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ILLINOIS STATE BAR ASSOCIATION

THE CHALLENGE

The newsletter of the Illinois State Bar Association's Standing Committee on Racial and Ethnic Minorities and the Law

Chair's column

By Jameika Mangum

Since I became Chair of the Standing Committee on Racial and Ethnic Minorities and the Law (REM), time has seemed to move rather swiftly. While I still remember my first meeting as Chair of REM at the ISBA's annual meeting in Lake Geneva, I'm excited about the ISBA's Midyear Meeting in Chicago. REM has been hard at work, and called to action by the pressing issues of our times.

REM is currently planning a continuing legal education seminar (CLE) on the impact of *Shelby County, Alabama v. Holder* on the Voting Rights Act. REM has formed a sub-committee tasked with planning a CLE program on human trafficking, more particularly the commercial sexual exploitation of children. REM is also considering putting together website videos that would provide information to the general public on legislation impacting minorities. REM will hold its upcoming midyear meeting on December 12, 2013, and will co-sponsor an event in March of 2014 with the Standing Committee on Women and Law.

Recently, I viewed the film "12 Years a Slave," which I highly recommend. The film, set in the 1840s, shows how the laws during that time period impacted minorities. Additionally, the film gives the viewer a glimpse into the world of human trafficking. It is heartbreaking for me to think that there was a time in America when Black people could not testify against Caucasians in a court of law. If a minority suffered a criminal or civil wrong at the hands of a Caucasian, the case could be lost in court as the Black victim could not testify against the Caucasian defendant. Times have changed, but there is still more that needs to be done. As Chair of REM, I am proud that our committee is undertaking projects that will bring issues of importance to minorities to light and hopefully have a positive impact on those issues. ■

Voting rights in America: A lunch with Justice Ginsburg

By Daniel R. Saeedi

On September 9, 2013, I attended a luncheon held by the Lawyer's Club of Chicago at the Union League, with Justice Ruth Bader Ginsburg as the invitee. It was fascinating to hear Justice Ginsburg speak about the recent United States Supreme Court term and its hotly-contested cases. Justice Ginsburg addressed several cases, such as the affirmative action and gender marriage cases. She spoke about the majority opinions and dissents, of which she wrote several. Justice Ginsburg ended her speech by focusing on one particular case, the Voter Rights Act ("VRA") case of *Shelby County, Alabama v. Holder*, decided on June 25, 2013. In fact, of all of the cases addressed by Justice Ginsburg, she devoted the most time to the *Shelby* case, further underscoring its importance. Justice Ginsburg even read aloud portions of her dissenting opinion for the audience.

The VRA requires certain states that are cov-

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ered by the statute to obtain federal preclearance before implementing any changes to their voting laws or practices. The VRA defines the covered jurisdictions through its "coverage formula." In *Shelby*, the Supreme Court, in a 5-4 opinion, held that Section 4 of the Voting Rights Act, which defined the covered jurisdictions subject to additional restrictions under the VRA, was unconstitutional. Chief Justice Roberts, speaking for the majority, stated that the "coverage formula" used in the VRA and reauthorized by Congress in 2006 could no longer be used. The effect of this opinion is that several jurisdictions that were previously covered by Section 4 prohibitions on voting requirements are no longer under these prohibitions.

Upon reading the *Shelby* opinion, the sharp disagreement between the majority opinion and the dissent is evident. The crux of the disagreement focuses on the need to preserve the VRA's remedy and the characterization of voting discrimination in the country. For example, the majority opinion repeatedly characterized the VRA as "extraordinary measures to address an extraordinary problem." Justice Roberts posed the question of whether "the Act's extraordinary measures, including its disparate treatment of the States, continue to satisfy constitutional requirements." He then wrote that nearly "50 years later, things have changed dramatically…. Blatantly discriminatory evasions of federal decrees are rare. And minority candidates hold office at unprecedented levels. The tests and devices that blocked access to the ballot have been forbidden nationwide for over 40 years." Justice Roberts even conceded that there "is no doubt that these improvements are in large part because of the [VRA]." Yet, Justice Roberts wrote that the VRA "has not eased the restrictions" or "narrowed the scope of the coverage formula" in any way. Finding the coverage formula in Section 4 obsolete, the majority held there is "no valid reason to insulate the coverage formula from review merely because it was previously enacted 40 years ago." Accordingly, the majority struck down Section 4.

In contrast, Justice Ginsburg's dissent started with the following: "In the Court's view, the very success of [the VRA] demands its dormancy. Congress was of another mind. Recognizing that large progress has been made, Congress determined, based on a voluminous record, that the scourge of discrimination was not yet extirpated." She then posed the question of who decides whether the need still exists: Congress or the courts. She concluded the former, and stated that these assessments "were well within Congress' province to make and should elicit this Court's unstinting approbation." Justice Ginsburg walked through the history of the VRA, as well as examples of voter discrimination. Justice Ginsburg even invoked Dr. Martin Luther King in her dissent, by pointing out that Alabama (the petitioner) "is home to Selma, site of the 'Bloody Sunday' beatings of civil rights demonstrators that served as the catalyst for the VRA's enactment. Justice Ginsburg wrote, "if the [VRA] passed, [Dr. King] foresaw, progress could be made even in Alabama, but there had to be a steadfast national commitment to see the task through to completion. In King's words, 'the arc of the moral universe is long, but it bends toward justice.'" At the luncheon, Justice Ginsburg read this sentence aloud with emphasis.

The need for the voting rights law is a hotly contested issue. One thing, however, cannot be disputed; the *Shelby* opinion has an impact on racial minorities and the law, and therefore is of supreme relevance to the ISBA's Racial and Ethnic Minorities and the Law Committee. I believe that this Committee should, in the coming months, explore the topic of the voting rights law and the *Shelby* opinion. This exploration could take the form of a continuing legal education seminar, be in the format for website videos that the ISBA is currently promoting, or even be in other formats. It is a topic of undisputed importance as evidenced by the recent speech of one of the justices of the highest court in the land. I look forward to working with this Committee to further explore the voting rights law in the United States. ■

State Journal-Register v. University of Illinois Springfield: Journalism or sensationalism – The Appellate Court weighs in

By Yolaine Dauphin

In *State Journal-Register v. University of Illinois Springfield*, 2013 IL App (4th) 120881, the Illinois Appellate Court considered the validity of two requests by the *State Journal-Register* and reporter Bruce Rushton (collectively, the *Journal*) for information pursuant to the Freedom of Information Act (FOIA), 5 ILCS 140/3 (West 2010), relating to the resignation of three coaches from the staff of the University of Illinois Springfield (UIS). The *Journal* had published articles on a sex scandal involving coaches at UIS, and sought additional information to continue its coverage of the story. In its first FOIA request, the *Journal* sought all records, documents, and correspondence "concerning the conduct of Joe Fisher and Roy Gilmore during a trip to Florida in March, 2009 with the women's softball team," and all records, documents and correspondence " concerning communications deemed inappropriate between any student(s) and Jay Davis." In its second FOIA request, the *Journal* sought "the names of individuals and/or entities that have received $200,000 in [UIS] funds since September 1, 2009." For its part, UIS sought an opinion from the Attorney General's Public Access Counsel (AG) and received pre-approval from the AG to assert the FOIA deliberative process exemption for certain documents and to decline disclosure of other documents pursuant to the Family Educational Rights and Privacy Act (Educational Privacy Act), 20 U.S.C. §1232g (2006). The AG did not pre-authorize UIS to assert the FOIA personal privacy exemption as to certain other documents, and UIS made redacted copies of the documents available to the Journal.

The *Journal* filed a complaint in the circuit court seeking enforcement of its FOIA requests. Subsequently, the *Journal* filed a motion for an *in camera* review of the documents, and the parties filed cross motions for summary judgment pursuant to section 2-1005 of the Code of Civil Procedure, 735 ILCS 5/2-1005 (West 2010). At the hearing on the motions for summary judgment, the circuit court commented on the articles heretofore published by the Journal:

> I don't know what more you can find that makes things any worse than they are. He did—they did a pretty good job beating up these two guys and [UIS]. I'm not sure what else out there there [sic] is other than the kind of nasty dirty stuff that allegedly took place, and I don't see a great deal of public interest in that as relates to the personal private interest of the girls that were involved.

Subsequently, the circuit court granted UIS' motion for summary judgment in part, finding the majority of the documents either properly redacted or withheld pursuant to UIS' claimed FOIA exemptions and/or the Educational Privacy Act. The court, however, ordered UIS to produce some of the documents requested and UIS complied. The *Journal* appealed.

Initially, the appellate court noted that the circuit court's ruling on the cross motions for summary judgment involved a question of law and was subject to *de novo* review. *State Journal-Register* at ¶19. Citing *Reppert v. Southern Illinois University*, 375 Ill.App.3d 502, 505, 874 N.E.2d 905, 907 (2007), the appellate court then noted that the "purpose of FOIA is to 'open governmental records to the light of public scrutiny.'" *State Journal-Register* at ¶21. "In furtherance of this policy, FOIA is to be liberally construed while exemptions are to be read narrowly." *State Journal-Register* at ¶21, citing *Southern Illinoisan v. Illinois Department of Public Health*, 218 Ill. 2d 390, 416, 844 N.E.2d 1, 15 (2006). Consequently,

> the public body seeking to deny access to documents has the burden of showing, by clear and convincing evidence, the requested documents fall within one of the FOIA exemptions. 5 ILCS 140/1.2 (West 2010); see also [*Harwood v. McDonough*, 344 Ill. App.3d 242, 245-46, 799 N.E.2d 859, 862 (2003)]. Satisfying this burden requires the public body to provide a detailed explanation for asserting the exemptions in order for those reasons to be tested in an adversarial proceeding.

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Lieber v. Board of Trustees of Southern Illinois University, 176 Ill. 2d 401, 408, 680 N.E.2d 374, 377 (1997).

State Journal-Register at ¶22.

The appellate court hastened to add, however, that "FOIA 'is not intended to cause an unwarranted invasion of personal privacy.' 5 ILCS 140/1 (West 2010)." *State Journal-Register* at ¶21.

Deliberative Process Exemption, Section (1)(f)

The appellate court considered first UIS' contention that the deliberative process exemption of the FOIA, 5 ILCS 140/7(1)(f) (West 2010), applied to some of the documents requested by the Journal. Noting that section (1)(f) exempts from disclosure "[p]reliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated," the court observed that the

> purpose of exempting predecisional and deliberative material is 'to protect the communications process and encourage frank and open discussion among agency employees before a final decision is made.' *Harwood,* 344 Ill.App.3d 248, 799 N.E.2d 864. Otherwise, those who expect their remarks to be made public "may well temper candor with a concern for appearances and for their own interests to the detriment of the decisionmaking process."

Enviro Tech International, Inc. v. United States Environmental Protection Agency, 371 F.3d 370, 374 (7th Cir. 2004) (quoting *United States v. Nixon,* 418 U.S. 683, 705 (1974)).

Purely factual material must be disclosed once a final decision has been made unless the factual material is inextricably intertwined with predecisional and deliberative discussions. *Watkins v. McCarthy,* 2012 IL. App (1st 100632, ¶ 36, 980 N.E.2d 733 (quoting *Enviro Tech International, Inc.,* 371 F.3d at 347-75). Factual information includes that which is collected within investigative reports, such as affidavits of witnesses and investigator's interviews, though personal information should be redacted. *Poss v. National Labor Relations Board,* 565 F.2d 654, 658 (10th Cir. 1977); see also *Watkins,* 2012 IL App (1st) 100632, ¶ 38, 980 N.E.2d 733. Communications after an agency has issued a decision are not exempt from disclosure. *National Labor Relations Board v. Sears, Roebuck & Co.,* 421 U.S. 132, 151-52 (1975)." *State Journal-Register* at ¶ ¶26, 27.

Applying the law to the facts of the case, the appellate court concluded that "e-mail strings" containing staff opinions and communications about the investigation process and meeting schedules fell within the exemption. The court reasoned that the administrators had "collected information in order to guide them in reaching a decision as to whether misconduct occurred and the type of remedy to provide for any proved misconduct. * * * Nothing in those documents contains a factual accounting of events subject to disclosure under FOIA." *State Journal-Register* at ¶ 28. Also exempt were redacted portions of a letter that the attorney of the victim of the sexual misconduct had submitted to UIS. While the letter presented a brief synopsis of the events, the redacted portions of the letter outlined "the opinion of the victim and her attorney regarding how they wish to proceed with resolving the victim's potential legal claims against UIS. This information would have undoubtedly been relied upon by UIS in formulating a plan or policy for settling potential litigation with the victim." *State Journal-Register* at ¶ 29.

The deliberative process exemption did not apply, however, to an e-mail regarding "internal communication re: personnel matter." The e-mail reflected UIS' final decision regarding the alleged sexual misconduct. Nor did the exemption apply to documents containing witness statements. As the appellate court explained, the documents "which contain factual accountings of the events by witnesses, are capable of standing alone, with no evidence they are 'inextricably intertwined' with the predecisional process." *State Journal-Register* at ¶ 30.

Personal Privacy Exemption, Section (1)(c)

The appellate court next considered the applicability of Section (1)(c) of the FOIA, which exempts,

> [p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. 'Unwarranted invasion of personal privacy' means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

5 ILCS 140/7(1)(c) (West 2010).

The court noted,

> A person has an 'individual interest in avoiding disclosure of personal matters.' *Whalen v. Roe*, 429 U.S. 589, 599 (1977). In particular, the United States Constitution provides individuals have the right to privacy in personal decisions of a sexual nature, such as marriage, procreation, and contraception. *People v. Beard*, 366 Ill.App.3d 197, 204, 851 N.E.2d 141, 148 (2006). The Illinois Constitution extends this right with a broad, unrestrictive provision that recognizes a 'zone of personal privacy.' (Internal quotation marks omitted.) *Beard*, 366 Ill.App.3d 204, 851 N.E.2d at 148; Ill. Const. 1970, art. I, § 6; see also *Kunkel v. Walton*, 179 Ill. 2d 519, 537, 689 N.E.2d 1047, 1055 (1997)."

State Journal-Register at ¶ 35.

UIS claimed that documents contained in the coaches' personnel files; the witness statements; and the settlement agreement were exempt from disclosure. With respect to the personnel files, the appellate court noted "[t]hough information contained within a personnel file is generally exempt from disclosure for personal privacy reasons, 'information that bears on the public duties of public employees and officials' is not exempt under the personal privacy exemption. See *Gekas v. Williamson*, 393 Ill.App.3d 573, 583, 912 N.E.2d 347, 356 (2009)." *State Journal-Register* at ¶ 38. The court sided with UIS, however, reasoning:

> [w]e fail to see how the coaches' election for the disbursement of accrued vacation, sick leave, and related documents have any bearing on their alleged misdeeds or public duties. Instead, we conclude this information is of a highly personal nature, contained appropriately in a personnel file and exempt from disclosure.

State Journal-Register at ¶ 41.

Turning to the witness statements, the appellate court affirmed that Section (1) (c) requires the court balance the individual's right

to privacy with the public's interest in disclosure, and, in doing so, "the court should consider '(1) the plaintiff's interest in disclosure; (2) the public interest in disclosure; (3) the degree of invasion of personal privacy; and (4) the availability of alternative means of obtaining the requested information." [*Lieber v. Southern Illinois University*, 279 Ill.App.3d 553, 561, 664 N.E.2d 1155, 1160 (1996), *aff'd sub nom. Lieber v. Board of Trustees of Southern Illinois University*, 176 Ill. 2d 401, 680 N.E.2d 374 (1997)]. *State Journal-Register* at ¶ 44.

Applying the *Lieber* factors, the appellate court disagreed with the *Journal's* contention that its interest in disclosure was to "inform the public of a violent crime and UIS' attempt to conceal the misconduct of its coaches." *State Journal-Register* at ¶ 47. The court noted that "UIS *did* inform the public about sexual impropriety by one or more coaches and has not attempted to falsify the coaches' records in an attempt to hide any allegations." *State Journal-Register* at ¶ 47. Instead, the court agreed "to an extent" with UIS' assertion that the *Journal's* interest was "economic in nature as publishing the salacious content would serve to increase its newspaper sales and sensationalize the underlying misconduct" and the *Journal's* interests had "been satisfied because it had already published numerous articles regarding the coaches' misconduct." *State Journal-Register* at ¶ 48. The court noted that while "the *Journal* has minimal interest in the explicit details of events that occurred on the softball trip, it does have an interest in the events leading up to the misconduct." *State Journal-Register* at ¶ 48.

With respect to the public's interest in disclosure, the appellate court agreed "the public does have a legitimate concern in the decisions of UIS or its coaches that led to the behaviors preceding the sexual misconduct. This information would be of legitimate interest to not only the general public, but to parents of students." *State Journal-Register* at ¶ 51. However, the court disagreed with the further argument that the public 'has an interest in UIS' actions, particularly in allowing the coaches to resign rather than terminating them." *State Journal-Register* at ¶ 52. The court stated no "evidence supports a university-wide attempt to hide the general facts regarding the resignations of the coaches. As the UIS attorney explained, the coaches were allowed to resign in lieu of a prolonged administration process that could have resulted in the coaches retaining their positions. UIS' decision allowed for a very swift response." *State Journal-Register* at ¶ 52.

With respect to the degree of invasion of personal privacy, the court agreed with UIS for the most part that "the disclosure of the witness statements would greatly invade the personal privacy of the student witnesses and cause the victim to relive the traumatizing experience." *State Journal-Register* at ¶ 53. Redacting the records would be problematic; "given the few members of the softball and golf teams, disclosing any detailed information about the offenses would make the student more easily identifiable." *State Journal-Register* at ¶ 54. Nevertheless, the court held that "some information contained within the coaches' statements could be redacted and disclosed without an unwarranted invasion of the students' personal privacy," explaining that it was referring to "actions and observations made by the UIS softball coaches preceding the sexual misconduct." *State Journal-Register* at ¶ 54. The court explained further the "details of that sexual misconduct are highly personal, which weighs heavily in favor of exemption. The same cannot be said for the actions and behaviors of the coaches preceding the sexual misconduct, which does not affect the personal privacy rights of the students, but instead reflects on the decisions of UIS and its coaches." *State Journal-Register* at ¶ 56.

Lastly, as to the availability of alternate means of obtaining the information requested, the appellate court agreed with UIS that the *Journal* had already received significant information from UIS and published articles based thereon. Additionally, the *Journal* could have obtained the rosters of the softball and golf teams and asked the players for interviews. *State Journal-Register* at ¶ 57.

The court considered next whether the settlement agreement and ledger reflecting the payment to the victim were exempt from disclosure. The *Journal* argued it was "in the public's interest to know how public university funds are spent and the recipients of those funds." The court rebuffed this argument, noting while it agreed that "the public has a legitimate interest in the spending of a public university such as UIS, the public already knows UIS paid a student $200,000 to settle allegations of sexual impropriety by a coach during a 2009 softball team trip to Florida. The payment amount and details of the reasoning behind the settlement are sufficient to satisfy the legitimate interest of the public without disclosing the student's name." *State Journal-Register* at ¶ 60. The court also pointed out the inconsistency in the *Journal's* position at trial and on appeal that it was not interested in the individual names of students and the *Journal's* request for the settlement agreement and payment ledger, noting the only portions of the documents not heretofore provided to the *Journal* consisted of the name of the victim. *State Journal-Register* at ¶ 61.

Three additional documents remained to be considered. A communication between an affected student and one of the coaches was directly related to the coach's resignation and "would undoubtedly be of public interest under the *Lieber* balancing test." However, "given the highly personal nature of the communication and the method by which it came to UIS' attention, "the public interest was "outweighed by the unwarranted invasion of privacy of the student." *State Journal-Register* at ¶ 67. The second communication was "correspondence from the parent of an affected UIS student addressed to the UIS president," while the third was an "e-mail string containing a student complaint and an administrator arranging a meeting with that student." The court recognized that the *Journal* and public had an interest in the opinions of students and their parents with regard to the resignation of the coaches, and "[c]onversely, the individuals who composed each correspondence [had] a privacy interest in being able to privately express their opinions and concerns to UIS." *State Journal-Register* at ¶ 65. The court concluded that the communication from the parents was exempt from disclosure because even with redaction "the affected student could easily be identified through the context of the letter." *State Journal-Register* at ¶ 66. However, the e-mail student complaint could be disclosed; "redaction would adequately protect the privacy interests because nothing in the content of the e-mail, other than the student's name, identifies the student." *State Journal-Register* at ¶ 66.

Educational Privacy Act

The appellate court having found three documents, the "internal communication re: personnel matter," the e-mail student complaint, and the coaches' witness statements as related to actions and behaviors before the sexual misconduct, subject to disclosure pursuant to the FOIA, the court went on to examine whether the Educational Privacy Act prevented disclosure of the documents. The court concluded that it did not.

Initially, the court noted that pursuant to Section 1232g(b)(1) of the Act,

> No funds shall be made available under any applicable program to any educational agency or institution which has a policy or practice of permitting the release of education records (or personally identifiable information contained therein other than directory information * * * of students without the written consent of their parents to any individual, agency, or organization * * *.

20 U.S.C. § 1232g(b)(1) (2006).

The court noted further that the Act "defines 'education records' as records, files, documents, or other materials which (1) 'contain information directly related to a student' and (2) 'are maintained by an educational agency or institution or by a person acting for such agency or institution.' 20 U.S.C. § 1232g(a)(4)(A) (2006)." *State Journal-Register* at ¶ 71. While the documents at issue concerned matters related to UIS, its staff and students generally, the documents could not be considered "education records." The court explained the "internal communication re: personnel matter" did not "reference, directly or indirectly, any information regarding a student. Further, this communication makes no reference to any underlying details of alleged misconduct." *State Journal-Register* at ¶ 71. The e-mail student complaint "does not contain information directly related to a student; rather, it expresses the voluntarily expressed opinion of a student with no identifying characteristics once the student's name has been redacted." *State Journal-Register* at ¶ 72. Lastly, the nonredacted portions of the coaches' witness statements "reflect on the actions and behaviors of the coaches, not the students. None of the disclosed statements would directly relate to a student, as required for exemption under the Educational Privacy Act." *State Journal-Register* at ¶ 73.

Conclusion

In summary, the appellate court found that the FOIA, because of its deliberative process exemption, did not require UIS to disclose the "e-mail-strings" containing staff opinions and communications about the investigation process and meeting schedules, and the redacted portions of the letter written by the victim's attorney. Also, the FOIA, because of the personal privacy exemption, did not require UIS to disclose the documents in the coaches' personnel files; the settlement agreement; the ledger reflecting the payment of $200,000; a communication between an affected student and a coach; and correspondence from a parent of an affected student addressed to the UIS president. With the exception of portions related to the coaches' actions and behaviors prior to the misconduct, the witness statements were exempt from disclosure pursuant to the personal privacy exemption. The FOIA required disclosure of the remaining documents, the e-mail student complaint and the "internal communication re: personnel matter." Lastly, the Educational Privacy Act did not apply to the e-mail student complaint; the "internal communication re: personnel matter;" and the portions of the witness statements related to the coaches' actions and behaviors preceding the misconduct.

The *Journal* did not get much for its efforts in the appellate court. Like the circuit court, the appellate court was impressed by the number of articles the *Journal* had published on the story to date. Because the *Journal* made numerous details of the misconduct available to the public through the articles, the court held the public's interest in certain documents could not outweigh the privacy interests of the students and of the victim. Of note, however, is that the *Journal* obtained additional documents from UIS after the AG's review and pursuant to the circuit court's order. ■

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February

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Thursday, 2/6/14- Teleseminar—Funding Unfunded Testamentary Trusts in Estate Planning. Presented by the Illinois State Bar Association. 12-1.

Friday, 2/7/14- Teleseminar—2014 Retaliation in Employment Law Update. Presented by the Illinois State Bar Association. 12-1.

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Friday, 2/7/14- Bloomington-Normal, Marriott Hotel and Conference Center—Hot Topics in Agricultural Law- 2014. Presented by the ISBA Agricultural Law Section. All Day.

Friday, 2/7/14- Chicago, ISBA Regional Office—2014 Federal Tax Conference. Presented by the ISBA Federal Taxation Section. All Day.

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Tuesday, 2/11/14- Teleseminar—Successor Liability in Business Transaction: The Risk of Selling Assets but Retaining Liability. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 2/12/14- Teleseminar—Small Commercial Leases: Negotiating and Drafting Issues. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 2/12/14- Webinar—Boolean (Keyword) Searches on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 11:00

Wednesday, 2/12/14- Chicago, ISBA Regional Office—Tort Law Back to Basics. Presented by the ISBA Tort Law Section. All Day.

Thursday, 2/13/14- Live Studio Webcast—PHI (Formerly known as Medical Records). Presented by the ISBA Tort Law Section. 9-10.

Thursday, 2/13/14- Live Studio Webcast—Crowd Funding 101. Presented by the ISBA Intellectual Property Section. 10:30-11:30.

Thursday, 2/13/14- Chicago, ISBA Regional Office—Illinois Sales Tax Sourcing- Did the Hartney Fuel Oil Opinion Change Your Sales Tax Rate?. Presented by the ISBA State and Local Tax Section. 1-3:30.

Thursday, 2/13/14- Live Webcast—Illinois Sales Tax Sourcing- Did the Hartney Fuel Oil Opinion Change Your Sales Tax Rate? Presented by the ISBA State and Local Tax Section. 1-3:30.

Monday, 2/17/14- Chicago, ISBA Regional Office—Advanced Workers' Compensation. Presented by the ISBA Workers' Compensation Section. 9-4:30.

Monday, 2/17/14- Fairview Heights, Four Points Sheraton—Advanced Workers' Compensation. Presented by the ISBA Workers' Compensation Section. 9-4:30.

Tuesday, 2/18/14- Teleseminar—Role of Public Benefits in Estate Planning for All Clients. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 2/19/14- Teleseminar—Recession in Business Transactions: How to Fix Something That's Gone Wrong. Presented by the Illinois State Bar Association. 12-1.

Thursday, 2/20/14- Teleseminar—Private Company Directors: Fiduciary Duties & Liability. Presented by the Illinois State Bar Association. 12-1.

Friday, 2/21/14- Chicago, ISBA Regional Office—Bullying: What it is, Where it is, and What Your Clients Can Do About It. Presented by the ISBA Committee on Women and the Law, Co-Sponsored by the ISBA Tort Law Section, the Child Law Section, the Education Law Section, SOGI, and the ABA YLD (pending). 8:30-12.

Friday, 2/21/14- Live Webcast—Bullying: What it is, Where it is, and What Your Clients Can Do About It. Presented by the ISBA Committee on Women and the Law, Co-Sponsored by the ISBA Tort Law Section, the Child Law Section, the Education Law Section, SOGI, and the ABA YLD (pending). 8:30-12.

Friday, 2/21/14- Live Studio Webcast—Experts Exposed: Expert Practice in Federal Court from A to Z. Presented by the ISBA Federal Civil Practice Section. 1-2:30.

Wednesday, 2/26/14- Teleseminar—Structuring Profits Interest in LLCs/Partnerships. Presented by the Illinois State Bar Association. 12-1.

Thursday, 2/27/14- Teleseminar—Choice of Entity Considerations for Nonprofits. Presented by the Illinois State Bar Association. 12-1.

Thursday, 2/27/14- East Peoria, Holiday Inn and Suites—SETTLE IT!- Resolving Financial Family Law Conundrums. Presented by the ISBA Family Law Section and the ISBA Alternative Dispute Resolution Committee. 8:00-5:00.

Thursday, 2/27/14- Chicago, ISBA Regional Office—Practical, Technological, Financial and Ethical Tips for Running Your Own Practice. Presented by the ISBA Young Lawyers Division. 1-3.

Thursday, 2/27/14- Live Webcast—Practical, Technological, Financial and Ethical Tips for Running Your Own Practice. Presented by the ISBA Young Lawyers Division. 1-3.

Thursday, 2/27/14- Live Studio Webcast—Basics of a Criminal Sentencing Hearing. Presented by the ISBA Committee on Corrections and Sentencing. 3:30-4:30. ■