

The Catalyst

The newsletter of the Illinois State Bar Association's Standing Committee on Women and the Law

Chair column

BY MELISSA OLIVERO

As 2017 draws to a close, change seems to be in the wind. Time magazine named "The Silence Breakers" as its person of the year. This group, mostly women, is made up of those who came forward as victims of pervasive sexual harassment. We have seen numerous elected officials and celebrities resigning (or being removed) from positions of power over such allegations. But articles and social media posts are already wondering about a backlash, or the fear that women will not be hired by organizations for fear of future

bias complaints.

As you gather with your family this holiday season, please ask a woman in your life—be it a spouse, partner, mother, grandmother, sister, daughter, granddaughter, niece, or friend – whether she has experienced sexual harassment in her career or personal life. The answers might surprise you. Our committee has recently discussed situations where members have suffered from the apparent implicit biases of others in their careers.

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Spotlight on Emily Masalski

BY KRISTEN PRINZ

The Women and the Law Committee congratulates our past Chair, Emily Masalski for being named one of Chicago Law Bulletin's 2017 40 Illinois Attorneys Under 40 to Watch. Members of our committee know that Emily is an inspiration and it's wonderful to see the rest of the local legal community recognizing her accomplishments as well.

Emily is a partner at Rooney Rippie & Ratnaswamy LLP ("R3") and a member of the firm's environmental and natural resources, health and safety, and litigation practice areas. R3 is a boutique energy

and infrastructure, environmental, health and safety and litigation law firm in Chicago. Emily represents companies in the manufacturing, gas, electric, railroad, and financial services industries in matters involving OSHA compliance, breach of contract, title claims, leaking underground storage tanks, trespass, nuisance, and regulatory compliance and/or permitting issues under environmental statutes.

Emily is a trailblazer. She looks for opportunities to solve problems and seizes upon them. When she saw that

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Chair column

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Unfortunately, these incidents are common and present a real barrier to women seeking to advance in the profession.

In 2016, the American Bar Association reported that the majority of law school students was comprised of women for the first time. However, women are not yet advancing into the upper echelons of private law firms and elected government positions in such large numbers. As of 2017, the American Bar Association reported that 36% of the legal profession was comprised of women. At the same time, women made up 45% of associates in law firms, but only 18% of equity partners, 24.8% of Fortune 500 General Counsels, 33% of federal district court judges, 35.9% of judges on federal Circuit Courts of Appeal, and 27.1% of state court judges. According to a 2017 report by the Center for American Women and Politics, Eagleton Institute of Politics, Rutgers University, in 2017 women held

19.3% of the seats in the U.S. House of Representatives, 21% of the seats in the U.S. Senate, and 23.7% of executive elective offices in the states. These numbers have certainly improved since 1977, when women held only 4% of the seats in Congress and 10% of state elected executive offices.

Although women have come far in the past 40 years in terms of law school admissions, advances into the legal profession, and holding elected or appointed offices, we still have a long way to go. Our Committee continues to work on seeking recognition for the contributions of women in the profession.

This Spring, we will be holding an outreach event in Madison County to meet with our colleagues downstate. We hope that you will consider joining us. Happy holidays to you and your family from the members of the ISBA Standing Committee on Women and the Law! ■

The Catalyst

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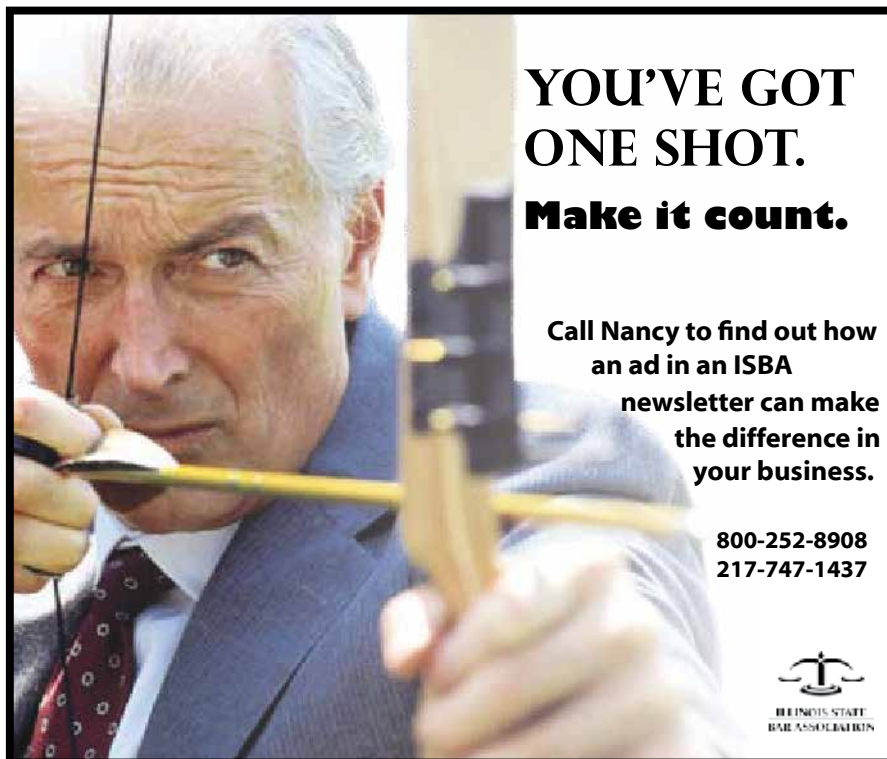
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ILLINOIS STATE BAR ASSOCIATION

Spotlight on Emily Masalski

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O'Hare airport was not accommodating the needs of lactating mothers, she researched legislation in other states, drafted language for Senate Bill 344, reached out to legislators and garnered the support of attorney moms. The Lactation Accommodation in Airports Act (410 ILCS 140/) was signed into law on August 2, 2015, and became effective on January 1, 2016. Emily took the issue to the Illinois State Bar Association staff and worked with them in 2016 to ensure that ISBA conferences and meetings had lactation accommodation available for nursing mothers.

In addition, Emily is one of just a few attorneys in Illinois who have advised medical marijuana cultivation and dispensary business applicants regarding the Illinois Medical Cannabis Pilot Program and the permit application process for the Illinois Department of Agriculture and the Illinois Department of Financial & Professional Regulation. Emily currently serves as Membership Chair of the Illinois Cannabis Bar Association and presented a CLE on this emerging area of law at Chicago-Kent on March 16, 2017. She also served as a guest lecturer on March 23, 2017 for an elective course at Chicago-Kent College of Law titled "Cannabis Law." Her lecture examined the legal issues associated with state legalization and the intersection with federal environmental and health and safety laws.

Emily's litigation practice also includes Cook County and Federal Court matters involving mold exposure, fugitive dust contamination, and historical contamination and remediation. Emily continues to advise clients in complying with recent OSHA rulemakings, such as OSHA's Final Rule to protect workers from beryllium exposure; OSHA's Walking Working Surfaces Final Rule; and OSHA's Final Rule to improve tracking of workplace injuries and illnesses.

In addition to her day job, Emily is extremely generous with her time in

terms of giving back to her community, both through bar service and through her philanthropic activities. She is currently actively involved with the Illinois State Bar Association ("ISBA") and the American Bar Association ("ABA"). In June 2016, Emily concluded her two year term as an "Under 35" ISBA Delegate to the ABA House of Delegates. She was elected to this position in 2014. She served as an ISBA Assembly Member from 2010 through 2013.

For the ISBA, she served as Chair of the ISBA Environmental Law Section Council in 2016-2017, where she has been a member since 2011. During her term as Chair, the Section Council has held three networking events, hosted three Professional Development Luncheons, published a book on environmental law for non-environmental lawyers, and coordinated the 16th Annual Environmental Law Conference that was held in May 2017.

Emily has been a member of ISBA's Diversity Leadership Council ("DLC") since 2014 and concluded her term in June 2017. Beginning in 2015, the DLC began evaluating the ISBA's organization-wide diversity protocol. Emily worked with DLC members to draft a complete overhaul of the ISBA diversity policies last visited in 2009. The restructured diversity protocol was adopted by the ISBA Board of Governors in late 2016, and went into effect with the 2017 bar year. Emily also served as co-Editor of the June 2017 issue of the DLC's *Diversity Matters* newsletter.

Emily has also served in leadership roles for the American Bar Association and the Chicago Bar Association. She was recently appointed to the CBA's Judicial Evaluation Committee.

Emily also gives back to the community by serving as a volunteer Commissioner on the Village of Oak Park's Citizen Involvement Commission and by participating in volunteer activities such as Ascension's Religious Education Board, the Women Everywhere Partners in Service Project, AFW Girl Scouts Project Law

Track, the WATL Service Day, and leading associates at her firm in pro bono projects.

Emily has been honored as an Illinois Rising Star by Illinois Super Lawyers magazine, 2010-2013, 2015-2017 (environmental litigation); named an Emerging Lawyer by Leading Lawyers in 2016, 2017; received the Illinois State Bar Association's Young Lawyer of the Year Award in 2011; and the American Bar Association Young Lawyers Division, Star of the Quarter in February 2010.

In addition to all of the above, Emily and her husband Brian Chojnowski are the proud parents of two young children. ■

It's Campaign Season for the 2018 Election

Run for ISBA Office—

Positions Available:

- 3rd VP
- BOG:
 - Cook (1)
 - Area 1 (Circuit 18) (1)
 - Area 3 (Circuits 12, 13, 16, 21 and 23) (1)
 - Area 4 (Circuits 10, 14 and 15) (1)
 - Area 6 (Circuits 7, 8 and 9) (1)
 - Area 8 (Circuits 3 and 20) (1)
- Assembly:
 - Cook (22)

The 2018 Notice of Election is now available. Find out more at www.isba.org/elections.

Filing of Petitions begins on January 2, 2018 and ends on January 31, 2018.

ERA seminar

BY JUDGE ANN BREEN-GRECO

On September 26, 2017, the Chicago Bar Association held a seminar on the ERA. Seminar speakers included: Professor Ann Lousin; Mary Kay Devine, Director, Community Initiatives, Women Employed (WE); Ann Houghtaling, Executive Director, HOPE Fair Housing Center; Senator Dan Biss (moderator); Representative Ann Williams, and Annie Williams, Indivisible.

Professor Lousin talked about the history of the ERA. All statutes in Illinois were reviewed for possible discrimination. It was determined that many statutes in Illinois were discriminatory to men. One argument against the ERA, relayed Professor Lousin, was that if the ERA were passed then women would be in combat. However, she noted, the ERA has not been passed but women are in combat.

Mary Kay Devine discussed the wage

gap. For every \$1 a white man is paid all women are paid less, with Latino women earning the lowest. Women have to work a year to earn what men earn in nine months. A 12-year-old girl today would have to be past retirement age before the wage gap is closed. Illinois is considered one of seven states with strong protections. 13 states have poor protections. Women Employed sees a relationship between current laws and inequality.

Senator Dan Biss is the chief sponsor of ERA legislation. The “No salary history” bill is important. It passed with strong bipartisan support but Governor Rauner vetoed it. WE is leading a coalition to pass this law. It is important legislation for women because women make less and past wages have nothing to do with future performance.

Ann Houghtaling talked about a case

filed against Peoria for an anti-nuisance law. If there is a call for services for the caller’s property three times the caller can be deemed a nuisance and potentially evicted. Often the calls for services are victims of domestic violence or stalking. In Milwaukee African American women with children are more likely to be evicted than someone five months behind in rent.

Representative Ann Williams reviewed the history of Phyllis Schaffley and the Eagle Forum in 1972 heading the fight against the ERA. 71 votes are currently needed for passage. The amendment must start in the State Senate but Senator Heather Steans won’t call it unless the votes are there because it would be a setback. There are no pro choice Republicans in either chamber.

The attendees at the seminar also viewed the film, *Equal means Equal*. ■

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Five action steps now to make your money last

BY SUSAN STEIN

Making your money last through your lifetime may be this generation's greatest financial challenge. Why? Interest rates are at historic lows and lifespans are at record highs. For those of you planning to retire in the next decade, that's an ominous combination.

Your parents weren't too concerned about making their money last. They retired at age 65, bought bonds yielding 8% and died at 70 or so. Easy peasy, no big deal.

Things have changed. Bonds no longer yield 8%; investment grade bonds are in the 2.5% range. The average 50-year-old woman can expect to live to age 83, much longer than the previous generation. But your expected lifespan may even be longer. New research published by the National Academies of Sciences, Engineering and Medicine suggests that upper-income women can be expected to live until age 92. Keep in mind, that's just the average—you might get lucky and live to 100 or more.

The longer you live, the more complicated your financial situation can be. Making your money last is much more difficult than accumulating your assets, especially since you don't know how long your money needs to last—you're trying to set goals against a moving target.

Don't wait until retirement to prepare for this challenge. Here are five steps you can take now to make your future much more manageable:

- 1. Make sure you're on the right track.** Make sure your career and other key aspects of your life are on the right track. Nothing is ever perfect, but it's smart to check in with yourself and see if you're on a reasonable track with your career. Is this really what you want to do over the long term? If not, take action. Plan changes in your future, cost them out and create a realistic strategy for making those changes. With those changes in process, it's a good time to begin your financial plan.
- 2. Create a financial plan.** Be realistic, don't fool yourself with lofty assumptions. If you're in the midst of making changes to your life, incorporate those costs into your financial plan. This is a reality check to estimate you how much you will need to make your money last. Essentially, a financial plan will help you determine where you are and where you need to be. The challenge is to design and execute an investment plan to fill that gap.
- 3. Invest based on your target return.** To make your financial plan work, you will need to earn a certain long-term return on your investments. As long as it fits with your risk tolerance and is realistic given market conditions, that should be your target for long-term investment returns. Your asset allocation, the composition of your portfolio, should be carefully chosen based on historical data to give you confidence that you can achieve your long-term investment return.
- 4. Leverage retirement plans to save even more.** Depending on your work situation, you may be able to take advantage of certain retirement plans to reduce your taxes and save for the long term. There are money-saving opportunities available beyond the IRA or 401(k), so check with an actuary or a retirement benefits expert to see if such plans could be a possibility for you. The savings can be substantial and could help you make your money last longer.
- 5. Choose the right financial advisor.** This is more challenging than you might think. Make sure the advisor you choose is a fiduciary, which means they operate in their clients' best interests – not everyone does! Learn about their investment philosophy. Choose an advisor who wants to learn about you and help you through today's treacherous investment markets. Don't get sucked into high-cost products –

they usually make your advisor rich, not you. Keep investment costs low. Many investors are surprised to learn that the investment business is one in which you don't get what you pay for – higher costs usually mean lower returns.

Making your money last through your lifetime is challenging enough. Don't make it harder by avoiding the subject. Taking steps now can make your retirement years much easier and enjoyable. For more articles on the subject, check out our Women's Group Blog at www.Disciplined-Investment.com. ■

Good news

The Women and the Law Committee congratulates member Erin Wilson on being named a Partner at O'Connor Family Law. Erin focuses her practice on issues of matrimonial and family law.

The Women and the Law Committee also congratulates member Maxine Weiss Kunz on the birth of her new baby. ■

Upcoming CLE programs

TO REGISTER, GO TO WWW.ISBA.ORG/CLE OR CALL THE ISBA REGISTRAR AT 800-252-8908 OR 217-525-1760.

January

Tuesday, 01-09-18 Webinar—Fight the Paper. Practice Toolbox Series. 12:00-1:00 PM.

Wednesday, 01-10-18 – LIVE Webcast—On My Own: Starting Your Solo Practice as a Female Attorney. Presented by WATL. 12-2 PM.

Thursday, 01-11-18 – ISBA Chicago Regional Office—Six Months to GDPR – Ready or Not? Presented by Intellectual Property. 8:45 AM – 12:30 PM.

Friday, 01-12-18, Chicago, ISBA Regional Office—How to Handle a Construction Case Mediation. Presented by the Construction Law Section, co-sponsored by the Alternative Dispute Resolution Section. 8:30 am – 5:00 pm.

Friday, 01-12-18, Chicago, Live Webcast—How to Handle a Construction Case Mediation. Presented by the Construction Law Section, co-sponsored by the Alternative Dispute Resolution Section. 8:30 am – 5:00 pm.

Tuesday, 01-16-18 – LIVE Webcast—Proper Pleadings: Complaints, Answers, Affirmative Defenses, Motions for a More Definite Statement, Motions to Strike, and Motions for Judgement on the Pleadings. Presented by Labor and Employment. 1:30-3 PM.

Wednesday, 01-17-18 – LIVE Webcast—Clearing the Skies: How to Fly with the Mandatory Initial Pilot Program. Presented by Intellectual Property. 12-1 PM.

Thursday, 01-18-18 – ISBA Chicago Regional Office—Closely Held Business Owner Separations, Marital and Non-Marital. Presented by Business and Securities. 9AM - 12:30 PM.

Thursday, 01-18-18 – LIVE Webcast—Closely Held Business Owner Separations, Marital and Non-Marital. Presented by Business and Securities. 9AM - 12:30 PM.

Tuesday, 01-23-18 Webinar—Technology for Your Practice: Beyond the Buy – Understanding the Why. Practice Toolbox Series. 12:00-1:00 PM.

Thursday, 01-25-18 – ISBA Chicago Regional Office—Starting Your Law Practice. Presented by General Practice. 8:50 AM – 4:45 PM.

Tuesday, 01-30-18 LIVE Webcast—Concerted Activity in the Age of Social Media and Online Systems: Employee Rights, Employer Pitfalls, Remedies and Penalties. Presented by Labor and Employment. 2-4 PM.

Wednesday, 01-31-18 ISBA Chicago Regional Office—Recent Developments in State and Local Taxation - Explosive Issues and the Steady Drip, Drip, Drips. Presented by SALT. 9AM – 1PM.

Wednesday, 01-31-18 LIVE Webcast—Recent Developments in State and Local Taxation - Explosive Issues and the Steady Drip, Drip, Drips. Presented by SALT. 9AM – 1PM.

February:

Thursday, 02-01-18 – LIVE Webcast—Storm Water Regulation Under the National Pollutant Discharge Elimination System (NPDES). Presented by Environmental Law. 11AM – 12PM.

Thursday, 02-01-18 – LIVE Webcast—The Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) Permit Program. Presented by Business Advice and Financial Planning. 1:30PM – 2:30PM.

Friday, 02-02-18 – Normal, IL—Hot Topics in Agriculture Law – 2018. Presented by Agriculture Law. All-day.

Friday, 02-02-18 – ISBA Chicago Regional Office—2018 Federal Tax Conference. Presented by Federal tax. All Day.

Friday, 02-02-18 – LIVE Webcast—2018 Federal Tax Conference. Presented by Federal tax. All Day.

Feb 6 - June 26—Fred Lane's ISBA Trial Technique Institute.

Wednesday, 02-07-18 – Webinar—TITLE INSURANCE 101: HOW TO HANDLE COMMON TITLE INSURANCE AND COVERAGE ISSUES IN RESIDENTIAL REAL ESTATE TRANSACTIONS—A Primer for New Attorneys and Those 'New' to Real Estate Law Practice. Presented by Real Estate. Time: 2-3 PM.

Friday, 02-09-18 – SIU Carbondale—Central and Southern Illinois Animal Law Conference. Presented by Animal Law. 8:00AM to 5:30PM.

Monday, 02-12 to Friday, 02-16—ISBA Chicago Regional Office—40 Hour Mediation/Arbitration Training. Master Series, presented by the ISBA—WILL NOT BE ARCHIVED. 8:30 -5:45 daily.

Tuesday, 02-13-18 Webinar—Cloud Services. Practice Toolbox Series. 12:00-1:00 PM.

Monday, 02-19-18 – Chicago, ISBA Regional Office—Workers' Compensation Update – Spring 2018. Presented by Workers' Compensation. Time: 9:00 am – 4:00 pm.

Monday, 02-19-18 –O’Fallon— Workers’ Compensation Update – Spring 2018. Presented by Workers’ Compensation. Time: 9:00 am – 4:00 pm.

Tuesday, 02-27-18 Webinar—Security is Only as Good as the Weakest Link: Security Measures Every Lawyer Should Take. Practice Toolbox Series. 12:00-1:00 PM.

Wednesday, 02-28-18 – ISBA Chicago Regional Office—Copyright and Student Records Issues in Education. Presented by Education Law. 9:00 AM- 12:30 PM.

Wednesday, 02-28-18 – LIVE Webcast—Copyright and Student Records Issues in Education. Presented by Education Law. 9:00 AM- 12:30 PM.

March

Friday, 03-02-18 – ISBA Chicago Regional Office—9th Annual Animal Law Conference. Presented by Animal Law. 9:00AM to 4:30PM.

Tuesday, 03-06-18 – LIVE Webcast—The Ethics of Social Media for Attorneys and Judges. Presented by Bench and Bar. 1:00-2:30 PM.

Thursday, 03-08-18 – ISBA Chicago Regional Office—The Complete UCC. Master Series, Presented by the ISBA. 8:30-5:00.

Friday, 03-09-18 – ISBA Chicago Regional Office—Malpractice Avoidance Program. Presented by Trusts and Estates. 8:30-4:00.

Friday, 03-09-18 – Webcast—Malpractice Avoidance Program. Presented

by Trusts and Estates. 8:30-4:00.

Monday, 03-12 to Friday, 03-16— Pere Marquette Lodge, Grafton IL—40 Hour Mediation/Arbitration Training. Master Series, presented by the ISBA—WILL NOT BE ARCHIVED. 8:30 -5:45 daily.

Tuesday, 03-13-18 – LIVE Webcast—Don’t Panic – What to do When a Letter Arrives from the ARDC. Presented by ARDC. 2:00-3:00 PM.

Thursday, 03-15-18 – Webinar—Hello My Name is PAC: An Introduction to the Attorney General’s Public Access Duties. Presented by Local Government. 12:00-1:00 PM.

Friday, 03-16-18 – Holiday Inn & Suites, Bloomington—Solo and Small Firm Practice Institute. All day. ■



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Member Price: \$60.00