicago, ISBA Regional Office—10 Things Every Lawyer Should Know. Presented by the ISBA Tort Law Section. 9-3:30.

Friday, 5/22/15- Chicago, ISBA Regional Office (D and E only)—SIU/SIH Health Policy Institute live webcast viewing. Presented by SIU and SIH; co-sponsored by the ISBA Health Care Section. Time TBD.

Wednesday, 5/27/15- Teleseminar (live replay)—"Earnouts" in Business Transactions. Presented by the ISBA. 12-1.

Thursday, 5/28/15- Chicago, ISBA Regional Office—Minding Data and Privacy: A Primer. Presented by the ISBA Intellectual Property Section. 8:30-12:30.

Thursday, 5/28/15- Live webcast—Minding Data and Privacy: A Primer. Presented by the ISBA Intellectual Property Section. 8:30-12:30.

Thursday, 5/28/15- Chicago, ISBA Regional Office—Ethics Fables: Presented by the ISBA Energy, Utilities, Telecommunication, and Transportation Section and Co-Sponsored by the Chicago Bar Association's Energy Telecommunications and Water Committee Section. 1:45 – 4:00 pm. ■