



ILLINOIS STATE  
BAR ASSOCIATION

# THE CHALLENGE

The newsletter of the ISBA's Standing Committee on Minority and Women Participation

## Amendment to Human Rights Act addresses employee use of language other than English in the workplace

By Yvonne M. Kato

On Friday, July 18, 2003, Governor Blagojevich signed Senate Bill 679 into law. This amended the Illinois Human Rights Act to provide that employers can no longer discriminate against their employees who speak multiple languages.

The new provisions state that an employer cannot institute a restriction which would prohibit an employee from using a language other than English in communications at the job which are unrelated to job duties. For example, an employer could not

restrict his employees' conversations in a lunchroom in a language other than English. An employer can, however, still require that all employees communicate in English with respect to any job-related activities, such as communicating job duties to another employee or answering phones, etc.

The new amendment similarly does not forbid restrictions on slang or vulgar language, specifically stating that "language," as defined within the new law, means a person's native tongue and does not include slang or profanity. A reasonable restriction would bar such communication in any language.

The bill was first introduced to the Senate in February of this year by Senator Sandoval, and Senator Obama

came on board shortly thereafter as a co-sponsor. In the House, the bill was sponsored by Representatives Acevedo and Fritchey. The bill received widespread support, passing the Senate with 58 yeas on concurrence vote and with 116 voting yes and only one voting no (Rep. Cultra) on third reading. The effective date for this new section of 775 ILCS 5/2-102(a)(5) will be January 1, 2004.

Full text of this can be found at <[www.legis.state.il.us](http://www.legis.state.il.us)> under Senate Bill 679.

Yvonne M. Kato practices with the firm of Harigan & Cuisinier in Chicago. She is a member of the ISBA Standing Committee on Minority & Women Participation and is immediate past Editor of this newsletter.

Get the  
electronic  
version  
of this  
newsletter

See page 8 for details.

### IN THIS ISSUE

- **Amendment to Human Rights Act addresses employee use of language other than English in the workplace** ..... 1
- **ISBA member and WBAI President Elizabeth Budzinski appointed as Associate Judge in Circuit Court of Cook County** ..... 1
- **Obiter dictum** ..... 2
- **Civility in daily life: Give 'em the finger** ..... 3
- **Finding my way home** ..... 4
- **The Chair's opinion** ..... 5

## ISBA member and WBAI President Elizabeth Budzinski appointed as Associate Judge in Circuit Court of Cook County

By Susan M. Witt

Elizabeth M. Budzinski, well known to many within the ISBA, was appointed Associate Judge in the Circuit Court of Cook County on April 22, 2003. She also assumed the role of President of the Women's Bar Association of Illinois on June 6, 2003, having served as an officer of that

organization since 1998.

Immediately prior to her appointment, Judge Budzinski was a partner at the Chicago law firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, where she had worked in federal and state court civil litigation, including several appeals, since 1989. Her

diverse practice included litigation in contract disputes, employment law, medical malpractice, civil rights actions, environmental law, and insurance coverage.

Judge Budzinski is a 1988 graduate of the IIT Chicago-Kent College of Law, where she received several awards and was a finalist in the Moot Court Society Competition. She received her B.A. in English Literature from the University of Wisconsin at Madison in 1985.

Judge Budzinski began her work as a judge in the Traffic Division, and presently serves in the Domestic Relations Division. Law Bulletin Publishing Company recently featured her as among "40 Illinois Attorneys Under Forty to Watch." She has given numerous lectures for various and diverse audiences, including for the Women's Bar Association of Illinois, and Seminars of the ISBA Civil Practice Section Council.

## Obiter dictum

### Do not use the Ten Commandments in vain

By John Rearden, Jr.

Perhaps soon to be old news, the Alabama Supreme Court's recent run-in with the Ten

Commandments is really not about what we read in the headlines. Billed as a confrontation between church and state, it is instead a confrontation between one man, who campaigned on a "Ten Commandments" platform to be elected state chief justice, and his state and the federal government.

The confrontation was, of course, entirely engineered by, and served the purposes of, this one man. At the beginning of his term, he had the Ten Commandments monument moved into the Alabama Supreme Court building during the night. A legal battle followed, as he must have hoped it would. Even better, for his purposes, he lost. This allowed him to appear on TV defying the federal courts, which is certain to be popular in Alabama.

Let us not be used. For Christians (or Jews), must the Ten Commandments be forced into a public place over the objections of others? Will this attract them to Christianity? Didn't Jesus recognize Caesar's legitimate authority? For non-Christians, is it not obvious that this is a controversy manufactured to serve one man's ambition rather than to serve Christianity?

Surely there are more important things to occupy us than a hunk of granite. Even though we can't look at the original Ten Commandments any more, they still survive. And if they sit in a courthouse, but no one believes, who cares? We are so far apart on so many things, can't we at least fight over something that matters?

John Rearden is a partner in the law firm of Oliver, Close, Worden, Winkler & Greenwald in Rockford. He practices in the area of employment law.

### A justice gone awry

By Randy Wilt

As an attorney, the dispute in Alabama involving the monument to the Ten Commandments raised concerns that have nothing to do with the separation of church and state. Whether or not you believe the placement of the monument in the Alabama State Court building violated the hazy concept of separation of church and state, hopefully you agree with me that Chief Justice Roy Moore's actions are inexcusable. I hope he is permanently

removed from the bench.

Our judicial system is based upon respect for the various levels of judiciary and obedience to rulings and decisions handed down. To be sure, our system recognizes the possibility that a lower court ruling may be in error, which is why there exists different levels of appeal. In the end, when the appeals are exhausted, a final ruling is entered that is expected to be obeyed. We expect such obedience from our citizens. How can we ignore disobedi-

## The Challenge

Published at least four times per year.

Annual subscription rate for ISBA members: \$20.

To subscribe, visit [www.isba.org](http://www.isba.org) or call (217) 525-1760

### Office

Illinois Bar Center  
424 S. 2nd Street  
Springfield, IL 62701  
Phones: (217) 525-1760 OR 800-252-8908

Web site: [www.isba.org](http://www.isba.org)

### Co-Editors

Vickie A. Gillio  
2 N. LaSalle St., Ste. 1606  
Chicago 60602

Susan M. Witt  
P.O. Box 21  
Rock City 61070

### Managing Editor/Production

Katie Underwood  
[kunderwood@isba.org](mailto:kunderwood@isba.org)

### Standing Committee on Minority & Women Participation

Richard N. Porter, *Chair*  
Jorge L. Montes, *Vice-Chair*  
Yvonne M. Kato, *Secretary*  
Letitia Spunar-Sheats, *Ex-Officio*

Gil R. Cubia  
Michael F. Daniels  
Vickie A. Gillio  
Betty Y. Jang  
Atonio P. Littleton  
Avaneesh Marhawa  
Byron P. Mitchell  
Alice M. Noble-Allgire  
Timijanel B. Odom  
Mary E. Reid  
Matthew G. Shaw  
Susan M. Witt

Michele M. Jochner, *Board Liaison*  
Janet M. Sosin, *Staff Liaison*

Disclaimer: This newsletter is for subscribers' personal use only; redistribution is prohibited. Copyright Illinois State Bar Association. Statements or expressions of opinion appearing herein are those of the authors and not necessarily those of the Association or Editors, and likewise the publication of any advertisement is not to be construed as an endorsement of the product or service offered unless it is specifically stated in the ad that there is such approval or endorsement.

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

ence from a judge who is a member of the system?

As I understand it, a federal judge found the placement of the monument to the Ten Commandments in a State Court Building violated the concept of separation of church and state and ordered its removal. Justice Moore, as was right, sought appeal of that ruling, ultimately to the United States Supreme Court. Review of that order was denied.

As we all know, the Supreme Court has the final say on matters relating to the U.S. Constitution. When the Supreme Court denies review, the lower court's decision stands and

becomes binding on all parties.

I believe Justice Moore had the right to voice his personal disagreement with the ruling. He went much further and openly defied the Order and refused to permit the removal of the monument. The other eight Justices on the Alabama Supreme Court voted for removal of the monument. In the end, it was removed despite the efforts of Justice Moore.

When a judge's conduct serves to undermine the integrity of our judicial system; when a judge attempts to place his personal opinions above the rulings of a superior court; when a judge openly defies a directive from a

superior court; he deserves to be removed. In our society people sometimes refuse to obey court orders. When they do there are penalties imposed through means such as contempt of court. The penalty Justice Moore should pay is the loss of his position on the Alabama Supreme Court. He deserves to lose his position not for his religious beliefs but rather, for his lack of belief in and obedience to our judicial system.

---

Randy Wilt is an associate with the law firm of Sreenan & Cain in Rockford. He practices in the area of criminal defense.

## Civility in daily life: Give 'em the finger

By Michael Raridon

I was driving back to my office, loudly grooving on my Three Dog Night's Greatest Hits CD, when this guy in a pickup truck gave me the finger. In fact, he gave me two. Not to be outdone, I promptly returned his salute and pulled out in front of him.

You might think he was objecting to my tunes, but I could tell he was born before the Eisenhower administration and therefore the music was probably not the reason for his digital wave. I guessed the fact that we were both turning onto the same street was the likely cause.

What you would not be likely to guess is that he never took his hands off the wheel, and he saluted me with his index fingers. That gesture of acknowledgment is familiar to me and anyone else raised in the rural parts of Iowa and Illinois. Where country roads slice across farm, field and stream, raising your index finger at the on-coming vehicle is just a way of saying, "Hi! Greetings! Good to see you!" It might be a cousin, friend or neighbor coming at you, it might be the mailman or a total stranger, but wagging that finger was a way of greeting fellow-travelers of any stripe back when people were friendlier and courteous to nearly everyone. (The exception was for people you knew you didn't like—not strangers!) This total stranger was giving me the right of way to turn first with a classy and friendly gesture.

In a time in our land when we face so many troubles, it might seem trite to

mention such an act of mere civility.

Those of us who live off of other peoples' controversies could be expected to dismiss such fluff and nonsense. On the other hand, it is our profession that is inextricably bound to the history and tradition of "courtly" manners, and it seems to me that civility is not an anachronistic formalism but the very basis of our society. It allows us the distance to be individuals without necessarily being antagonists, just as in the courtroom it allows us to be adversaries without becoming mortal enemies. Like the Hindu and Japanese customs of a small introductory bow, it is a statement of fundamental respect; perhaps that is why it is becoming so rare these days. My mentor, Cid, taught me that the lack of such empathy is the root of all evil.

After the catastrophe of 9/11, there was time when such gestures were much more common. For a while we remembered that we are mostly all friends and neighbors on an elementary level, and we united against the common horror of the Trade Centers' collapse by acknowledging the basic humanity that we share. As expected, that atmosphere dissipated in the ensuing months and we got back to business as usual, enlightened self interest. But what has emerged since 9/11/01 is different, a more insecure and therefore more strident America, both more insistent on solidarity and more factionalized. In the face of perceived religious intolerance abroad, we seem to be growing more absolutist at home. In

the place of real debate, we have shouting matches. In place of lip service to world peace, we have lip service to patriotism and unilateral police actions at home and abroad. In place of obnoxious lie-masters in power in Iraq, we have... Oh well, you knew it would break down somewhere. We live in a less civil world, and we are addressing it with increased hostility, hurry, and expediency, the generalized analog to "road rage." Too often, we seem to be giving the world—and anyone else who happens to disagree with us—the other finger, the one you thought I was referring to earlier.

What I saw in that man's gesture was a glimmer of a less contentious, less hurried, less self-centered society. One where just taking the time to acknowledge the other as a person might make whatever happens next a little easier. A small gesture, to be sure, but one that makes a difference in your thought processes. Why not make it part of your own mental furniture? It costs next to nothing, it works in everyday life, and it would work much more often if we stopped long enough to flash that mental finger—the index—the next time we approached our clients, our opponents, or the bench. So, let's all give 'em the finger... and maybe, just maybe, they will wave back.

---

Michael Raridon is a partner in the firm of Martenson, Blair & Raridon, P.C. in Rockford. He practices in the areas of family and child-related law.

# Finding my way home

By Susan M. Witt

I kept walking straight ahead on the path that cut a diagonal line through the lush botanical garden. Then the paved route ended and only a grassy worn route lay ahead, framed by pine trees. It sloped upward and the horizon suddenly fell away. "Jura!" I heard a child exclaim, meaning "The sea!"

It was the sea. Calm and shimmering, the Baltic Sea. The water that my grandparents had traversed to make a new life in America at the turn of the century.

That moment captured the essence of my two-week vacation this summer in Lithuania. I had always wanted to visit the place of my heritage. I took the path I knew to get there but was surprised at what I found.

Lithuania, one of the three Baltic States, is about the size and population of Ireland. Its population is 3.48 million, and the capital, Vilnius, has a population of 542,300. It is bordered by the Kaliningrad Region of the Russian Federation to the southwest, by Latvia to the north, and to the east and south by Belarus. Lithuania gained independence from the rule of Czarist Russia for 20 years, from the First to the Second World War, but then was under Soviet rule for 50 years, until 1990. Thus, tourists—particularly Americans—are rather a novelty.

The sum total of my experience is too great to list on these few pages, and so what follows is a mere sampling of some of my most vivid memories.

## Learning about law

The first week of my stay was spent at a conference on Business Law co-sponsored by the Lithuanian-American Bar Association and the Law University of Lithuania in Vilnius. A panel of speakers on each day of the conference addressed various legal issues, from enforcement of business contracts to legal regulations in leasing and factoring to regulation of the international transportation of goods. Some spoke in Lithuanian, and some in English, with interpretation provided via headphones. The conference featured some wonderful "side trips." One highlight was a personal tour of the office of the largest law firm in Lithuania: 35 attorneys in their Vilnius office. This office

was strikingly contemporary, and had a conference room in a converted loft with track lighting and skylights overlooking the city.

We walked by the managing partner's office, and our attorney guide pointed out that he was apparently in court, because his coat wasn't hanging on his office door. What she meant was that he had his "lawyer's robe" with him, a heavy robe that resembles a graduation robe that is required attire in the courtroom. A lawyer who forgets to wear the robe will not be allowed to address the court unless, as one lawyer told us happened to him, the judge is kind enough to hint to him that he appears to not be prepared and he could return within 30 minutes (wearing the robe).

Another fear that the lawyers told us about is that if they fail to appear in court when their case is called, even if they are in another courtroom, they will be personally assessed a stiff fine that could be as much as one month's salary. The only way around this penalty is to advise the judge's staff, in advance, of a conflict at the same time as the hearing.

My lawyer friend Jurgita ("Georgina") showed me her office, which she shares with another lawyer. As is typical for new lawyers, she shares a single room and a desk/workstation, which includes a small waiting area and table, with another lawyer. She remarked wistfully that she would someday like to be in an office with her own private office space. She then took me to the law office of her "attorney supervisor." New lawyers must practice under the supervision of an experienced lawyer for several years, and must obtain their supervisor's signature on any pleadings, contracts, and client retention agreements. Her supervisor, a sole practitioner, had been a judge during Soviet rule. He laughed that Jurgita should show me the office kitchen where I could see the fees they received from clients. Indeed, in the kitchen were a sausage and eggs from a client's farm—she explained that for some clients, especially the elderly, paying part or all of their fee in goods was the only way they could pay.

We also got a personal tour of the Court of Appeal of Lithuania, where

the Presiding Justice and the Chief Justice of the Civil Division both personally greeted us and spoke with us at length about their court system and the developing state of their laws. On my way down the hallway afterward, I happened upon a justice in heavy robe with a medallion around her neck, followed just a few steps behind by a defendant in handcuffs who was followed by two police officers.

## Finding Juozepas

My father's parents emigrated from Lithuania to the U.S. around 1900. His uncle emigrated also, but then returned to Lithuania just before the Second World War. He was never heard from since then, and my father had no idea whether any relatives were still living in Lithuania. My grandfather's last name, Brazas, is akin to Smith or Jones over here, so I did not even try to find that side of the family. However, my grandmother's last name, Rauba, was more unusual.

Hampered by the language barrier, and by a complete lack of knowledge of the administrative processes there, I did not know where to begin looking for any relatives in Lithuania during the months prior to my departure. But once I was there, I decided to keep trying. Through a long series of fortunate events, finally I found myself making one last effort through the telephone directory assistance operator. I asked for anyone by that name in Taurage, the city where my grandmother was born. The operator found no one, and just as I was about to hang up I heard her say, "Wait just a minute. Try this number."

Two days later, in a bus station in the port city of Klaipeda, a tall man with a shock of white hair waited with a briefcase in one hand and in the other he held up a handwritten sign that read "Juozepas" (Joseph). He was, I think, my cousin—through my Lithuanian friends who translated for me, we shared the stories of our families. Some of the details matched, and some were very close but with some differences.

That afternoon Juozepas and his wife and mother-in-law invited me and my translator/chauffeur to their home, an apartment in Taurage. First



they showed me the cemetery where his family and cousins were buried, and then, down a winding gravel road, they showed me where the family farm of his parents and grandparents had been. The whole family—he and his brother and parents—had been deported to Siberia for 17 years, and the Soviets seized and destroyed their farm and buildings. Their only crime was that they owned a large farm.

In their apartment I admired a finely crafted wooden clock, and they proudly explained that the clock had gone with them all the way to Siberia and back. They then produced a huge mounted set of elk's antlers. They very matter-of-factly explained that Juozepas' father had buried this trophy just before they left for Siberia, and when they returned he dug it up. This was amazing to me as I had seen their family farm now devoid of any buildings or even an access road.

That afternoon was an emotionally draining one as the family told about the hardships of their exile to Siberia and the aftermath. Juozepas' three uncles had left for the U.S. in 1940 and he had not heard from any family in the U.S. for 50 years. Then, suddenly, came my telephone call asking if I could meet him. Whether or not he is my cousin, I was moved to get a glimpse into the life of the people of my ancestry.

### Making friends

The second week of my trip I traveled alone. This part of my sojourn began with a taxi driver, who spoke no English, taking me from the law school campus to the bus station. Luckily I knew how to say "bus station," and from there made my way around the country via bus, "microbus" (essentially a mini-van

seating 20 people), and private driver. The thrill of it all was simply in blending in with the crowd and hearing the language all around me and then, in the end, realizing that I had figured out how to get around to where I wanted to go.

Often en route I noticed people sitting at the roadside, with a few jars of strawberries, peas, or other garden produce in front of them for sale at a fraction of our prices here. At the bus rest stop I bought two boxes of fresh strawberries from a farm woman who launched into a string of Lithuanian which ended, I think, in her delight at a tourist stopping by—all I could make out was "tourista."

While in the city of Palanga, on the Baltic Sea, I stopped to hear a rock band called "Spectrum," playing mostly American music, in an outdoor café/art gallery. Adjacent to the café was a bar that was nationally known as the filming site of a nightly "reality TV" show. Contestants worked as bartenders and waiters/waitresses, and then performed via song and dance. The members of the band befriended me and, to make a very long story short, I found myself on stage singing "Let it Be" with the band. Who knew? I also got to know an amazingly talented violinist and pianist duo who played nightly in a nearby outdoor café. It was wonderful to sit and take in the music and hear a variety of languages around me.

I also became friends with a woman and her daughter, Migle, age 13, who were spending the week in Palanga and who had helped me understand that when the bus driver stopped at the rest stop, above, he announced that he was stopping for a 15-minute break. Migle and her moth-

er and I spent several hours walking on the shore and in the town, and they invited me to have lunch in their apartment where I had a bowl of the best soup I have ever tasted, along with the famous Lithuanian dark rye bread and strong coffee.

Upon returning to Vilnius for the last few days of my vacation, I met up with a member of the Lithuanian President's legal staff, who I had met during a tour of the Presidential Palace during the law conference. He and his girlfriend and I took in the concert of 120,000 voices at the National Song Festival. The concert featured fireworks and a dance performance by a city dance troupe who had won the European competition for Latin dance. Even though it rained during about half of the concert, the crowd, in typical Lithuanian stoic form, simply put up a ceiling of umbrellas and sat quietly. I observed this quiet patience in all concerts, parades, and theatre performances. People would stand or sit, at rapt attention, for hours. There was a sense of pride and reflection as the performances told of the country's history and passion.

I could go on for pages and pages about my exhilarating journey. I experienced so much that was rich and emotional. The people were solid, honest (crime is virtually non-existent—two times salespeople literally chased me down with the change I had forgotten), and kind. I had, at last, found and met my people. And my way home.

---

Susan M. Witt practices with Barrett & Gilbert in Rockford in the areas of major personal injury and medical malpractice. She is Co-Editor of this newsletter, and is a member of the ISBA Assembly and the Civil Practice & Procedure Section Council

## The Chair's opinion

By Richard N. Porter

### Ideas for unionization in the public sector

House Bill 3064 is currently pending in the Illinois Legislature. This bill would allow public attorneys to unionize. A few years ago, the Kane County Public Defender's Office filed suit against its employees to prevent them from unionizing. The case went all

the way to the Illinois Supreme Court. The Supreme Court deemed all the Assistant Public Defenders to be managerial employees. Thereby, all Assistants were deemed to be management and unable to unionize.

Public attorneys have limits on their licenses. In most cases, public attorneys are not allowed to practice outside of their field (civil or criminal). Unlike private attorneys, public

attorneys are truly at the whim of their supervisors. As a Cook County Public Defender, I have seen, firsthand, the benefits of unionization.

Unionization has created a better work environment. Our union contract has protections for our employees, such as grievance procedures, whereby we can challenge management decisions, if necessary. This is a benefit. As employees, we are not at

## The Challenge

the whim of our bosses. Usually, public attorneys have limits placed on them by law. These laws limit public attorneys as to what types of law they may practice. Again, because of the limits placed on our licenses, we can't just easily pick up and leave our jobs, if something bad happens.

Unionization has improved salaries. Many new law school graduates have large amounts of student loans. Because of these loans, a number of attorneys who would love to do public interest work, or government service, do not. A person who decides to do public interest or government service has most often signed up for at least five to ten years of serious financial struggle.

Unionization has helped to improve salaries. While we are not at the same salary levels as our private counterparts, due to unionization, our salaries are at a more liveable level.

Unionization has improved job security. Unionization has allowed those attorneys who are committed to public interest work to remain in the field. Unionization has allowed public attorneys to remain public attorneys without being forced into private practice or practicing with a firm.

The bill passed the House and is now in the Senate. The sponsors for the bills are Rep. Larry McKeon (D-13th Dist.) and Sen. Don Harmon (D-39th Dist.). I would encourage all ISBA members to contact your State legislator and let her know where you stand. Help public attorneys be able to unionize. Help attorneys who are committed to public interest and/or government service remain at their jobs.

### Did you know it's illegal for kids to have sex?

Everyone knows that under our criminal laws, adults are forbidden from having sexual relations with minors. However, if two minors (persons under 18) have consensual sex, they are committing a crime. It's called Criminal Sexual Abuse. The statute is located at 720 ILCS 5/12-15. The section that is usually used against teens is section (c). The section reads as follows:

A person commits criminal

sexual abuse if he or she commits an act of sexual penetration or sexual conduct with a victim who was at least 13 years of age, but under 17 years of age and the accused was less than five years older than the victim.

While teenage sex is not something I encourage, I do not believe kids should go to jail for having consensual sex.

Normally, cases are brought against boys more than girls. More cases are against people of color, than against whites.

What happens in most cases is as follows: Two kids will have sex. The parents of the kids find out about the sex. A parent gets so mad that they call the police, who then get involved and criminal charges are filed against the child of the non-reporting parent.

The ramifications for Criminal Sexual Abuse are severe. First, the offense is not supervisionable. If a defendant loses a case, he/she will automatically have a Sex Offense Conviction. Second, a person convicted of Criminal Sexual Abuse has to report as a sexual offender for ten (10) years. Being labeled a "sex offender" can destroy a young person's life. It can stop a person from going to college. At a minimum, being labeled a "sex offender" will

make college admission more difficult. As a convicted "sex offender," it will be extremely difficult to get jobs in certain fields, like education or health care.

I believe this law should be abolished. The penalties for this law are excessively harsh. I'm sure all of us know people who had consensual sex (sex between two minors) while they were in high school. Wouldn't it be a shame if someone's life were ruined because of that? I don't want to see a high school student who had consensual sex treated the same way as a convicted rapist or child molester.

I understand that our legislators don't want our teens to be promiscuous. I do not want that either. However, we must live in the real world. Teens have sex. They did in my generation, and they do today, and they will do it in the future. This law criminalizes consensual sex. The punishment for this crime is excessively cruel. While I agree that teens cannot consent to sex with adults, I do believe that teens can consent to sex with other teens.

Rick Porter works as a Cook County Assistant Public Defender. He is the current Chair of the Standing Committee on Minority & Women Participation.

Short on tote bags?  
Broke your coffee mug?  
Wore out your favorite polo shirt?

Simply recruit from 1 to 6 new ISBA members and get one or more of the above FREE!



That's just one of the ways ISBA's Get-a-Member (or Two) Campaign works in your favor.

The second benefit is that your recruited lawyer gets 50% off\* the first year of membership—and that makes membership an easy sell.

And third, we give you credit and credibility among your ISBA peers by putting your name on the Recruiter's Honor Roll in the *ISBA Bar News* and on the ISBA Web site.

Not least, you have our thanks for supporting your bar association. Growth benefits all members by allowing us to serve you better.

To participate in the campaign, simply ask your recruits to name you as their sponsor. For more information or to enroll a new member, contact Ann Boucher at:

Phone: 217-525-1760 or 800-252-8908 • Fax: 217-525-0712 • E-mail: [aboucher@isba.org](mailto:aboucher@isba.org)

Recruitment packets with complete information and recruitment materials are available by mail from Ann (ISBA, 424 S. 2nd St., Springfield, IL 62701) or on the ISBA Web site at [www.isba.org](http://www.isba.org).

\*Certain rules apply

2003 edition of the best-selling book:

# Life and Death Planning for Retirement Benefits

at a 15% discount for ISBA members only!

by Natalie B. Choate, Esq.

Here is how Natalie Choate's book will make money for you in 2003:

- Save hours of research; *Life and Death* gets you right to the answer and applicable authority.

"Choate built her reputation on a willingness to dissect and make sense of the Internal Revenue Code...if you have a question about distributing a retirement plan, chances are the answer's in Choate's book."

—Karl Lueders in "Tax Maven," *Senior Market Advisor*, Oct. 2002, p. 88.

- Geared to individual planning, to make sure you don't overlook opportunities

"Natalie Choate's book is on every estate planner's desk in my office."

—Irving Schloss, Esq., New Haven, CT.

- Checklists and reminders help you avoid costly mistakes

"Don't even think about advising clients regarding retirement plan choices without this resource."

—Alan E. Freedman, CLU, ChFC, CFP, Cottonwood, AZ.

**And more:** All in one place, in readable English, learn about: the minimum distribution rules, income tax withholding, rollovers, income in respect of a decedent, special "grandfather" rules, pre-age 59½ distributions, Roth IRAs, distributions of employer stock, life insurance rules, disclaimers of retirement benefits, and what happens if you make retirement benefits payable to a surviving spouse, a non-citizen spouse, a trust, an estate or a charity. Case studies discuss real life fact patterns you face in your practice, with specific planning suggestions. Sample Forms for beneficiary designations, and related trust provisions, including "How to leave benefits to a marital or credit shelter share." Tables. There is too much in this over-500 page book to summarize on this page.

**About the author:** *Natalie B. Choate* practices law in Boston with the firm of Bingham McCutchen, LLP. She has over 30 years' experience in estate planning. Formerly an ERISA lawyer as well as an estate planner, Miss Choate understands employee benefits and how they fit into the estate plan. She is a graduate of Harvard Law School, Regent of the American College of Trust and Estate Counsel, and editorial advisor for *Trusts & Estates* and *Keeping Current*. She was named "estate planner of the year" by the Boston Estate Planning Council and is listed in *Best Lawyers in America*.

## BOOK ORDER FORM

☎ Telephone orders; Call Janice Ishmael at 800-252-8908.

Have Visa or MasterCard ready.

☎ Fax orders: Fax this form to ISBA, Attn. Janice (217) 525-0712

🌐 Internet orders: order online at [www.isba.org](http://www.isba.org)

✉ Mail orders: Send check payable to ISBA, 424 South Second Street, Springfield, IL 62701

Please send me \_\_\_\_\_ copies of *Life and Death Planning for Retirement Benefits* at \$79.95; total: .....\$ \_\_\_\_\_  
 Plus shipping and handling, \$7 per book .....\$ \_\_\_\_\_  
 Add 7.25% sales tax (\$5.80 per book) .....\$ \_\_\_\_\_  
**TOTAL** .....\$ \_\_\_\_\_

Name \_\_\_\_\_ Company Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

**Payment:**  Check payable to ISBA enclosed; or  Visa  MasterCard

Credit Card # \_\_\_\_\_ Expiration date \_\_\_\_\_

Signature \_\_\_\_\_

# Do yourself a favor

## Say goodbye to paper and get this newsletter electronically

### *Why?*

**You'll get it faster.** Opt for the electronic version and bypass the ISBA print shop and the post office. We'll send you an e-mail message with a link to the latest issue as soon as it's posted on the Web, which means you'll get it days, even weeks, earlier than you would in print.

**You'll save space.** Because newsletters are archived on the ISBA Web site, you needn't worry about storing back issues.

**You'll help keep section fees low.** Section membership is a tremendous value. But paper and postage costs continue to rise. By choosing the electronic over the paper version, you help us keep our costs—and yours—down.

### *How?*

Send an e-mail to [jlyman@isba.org](mailto:jlyman@isba.org) with "The Challenge newsletter" in the subject header. In the body of your message, include your name (first and last), your office address, the e-mail address at which you want to receive the newsletter, and say (in so many words) "please sign me up for e-mail delivery of the The Challenge newsletter."



Non-Profit Org.  
U.S. POSTAGE  
PAID  
Springfield, Ill.  
Permit No. 820

**The Challenge**  
Illinois Bar Center  
Springfield, Illinois 62701-1779  
**December 2003**  
Vol. 14, No. 2