



ILLINOIS STATE  
BAR ASSOCIATION

# THE CATALYST

*The newsletter of the ISBA's Standing Committee on Women and the Law*

## Irene F. Bahr, ISBA President Elect

The Woman and the Law Committee is proud that one of its founding members, and a strong supporter of women in the legal profession, Irene F. Bahr, will be installed on June 16, 2006, as the 130th president of the Illinois State Bar Association, and only the third woman to hold this position.

Resolute of strength and spirit—these are familial qualities. The second daughter of an Irish immigrant mother, Helen Murtha, who—all alone and in her 20s—boarded a ship embarking from Ireland and arrived in New York City in the 1940s where she got a room

and a job. One evening, after work, she attended a street dance where she met Thomas Bahr, just discharged from the Army, and, as they say, the rest is history. The couple settled in Chicago's southeast side (the family's first home was in a Chicago Housing Project) where Tom Bahr had a long and distinguished career as a Chicago fireman and Helen raised their eight children.

That same strength, energy, Irish spirit, and a lot of hard work earned Irene two degrees in Sociology (B.A. with Honors and a Masters Degree), from the University of Illinois at Chicago. She then pursued a legal education at DePaul University, School of Law, receiving a J.D., Cum Laude, in 1977.

With Irish ingenuity (and some luck too), she carved out a very unique niche for herself in the legal profession: a concentration in liquor licensing, regulation and related litigation, representing manufacturers, wholesalers and retailers of alcoholic beverages in state, local, and federal regulatory and disciplinary matters. This path began as legal counsel at the Illinois Liquor Control Commission in 1977 and continued as Chief Legal Counsel from 1979 to 1987, where she prosecuted miscreants for violating liquor laws. After those 10 years, Irene switched sides and opened a private legal practice to assist individuals and companies to comply with liquor licensing regulations.

Irene brings that same resolute strength and commitment to her work in the ISBA, joining the association upon graduation from law school and being elected to the Assembly in 1990, to the Board of Governors in 1997, and as Third Vice President in 2003. Throughout that time, she has also served on numerous committees, task forces, and the Administrative Law Section Council. She also supports the

**Get the  
electronic  
version  
of this  
newsletter**

Go to [www.isba.org/newsletters](http://www.isba.org/newsletters)  
for details

Illinois Bar Foundation and the ISBA Mutual Insurance Company.

On a local level, Irene was a founding member of the DuPage Association of Women Lawyers and served as its President for two years, 1990-1992. DAWL recognized Irene's contributions with its Distinguished Leadership/Meritorious Service Award in 1993 and the Glass Ceiling Buster Award in 1999. Irene was instrumental in establishing the Child Friendly Courts Foundation which operates Safe Harbor (The Children's Waiting Room in the DuPage County Courthouse), served as its President in 1997, and continues to serve as its Vice-President and Board member.

Irene has been recognized by the community as well: The Illinois Lincoln Series Fellow for Excellence in Public Service in 1997; the YWCA DuPage County Outstanding Women Leaders Award: Business and Professional Category in 1998. Former Governor Jim Edgar appointed Irene to the Governor's Committee on the Status of Women in Illinois Workgroup: Balancing Family and Work Lives, October 1997 to 2003.

Irene brings her strong spirit and resolute drive to her new position as President of the ISBA. Not surprisingly, her resolve to help improve the lives of all attorneys and to create opportunities for women and minorities is evident in the topic of her first President's Page

### IN THIS ISSUE

- Irene F. Bahr, ISBA President Elect ..... 1
- Justice Mary Ann G. McMorrow announces her retirement ..... 2
- Ann B. Jorgensen: First Woman Chief Judge of the Eighteenth Circuit ..... 2
- Lawyer, know thyself—Let's look together behind the facade of a profession in the law for women ..... 3
- Donate a dollar to "WE" ..... 5
- The Chicago Foundation for Women ..... 5
- 11th Annual Networking Breakfast at the Annual Meeting at Lake Geneva ..... 5
- Women and the Law reception at the Creve Coeur Club in Peoria ..... 7
- Women in the news ..... 8
- *Dupuy v. Samuels* (DCFS Director), re DCFS safety plans case report ..... 9

in the ISBA Journal, "Strength Through Diversity." The question addressed is what can a professional association of lawyers do to help promote diversity in the legal system and instill in citizens a greater faith in that system.

We wish Irene a successful and happy tenure as president of the Illinois State Bar Association. Supporting Irene in all of her endeavors are her equally resolute husband of many years, Robert J. Anderson, a Circuit Judge in DuPage

County, and her three children, Robby, a second-year law student at Chicago-Kent College of Law; Sean, a senior at the University of Illinois at Champaign-Urbana, and Erin, a junior at Benet Academy.

## Justice Mary Ann G. McMorrow announces her retirement

The recipient of numerous awards, including the Glass Ceiling Buster Award from the DuPage Association of Women Lawyers and the Margaret Brent Women Lawyers of Achievement Award from the American Bar Association, Illinois Supreme Court Justice Mary Ann G. McMorrow has served as a shining example and mentor to women attorneys throughout her magnificent legal career. Blazing a path for women, she was the only woman in her 1953 class at Loyola University Chicago Law School, the first woman to try felony cases in the Cook County state's attorney's office, the first woman to chair the Illinois Appellate Court's Executive

Committee, the first woman elected to the Illinois Supreme Court, and the first woman to serve as its Chief Justice. After serving on the high court for 13 years, Justice McMorrow's retirement is effective July 5th. She is a member of the Women's Bar Association of Illinois, having served as its president from 1974 to 1975. The WBAI recognized her many achievements by naming an award in her name in 2004. She is also a long-time member of The Advocates Society which annually awards its Advocates Society/Knights of Dombrowski scholarship to a law student and that scholarship will now be awarded in her name. The Court has selected Justice Anne M. Burke of the

First District Appellate Court to succeed Justice McMorrow until the next general election in 2008.

In a press release from the Illinois Supreme Court, Justice McMorrow writes: "Lincoln once said: 'Let us have faith that right makes might, and in that faith let us to the end dare to do our duty as we understand it.' This has been our guiding principle. My profound thanks to all who helped me along the way."

And our profound thanks to Justice Mary Ann G. McMorrow for helping so many women attorneys along their way in the profession. You are unique and you will be missed!

## Ann B. Jorgensen: First Woman Chief Judge of the Eighteenth Circuit

A graduate of Loyola University and DePaul University College of Law in 1980, Judge Ann Jorgensen started her legal career as an Assistant State's Attorney in DuPage County and in 1984 entered into private practice in the law offices of John F. Donahue, becoming a partner in the firm of Donahue, Jorgensen, Sowa and Bugos. Her judicial career commenced with her appointment as an Associate Judge in 1989 and continued with her election as Circuit Judge in 1994. She has served in the civil and criminal divisions, as the Presiding Judge of the Criminal Felony Division, the Presiding Judge of Drug Court, the Supervising Judge of the Mandatory

Arbitration Program, and rotating assignments in the Civil Division and the Criminal Misdemeanor/Traffic Division. On December 5, 2005, Judge Ann Jorgensen was installed as the Chief Circuit Judge for a three-year term.

Leadership comes easily for Judge Jorgensen. She was the President of the Illinois Judges Association from 2002 to 2004 and worked tenaciously to restore the judges' cost-of-living adjustment (COLA). Governor Blagojevich vetoed the legislation initiated by the IJA, resulting in a class-action lawsuit, Jorgensen v. Blagojevich. Ultimately, the Illinois Supreme Court upheld the trial court's decision reinstating

the COLA. She has also served on the Advisory Board of the Center for Analysis of Alternate Dispute Resolution Systems and the Illinois Supreme Court Committee on Judicial Conduct.

Judge Jorgensen is an active member in the Illinois State Bar Association as well as the Illinois Judges Association. She is the Past Chair of the ISBA Alternate Dispute Resolution Section Council and also a Past Chair of the ISBA Criminal Justice Section Council. In April 2006, she graciously served as the Discussion Leader at the 2006 Allerton Conference entitled "Reforming the Jury System in Illinois," presented by the Civil Practice and Procedure Section Council.

The DuPage County Bar Association recognized her hard work and dedication by awarding her its Lawyer of the Year Award. In 2003, the DuPage Association of Women Lawyers presented her with its Glass Ceiling Buster Award.

In an interview conducted by Glenn Gaffney and published in the January 2006 DCBA Brief, Judge Jorgensen responded to the question, "Does it matter that you are the first female Chief Judge of DuPage County," by stating:

Not any more. Twenty-five years ago it would have mattered, but today, just look at the number of female attorneys practicing today. It is not a big deal any more. Women are joining the bench in greater numbers throughout the state; they sit on the Appellate Court and Supreme Court. Justice Mary Ann McMorrow was the Chief Judge of the Illinois Supreme Court. There are no limits for women lawyers any more.

Judge Jorgensen also stated:

Being a judge is the best job in the world and I am truly grateful. As a judge, you have the opportunity to deeply impact people's

lives. That is an awesome responsibility. When I see the positive effect of a decision or sentence, for example, when someone is now clean and sober because of the treatment they received, or someone is now living independently or someone has regained trust of their family, that is the very best part of being a judge.

In the Eighteenth Judicial Circuit (DuPage County), of the seven divisions, four women judges serve as presiding judges: Kathryn E. Creswell, Felony Division; Hollis L. Webster, Law Division; Bonnie M. Wheaton, Chancery Division; and Ann B. Jorgensen, Marriage Division. In addition, there are four women associate judges: Blanche Hill Fawell, Dorothy F. French, Jane Hird Mitton, and Elizabeth W. Sexton. Of a total of 41 judicial posts in the Eighteenth Judicial Circuit, 8 are held by women, or 19.5 percent. One additional position has now been posted, and 7 women have applied. Perhaps the percentage of women on the bench will increase to 21.4.

## Lawyer, Know Thyself—Let's look together behind the facade of a profession in the law for women

By Sandra Crawford

Several incidents, events and conversations converged recently which brought me to reading the book and formulating the ideas I wish to share with you here. The book is *Lawyer, Know Thyself: A Psychological Analysis of Personality Strengths and Weaknesses* by Susan Swaim Daicoff, J.D., M.S., L.L.M.S. (2004, 1st ed., American Psychological Association).

The first incident happened when one of my 21-year-old twin daughters announced recently that after graduation from college this May she is seriously considering following in mom's footsteps into a career in law. My first thought (which I did not share with her at the time) was "Oh, no, dear, why!"

Another event was my becoming an ISBA Mentor with the encouragement of my Women and the Law Committee colleague, Sharon Eiseman.<sup>1</sup> Having to verbalize for new and younger attorneys why a career in law is so great made me reflect seriously on my own choice, on my work, and on my place in the conflict resolution spectrum. Thank you, Sharon, for leading me to that opportunity.

Yet another event was my joining the national list-serve for the International Association of Collaborative Practitioners (IACP).<sup>2</sup> Through that list-serve, I entered into a multiple-discipline (legal, financial and mental health) on-line conversation. A large part of that inter-professional dialogue

## The Catalyst

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

E. Lynn Grayson  
330 N. Wabash, Ste. 3900  
Chicago, IL 60611

Angela Imbierowicz  
1301 W. 22nd St., Ste. 603  
Oak Brook, IL 60523

### Managing Editor/Production

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

### Standing Committee on Women & the Law

Meredith E. Ritchie, Chair  
Claire A. Manning, Vice Chair  
Sharon L. Eiseman, Secretary  
Ellen J. Schanzle-Haskins, Ex-Officio

Stephanie L. Anders  
Kimberly J. Anderson  
Dinah L. Archambeault  
Penelope N. Bach  
Patrice Ball-Reed  
Rosemary A. Caballero  
Amelia K. Christensen  
Gabriela F. Cleveland  
Ann B. Conroy  
Sandra Crawford  
Yolaine M. Dauphin  
Heather M. Fritsch  
E. Lynn Grayson  
Brooke K. Hillman  
Paula H. Holderman

Hon. Susan F. Hutchinson  
Angela Imbierowicz  
Elizabeth L. Jensen  
Annemarie E. Kill  
Jill P. O'Brien  
Ruth Ann Schmitt  
Amie M. Sobkowiak  
Letitia Spunar-Sheats  
Hon. Valarie Turner  
Donald W. Ward

Celia G. Gamrath, Board Liaison  
Janet M. Sosin, Staff Liaison

### Law Student Member

Julie Neubauer

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.



concentrates on how we as a culture, community, and society deal with disputes and their resolution. Further, in daily conversation I often find myself forced to defend the legal profession or my colleagues (bench and bar) or even the entire legal system itself. I'm sure most of you have had similar conversations which start "why are all attorneys and judges so .... (insert something negative)." So, in that atmosphere, I turned to Ms. Daicoff's work for greater insight into myself, my chosen profession, and my place in the conflict resolution community.

Ms. Daicoff has digested 40 years of empirical research on lawyers and the legal professional. In her book she looks at lawyers' personalities, satisfaction, motives and mental health. The findings, dear friends and readers, are not good.

With respect to women lawyers, she concludes that the data shows that women lawyers are "more achievement-oriented, masculine, competitive and aggressive than other women professionals and lay persons." Id. at 41. She cites a 1994 study by Harvard psychologist, Carlo Gillian, that found women to more often make decisions based on an "ethic of care," whereas men more often decide on the basis of a "rights" orientation. Id. at 38. The "ethic of care" decision orientation values "interpersonal harmony, maintaining relationships, people's feelings and needs and preventing harm." Id. at 38. Throughout the book Ms. Daicoff, whom I had the pleasure of interviewing by telephone as she drove across Florida, laments that this "ethic of care" is devalued (my own word) through the current process of legal education and professional training of lawyers and judges. Ms. Daicoff delves in her work and her research into the personalities of those of us attracted to (and often disheartened by their chose of) a career in law.

*Lawyer, Know Thyself* is an exploration of lawyer personality that discusses how, despite professional success, lawyers sometimes feel dissatisfied, empty, or even miserable. It investigates what it is that makes lawyers different from other people, why there is arguably a crisis of professionalism in the field, and why there is a relatively high level of dissatisfaction and depression among lawyers. Ms. Daicoff tackles two major issues: (1) How did we get here as a profession? and (2) Where are we headed? Id., preface, p. xv. She specifi-

cally identifies a tripartite crisis facing the legal profession. Id. at 3. First, the lack of "professionalism" evidenced by frequent complaints of incivility, discourtesy, "Rambo-style" litigation, near-unethical behavior, and general poor conduct of judges and lawyers. This subject is currently under scrutiny by our own bar and by the Illinois Supreme Court. Recently ISBA President, Bob Downs, held Bench and Bar Forums in Chicago and Collinsville addressing this very subject. The goal of the forums was to help to effectively discern the level of this lack of professionalism and how to correct it with concrete and specific measures. Second in the tripartite crisis—a low public opinion of lawyers and the legal profession. Personally, I encounter and attempt to combat this low public opinion daily. Again the ISBA, with its upcoming advertising campaign to the public, is actively addressing this concern head on here in Illinois. Third in the tripartite crisis—the low levels of job satisfaction and mental well-being among lawyers, as revealed by surveys of attorney job dissatisfaction and distress.

This third crisis gives me most concern. The concern is not only for myself and my friends who practice but now alarms me as a mother whose daughter is contemplating a career in the profession. Although a 1998 in-person survey found that Chicago lawyers (where I practice) are happier than most, Ms. Daicoff goes on to point out that those lawyers surveyed possibly "did not want to admit to as much dissatisfaction face to face as they would have if they had been filling out anonymous, pen-and-paper, mailed-in questionnaires." Id. at 7. Not much encouragement to be found there. Her review of comparison research on other professions and the public finds that:

... the fact that clinically significant levels of lawyer distress clearly exist, and that they are about double the levels found in the general population, remain. Whether or not individuals in other professional occupations exhibit such alarmingly low psychiatric well-being is irrelevant. What is important is that such levels of distress in my own profession is intolerable to lawyers, to the profession, and to the clients we serve. Fully one fifth of us, one in five lawyers, is "walking wounded," meaning working,

functioning, and representing clients while being psychologically impaired enough that intervention is indicated. Id. at 14.

Clearly this article can only very briefly touch on the many facets of the in-depth analysis of the research on profession and the conclusions to be drawn from same in this some 200-page book. My hope in introducing *Lawyer, Know Thyself* and Ms. Daicoff's work to our *Catalyst* readers is to encourage a review of her book.<sup>3</sup> I also hope to start a dialogue among ISBA women members regarding the topic of "lawyers as the walking wounded," women's perspectives on that topic, and to find out about (and hopefully inform our readers in these pages) what efforts or programs are already underway to help us effectively "heal" ourselves of such distress. Hopefully we can accomplish some level of "healing" in time for the next generation of women in the profession which may include by child.

If we, the women of the bar, are more likely to have the "ethic of care," it is more likely then not that we can help get the discussion of "healing" the profession underway. If you are interested in this topic, please feel free to contract the author at lawcrawford@sbc-global.net or by mail at Law Offices of Sandra Crawford, 77 West Washington, Suite 1515, Chicago, Illinois, 60602, 312)726-8766.

1. For information regarding the ISBA Mentor Center and becoming a mentor, go to [www.isba.org](http://www.isba.org) and click on Mentor Center.

2. For information regarding IACP or Collaborative Practice, go to [www.collaborativepractice.com](http://www.collaborativepractice.com).

3. Ms. Daicoff states, "The book is not necessarily designed to be read from start to finish. Instead, it is more akin to a reference volume. You may want to read it cover to cover or alternatively to dip into it at random." (Preface p. xv).

**For copies of bills,  
amendments,  
veto messages  
and public acts,  
contact the  
ISBA Department  
of Legislative Affairs  
in Springfield**

---

## Donate a dollar to “WE”

---

For our readers who are not already aware, the ISBA Women and the Law Committee partners yearly with WOMEN EVERYWHERE: Partners in Service Project, Inc. (“WE”), to solicit and coordinate volunteer activities for women and children in need around the state. Many of our committee members were also founding members and have served on WE’s Board and contributed countless hours in service. Various other ISBA members have over the last seven years of WE’s growth volunteered time and services on the Educational Program and Community Service Day. This year is no exception. We (your ISBA Women and the Law Committee) hope to report in these pages in the coming months on volunteer sites around the state and how they participated in these wonderful service project days.

This year WE’s Educational Program was held May 5th and the Community Service Day was held May 19th. If you missed this year’s dates or were unable to donate of your time, we are asking that you “Donate-a-Dollar” in the name of our ISBA’s Women and the Law Committee to the college scholarship fund which gives \$1,000 scholarships to girls in need. In this era with college funding under fire, every single dollar counts. One thousand of us contributing just one dollar each (less than a daily café latte) could help fund one college scholarship for a girl. Think of this—we as Catalyst readers are approximately 7,500 in number. If each Catalyst reader contributed only one dollar, we could fund seven scholarships.

At our regular committee meeting on Saturday, April 22, 2006, in Peoria, Illinois, the Women and the

Law Committee already raised and donated \$120 for this year’s scholarship fund. Only 880 more \$1s to go and we can proudly say our Committee has made a difference to a young woman going to college. Just for the fun of it, if you would like to report you have “donated a dollar” in the name of our Committee, please send a quick e-mail to committee member Sandra Crawford at [lawcrawford@sbcglobal.net](mailto:lawcrawford@sbcglobal.net). WE’s slogan is “TOGETHER WE CAN MAKE A DIFFERENCE.” This is also a heartfelt aspiration of your Women and the Law Committee. Please donate just one dollar and help make that difference.

Additional information about the project, the services days, and how you can get involve and/or donate go to [www.women-everywhere.org](http://www.women-everywhere.org) or write to: Women Everywhere c/o Chicago Bar Foundation 321 Plymouth Court, Chicago, IL 60604.

---

## The Chicago Foundation for Women

---

The lead article in the March 2006 *Catalyst*, “Supreme Court Justice Talks About the ‘F’ Word,” summarized the remarks of Justice Ruth Bader Ginsburg when she was the recipient of an award from the Chicago Foundation for Women. The following provides additional information regarding the Foundation.

One of the largest women’s funds in the world, the Chicago Foundation for Women believes that all women

and girls should have the opportunity to achieve their potential and live in safe, just, and healthy communities. For the last 20 years, the Foundation has influenced social justice through advocacy, leadership development, and public and grantee education. In addition, the organization has awarded more than 2,000 grants totaling \$12 million to hundreds of organizations that make life better for women and girls in the Chicago

metropolitan area. The Foundation’s core values include gender-specific funding, diversity, accessibility and choice. Its work is rooted in three principles of women’s human rights: economic self-sufficiency, freedom from violence, and access to health services and information. For more information on Chicago Foundation for Women, call 312-836-0126 or visit [www.cfw.org](http://www.cfw.org).

---

## 11th Annual Networking Breakfast at the Annual Meeting at Lake Geneva

---

Southern Illinois University School of Law is once again sponsoring the Networking Breakfast hosted by the Women and the Law Committee during the Annual

Meeting at the Abbey in Lake Geneva. The buffet breakfast will be held at 8:00 a.m. on Saturday, June 17, 2006. It is a great opportunity to network with women attorneys from through-

out the state, enjoy a hearty meal, and perhaps even win a door prize! Please register early to partake of this wonderful gathering.



# Member Benefit Services

Great Savings  
for Illinois  
State Bar  
Association  
Members

## Personal Service

**Go Next (formerly Global Holidays) • 800-842-9023**  
**Group Travel Program**

High quality and reasonably priced travel programs to international destinations available to ISBA members, family and friends. Call or check the ISBA Web site, [www.isba.org](http://www.isba.org) at "Group Travel Programs," for destinations, dates and prices.

**Brooks Brothers, Vittadini, Carolee • 866-515-4747**

Save when you join the Brooks Brothers Group Corporate membership programs. Memberships offer a 15% discount on regular and everyday value priced merchandise at all Brooks Brothers, Brooks Brothers Factory Outlets, Carolee, and Adrienne Vittadini stores. Enroll at [membership.brooksbrothers.com](http://membership.brooksbrothers.com), ISBA Organization ID: 40000 /Pin Code: 90844 or enroll by phone (see above).

**JoS. A. Bank Clothiers**

ISBA members may apply for the JoS. A. Bank Clothiers corporate card and receive a 20% discount on all regularly priced merchandise. To receive your free card, visit the nearest store, call their toll-free catalog number at 800-285-2265, or e-mail your request to [corporatecard@jos-a-bank.com](mailto:corporatecard@jos-a-bank.com). You must mention the **Illinois State Bar Association Corporate Company number, 117508**, when applying for the card.

## Car Rentals

For ISBA members only...discounts on car rentals to get you where you're going for less.

Avis-[A/A632500] — 800-831-8000  
National-[6100497] — 800-227-7368  
Hertz-[151964] — 800-654-2200

## Hotel Reservations & Meeting Planning

Contact via email:  
[MtgSol1@aol.com](mailto:MtgSol1@aol.com) or call **Brandon Koenig 847-808-1818**

Make hotel reservations anywhere throughout the world for one room or for one hundred, by contacting Meeting Solutions, LLC, a full service meeting management firm. You will get the best accommodations at the most economical rates.

## Communication Services

**Overnight Mail**  
DHL Express • 800-636-2377

Save up to 24% on overnight air express services. Association code: N32-YILL.

## Practice Assistance

**Lexis Nexis® • 800-356-6548**  
Get an overview of special member benefits for your research needs at [www.isba.org](http://www.isba.org), member benefits, or call for more information. Need training? Call 800-227-9597 Ext. 52111.

**Westlaw • 800-762-5272**  
Call for subscription rates for electronic research services. For training call 800-328-0109.

**Dell Computers • 877-568-3355**

To shop technology solutions for your firm, visit the Dell ISBA Web Site at [www.dell.com/smb/ISBA](http://www.dell.com/smb/ISBA). When you are ready to purchase, simply call your dedicated sales representative at 1-877-568-3355 to place your order. Your sales representative will apply your ISBA member discount to your order.

**Legal Dox, Inc. • 888-889-8400**

Full service legal document reproduction including large format trial presentation exhibits, scanning, binding, laminating, transparencies, labeling and tabs. Service available throughout Illinois.

**Illinois Compiled Statutes – State Bar Edition • 800-328-4880 ext. 76321**

## Financial Services

**MasterCard & American Express 800-847-7378**

Enjoy the many benefits that come with the ISBA *Platinum* MasterCard®, Visa® or American Express credit cards with no annual fee. ISBA GoldOption consolidation loans issued by MBNA America are available.

**Client Payment Credit Card Program • 866-289-2265**

Call Best Payment Solutions and take advantage of this special discount rate for acceptance of credit card payments for legal fees due and owing. Credit card payments give you immediate case flow, reduced operating costs for billing, and no collection worries. Terminals and printers available at special prices. Call now and identify yourself as an ISBA member.

**ABA Retirement Funds 800-826-8901 • www.abaretirement.com**

The ABA Members Retirement Program provides 401(k) plans for law firms, large and small. ABA offers a full service package that includes plan administration, investment flexibility and independent on-line investment advice. If you or one of your partners or shareholders is a member of the ISBA, your firm is eligible to participate in the program. Whether you have a plan or are looking to establish a new one, call for a free plan evaluation and cost comparison.

## Insurance Programs

**ISBA Insurance Program • 800-503-9230**

ISBA members and law students can choose from a range of programs including life, major medical, HMO, disability, dental, long term care, and law office businessowners insurance programs administered by Marsh Affinity Group.

**ISBA Mutual Insurance Co. 800-473-4722 or fax 312-379-2004**

When it comes to Lawyers Professional Liability Insurance, who knows your needs better than an attorney? ISBA Mutual is the only insurance company in Illinois founded, owned and operated by lawyers, for ISBA members. To find out how you can obtain Lawyers Professional Liability Insurance protection, call the toll free number above.

**GEICO Auto Insurance • 800-368-2734**

One 15-minute call could save you 15% or more on car insurance. And as an ISBA member, GEICO will give you an extra 10% member discount. Call now for a free, no-obligation rate quote and see where GEICO could be saving you money on your car insurance.

Another Benefit of Membership from



ILLINOIS STATE  
BAR ASSOCIATION

Your Partner in the Profession





# Women and the Law reception at the Creve Coeur Club in Peoria

By Elizabeth L. Jensen, Peoria

The Women and the Law Committee has sponsored numerous receptions throughout the state of Illinois to offer an opportunity for women attorneys to network and socialize. On Friday, April 21, 2006, the committee hosted a reception at the Creve Coeur Club in Peoria. It was fun to see so many young aspiring women attorneys in Peoria!!! When I moved to Peoria 11 years ago, there was just a handful of us. Many of our committee members, including ISBA President-Elect Irene Bahr, traveled from all over the state to meet their colleagues in Peoria. It was a great evening, and we thank all of you who attended, participated, and helped plan the event. Special thanks to Dave Wentworth and the firm of Hasselberg, Williams, Grebe, Snodgrass and Birdsall for sponsoring the committee.



From L to R: Elizabeth Jensen, Meredith Ritchie, and Irene F. Bahr.



**Enhance your professional image by displaying this burgundy, silver, and black ready-to-frame ISBA membership certificate in your office. Show clients you care enough to belong to the bar association for all Illinois lawyers.**

**Available for just \$15.00!**

Payment accepted by check, Visa or MasterCard. Mail: Fill out the form and include credit card information, or make check payable to ISBA, and mail to: ISBA Publications, Illinois State Bar Association, 424 S. 2nd Street, Springfield, IL 62701. Fax: Fill out the form, include credit card information, and fax to (217) 525-0712. E-mail: Include mailing information and credit card payment information, and e-mail to [jishmael@isba.org](mailto:jishmael@isba.org). Phone: Call Janice Ishmael at (800) 252-8908 or (217) 525-1760. Also available at [www.isba.org](http://www.isba.org).

Name (as it is to appear on certificate) \_\_\_\_\_

Member # \_\_\_\_\_

Address \_\_\_\_\_

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

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail address \_\_\_\_\_

Credit Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

## Women in the news

Congratulations to the new women members of the ISBA Board of Governors: ANITA M. DE CARLO, Chicago (Under 37 – Cook County); and ELIZABETH L. JENSEN, Peoria (Area IV – 10th, 14th & 15th Circuits). They will join CELIA G. GAMRATH, MICHELE JOCHNER, ANDREA M. SCHLEIFER, and NAOMI H. SCHUSTER (all from Cook County). Women have now been elected to seven (including President-Elect Irene F. Bahr) of the 25 seats comprising the ISBA Board of Governors.

MEREDITH RITCHIE, Chair of the Woman and the Law Committee, was sworn in to the Board of Directors of the West Suburban Bar Association.

SANDRA CRAWFORD, a member of the Women and the Law Committee, has been elected to the Executive Board of The Collaborative Law Institute of Illinois, the newest dispute-resolution model in Illinois. In a collaborative law model, both clients retain separate, specially trained attorneys whose only job is to help them settle the case. All participants agree to work together respectfully, honestly, and in good faith to try to find win-win solutions to the legitimate needs of both clients. For more information, visit [www.CollabLawIll.org](http://www.CollabLawIll.org).

KAREN L. JOHNSON has been appointed the first Director of the Minimum Continuing Legal Education (MCLE) Board. She will serve as the principal executive officer of the Illinois MCLE program established by the Illinois Supreme Court. In that position, Ms. Johnson will interpret and implement directives of the nine-member board, direct the office operations supporting the activities of the board, and represent the board and office in liaison with other offices of the Illinois Supreme Court.

CHERYL NIRO, an ISBA past president, has been appointed the first executive director of the Illinois Supreme Court Commission on Professionalism. The Commission was established by Chief Justice Robert R. Thomas, pursuant to Rule 799, to improve civility among lawyers, judges and clients in Illinois courts. The commission will be a resource for information and statements on principles of ethical and professional responsibility.

MARIA TOLVA MACK will be

installed on June 1, 2006, as the President of the DuPage Association of Women Lawyers. She prosecutes expungement appeals for DCFS and represents clients in personal injury, traffic and real estate matters. Prior to opening her own law practice, she was a partner at Querrey & Harrow, Ltd., in Chicago, and an attorney with Chilton, Yambert, Porter & Young, LLP, in Chicago. Ms. Mack has tried more than 80 cases to verdict. Ms. Mack received her J.D. from DePaul University, College of Law.

COLLEEN MCLAUGHLIN and SUSAN O'NEIL ALVARADO, were elected to the Board of Directors of the DuPage County Bar Association. In a field of six candidates vying for three seats, they were the only two women candidates. Ms. McLaughlin is a past president of the DuPage Association of Women Lawyers and an active member of the ISBA, serving on the Assembly and the Labor and Employment Law Section Council. Ms. Alvarado serves on the Board of Directors of IICLE, teaches at DePaul University, and received the DCBA Board of Directors Award for Outstanding Service in 2004.

PATRICIA WOERTZ is the new president and chief executive of Decatur-based Archer Daniels Midland Co, thereby becoming the most highly placed female executive in the USA. With \$36 billion in revenue, ADM is among the country's biggest and most powerful companies and the largest to be run by a woman.

MICHELLE BACHELET, elected as Chile's first woman president, kept her campaign promise by appointing women to half of the 20 Cabinet posts in her government. She stated, "This Cabinet is a historic step for equality between men and women." On International Women's Day, Ms. Bachelet said, "Chile is going to be the first country that will have, in public sector decision-making positions, total parity between men and women." She is the first woman elected president in Latin America who is not the widow of a political strongman. She is the daughter of an air force general who died in prison after months of torture during Gen. Augusto Pinochet's rule, and she herself was imprisoned and tortured. Ms. Bachelet was inaugurated on

March 11, 2006, and the United States was represented by Secretary of State Condoleezza Rice.

ELLEN JOHNSON SIRLEF, a Harvard-trained banker, was inaugurated in January 2006 as president of war-torn Liberia, becoming Africa's first woman to be elected a head of state. She is known as Liberia's iron lady from her years in opposition politics, which included two stints in prison. It is a combination of tough and tender that has won women new respect in the political scene in Africa, once dominated by male autocrats.

ANGELA MERKEL was the first woman elected Chancellor of German, leading Western Europe's most populous nation.

These three women leaders are not the first women to lead major democracies. Margaret Thatcher, Indira Gandhi, and Golda Meir were powerful politicians and inspirational leaders. But their election is significant, because this achievement is still rare and therefore noteworthy.

Remember when? VALENTINA TERESHKOVA was the first woman to shoot into space in 1963. She has since obtained a doctorate in aerospace engineering and became a central political figure in the Soviet Union. She was a member of parliament, served on the Soviet Committee of Women and was a member of the Central Committee of the Communist Party. An article appearing in *The Washington Post* in March 2006 states that she also took on the cause of abused women in the Soviet Union and brought their plight to the attention of the Kremlin. She stated that she has a message for young women and girls today: "I would wish for them to have a goal and to pursue it with all the might, force and determination they have, regardless of the difficulties and obstacles.

EILEEN COLLINS is the first and only female space shuttle commander. On four shuttle flights, she was the pilot twice and commander twice, the most recent flight, last summer. She's a graduate of the U.S. Air Force Test Pilot School and was selected for NASA's astronaut program in 1990, being the first female Space Shuttle pilot and recipient of the Harmon Trophy in 1995.



# Dupuy v. Samuels (DCFS Director), re DCFS safety plans case report

By Angela Peters

Entire families, including mothers, fathers, children, siblings, aunts, uncles, grandparents, male and females of any description are possible persons who can be affected by DCFS safety plans. When attorneys meet with persons affected, they need to consider that it is the entire family, including the extended family, which may be seriously and negatively affected.

## What advice do you give to these clients?

- 1) On May 12, 2000, an anonymous Hotline call to DCFS alleged that Dr. S had engaged in a sexual act with a "flat-chested" female. On the same day, a DCFS investigator came to Dr. S' and his wife's (Dr. M) home and led him to "understand that if he refused to agree to the DCFS safety plan, they would take his daughter away or go to the police." Dr. S stayed in a hotel over the weekend. On May 15, 2000, at a formal forensic interview, Dr. S' daughter denied any improper sexual contact with her father. The DCFS investigation was unfounded, and Dr. S returned home on May 19, 2000. The threat Dr. S experienced could not have been more severe or consequential, particularly because he had promised his daughter when he adopted her that he would never leave her.
- 2) Bill M, the vice president of a Chicago corporation, and his wife, a full-time homemaker, have a two-year-old daughter. The little girl fell onto concrete on November 13, 2004, suffered a fracture, was given a cast and sent home. When the hospital detected a possible earlier fracture in the same location, DCFS was called to investigate the M's for alleged physical abuse. On November 15, 2004, DCFS directed Bill to leave his home under a "24-hour safety plan and gave him no choice about signing the safety

plan." On November 24, 2004, DCFS Investigator Hardin insisted on an out-of-home safety plan over the upcoming Thanksgiving weekend. Pursuant to this plan, both parents had to leave their home over Thanksgiving while relatives cared for their children at home. The plan stated it had an "estimated time frame within seven days." The M's signed the plan under the threat that, if they did not do so, their two daughters would be taken into foster care. The plan was lifted on November 30, 2004. The safety plan caused "among the very worst days of the M's lives," including ruining the entire extended family's Thanksgiving plans.

- 3) Christine B lives with her six-year-old daughter, K, and Christine's fiancé, J.M. Because of a sexual offense conviction by plea-bargain, J.M. was required to register as a sex offender. When he did so and stated that he was living with Christine and K, DCFS initiated an investigation on July 26, 2004. It found that K was comfortable around J.M. and had no signs of abuse, but the investigator insisted that both adults sign a safety plan under which J.M. could not stay in his own apartment (for which he is the leaseholder) nor could he be alone with K. Investigator Lessor threatened removal of K from her mom if Christine did not agree to this safety plan. The plan stated it was to remain in effect for 30 days or until a risk assessment was done, at least eight weeks later. J.M. slept in his car due to the safety plan. On November 11, 2004, Investigator Thomas threatened to remove K from Christine unless she and K moved from J's apartment, which they did. Christine remained separated from J.M. until April 1, 2005, when DCFS informed her that the case was "closed" on condition that Christine install safety devices

and motion detectors in her home. Leaving J.M.'s home caused K serious emotional problems.

Case No. 97 C 4199 (also 141 F.Supp.2d 1090 (N.D., Ill.), 397 F.3d 393 (7th Cir. 2005)), now pending before the Judge Rebecca B. Pallmeyer in the U.S. District Court in Chicago, Illinois, is addressing just what advice we can give to the above persons and those in similar situations. *Belinda Dupuy, et al, v. Bryan Samuels, Director of DCFS*. The advice for the above "clients" is that they will have new remedies shortly. On March 11, 2005, the court entered an Order addressing the plaintiff's concerns regarding "safety plans" which impose restrictions on families during the pendency of investigations into allegations of abuse or neglect. The court declined to require DCFS to meet a minimum evidentiary standard to impose a safety plan on a family. It found it was "not improper" to impose a safety plan even when there is only one safety factor present based on a "mere suspicion of abuse or neglect." It further found that when a safety plan is of "brief duration," the family members thereby affected suffer no constitutional deprivation, though it is "regrettable that a father had to spend a week away from his family." At the same time, however, the district court found that safety plans that last longer than a week or even a year did violate family members' substantive and procedural due process rights. The court held that "at some point, the deprivation continues long enough to implicate plaintiff's liberty interests."

Both sides submitted proposed remedial plans. The court largely adopted the proposal from DCFS which was that, after living under a safety plan, the family could request a Safety Plan Team Assessment (SPTA), which would be scheduled within five working days of DCFS's receipt of the request. The purpose of the SPTA would be to "come to some agree-

ment for the safety of the child until the investigation process is complete." This is not a hearing per se. The court required that the SPTA be held in fourteen days, not four weeks. The plaintiffs are not satisfied that the court's remedial order provides them "process due" so they have appealed.

For an historical context, in August, 2002, DCFS amended its protocols to provide that investigators were to state the "anticipated duration of the safety plan," but DCFS still allows them to state such duration in conditional terms, such as "until the conclusion of the investigation," or "until the child is found to be safe by a psychotherapist." While DCFS provides that safety plans are "intended to be temporary, usually short-term measures," a very substantial percentage of safety plans had no durational limits or had conditional limits that were open-ended such as "complete counseling." Even if an investigation is determined to be "unfounded," a safety plan may remain in place if an investigator determines that there are "safety issues that would make continuation of the safety plan appropriate." There has never been a process by which anyone required by DCFS to adhere to a safety plan could contest the plan. On September 3, 2002, the district court commenced a 22-day evidentiary hearing on plaintiff's Amended Motion for Class Relief which sought a preliminary injunction. The safety plan of the case is "Part II" of the case. "Part I" was concerned with the rights of people who care for children professionally, and the reported decisions regarding that care are at 141 F.Supp.2d 1090 and 397 F.3d 493 (7th Cir. 2003). The pending appeal of the court's injunction is the third appeal in this case. The matter has continued its way through the court.

Attorneys Robert E. Lehrer, Diane L. Redleaf, Jeffrey B. Gilbert, and Jack L. Block have pursued *DuPuy v. Samuels*, seeking an adequate and proper resolution for the plaintiffs, including the persons affected by DCFS safety plans. They have filed an appeal of Judge Pallmeyer's December 7, 2005, Order, which objects to DCFS's proposal for appropriate remedies as not sufficient. We hope that, when this appeal is decided, we can give the "clients" some better advice. Stay tuned, we will report on the continuing state of this process.

**ISBA MentorCenter**  
**@www.isba.org**



## **Need a Little Help? Want to Share Your Expertise?**

*Sign up now to become a mentor...  
or go there to find one.*

---

**ISBA MentorCenter**  
**@www.isba.org**

**It's the Place for Questions and Answers**

---



**ILLINOIS STATE  
BAR ASSOCIATION**

## Want to Save 15% on Best-Selling American Bar Association Practice Books?

Then order them today from the Illinois State Bar Association

*The ISBA discounted price INCLUDES tax and shipping, so the price quoted is your total cost.*

**Results-Oriented Financial Management: A Step-by-Step Guide to Law Firm Profitability, Second Edition (CD-ROM included)**

**ISBA Member Price: \$104.49** (ABA price: \$120.65)

*By John G. Iezzi*

This book is ideal for any law firm seeking to improve its financial management system and ultimately achieve better profitability. The CD-ROM contains powerful computer models you can use to examine your existing or proposed financial program from every possible angle.

**Real Estate Closing Deskbook: A Lawyer's Reference Guide & State-by-State Summary, Second Edition (with disk)**

**ISBA Member Price: \$104.49** (ABA price: \$120.65)

*By K.F. Boackle*

If your practice involves closing real estate transactions—you need this book! Here you'll find: State-by-state information; valuable checklists, forms, and sample letters on disk; and detailed evaluation of several real estate closing software programs.

**How to Start and Build a Law Practice, Fifth Edition**

**ISBA Member Price: \$77.02** (ABA price: \$88.32)

*By Jay C. Foonberg*

Completely updated and expanded, this landmark book has been successfully used by tens of thousands of lawyers as a basic primer for planning and growing their practices.

**Effective Yellow Pages Advertising for Lawyers: The Complete Guide to Creating Winning Ad**

**ISBA Member Price: \$77.02** (ABA price: \$88.32)

*By Kerry Randall*

Yellow Pages advertising is very competitive, highly regulated, and sometimes complicated. This new book by Kerry Randall, "the world's foremost expert on Yellow Pages advertising," shows you how to create more powerful Yellow Pages advertising.

**Scientific Evidence Review: Admissibility and Use of Expert Evidence in the Courtroom, Monograph No. 6**

**ISBA Member Price: \$86.22** (ABA price: \$99.15)

*By John L. North and Cynthia H. Cwik*

This complete update of a previous monograph from a series, focuses entirely on expert evidence issues. The easy-to-read format provides quick access to the governing expert evidence rules in federal and state courts throughout the U.S.

**McElhaney's Trial Notebook – Fourth Edition**

**ISBA Member Price: \$72.44** (ABA price: \$82.93)

*By James W. McElhaney*

The ABA's all-time best-selling book on trial practice, this expanded, updated and revised edition includes 30 years of James McElhaney's clear, graceful and entertaining writing. You'll find 90 chapters from discovery through rebuttal with information on techniques, tactics and strategies for every stage of trial.

**Model Witness Examinations – Second Edition**

**ISBA Member Price: \$72.48** (ABA price: \$82.99)

*By Paul Mark Sandler and James K. Archibald*

This book will help you organize, craft, and conduct effective examinations and includes tactical strategic guidance. You'll also find 70 model examinations that show you how to deal effectively with the practical evidentiary issues that all trial lawyers face every time they go to trial.

**Electronic Evidence and Discovery – What Every Lawyer Should Know**

**ISBA Member Price: \$95.34** (ABA price: \$109.87)

*By Michele C.S. Lange and Kristin M. Nimsinger*

This book is a practical guide to facing the new world of electronic evidence. It is designed to arm lawyers with the knowledge to tackle both the complex legal and evolving technical issues surrounding electronic discovery and computer forensics. You'll find numerous charts, graphics, sample forms, and more to help you put theory into practice.

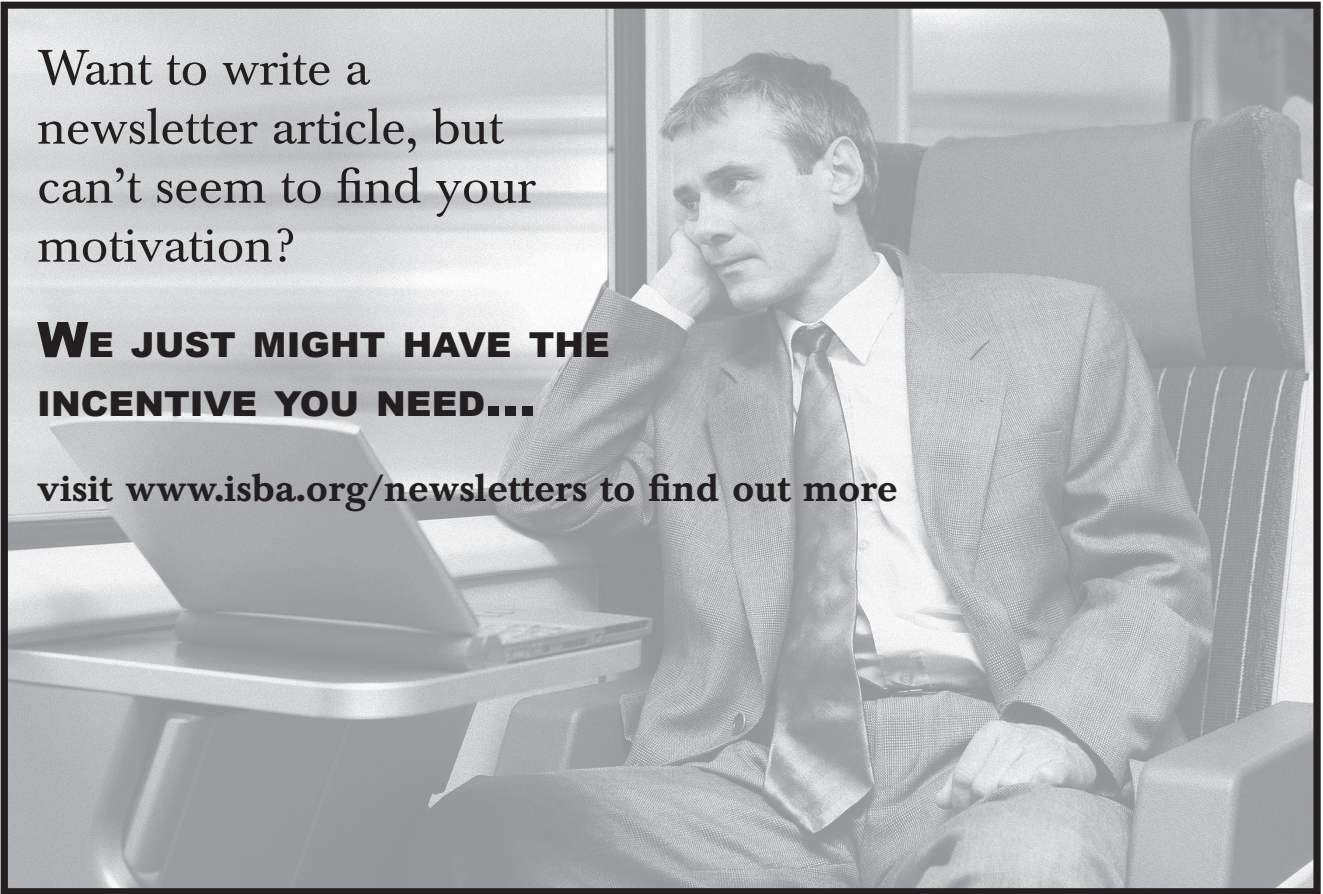
**Read more about these books and order them at [www.isba.org/bookstore](http://www.isba.org/bookstore). Or buy through Janice Ishmael at 800-252-8908 or [jishmael@isba.org](mailto:jishmael@isba.org), using your MasterCard, Visa or American Express.**



Want to write a  
newsletter article, but  
can't seem to find your  
motivation?

**WE JUST MIGHT HAVE THE  
INCENTIVE YOU NEED...**

visit [www.isba.org/newsletters](http://www.isba.org/newsletters) to find out more



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

**The Catalyst**  
Illinois Bar Center  
Springfield, Illinois 62701-1779  
June 2006  
Vol. 11 No. 4