



ILLINOIS STATE
BAR ASSOCIATION

THE CATALYST

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

Chair's Column

By E. Lynn Grayson, Chair¹

Peggy Klaus, one of my favorite professional development speakers and authors, recently was quoted in a *New York Times* article as saying that "... how women treat one another at work might be the last obstacle to their success." The article, appearing January 11, 2009, was titled "A Sisterhood of Work Place Infighting" and generally addressed the phenomenon

wherein women are less supportive and treat one another more harshly than they do their male counterparts. Ms. Klaus notes that while women have come a long way in removing workplace barriers, the advancement and promotion opportunities women should and can provide one another remain a significant challenge. In a recent survey conducted of office behaviors (such as verbal abuse, job sabotage, misuse of authority and destroying of relationships) by the Workplace Bullying Institute, it was found that female bullies aim at other women more than 70 percent of the time.

While I have seen this general topic addressed in the past, it always makes me sad to hear from others that women attorneys are not as supportive of one another as could be the case. I have been very fortunate to receive the support and mentoring of many exceptional women attorneys and without their influence, both active and passive, I probably would not be a practicing attorney today. This is another important role that a women's bar association or committee can provide—a supportive environment where all are eager to help you succeed—professionally and personally. This is certainly the case for the ISBA Women and the Law Committee and we invite you again to join us for any of our meetings or events. Please consider reading this article which is available at <<http://www.peggyklaus.com/>> but know that supportive women attorneys do exist and are as close to you as the members of this committee.

Victims of Crime Act ("VOCA") funding crisis. VOCA is funded with fines paid by offenders convicted of violating federal laws and supports direct services to victims of crime. Despite huge balances in the account, the funding of necessary victim services by VOCA grants has been cut nationally by \$87M, including significant impacts to Illinois grantees. Lori, Executive Director of the Illinois Criminal Justice Information Authority, the state administrating agency for the VOCA funds, made the Committee aware of how this funding shortfall would impact domestic violence shelters, child advocacy centers, rape crisis centers, elder abuse services and other prosecutor/law enforcement programs. Through Lori's efforts and those of many on this Committee, this important issue was brought to the attention of the ISBA's Jim Covington and later, the Board.

We will continue to monitor this issue and hope that Congressional support will allow for the restoration of this funding to much needed, critical victims assistance programs. Thanks, Lori!

Also, the Committee was very proud to serve as the lead sponsor of the ISBA's Mid Year program titled "Ethically and Effectively Representing Clients With Substance Abuse and Mental Health Problems." The Committee's efforts were led by the program co-chairs, Amie Simpson, Will County Legal Assistance Program and Nikki Carrion, Thomas Mottaz and Eastman. It was a great program focused on an important issue often confronted by lawyers—what do you need to do if your client or another attorney is adversely impacted by drug or alcohol abuse? The program featured an overview of these issues, a view from the bench, discussion of possible ethical situations and a presentation about the services available from the Lawyers' Assistance Program. A special thanks to

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Committee Achievements— Special Thanks

Thanks to the leadership of our own Lori Levin, the ISBA's Board of Governors unanimously agreed in January to adopt this Committee's resolution to seek Congressional support to address the

Amie and Nikki for pulling this program together as well as our Committee's Vice-Chair, Annemarie Kill, Avery, Camerlingo & Kill, and Secretary, Sandra Crawford, Offices of Sandra Crawford, for their continuing support in the development of this program, too.

Future Events/Meetings

The Committee will be hosting a luncheon celebration in recognition of International Women's Day on Friday,

March 6, 2009, along with a regular business meeting. Also, on Thursday, April 23, 2009, we will be visiting the University of Illinois and hosting a luncheon panel discussion on women in the law and hosting an evening reception for women law students and attorneys and judges from the area. A regular business meeting will follow on Friday, April 24th. Lastly, we will co-sponsor a reception with the ISBA Minority and Women Participation Committee at St. Louis School of Law in

the March/April time frame. Please consider joining us for any of these events or meetings.

If you have any questions about this Committee's work or would like to get more involved with the ISBA, please feel free to contact any member of this Committee.

1. E. Lynn Grayson is the 2008-2009 Chair of the ISBA Woman and the Law Committee and a Partner at Jenner & Block in Chicago.

Peggy Klaus: New Year's Resolutions

Peggy Klaus, a workplace communication and leadership expert, offered the following New Year's resolutions to her friends. Her resolutions should be considered by everyone for 2009:

Just Say NO To Blackberry Addiction

If you have no recollection of what happened at the meeting you attended this morning because you were checking your e-mail the entire time or if you can't part with your Blackberry even when tanning on a beach in Florida or when imbibing a warm libation back at the Ski Chalet, then for gosh sakes do yourself (and everyone else) a favor and commit to weaning yourself away from the cyber world. So this year, stop texting at dinner, when you're having a conversation with a colleague in the hallway, and when you're driving—which is actually against the law now in California. Who would have think it?

Pls Spk 2 Me

And while we're on the subject, I don't

want to rely on emoticons and truncated phrases to know if my colleagues, friends, or family are upset and/or in need of help. I want to hear it myself by listening to their voices. I need them to pick up the phone and talk to me. Yes, texting is appropriate for conveying short, simple messages such as, "On my way" or, "Will call tonight." So let's use texting for these brief messages and when you have something else to tell me, pick up the phone!

It is What It Is

As implored in the twelve-step program, "God, grant me the serenity to accept the things I cannot change." So, if your money is locked into an account that's tied to the stock market, checking it obsessively will only make you more depressed. Instead, what about focusing on financial matters you can control, such as lowering credit card debt or spending less? I know that's not what the experts want us to do. But, hey, we listened to them before and that's what got us in to this mess.

If Not Now, When?

If you are a little (or a lot) freaked out about having extra free time on your hands during the economic downturn, remember to take time every day to do something nice for yourself. Start reading that book you've been meaning to read or sign up for that class that always sounded interesting. Why? Because when the economy picks up, you'll be wishing you had some of that leisure time back!

Be Grateful... It's Good For You

In difficult times, finding things for which you can be grateful might be a challenge. However, according to Robert Emmons, the mere act of focusing on something positive can energize and elevate you. Emmons suggests writing down five things every day for which you're grateful. Focusing on gratitude helps build up a "psychological immune system" that will help you make it through these challenging times.

For more about Peggy Klaus and her work, please visit <<http://www.peggyklaus.com/>>.

Second-Hand-Shock™—Day to day the price we pay

By Sandra Crawford, J.D.

Attorneys work in the human service realm. As human service providers we are exposed on a weekly basis to the deep distress that clients' trauma filled stories impart. Whether it is a client's story of a physi-

cal injury or the harrowing details of a painful disintegration of a fortune, a business or a family, lawyers are usually "first responders" in times of crisis in our clients' lives. I have long felt that the old adage "fact is stranger than fiction" is

proven time after time when listening to clients' tales of distress and woe. As "first responders" it is our sworn duty to help clients in times of loss and conflict. Ours is a helping profession and we are called upon hourly to help in a compassionate

and resolution focused manner when disaster strikes. Over time exposure to our clients' distress and trauma stories can lead to what is now being called "compassion fatigue." This complaint is a direct result of what is now identified as "vicarious trauma."

As a participant in the 9th Annual Forum of the International Academy of Collaborative Professionals (www.collaborativepractice.com) in New Orleans last October, I had the honor of attending an educational workshop lead by Ellie Izzo, PhD and Vicki Carpel Miller, BSN, MS, LMFT. Each is a mental health specialist and a Collaborative Professional. Both are doing ground breaking work in the area of vicarious trauma and its adverse impact on the helping professions, including lawyers. Dr. Izzo and Ms. Miller are the founders of the Vicarious Trauma Institute (www.vicarioustrauma.com).

Vicarious Trauma, or as Izzo and Miller term it, "Second-Hand-Shock,"TM is the cumulative impact of the distress that clients' trauma content stories have on the professionals helping them. Secondary traumatization of lawyers comes about as a result of indirect exposure to trauma through a client's firsthand account or narrative of a stressful or stress-filled event. Izzo and Miller opine, and the research shows, that this experience over time results in a set of symptoms and reactions in the professional which parallel Post Traumatic Stress Syndrome. P.T.S.S. is a condition most commonly experienced by those working or living in a war zone. No wonder some of the metaphors most frequently heard in the law business have to do with the war and warfare tactics.

In their workshop and through their Web site, Izzo and Miller, educate about the many signs and symptoms experienced by professionals and associated with "Second-Hand-Shock,"TM including: intrusive imagery, cynicism, poor memory, isolation, volatile moods, irrational fears, hyper-vigilance, lack of spiritedness and physical problems. Izzo and Miller decry the lack of institutional support within the organized bars and other organizations for healing professionals who suffer (mostly in silence) from the impact of vicarious trauma. Izzo and Miller opine that there is a need for education and an open dialogue about this issue within the legal profession. It is their collective experience that "professional helpers often get blamed in very shaming ways for their stress responses rather

than being encouraged to see vicarious trauma as a natural response to difficult work." Their research has shown that the welfare of the helping professional is an ever-increasing issue of ethical importance nationwide. Izzo and Miller call upon human service providers, including lawyers, to join together to create a social movement that acknowledges and compassionately addresses the occupational hazard of "Second-Hand-Shock."TM

Here in Illinois we are lucky that conscious raising is already underway in this area. Assistance is available to those of us experiencing vicarious trauma through the Lawyers Assistance Program (LAP) (www.illinoislaw.org). This program offers confidential assistance "for the problems lawyers face" (see LAP's advertisement). LAP is funded by a portion of annual attorney registrations fees and has approximately 300 trained volunteers working with its staff throughout the State. In the coming year it is my hope that through this newsletter and through opening a dialogue within our association that we can continue to shed light on the personal trauma being experienced by attorneys working "in the trenches" with clients. Anyone interested in joining this dialogue is welcome to contact the author directly at lawcrawford@sbcglobal.net.

Save the date!
Join us for a Women Everywhere: Partners in Service Project day of court tours and educational programming on April 24, and a community service day on June 12.
See page 7 of this newsletter for details

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This guide covers Illinois civil statutes of limitations, and amendments to them, enacted before September 1, 2008, as well as cases interpreting those statutes decided and released before September 1, 2008.

By Adrienne W. Albrecht, with an update by Gordon L. Lustfeldt



2008 Guide to ILLINOIS STATUTES OF LIMITATION

This new, updated Guide contains Illinois civil statutes of limitation enacted and amended before September 1, 2008. It provides information on deadlines and court interpretations of Illinois statutes. It has an index listing statutes by Act, Code, or by subject. The Guide is designed as a quick reference for practicing attorneys, helping them to initiate their legal proceedings in a timely fashion.

This new guide has been prepared by the **Honorable Adrienne W. Albrecht**, with an update by the **Honorable Gordon L. Lustfeldt**. Every effort has been made to ensure that the Guide is current, accurate, complete, and reflects Illinois statutes and cases through September 2008.

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Illinois has a history of some pretty good lawyers. We're out to keep it that way.

Women and the Law Committee—University of Illinois School of Law outreach

By Stephanie K. Nathanson

The Standing Committee on Women and the Law is looking forward to our upcoming program at the University of Illinois School of Law (U of I) on April 23, 2009. After such a successful program at Southern Illinois University School of Law last spring, we are looking forward to spending time with U of I students and members of the legal community in Champaign/Urbana. Sharon Eiseman of the Illinois Attorney General's office is co-chairing our outreach sub-committee with me and she has been a wealth of knowledge in putting an event such as this together. Our point person at University of Illinois School of Law is Miranda Soucie, a second year law student. Miranda is the co-chair of the Women's Law Society Symposium and has worked tirelessly to put this event together. I have never spoken to a more passionate law student and advocate for women remaining in the legal profession and accomplishing equality and quality of life at the same time. Miranda and the U of I Women's Law Society symposium chose a wonderful theme for the event: "Promoting a Healthy Work Place."

On April 23, 2009, members of our

Standing Committee on Women and the Law and a local area Judge, will host a panel discussion from 12:00- 1:15 p.m. Miranda chose an intelligent and interesting topic for the panel discussion, which is "Women Can Have Careers and Enjoy Them, Too." Miranda has asked members of our committee from different areas in the legal field to address how women can survive long term in our profession or make it past the five year drop off rate that is seen among women attorneys. Our committee panel members will address how they have survived in our profession and discovered ways to enjoy their careers, while maintaining their personal lives. The focus of our panel is to discuss and illustrate how women attorneys from governmental positions, public interest positions, small firm jobs and large firm jobs have managed to fight for equal pay, quality of life and equal participation at their respective places of employment. That discussion will address how to find a work-life balance. Our committee is excited to address the topics chosen and provide guidance in those respects to future women attorneys. Our committee will be providing lunches to the students and mingling with them

after our panel discussion.

Following our panel discussion, Miranda has arranged for local attorney and U of I School of Law graduate Karen Conti to give a key note speech from 3:00- 4:00 p.m. The outreach visit will end with a reception at Peer's Pub, which will be combined with a previously scheduled U of I law school mixer from 4-6 p.m. Karen Conti's key note speech will continue to develop those issues as she is going to address how she integrates the media into her practice and how the media saved her career from burn out. Karen Conti is a civil and criminal litigation attorney, who also acts as a legal commentator on several news networks and co-hosts and produces a legal talk show entitled "Chicago Law."

It is so impressive that U of I School of Law has dedicated an entire day to Women in the Legal Profession and our committee is honored to take part in such an important discussion and message. We hope that local attorneys and judges will attend the reception and lend their support to this exciting event. I look forward to reporting about the success of this event in the next edition of the *Catalyst*.

A day in the life of a domestic violence attorney

By Amie M. Simpson

I have the best job in the world—I represent victims of domestic violence in Order of Protection proceedings. The work is challenging and litigation-intensive, and the best part is that I don't have to worry about getting paid—at least, not by my clients! I work for the Will County Legal Assistance Program (WCLAP), which provides free civil legal services to low-income and senior citizen clients.

We are not a governmental agency,

despite our name. Our funding flows from a variety of grantors including (among MANY others) the United Way, the Illinois Bar Foundation, the Legal Services Corporation, the Equal Justice Foundation, and the Lawyer's Trust Fund. Specific funds for my work come from the Illinois Criminal Justice Authority under a VOCA (Victims of Crime Act) grant. As many readers of [The Catalyst](#) are aware, VOCA funds have been cut sharply this year. In fact, many

legal aid funding sources are becoming more and more uncertain as the economy deteriorates. Some factions are advocating for the idea that what few resources are left should be used primarily to help consumers weather the recession. While these needs are pressing ones, it has been our experience here at WCLAP that a primary effect of the struggling economy has been an upswing in substance abuse and in domestic violence. A glance at our

local paper reveals at least three major incidents of domestic violence over the last week, all of which resulted in serious injury or death.

Women, men, and children facing domestic violence can attempt to protect themselves by obtaining an Emergency Order of Protection at their local courthouse. If they are able to obtain an EOP, it will generally provide for a no-contact order between petitioner and respondent for a period of three weeks. At the end of that time, assuming the respondent has been served, the petitioner may return to court to request a Plenary Order of Protection, which can last for up to two years. The process seems simple enough. Unfortunately, many petitioners are not aware that they may face a contested hearing at their plenary court date. The respondent often appears at the hearing with an attorney. Caught off guard, terrified, and ill-educated about the legal process, victims of abuse may find themselves on the losing end of the case. My job is to help balance the scales by providing these victims with expert representation. I have been doing this work for ten years. The following is a sample of what many of my mornings are like:

Court starts at nine a.m. sharp. This is the part I call "kamikaze lawyering." All of the victims I represent are in crisis, and all want to know what to expect on their court date. I have educated them on the spectrum of possible scenarios, but the beauty of specializing in Order of Protection litigation is that the next three hours will be impossible to predict.

I usher my three clients whose cases are up this morning out into the hallway. I find safe spots for each of them to stand so that I can speak to them in privacy. I'm careful to ask whether they see the respondent in their case, or anyone who might have come with him. All my clients have been told ahead of time that I have a number of cases up each morning, and they are prepared to be patient.

Today, I am representing "Shirley," a white woman in her 50s, who has two adult children with her for support. She has an Order of Protection against her husband of 30 years, who has become increasingly violent over the last year. She suspects he may be suffering from early onset Alzheimer's, but he refuses

to get treatment and has repeatedly injured Shirley over the past several months. Shirley has two other adult children who have told her they plan to testify on behalf of their father, and who are blaming all of the problems on Shirley. She is nervous but determined—she wants to proceed with a divorce as soon as possible.

Next up is "Martha." She speaks no English. She arrived in Illinois from Mexico a few years ago, and fell in love with "Raul." She was unaware, until after she became pregnant, that he was a gang member and had a long history of domestic violence arrests with a variety of partners. Raul was physically violent with Martha from almost the start of the relationship, and Martha had accepted that violence as part of "a woman's place." However, Martha recently found out that Raul was having an affair. She confronted him about it, at which point he took her infant son out of her arms and proceeded to beat her until she had a broken nose and two broken ribs. Raul was arrested but is currently out on bond. Martha has no family in Illinois and no job. She does not really want the Order of Protection, but DCFS has become involved as a result of Raul's recent arrest, and has told her that she will lose her child if she does not pursue the order.

My last client today is "Traci," a housewife with three children. Her husband "Tom," against whom she has her Emergency Order of Protection, has problems with marijuana and alcohol use. He has become increasingly convinced that Traci is cheating on him, and has begun following her everywhere. He is so obsessed that he was fired from his job as an architect with a Chicago firm. While there has been no physical violence, Tom has a habit of making references to the Drew Peterson case and asking Traci what she thinks happened to Staci Peterson. He has talked about the fact that hiding a woman's body would not be difficult, and that Peterson's children are probably happier now that they are not under the influence of their mother. Traci is terrified. She is also extremely angry and has repeatedly stated that she wants to make sure that Tom never sees the children again.

Any or all of these cases may go to trial. Today is a good day, because all of my clients have appeared for court

(often clients reconcile before the court date). I prep each client on what will happen if their cases are called for trial, and I enlist the services of courthouse and shelter advocates to help my clients cope with the emotional reality of the courtroom.

At the end of the court call, my clients have fared relatively well. Shirley's husband appeared for court, but physically assaulted both myself and the bailiff prior to our hearing. He was arrested, and Shirley's Order of Protection was granted. She did not have to endure a trial. Martha's husband appeared and agreed to an Order of Protection. While he could have asked for visitation, he asserted that he did not want to see either Martha or his child. Her order was extended for a year, and I have referred her for counseling, safety planning, immigration help, and financial assistance. Traci's husband showed up with an attorney, and we had a contested hearing. I had prepared Traci for the fact that her case could go either way, based on the evidence, but her husband was erratic and belligerent during the trial. She was granted a two-year order of protection, and her husband was given supervised visitation with their children. She is not happy with me (remember, she wanted NO visitation), but on the balance, it has been a good day's work.

Without legal aid, none of these women would have had an attorney for their trial date. Shirley might have gotten discouraged by the sight of her children lined up to testify against her. Martha would not have been able to advocate for herself and might have been too frightened to appear at all. Traci would have been outclassed by her husband's experienced attorney. Legal aid representation has, hopefully, changed the course of these clients' lives. I am proud to be involved in this important work, and I am grateful for grants, like the VOCA grant, which enable me to continue serving my clients. If this is a cause that appeals to you as well, remember that you CAN help! For more information on how you can support our funding or volunteer your time, call your local legal aid office or e-mail me directly.

Amie Simpson is the executive director of the Will County Legal Assistance Program. She can be reached at asimpson@wilcollegalaid.com.

‘Women Everywhere’ project launches its 10th year of community service, court visits for high school girls

By Sharon L. Eisman

In 2009, the Women Everywhere: Partners in Service Project (“WE”) will be celebrating its first decade by again doing what it has done so well since its founding in 1999: sending women and men volunteer attorneys and legal support staff into community service agencies on a specified day to provide legal and labor-intensive assistance to agency staff. Additionally, since 2002, on another specified day each year, WE has hosted groups of Chicago Public High School girls and their teachers on visits to our Cook County civil and criminal courts and to our federal district courts. The Project began as a collaborative initiative of numerous women’s bar groups committed to supporting public and non-profit agencies that serve women in need, especially in the areas of domestic violence prevention and achieving economic independence. Following years of success and continued growth, WE incorporated in 2004.

Partners in the WE Project, from its inception and more recently, include the BWLA, the CBA Alliance for Women and its YLS Women in the Law Committee, Hadassah Attorneys Council, the Hispanic Lawyers Association Latina Lawyers Committee, the ISBA Standing Committees on Women and the Law and Minority and Women Participation, and the WBAI. **For 2009, WE has scheduled its day of court tours/educational programming for April 24, and its community service day for June 12.** In what has become an annual tradition, the Cook County Circuit Court’s Chief Judge Timothy Evans generously and graciously helps WE launch the year’s Project by hosting a March judicial reception which reinvigorates veteran volunteers and draws new volunteers from the judiciary so the Project can expand its reach to students.

Each year, an increasing number of judges do participate in the program by opening their courtrooms to the student groups, who are eager to observe court in session, meet the judges and court personnel, visit chambers, and, on occasion, ‘perform’ in mock trials based upon fact patterns provided by our energetic and entertaining judiciary. Those visiting our Appellate Court are greeted by WE volunteers who prepare them for mock appel-

late arguments before panels of Appellate Judges, including some volunteers from our own federal district court. As the years have progressed, WE has also turned its focus to enlightening and empowering the young women through educational programs presented by elected women officials, women leaders in the legal and business communities, and media professionals. The speakers invited to address the girls at early morning or concluding luncheon events are asked to direct their remarks to that particular year’s ‘theme’. Past themes have included “Inspiring Women,” “Women Leading Women,” and “Celebrating the Past, Strengthening the Future.” For 2009, WE has selected “Women Survivors” as its theme, believing it to be especially relevant during these times when news of international violence against women and children and stories of trafficking in women and girls have been so prominent and distressing.

In 2007, WE instituted a college scholarship program available to those students who attend the educational program. Since then, WE has awarded two scholarships to college-bound young women. Each year, a required component of the application is a written essay about a special woman who fits within the theme for that particular year. In keeping with our theme for 2009, we are asking all scholarship applicants to write about a woman survivor to be chosen from among three categories:

1. a woman within your community or within the school community who has had a positive impact on that particular community because of her special courage, survival through hardship, or commitment to accomplishing a challenging goal for herself and perhaps others as well, despite significant barriers; or
2. a woman from the following list of names: **Susan B. Anthony**, an early suffragist who fought for the right of women to vote, and endured substantial suffering with her fellow suffragists to win that right; **Indira Gandhi**, Prime Minister of India who fought to bring democracy to her country and was jailed for opposing British rule; **Antonia Novello**, the first Hispanic

and female U. S. Surgeon General; **Rosa Parks**, the inspiring and determined African-American seamstress from Montgomery, Alabama, who helped fuel the Civil Rights movement in 1955 by refusing to sit in the back of the bus; **Mother Theresa**, who was born in Albania and devoted her life to alleviating poverty through her missionary work in the slums of Calcutta, India; author and memoirist **Isabella Leitner**, a Hungarian Jew who lost her mother and younger sister in the Auschwitz concentration camp but was one of the first Holocaust survivors to make it to the USA—with two of her sisters; **Dr. Mae Jemison**, who served in a Cambodian refugee camp, volunteered as a medical officer in the Peace Corps, and became the first African-American woman astronaut entering space, on the 1992 Endeavor flight; and **Immaculée Ilibagiza**, who survived the Rwandan genocide, in which her entire family except for one brother was murdered, immigrated to the U.S. to work for the United Nations, wrote the best-selling book *Left to Tell*, and now raises money to help Rwandan orphans and children across Africa;

3. a woman in the broader public arena who is not listed in category 2 above.

To encourage independent research, we suggested a number of Web sites in the third category that, in addition to naming specific women, provide further resource material.

In response to our scholarship program, we in the WE organization are anticipating a set of inspiring essays. YOU, our readers, are no doubt also seriously impressed by these amazing women of courage and thus tempted to submit essays of your own. WE will gladly accept and read your submissions, and perhaps even publish one or more of them in *The Catalyst* or elsewhere, but don’t count on any gift from WE except for a very thoughtful thank-you note. More importantly, WE would also be grateful for returning and new volunteers for the community service day and the educational-court tours day. You are invited to sign up through the Web site form.

Workplace diversity: Employee resource groups

By Mona M. Stone

In an era when the first woman and first African American in U.S. history went head-to-head for the Democratic presidential nomination and the year in which the first African American President of the United States has been elected to office, diversity definitely is a vital topic. Workplace diversity training has been around for some time, but is growing in importance as the demographics of the working population continue to evolve.

During its emergence in 1980s, diversity training focused on increasing the understanding of how the influx of women, people of color, and new immigrant groups impacted the workforce.

By the 1990s, diversity training emphasized creating an inclusive workplace, where all human differences were respected. Today, corporations, government organizations, and private law firms all are learning the limits of merely raising awareness and are realizing that training needs to build skills, moving participants beyond just learning about assumptions around human differences to examining the behaviors that influence how people interact.

So, diversity today relates to traditional traits such as gender, age, language, ethnicity, cultural background, disability, sexual orientation, and religious belief. But diversity today also refers to the ways we are different in other respects such as educational level, job function, socio-economic background, personality profile, marital status, and family or other responsibilities.

I. Workforce Diversity is Happening¹

According to the U.S. Department of Labor, by 2050, the U.S. population is expected to increase by 50 percent, and minority groups will make up nearly half of the population. Immigration will account for almost two-thirds of the nation's population growth, and the population of older Americans is expected to more than double. One-quarter of all Americans will be of Hispanic origin. Almost one in ten Americans will be of Asian or Pacific Islander descent, and more women and people with disabilities will be on the job.

The statistics on race diversity show that white, male participation in the workforce will decrease as compared to female and minority workers. Indeed, while the total U.S. workforce is projected to grow 8.5 percent from 2006 to 2016, the white, male workforce is only projected to increase by 5.5 percent.

II. Retaining Talented, Diverse Employees: Employee Resource Groups

One of the best ways to maximize the diversity of your legal workforce is through employee resource groups. These groups are employee-formed organizations that address issues of common interest (e.g., women's initiatives) within the greater organizational setting. Whether called networking groups, affinity groups, advocacy groups or support groups, they all serve the valuable purpose of harnessing organizational diversity to the greater benefit of the workplace. Employee resource groups are official in the sense that they are employer-sanctioned and are often provided with company or firm resources, including, in some instances, financial support. They often are formed to provide a mutually beneficial relationship for the employer (helps boost employee morale) and for employees (share experiences and expertise, develop mentoring opportunities, foster community involvement, network with senior management, and learn career-building skills).

Some employee resource groups at major corporations include: GM Plus (People Like Us) (Gay and Lesbian Affinity Group); YP—Kellogg's Young Professionals; FIN—Ford Interfaith Network; and Aetna—Telework Community ERG. These groups all are listed on the companies' Web sites, presumably with a goal of improving their public image by supporting community outreach efforts.

A. Institutional Benefits

Sponsoring employee resource groups can improve recruitment by sending a signal to diverse employees that a company or firm is doing more than paying lip service to valuing diversity. Subject to certain legal pitfalls, to

the extent that an organization embraces employee resource groups such as women's initiatives, employees also may understand that the organization values the insight that comes with having a different perspective that diversity can provide. Furthermore, women's initiatives in law firms can provide an outlet for participating female attorneys to openly discuss workplace concerns in a supportive environment.

In a global market, the search for talented employees can span continents. Potential employees of different ethnic backgrounds may be apprehensive about committing to an employer who appears to have little or no interest in creating an atmosphere that values diversity amongst its employees. Employee resource groups can serve as hard proof of an employer's commitment, and may assist in retaining talented individuals who might otherwise seek employment elsewhere.

B. Legal Pitfalls: Exposure to Discrimination Allegations

While a properly executed employee resource group program is clearly legal, an employer must be careful to avoid discrimination claims. Employee resource groups have the potential to serve as evidence of discrimination against non-member employees, and therefore might serve as proof of a Title VII violation.

Because disparate treatment is the touchstone of a Title VII inquiry, a court facing a Title VII claim will ask "whether the employer would have taken the same action had the employee been of a different race (color, sex, religion, national origin) and everything else had remained the same."² Therefore, if the employer allows formation of one employee resource group within a protected class, it must allow the formation of other employee resource groups within that same class.

Moranski v. General Motors Corporation serves as a good illustration of this point, wherein the 7th Circuit upheld GM's affinity group program.³ While GM recognized nine different affinity groups at the time, the corporate policy did *not* allow groups that "promote or advocate particular religious or political positions." GM

subsequently disallowed an employee to form a Christian affinity group, and the employee sued for religious discrimination under Title VII. The court held that, although GM allowed some affinity groups, the policy to prohibit certain affinity groups did not run afoul of Title VII. The court reasoned that GM would have treated any religious group similarly when applying for affinity group status, and there was therefore no disparate treatment of the Christian employee.

1. Exposure to Compensable Time under the Fair Labor Standards Act

Section 785.44 of the FLSA provides:

Time spent in work for public or charitable purposes at the employer's request, or under his direction or control, or while the employee is required to be on the premises, is working time. However, time spent voluntarily in such activities outside the employee's normal working hours is not hours worked.

The Wage and Hour Division has explained that "volunteer activities" must be truly voluntary and any coercion or pressure, whether direct or indirect by the employer to participate in a program outside of duty hours would negate the voluntary nature of the program.⁴ In addition, if the employees were to perform volunteer work during normal working hours, with prior approval, they would need to be compensated for this time.⁵

2. Exposure to National Labor Relations Act Violations

Section 157 of the NLRA gives employees the right to organize, "to form ... labor organizations to bargain collectively ... and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." In addition, §152 defines a labor organization as "any organization of any kind, or any agency or employee representation committee or plan in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work" (emphasis added).

Whether an affinity group is an organization subject to the NLRA turns on if the group "deals with" the employer. Such dealings must be "bilateral, evidenced by a pattern in which a group of employees, over time, makes proposals to management, management responds to these

proposals by acceptance or rejection by word or deed, and a compromise is not required." Hence, formality of communication between the employer and affinity group seems to be required for the NLRA to apply.

Further, an affinity group may fall within a "safe haven," not subject to the NLRA. These include brainstorming committees or information sharing committees (committees that merely serve as a conduit to management, passing employee suggestions onto the employer without altering or commenting upon the suggestions). So if an affinity group has a designated purpose, such as recruiting employees of a certain background, the NLRB will likely treat it as a team that is fulfilling a management function, thereby falling within a safe haven.

3. Best Practices

- The procedures for applying for employee resource group status should be clearly articulated.
- Employee resource groups should be voluntarily formed by employees.
- Permissible and **impermissible** employee resource groups should be clearly delineated.
- Employees should understand the place and purpose of employee resource groups in an organization and in the importance of fostering diversity.
- Employee resource group meetings should be open to all, regardless of purpose.
- Employee resource groups should have a clearly defined business purpose.
- Employees should not use employee

resource groups as vehicles to discuss, negotiate, or bargain over the terms or conditions of employment. Given the breadth of the NLRA, employers should strive to ensure that employees do not use affinity groups as vehicles for expressing grievances, labor disputes, etc.; otherwise the affinity group may be perceived as a union and treated accordingly.

While there are some legal considerations, employee resource groups can serve as a win-win for both employers and employees. A diverse workforce has become a business imperative given recent marketplace trends. Today, African Americans, Asians, Latinos and Native Americans in the U.S. hold close to \$2 trillion in buying power.⁶ By 2050, these groups will make up more than half the population of the United States. Accordingly, the people joining an organization, just as the clients of the organization, want to see change reflected in the faces of the people who work there.

1. Economic News Release, Bureau of Labor Statistics, Civilian labor force by age, sex, race, and Hispanic origin, 1996, 2006 and projected 2016, <http://www.bls.gov/news.release/ecopro.t10.htm> (Dec. 4, 2007).

2. Robert J. Nobile and James R. Cho, *Managing Diversity at Work: Creating and Maintaining Employer-Sponsored Affinity Groups Without Running Afoul of the Law*, HR Advisor: Legal and Practical Guidance, March/April 2006.

3. 433 F.3d 537 (7th Cir. 2005).

4. WH Opinion Ltr Jan. 27, 2006 (citing WH Opinion Ltr. Jan. 29, 1999), 2006 WL 561849.

5. WH Opinion Ltr Jan. 27, 2006, 2006 WL 561849.

6. Salzberg, Barry (CEO of Deloitte LLP). "10 Things about Diversity and Inclusion." (Deloitte Development LLC 2008).

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BAR ASSOCIATION

Representing impaired clients: Challenge and opportunity

By Annemarie E. Kill, Avery Camerlingo Kill, LLC, Chicago

"True, we build no bridges, we raise no towers...we paint no pictures. There is little of all that we do which the eye can see. But, we smooth out difficulties; we relieve stress; we correct mistakes; we take up other men's burdens and by our efforts we make possible the peaceful life of men in a peaceful state."

~ John W. Davis (14th U.S. Solicitor General who served under Woodrow Wilson)

The ISBA Standing Committee on Women and the Law, in conjunction with the ISBA Standing Committee on Delivery of Legal Services, the ISBA General Practice Solo and Small Firm Section Council, and the Illinois Supreme Court Commission on Professionalism presented a program entitled "Ethically and Effectively Representing Clients with Substance Abuse and Mental Health Problems" at the ISBA Mid-Year Meeting on December 12, 2008. The genesis of the program occurred at a regular business meeting of the Committee on Women and the Law several months ago. At the time, we discussed the challenges we faced when representing clients with impairments ranging from mental health disorders to addiction. We decided to develop a continuing legal education seminar which would educate other attorneys on the issue. The program provided an excellent introduction to the needs of these clients, as well as numerous practical strategies for managing clients with such impairments.

Dr. Beth Wilner, Ph.D., a licensed clinical psychologist and mediator, opened the program with a discussion of "Reducing Risks and Managing Mayhem: Recognizing and Managing Clients with Mental Health and Substance Abuse Problems." Dr. Wilner began the segment with the quote appearing above. This clearly suggested that we, as attorneys, have the unique opportunity to assist in bringing peace to an impaired client. Dr. Wilner taught that stress exacerbates any type of functional impairment. Litigation, a clearly stressful life event, leads to an increased likelihood of seeing significant

impairments.

Dr. Wilner educated attendees about several different types of impairments: mood disorders, substance abuse issues, addictive behaviors and personality disorders. Mood disorders include conditions such as depression and bipolar disorder. Dr. Wilner explained that "major depression" is characterized by a depressed mood or loss of interest in pleasure from daily activities for at least two (2) weeks. Symptoms may include depressed mood, diminished interest in almost all activities of life, weight loss or weight gain, fatigue, feelings of worthlessness or inappropriate guilt, problems concentrating, and recurrent thoughts of death. Bipolar disorder, also known as "manic depression," is a mental condition that usually involves extreme mood swings characterized by manic episodes. A person may feel happy and excited one moment and irritable or depressed the next.

Dr. Wilner next explained the distinction between "substance abuse" and "substance dependence." Substance abuse may lead to the failure to fulfill obligations, use of the substance even when physically hazardous, and recurrent social, interpersonal or legal problems. Substance dependence may lead to increased tolerance of the substance, withdrawal, unsuccessful attempts to cut-down, or consumption of large amounts of the substance over long periods of time. Any type of addiction has many behavioral correlates which include stunted emotional development. In fact, Dr. Wilner explained that it is common for an alcoholic to have stunted emotional development which coincides with the time when the person started abusing alcohol. Thus, an alcoholic who began drinking at age 12 may remain only as emotionally developed as an average 12-year-old without appropriate treatment.

Dr. Wilner then discussed a range of personality disorders. Common disorders encountered in clients include borderline, antisocial, narcissistic and histrionic personality disorders. Dr. Wilner described the core characteristics of each of these personality disorders. The attendees of the program knowingly

noded at Dr. Wilner's relatable descriptions of clients with such disorders. For example, she described the type of client who passionately tells you that "no one" has ever helped, understood, or fought for him like you. That same client is prone to calling you frequently and frantically. He asks for your cell phone number and your home phone number because he may "need" you. When frustrated, the client becomes volatile and perhaps verbally abusive toward you. The volatility is usually followed by pleas for forgiveness. This behavior indicates a possible "borderline" personality disorder. As a "borderline" personality, the client has a fundamental fear of abandonment, thus he is constantly testing your loyalty to him. An attorney representing such a client is well-served to communicate calmly and consistently, without any overreaction to the client's intense feelings of emotion. It is also essential that an attorney set firm boundaries with this client, as well as lay-out realistic expectations of the legal system and the attorney's role in the process. Dr. Wilner discussed narcissistic, antisocial, and histrionic personality disorders in the same vein, and how, as an attorney, we can effectively manage each type.

Dr. Wilner then turned to the issue of how to help an impaired client. She included a sample "script" to help ease any anxiety when broaching the subject with a client. She suggested that we "normalize, validate, and empathize with the stress associated with litigation," explain the limits of our role, and emphasize that litigation can be more efficient and less costly when impairments are managed by appropriate counseling. Dr. Wilner suggested that an attorney express interest in having the client functioning at his or her best during litigation. An attorney may suggest that evaluation or consultation with a mental health professional could help determine the best course of action in litigation—thus serving the client's best interest. Dr. Wilner also provided a helpful list of resources regarding mental health issues including the American Psychological Association's psychologist locator Web site (www.locator.apa.org), the National Alliance on Mental Illness (NAMI Illinois at www.

il.nami.org), the National Depression and Bipolar Support Alliance (www.dbsalliance.org), and Say it Out Loud (www.mentalhealthillinois.org). For substance abuse resources, she discussed the Substance Abuse and Mental Health Services Administration (www.findtreatment.samhsa.gov) and the Lawyers Assistance Program (www.illinoislap.org).

Next, a panel of judges provided a thoughtful discussion of the challenges faced in their courtrooms when dealing with impaired litigants. The Committee was honored to have Judge Patrick E. McGann, Presiding Judge of the Circuit Court of Cook County, County Division, Judge Jesse Reyes, Cook County Circuit Court Judge, and Judge Carla J. Alessio-Policandriotes, Will County Circuit Court Judge, participate in the discussion. The judges handled a diverse range of calls, including criminal and civil law, and discussed their views on issues created when litigants struggle with mental health and substance abuse issues. Judge McGann urged lawyers to grasp the critical position they are in when representing impaired clients. He challenged attorneys to represent clients in a holistic manner and include investigation into alternative treatment methods for those clients needing treatment. Judge Reyes made a call to action to attorneys, noting that judges often do not know about impaired clients. Even if the issue was brought to a judge's attention, many judges are cautious about overstepping their bounds. Judge Alessio-Policandriotes discussed recent Will County programs that have enjoyed success in addressing the needs of impaired clients.

Benedict Schwarz, II, current Chair of the ARDC Commissioners, presented "Ethical Dilemmas: When To Get Out, And What To Do If You Can't." Mr. Schwarz presented fact patterns which generated interesting discussions of ethical quandaries faced by attorneys and judges when working with impaired clients. He discussed Illinois Rule of Professional Conduct 1.14 entitled "Client Under a Disability" which states "[w]hen a client's ability to make adequately considered decisions in connection with the representation is impaired, whether because of minority, mental disability, or some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship." It goes on to state that "[a] lawyer may seek the appointment of a guardian or take other

protective action with respect to a client, only when the lawyer reasonably believes the client cannot adequately act in the client's own interest." He also discussed the proposed Rule 1.14 renaming the Rule "Client with Diminished Capacity." The proposed Rule 1.14 states "[w]hen the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian ad litem, conservator or guardian." The proposed rule further provides that "[i]nformation relating to the representation of a client with diminished capacity is protected by Rule 1.6. When taking protective action pursuant to paragraph (b), the lawyer is impliedly authorized under Rule 1.6(a) to reveal information about the client, but only to the extent reasonably necessary to protect the client's interests." The proposed rule provides greater guidance to the attorney representing an impaired client.

Susan C. Riegler, the Clinical Director of the Lawyers' Assistance Program (LAP), presented the final session of the program. Ms. Riegler discussed "The Lawyers' Assistance Program: How to Help Yourself (Or, Sometimes, Opposing Counsel)." Ms. Riegler added some breadth to the program by focusing on the impact on attorneys when dealing with impaired clients. The struggles in dealing with impaired clients may in turn cause attorney impairment. She discussed the best ways for attorneys to protect their own health, as well as strategies for recognizing and dealing with circumstances in which attorneys themselves are struggling with these issues.

Ms. Riegler also discussed an interesting phenomena known as "compassion fatigue." Compassion Fatigue is a disorder affecting a person in a serving profession who "cares long enough and hard enough without a genuine ongoing sense of accomplishment and success."¹ Traditionally, the concept applied to health care workers, but recent studies suggest that attorneys are increasingly affected by it. As explained by one bar association, "[u]nlike burnout, sufferers demonstrate symptoms that can include intrusive recollections of the reported

traumas. . . an overall decrease in experiences of pleasure in even their personal life and an underlying level of constant stress that interferes in daily life. . . While most sufferers exhibit a decrease in work performance and productivity, they also report a pervasive negative or anxious attitude that undermines their ability to focus or concentrate. Newly developed feelings of incompetency and self-doubt can emerge, along with doubts about the profession and one's ability to succeed or be effective." Id.

Ms. Riegler noted that many attorneys unfortunately develop bad coping habits in response to client-related stress. The coping habits include repression, denial and self-medication. In fact, LAP estimates that between 10 percent and 20 percent of Illinois attorneys suffer from addiction or mental illness. Ms. Riegler explained that LAP is there to not only provide assistance to attorneys with substance abuse problems, but also provides services to attorneys in need of help for mental health impairments. LAP has trained intervenors who will communicate confidentially with the attorney suffering from an impairment. For more information about the Lawyers' Assistance Program, you may go to www.illinoislap.org.

E. Nicole Carrion and Amie Simpson, Women and the Law Committee members, coordinated and moderated this extremely insightful program.

1. *St. Petersburg Bar Association Magazine*, February, 2006.



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The call to action: Advancing women attorneys in leadership in Chicago

By Jane DiRenzo Pigott and E. Lynn Grayson¹

The Chicago Bar Association (“CBA”) issued a Call to Action (“CTA”) in 2004 with ten law firms acting as leadership signatories:

Baker & McKenzie LLP
DLA Piper US LLP
Jenner & Block LLP
Katten Muchin Rosenman LLP
Kirkland & Ellis LLP
McDermott Will & Emery
McGuireWoods LLP
Schiff Hardin LLP
Sidley Austin LLP
Sonnenschein Nath & Rosenthal LLP

The CTA has fifty signatories² at present: forty-four law firms and six legal departments. Each signatory to the CTA agreed to pursue five goals over the time from January 1, 2004 to December 31, 2007:

- Increase percent women partners by three percentage points
- Women on every firm committee in same proportion as in partnership
- Increase number of women practice group leaders
- Ensure flexible hours policies are equitable and viable options
- Improve any disparities in rates in which women and men are retained, promoted and laterally recruited

The intent of the CTA was to promote greater focus on and increased awareness of advancing women into leadership roles in Chicago law firms. Each of the five goals was measured annually and reports were issued to the signatories. These interim measurements were intended to provide tools to law firm signatories to ascertain their progress on the goals of the CTA.

In 2005, the CBA’s Alliance for Women (“AFW”) won the National Conference of Women’s Bar Association’s Public Service Award for the CTA. Since 2004, the templates for the CTA and the annual measures have been shared with bar associations across the country, many of which have created calls to action in their communities.

The AFW was thrilled by the results achieved by the CTA in Chicago. Every

one of the five CTA goals were met or exceeded by a number of signatory firms. Material progress on the issue of women in leadership roles in the Chicago legal community has been made since the inception of the CTA in 2004.

Goal 1: Three Percent Increase in Women Partners

This goal was measured on both an absolute and a relative basis. On an absolute basis, twelve law firm signatories increased their percent of women partners by at least three percent (firms are listed in the order of percentage increase):

Bryan Cave LLP
Seyfarth Shaw LLP
Schiller DuCanto and Fleck LLP
Ungaretti & Harris LLP
Skadden, Arps, Slate, Meagher & Flom LLP
Chapman and Cutler LLP
Perkins Coie LLP
Hinshaw & Culbertson LLP
Foley & Lardner LLP
McDermott Will & Emery LLP
Meckler Bulger Tilson Marick & Pearson LLP
Katten Muchin Rosenman LLP

Bryan Cave experienced the biggest increase in women partners from 2004 to 2007: 19.0 percent.

In connection with the CTA, the AFW also looked at relative performance of law firms with regard to their percent of women partners. In 2004, the average for the percent of women partners at Chicago law firm offices³ was 18.12 percent. In 2007, that average³ had increased to 19.31 percent and 22 Chicago law firm offices exceeded that average. The signatory law firms with the highest percent of women partners at the end of the CTA in 2007 are (the firms are listed in order of percentage of women partners):

Schiller DuCanto and Fleck LLP
Cassiday Schade LLP
Sonnenschein Nath & Rosenthal LLP
Tressler Soderstrom Maloney & Priess LLP
McDermott Will & Emery LLP
Ungaretti & Harris LLP

Barack Ferrazzano Kirschbaum & Nagelberg LLP
Katten Muchin Rosenman LLP
Neal, Gerber & Eisenberg LLP
Burke, Warren, MacKay & Serritella, P.C.

Four firms appear on both of these lists—they increased the percent of women partners by at least three percent from 2004 to 2007 and they are among the top ten highest percentages of women partners among Chicago law firms.

Goal 2: Proportionate Representation on Power Committees

Between the baseline year (2004) and the end of the CTA (2007), there was a 100 percent increase in the number of signatory firms that had women proportionately represented on the majority of the firm’s power committees. One-third of the signatory firms increased the number of power committees at their firms with proportionate representation by women (firms are listed in alphabetical order):

Brinks Hofer Gilson & Lione
Bryan Cave LLP
Chapman and Cutler LLP
DLA Piper US LLP
Foley & Lardner LLP
Goldberg Kohn Bell Black Rosenbloom & Moritz, Ltd.
Katten Muchin Rosenman LLP
Locke Lord Bissell & Liddell LLP
Meckler Bulger Tilson Marick & Pearson LLP
Schiff Hardin LLP
Schiller DuCanto and Fleck LLP

By the end of 2007, Brinks had women proportionately represented on all of its power committees.

Goal 3: Increase Women Practice Group Leaders

More than half of the CTA law firm signatories met the goal of increasing their number of women practice group leaders (firms are listed in alphabetical order):
Brinks Hofer Gilson & Lione
Bryan Cave LLP

Chapman and Cutler LLP
 DLA Piper US LLP
 Foley & Lardner LLP
 Goldberg Kohn Bell Black Rosenbloom & Moritz, Ltd.
 Hinshaw & Culbertson LLP
 Laner, Muchin, Dombrow, Becker, Levin and Tominberg, Ltd.
 Locke Lord Bissell & Liddell LLP
 Mayer Brown LLP
 McDermott Will & Emery LLP
 McGuireWoods LLP
 Meckler Bulger Tilson Marick & Pearson LLP
 Neal, Gerber & Eisenberg LLP
 Seyfarth Shaw LLP
 Skadden, Arps, Slate, Meagher & Flom LLP
 Winston & Strawn LLP

Material increases from 2004 to 2007 in the number of women practice group leaders were reported by three of the signatory firms. Foley & Lardner LLP added thirteen women practice group leaders, and Locke Lord Bissell & Liddell LLP and DLA Piper US LLP added nine and seven, respectively.

Goal 4: Equitable and Viable Flexible Hours Policies

Over half of the signatory law firms reported that an attorney utilizing a reduced schedule had been promoted to partnership (firms are in alphabetical order):

Burke, Warren, MacKay & Serritella, P.C.
 Chapman and Cutler LLP
 DLA Piper US LLP
 Dykema Gossett PLLC
 Foley & Lardner LLP
 Hinshaw & Culbertson LLP
 Jenner & Block LLP
 Katten Muchin Rosenman LLP
 Kirkland & Ellis LLP
 Locke Lord Bissell & Liddell LLP
 Mayer Brown LLP
 McDermott Will & Emery LLP
 McGuireWoods LLP
 Meckler Bulger Tilson Marick & Pearson LLP
 Neal, Gerber & Eisenberg LLP
 Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP
 Schiff Hardin LLP
 Seyfarth Shaw LLP
 Wildman, Harrold, Allen & Dixon LLP
 Winston & Strawn LLP

During the course of the CTA, almost half of the signatory firms reported an increase in the number of attorneys working a reduced schedule (firms are in

alphabetical order):
 Baker & McKenzie LLP
 Brinks Hofer Gilson & Lione
 Bryan Cave LLP
 Chapman and Cutler LLP
 Foley & Lardner LLP
 Jenner & Block LLP
 Katten Muchin Rosenman LLP
 Kirkland & Ellis LLP
 Laner, Muchin, Dombrow, Becker, Levin and Tominberg, Ltd.
 Locke Lord Bissell & Liddell LLP
 Perkins Coie LLP
 Quarles & Brady LLP
 Schiller Schiller DuCanto and Fleck LLP
 Seyfarth Shaw LLP

By the end of the CTA, all signatory firms reported having a written flexible hours policy.

Goal 5: Improve Retention, Promotion and Lateral Recruitment Disparities

This goal focused on preventing dilution of the existing women partner statistics by hiring and promotion practices. The CTA results on this goal demonstrate that a number of firms have actively improved the percent of partners who are women through their hiring and promotion decisions.

These signatory firms had at least one class of new equity partners that was forty percent or more women attorneys (firms are listed in alphabetical order):

Baker & McKenzie LLP
 Chapman and Cutler LLP
 Foley & Lardner LLP
 Jenner & Block LLP
 Katten Muchin Rosenman LLP
 Laner, Muchin, Dombrow, Becker, Levin

and Tominberg, Ltd.
 Meckler Bulger Tilson Marick & Pearson LLP
 McGuireWoods LLP
 Perkins Coie LLP
 Quarles & Brady LLP
 Schiff Hardin LLP
 Seyfarth Shaw LLP
 Vedder Price P.C.
 Wildman, Harrold, Allen & Dixon LLP

During the course of the CTA, four of these firms had two classes of new equity partners that were at least fifty percent women (firms are listed in alphabetical order): Chapman and Cutler LLP, Foley & Lardner LLP, McGuireWoods LLP and Wildman, Harrold, Allen & Dixon LLP.

Conclusion

Chicago law firm signatories to the CTA demonstrated success on each of its five goals. Many firms demonstrated real success on the front of advancing women into leadership. Overall, the Chicago legal community made material progress and established some best practices that fed the success of its efforts. Continued progress will be necessary, but the CTA facilitated focus and progress on this important issue.

1. Ms. Pigott is Managing Director of R3 Group LLC and Ms. Grayson is a partner at Jenner & Block LLP. The two were Co-Chairs of the Alliance for Women ("AFW") in 2004 at the inception of the Call to Action and have co-chaired the Call to Action Committee of the AFW since then.

2. A list of signatories can be found at www.chicagobar.org.

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Friday, 3/27/09—Rockford, Northern Illinois University Outreach Centers—Hanging Out Your Shingle (Without Hanging Yourself). Presented by the ISBA General Practice, Solo & Small Firm Section.

April 2009

Thursday, 4/02/09—Webinar—Conducting Legal Research on Fastcase. Presented by the Illinois State Bar Association. **An exclusive member benefit provided by ISBA and ISBA Mutual. Register at: <https://www1.gotomeeting.com/register/675120192>.*

Friday, 4/03/09—Old State Capitol—LESSONS IN PROFESSIONAL RESPONSIBILITY. Learned from the Illinois Law Practice of Abraham Lincoln. A Master Series Video Production Presented by the Illinois State Bar Association.

Friday, 4/03/09—Chicago, ISBA Regional Office—Guardianship Estates for Disabled Persons—The Basics and Interaction with Powers of Attorney. Presented by the ISBA Trust and Estates & Elder Law Section. 8:30-4:30.

Thursday, 4/16/09—Springfield, Illinois Education Association—The Basics You Need to Represent Local Governments. Presented by the ISBA Local Government Section. 1-5.

Friday, 4/17/09—Chicago, ISBA Regional Office—Health Care Investigations: Insiders' Perspectives on Advising Clients in Times of Government Scrutiny. Presented by the ISBA Health Care Section.

Friday - Saturday, 4/17/09 - 4/18/09—Edwardsville, Lewis & Clark Community College—Basic Skills for New Attorneys. Presented by the Illinois State Bar Association.

Friday, 4/24/09—Chicago, ISBA Regional Office—Attorney Liabilities to Third Parties. Presented by the ISBA Corporation, Securities and Business Law

Section. 12-2.

Friday, 4/24/09—Lombard, Linder Learning Center—Real Estate Update, Spring 2009. Presented by the ISBA Real Estate Law Section. 9-4.

Thursday, 4/30/09—Chicago, ISBA Regional Office—Ethical Considerations in Estate Planning, Transition Periods, and Estate and Trust Administration. Presented by the ISBA Trust & Estates Section. 8:30-1:15.

May 2009

Friday, 5/01/09—Chicago, ISBA Regional Office—Cross Section of Immigration and Criminal Law; Immigration Consequences of Criminal Offenses. Presented by the ISBA International & Immigration Law Council, Co-Sponsored by the Criminal Justice Council. 8:30-11:30.

Friday, 5/01/09—Chicago, ISBA Regional Office—The Child As Witness. Presented by the ISBA Child Law Section. 1-5.

Wednesday, 5/06/09—Chicago, ISBA Regional Office—Settlement in the Federal Courts. Presented by the ISBA Federal Civil Practice Section. 12-4:30.

Thursday, 5/07/09—Webinar—Conducting Legal Research on Fastcase. Presented by the Illinois State Bar Association. **An exclusive member benefit provided by ISBA and ISBA Mutual. Register at: <https://www1.gotomeeting.com/register/725751470>.*

Thursday, 5/07/09—Bloomington, Illinois State University Alumni Center—LESSONS IN PROFESSIONAL RESPONSIBILITY. Learned from the Illinois Law Practice of Abraham Lincoln. A Master Series Video Production Presented by the Illinois State Bar Association. 8:30-12:30.

Thursday, 5/07/09—Chicago, ISBA Regional office—Issues for Franchisors and Franchisees Under the New State and Federal Franchise Disclosure, Laws, Rules and Forms. Presented by the ISBA

Corporation, Securities, and Business Law Section.

Friday, 5/08/09—Springfield, President Abraham Lincoln Hotel and Conference Center—Ethics for Government Lawyers. Presented by the ISBA Committee on Government Lawyers.

Friday, 5/08/09—Chicago, The Conference Center, UBS Tower—Cutting Costs and Maximizing Value in International Intellectual Property Law Practice. Presented by the ISBA International & Immigration Section. 8:30-12:15.

Friday - Saturday, 5/08/09—5/09/09—Chicago, ISBA Regional Office—Basic Skills for New Attorneys. Presented by the Illinois State Bar Association.

Thursday—Friday, 5/14/09—5/15/09—Chicago, ISBA Regional Office—2009 Environmental Law Conference. Presented by the ISBA Environmental Law Section. *Thursday- 8:30-5 Friday- 8:30-12:15.*

Friday, 5/15/09—Springfield, President Abraham Lincoln Hotel and Conference Center—State and Municipal Administrative Hearings and Appeals. Presented by the ISBA Administrative Law Section. 1-5 capacity 75.

Thursday, 5/21/09—Chicago, ISBA Regional Office—The Basics You Need to Represent Local Governments. Presented by the ISBA Local Government Section. 1-5.

Friday, 5/22/09—Bloomington, Doubletree—Civil Procedure Update. Presented by the ISBA Civil Practice and Procedure Section. 8:50-4:45.

October 2009

Thursday - Saturday, 10/22/09 - 10/24/09—Springfield, President Abraham Lincoln Hotel—5th Annual Solo & Small Firm Conference. Presented by the Illinois State Bar Association

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