



THE CHALLENGE

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

From the editors

By Susan Witt

Vickie A. Gillio and I are pleased to serve as co-Editors for this year's newsletter of the ISBA Standing Committee on Minority and Women Participation. Featured in these pages are articles on a variety of topics of interest. Part of the mission of our Standing Committee is outreach to all ISBA members, through encouraging participation by a diverse population. To that end, we offer these pages as a forum and invite our readers to submit letters to the editor, op ed pieces, and travel/human interest writings. Of course, articles on substantive legal topics are welcome as well. You may send them to us at smwitt@barretandgilbert.com or vgillio@niu.edu.

In this issue we highlight several

exciting events. On Saturday, May 1, 2004, our Committee will present our annual "Lawyer's Workshop." A variety of interesting and timely topics will be covered. The Workshop has, over the years, always received rave reviews from attendees as an informative, useful, and entertaining day—all for a very reasonable fee that can't be beat! Please do consider attending.

Also on May 1, 2004, Northern Illinois University will present a seminar called "Career Opportunities for Attorneys." Hindi Greenberg, the author of *The Lawyer's Career Change Handbook*, is a featured speaker.

Finally, don't miss the opportunity to give a day of service to your community at the annual "Women Everywhere Service Day" on Friday, May 14, 2004.

Get the electronic version of this newsletter

See page 8 for details.

As a volunteer, you will have the opportunity to give back to your community by dedicating some or all of your workday to volunteer activities at community service agencies aimed at serving women and their children in need. The agency activities will include direct service tasks such as painting, building, gardening or cleaning, as well as educational activities such as topical seminars, job training information, mock interviews, tutoring, and mentoring. All members and friends of the legal community—both male and female—are invited to volunteer for this worthwhile project.

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Illinois law school deans are a model of diversity

By Alice Noble-Allgire

Illinois reached a significant milestone during the past year when Patricia Mell and Peter Alexander became the first black deans—and Mell the first female dean—at their respective law schools. With their arrival, a majority of Illinois' nine law schools are now led by women and people of color, setting a positive example for the next generation of lawyers and establishing a model of diversity for other states to follow.

It is perhaps fitting that this milestone occurred in 2003—the 20th anniversary of Nina S. Appel's rise to the leadership of the Loyola University Chicago School of Law. She, too, was the first woman to be dean at her institution—indeed, the first female dean at any Illinois law school. Likewise, Heidi M. Hurd was the first female

dean at the University of Illinois College of Law when she was hired in 2002 and LeRoy Pernell was the first black dean at the Northern Illinois University College of Law when hired in 1997. Pernell now shares that distinction with Mell, the new dean at the John Marshall Law School, and Alexander, dean at the Southern Illinois University School of Law.

The number of women and people of color holding these prestigious positions in Illinois is markedly higher than the national average. The latest statistics available from the Association of American Law Schools Web site indicates that only 12.5 percent of the deans at AALS schools nationwide are women and nine percent identified themselves as minority. By comparison, 33 percent of Illinois'

deans are currently women and 33 percent are minority.

Dean Alexander said the number of women and minorities in decanal posts in Illinois reflects the progressive thinking of the members of the higher education community in the state.

"We are poised to do great things for our schools, our students and for the clients we all serve," he said. "Having women and people of color in leadership positions helps to prepare law students for the practice of law, where they will encounter people from all walks of life and from all social, cultural and economic backgrounds."

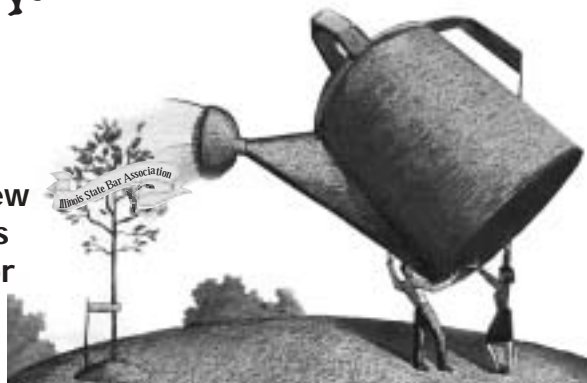
Dean Mell agreed, saying: "The fact that the state of Illinois has a majority of women and/or minorities as deans says that the academy is now in a position to see just how valuable different perspectives can be in leading an institution."

This diversity of perspectives is evident from a cursory review of *Chicago Daily Law Bulletin* stories about the goals and accomplishments of these deans:

- In applauding Appel's 20 years of accomplishments at Loyola, for example, the newspaper noted that Dean Appel had co-founded the Civitas ChildLaw Center to train lawyers to represent abused and neglected children; established the Elder Law Initiative to serve elderly and indigent clients; began a Loan Repayment Assistance Program to assist graduates who take low-paying public service job; and created a business law clinic to help entrepreneurs and non-profit groups develop business skills to stabilize communities.
- When Dean Pernel was appointed to a second term in 2002, the newspaper noted that he had fulfilled his goal of increasing the school's clinical law programs and would begin to focus efforts on enhancing technology in the law school, expanding the school's facilities, and maintaining diversity among students, faculty and staff.
- At Southern Illinois University, the newspaper reported that Dean Alexander has made student recruitment a priority in his first year by personally attending a number of large recruiting forums as well as making calls at individual schools. By maintaining a high-profile presence at these events, Dean Alexander hopes to increase diversity in the student body by attracting more highly talented women and minorities to the school. Although not mentioned in

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**Certain rules apply*

the newspaper, Dean Alexander has also helped diversify the hiring pool for law faculty.

- An article announcing Dean Mell's appointment stated that she was attracted to John Marshall because of its history and mission of recognizing "that justice is best served when lawyers come from diverse backgrounds and perspectives." She was impressed by the innovative projects and research at the school, including the Fair Housing Center. In an interview for this newsletter article, Dean Mell reemphasized these points, saying that John Marshall "has not been bound by what's popular, but what's *right*. It was a good fit for me."
- The article announcing Dean Hurd's appointment noted that she is on the cutting edge of the legal field by bringing an interdisciplinary program to the University of Illinois. As a co-founder of the Journal of Law and Philosophy, Dean Hurd relocated the journal's headquarters to the university and plans to develop a program of law and philosophy at the school.

Dean Mell said that bringing about change and a new perspective to the job can create uncertainty as people get to know the new dean, but she noted that these challenges "come with *any* change." It is quickly evident that she doesn't let her status as a woman or a person of color divert attention away from the substantive issues.

"I never know if people are reacting to me because I'm a woman or because I'm black or just because I'm an authority figure," she said. "You don't really know why someone reacts the way they do, so you can't worry about it." Accordingly, she focuses on the person's questions and concerns about the substantive matters, rather than wasting energy second-guessing their motives.

Students have been complimentary about the different perspective they have observed from the new deans. Marcus Thorpe, a second-year law student at Southern Illinois University, observed that Dean Alexander models and encourages more "modern" ways of teaching law, which benefits the institution as a whole.

"On a more personal level," he added, "it is both gratifying and encouraging to see an African American in such a high position. I come from the inner city of Atlanta,

Georgia, where I was definitely in the minority because I had aspirations of success. So, to come here and see a successful black man is wonderful. So often times we stereotype each other and come to believe, right or wrong, that one race will only achieve so much. So it is nice to know and believe that with the new century comes the disintegration of racist ideas that preclude African Americans from upper management job opportunities."

Thorpe said that Dean Alexander has served as a liaison between the Black Law Students Association and other organizations on campus. Thorpe said those connections are helpful because "there are many times when the agenda of black students has not been properly dealt with because blacks are so few in number at Southern Illinois University."

Women and minorities are still few in number within the legal academy as well. Accordingly, Dean Mell would like to see more people of color and more women pursuing a decanal career path.

"It can be frustrating, but they shouldn't allow that to deter them if they want to be in a position like this to make a difference," she said. "All women and minorities make a difference in their own ways. We all bring gifts to the table. If you think you have a gift of pulling people together and assisting them to be the best they can possibly be, this is something you should do."

Dean Mell said that dean searches can be quirky, and it is often difficult to know, as a candidate, whether one has meshed well with the search committee or the faculty. Most importantly, she said, "You have to be honest and upfront about who you are. It doesn't make sense to pretend to be something you're not."

She said this message is particularly important for women and persons of color because "leaders are held to a higher standard. Understanding that, you have to be consistent in the message that you give. Everyone needs to know what you want to do, and either they like that and hire you or they don't."

Alice M. Noble-Allgire is an associate professor at Southern University School of Law in Carbondale. She teaches courses in Property Law, Trusts & Estates, and the Legal Profession. She is a member of the ISBA Standing Committee on Minority & Women Participation.

The Challenge

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

Illinois clergy as mandated reporters

By Maria M. Ramirez Strohmeier

The attorney-client privilege is one of the cornerstones of our profession. Without it, our ability to offer advice, represent our clients and, very importantly, be effective advocates would be seriously compromised. But should the same privilege be extended to the relationship of penitent-clergy in cases of child abuse?

Although every state has a statute aimed at preventing and punishing child abuse, most states' statutes regarding child abuse do not classify clergy as mandated reporters. In the Midwest, only Illinois currently includes clergy as those professionals specifically mandated to report known or suspected instances of child abuse or neglect. With a recent amendment to the Abused and Neglected Child Reporting Act, Illinois joins approximately 21 states in making clergy mandated reporters. The statute does not specify whether the information must have come through a confession, counseling session or through a third party.

Traditionally statutes require that mental and health care professionals, social workers, education/child care providers and law enforcement professionals report instances of known or suspected child abuse. The reasoning being that these professionals are in proximity to children and are trained to identify indications of child abuse. The addition of clergy as mandated reporters recognizes that the clergy may also become privy to similar information.

Opponents of making clergy mandated reporters argue that the confidentiality of pastoral communications is a fundamental doctrine of some faiths and that mandating clergy to report the content of such communications undermines the role of the clergy as spiritual advisors, counselors and healers. The secrecy of confessions is a doctrine long established and followed by many faiths. Because many religions do not set aside formal occasions for private confessions, opponents argue that much of what is disclosed to a clergy during "counseling sessions" should also be protected. Lastly, if the clergy is mandated to report, persons will no longer seek help or counseling for fear of prosecution.

Supporters of including clergy as mandated reporters argue that clergy are in a unique situation wherein either the perpetrator or the victim may approach them in hope of help or counseling. By mandating that they report, the clergy no longer have to struggle with the notion of disclosing penitent-clergy communications obtained either through a confession or resulting out of counseling sessions. Furthermore, supporters consider child abuse a heinous crime and preventing it an overriding state interest.

Although Illinois specifically identifies clergy as mandated reporters, it also allows them to claim that the communication is privileged under the Illinois Code of Civil Procedure. Claiming the privilege effectively pro-

TECTS them from having to disclose to any administrative body or agency a confession or admission of child abuse obtained through a confession or counseling session.

Illinois case law has not grappled with the argument that requiring the clergy to divulge information interferes with the clergy's First Amendment Right to the free exercise of religion. By placing the burden of reporting on the clergy, one can argue that the state is unconstitutionally interfering with his or her right to free exercise of religion by encroaching on the fundamental principle of the penitent-clergy privilege. Alternatively, if granting such communications privilege rests in the desire to protect religious practices, an argument can be made that these laws violate the establishment clause. One must also consider the privacy issues of the family involved in these disruptive investigations.

Until these arguments are addressed, the privilege is vulnerable to changes in mores and societal views and public confidence, which has of late been eroded, in the clergy. By granting the privilege under state statute without Constitutional guidance, states have created a confusing and at times contradictory stance on this privilege.

Maria M. Ramirez Strohmeier is an associate at Montes & Associates in Chicago, where she concentrates on corporate and commercial law.

Fractured fairy tales—How children's classics can reinforce harmful stereotypes

By Alice Noble-Allgire

A few years back, I found myself spending time with the four-year-old daughter of some friends. We stretched out on the living room floor with a couple of tiny plastic figurines and a long-necked stuffed animal to amuse ourselves.

It interested me when she picked up one of the figurines and placed it

on the back of the animal, announcing, "This one goes here." She then picked up the second figurine and placed it on the animal's head, announcing, "This one goes here."

Curious, I pressed her for an explanation.

"Because," she said, "this one is the boy and he goes up here; and this one

is the girl and she goes down here."

Even more intrigued, I pressed her further: "Why does the boy go up there and the girl down here?" Her answer came as a complete shock.

"Because the boy is more important."

Where did she come up with that? Her parents certainly were not teaching her to think that way. But it was

very clear that, in some innocuous way, she had “learned” at this tender age that little girls are not as “important” as little boys. How?

A newly published study suggests that one answer might be right under our noses—in the pages of our children’s favorite fairy tales.

Lori Baker-Sperry of Western Illinois University and Lori Grauerholz of Purdue University recently studied 168 Brothers Grimm fairy tales to determine how the authors treated the issue of “beauty.” Their study revealed that fairy tales send strong messages about the feminine beauty ideal, which can inhibit young women who feel they do not match this ideal.

“Children’s media can be a powerful mechanism by which children learn cultural values,” Baker-Sperry said in a news release posted on the Western Illinois University Web site. “Through the proliferation of fairy tales in the media, girls (and boys) are taught specific messages concerning the importance of women’s bodies and women’s attractiveness. We are concerned that messages of how looks can label a person as good or bad is harmful to children.”

The study, entitled “The Pervasiveness and Persistence of the Feminine Beauty Ideal in Children’s Fairy Tales,” was published in the October 2003 issue of *Gender and Society*. It found that beauty or ugliness was mentioned in 94 percent of the fairy tales, mainly in relation to female characters. In the “Cinderella” fairy tale, for example, beauty in women was mentioned 114 times, while the appearance of male characters is mentioned less than 35 times in each tale.

“Boys don’t get the message as much that it’s so important to be handsome,” Grauerholz was quoted as saying in an Associated Press article. Although most of the princes are handsome, she noted, “there are not continual references to it.”

Admittedly, the study did not focus on whether men or women were more “important”—the lesson my four-year-old friend had somehow learned—but the researcher’s findings certainly suggest that fairy tales reinforce many gender, racial, and socio-economic stereotypes.

The study found that beauty was most often linked with goodness in the children’s stories, while ugliness was commonly associated with evil (Snow White’s beautiful, but evil, stepmother being a rare exception). Beauty was also linked with economic privilege.

“From early childhood, girls are read fairy tales about princesses who achieve vast riches simply because their beauty makes them special,” Grauerholz said in a news release on the Purdue University Web site. “That’s a powerful message that can inhibit young women who feel they do not meet society’s expectation of what it means to be attractive. . . . It’s important to understand the messages our children receive about traditional gender roles, especially during a time when women are encouraged to be independent and rely on their brains rather than beauty.”

The researchers said that some people have questioned whether pervasive references to beauty are harmful. They argue that powerful messages about beauty may compel some women to engage in harmful behaviors, such as developing anorexic or bulimic eating habits, or seek beauty at the expense of other activities or careers, such as competitive sports or jobs that are not viewed as feminine.

“This continued emphasis on beauty is a way society controls girls and women,” Grauerholz said in the Purdue news release. “Women adopt behaviors that reflect and reinforce their relative powerlessness, which can lead to limiting a woman’s personal freedom, power and control.”

Fairy tales can also have a negative impact upon children of color. A few months before this study came out, a colleague told me about the young daughter of a friend who had astutely observed that all of the princesses in the fairy tales were white and most had blonde hair and blue eyes. She also had observed that her own Asian skins tones did not match that ideal. Thus, before this young girl had even entered kindergarten, she had already deduced that she was somehow inferior to other girls who do meet that ideal. That’s a powerful, inhibiting message that is being hard-wired into the data banks of young female brains.

Baker-Sperry and Grauerholz allude to this problem, noting the lack of minorities mentioned in the fairy tales they studied.

“Fairy tales are important historically because they provide children with information about a certain period,” Baker-Sperry said in the Purdue news release. “What they don’t do is provide positive images about groups who are not white, middle-class or heterosexual.”

The researchers do not advocate the elimination of fairy tales, but instead urge parents to help their children critically evaluate the messages in the stories.

“We don’t discourage children from reading fairy tales, even with these misleading stereotypes and failure to include minorities,” Baker-Sperry said. “But we strongly recommend parent or adult interaction while children read or view fairy tales.”

“I intentionally read fairy tales to my four-year-old daughter to expose her to these issues,” she said. “And we talk about what’s real and what’s just a story. Even at four she’s able to separate what real women can do and become from those portrayed in the fairy tales.”

The researchers also applaud more modern fairy tales, like the 2001 animated film “Shrek,” which defy stereotypical roles. Although following a traditional fairy tale format, this story features a beautiful maiden who lives happily ever after despite being transformed into an ogre.

About 43 percent of the Grimm Brothers fairy tales have been reproduced in children’s books or movies. Five of these fairy tales—Cinderella, Snow White, Little Red Riding Hood, and Hansel and Gretel—make up about two-thirds of all reproductions.

“The pervasiveness of fairy tales in our society, through books and movies, suggest that there are many opportunities for these messages to become internalized,” Baker-Sperry said.

Alice M. Noble-Allgire is an associate professor at Southern University School of Law in Carbondale. She teaches courses in Property Law, Trusts & Estates, and the Legal Profession. She is a member of the ISBA Standing Committee on Minority & Women Participation.

The Standing Committee on Minority and Women Participation co-sponsors Women Everywhere: Partners In Service Day for the 5th year

Calling all former and future volunteers

Mark your calendars! The 5th Annual Women Everywhere: Partners In Service Project is set for May 14, 2004. As a volunteer, you will have the opportunity to give back to your community by dedicating some or all of your workday on May 14, 2004, to volunteer activities at community service agencies aimed at serving women and their children in need. The agency activities will include direct service tasks such as painting, building, gardening or cleaning, as well as educational activities such as topical seminars, job training information, mock interviews, tutoring, and mentoring.

All members and friends of the legal community—both male and female—are invited to volunteer for this worthwhile project. If you are interested in volunteering, please complete and return the attached form to:

Ellen M. Girard
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Chicago, IL 60661
Direct Dial (312) 715-5051
Direct Fax (312) 632-1701

For additional information, visit
<www.women-everywhere.org>.

YES, I want to join your efforts to help other women on May 14, 2004! I'll mark my calendar. (Please note that final assignments are made in April 2004).

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Type of service preferred:* Legal/ Educational service _____ Direct service _____ No pref. _____

Full-Day Assignment: _____ Half-Day Assignment: _____
(a.m. _____ or p.m. _____)

Restrictions on Assignment: _____

Other Information Useful in Making an Assignment: _____

Language or other unique skill you offer as a volunteer: _____

*Note: While we will make every effort to accommodate volunteer requests, we anticipate a limited number of legal/education assignments. If we are unable to fulfill your first-choice request for legal/education service work, we will place you in another activity unless you indicate that you are only interested in performing legal/education service work.

Career Opportunities for Attorneys

Northern Illinois University invites you to join this timely and useful seminar for professionals with legal degrees who are searching for career satisfaction.

"Career Opportunities for Attorneys is a one-day series of workshops geared toward attorneys who are seeking more satisfaction out of their careers," said Anne Petty, Coordinator, Liberal Arts & Sciences External Programming. "[The program] is a great opportunity for attorneys to identify their strengths and skills, and to learn how they translate into new career opportunities."

The day begins with "Lawyers in Transition," a seminar by Hindi Greenberg, J.D., designed to help you discover career alternatives, both inside

and outside of the legal profession, and learn how to assess your job skills. Hindi will teach you how to develop a career strategy so you can move forward and get that desirable job.

After a networking lunch, Janet Ainsworth of Ainsworth Consulting will begin a workshop to explore your personality preferences. She will use the Myers-Briggs Type Indicator to help you understand how you are similar to some people and vastly different from others. Janet will arm you with personal strategies to improve your career satisfaction.

Career Opportunities for Attorneys is co-sponsored by Northern Illinois University's College of Law, the College of Liberal Arts and Sciences External Programming, and the DeKalb, DuPage,

Kane, and Winnebago County Bar Associations. The registration fee is \$195; law students and co-sponsoring bar association members receive a discount.

Career Opportunities for Attorneys will be held on Saturday, May 1, 2004 in the Regency Room of the Holmes Student Center, NIU DeKalb campus. Registration is from 8 - 9 a.m., and the seminar begins at 9 a.m.

To register online visit the Web site at <www.niu.edu/clasep/profdev/careeropportunitiesattorneyworkshop.htm>.

To register by phone, call University Outreach services at (815) 753-0277. For more information on the program, contact the College of Liberal Arts & Sciences External Programming at (815) 753-5200.

The lawyers workshop

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Participation And General Practice, Solo & Small Firm Section Council**

Saturday, May 1, 2004

The John Marshall Law School, Chicago

Registration Fee: \$25

For general information, call the CLE registrar at 217/525-1760 or (in Illinois) 800/252-8908. Please read our registration information, available at www.isba.org, before registering. (When registering please indicate one of the breakout topics in each session listed).

PROGRAM

8:15 a.m. — Registration & Continental Breakfast

8:45 a.m. — 9:00 a.m.— Opening Session

9:00 a.m. — 10:10 a.m.—SESSION ONE

Family Law – Hot Topics and What Judges Look For

Moderator: Jennifer A. Shaw, Edwardsville, Speaker: Hon. Barbara L. Crowder, Assoc. Judge., 3rd Judicial Circuit, Edwardsville

Transition From Public Practice to Private Practice

Moderator: Richard N. Porter, Markham, Speakers:
Betty Y. Jang, Hinshaw & Culbertson, Champaign
John F. Lyke, Jr., Law Offices of, Chicago
Jeffrey Luckett, Law Offices of, Chicago
Loren B. Middleton, Law Offices of, Oak Park

10:10 a.m. – 10:20 a.m.— Break

10:20 a.m. – 11:30 a.m.— SESSION TWO

Technology: Confidentiality Issues/ What's New in Software

Moderator: Yvonne M. Kato, Chicago, Speaker: Mark C. Metzger, Hinshaw & Culbertson, Lisle

HIPPA Changes: Effect on Civil Litigation

Moderator: Alice M. Noble-Allgire, Carbondale, Speakers:
Katherine I. Dzik, Clifford Law Offices, Chicago
Paul Franciszkowicz, Monahan & Cohen, Chicago

11:30 a.m. – 11:40 a.m.— Break

11:40 a.m. – 1:00 p.m.— SESSION THREE

Estates: Probate Administration

Moderator: Letitia Spunar-Sheats, Chicago, Speakers:
Charles A. Kogut, Kogut & Associates, Chicago
Hon. Jeffrey A. Malak, Associate Judge, Probate Division, Circuit Court of Cook County

DUIs

Moderator: Michelle A. Miller, Chicago, Speakers:
William J. Luby, Law Offices of, Mt. Prospect
Charles S. Beach II, Chicago

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

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

How?

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