



# THE CATALYST

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

## From rags to riches: How the portrayal of female attorneys in the media has evolved from clothes and fashion to focus and success

By Kerriane Waters

As the female population becomes more present in the legal profession, the portrayal of these females on television has also increased and has an impact on what the public expects from a female attorney. But is this a good thing? Are these portrayals accurate?

Television has a history of portraying female attorneys. From Shirley Schmidt of *Boston Legal* to Clair Huxtable of *The Cosby Show* to Miranda Hobbes of *Sex in the City*, female attorneys have

truly had a presence in television. Where there was once only a few shows focusing on strong female attorneys, like *Ally McBeal* and *L.A. Law*, the networks are now more eager to boast shows with female attorneys. The portrayals of female attorneys in the media vary; some shows glamorize women in the legal world, and some sexualize the women. So how exactly are modern female

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## Chair's column

By Sandy Blake

The ISBA Women & the Law Committee team for Lawyer Feeding Illinois reached a successful conclusion through the intercession of our Secretary, Letitia Sheats. Tish put me in touch with ISBA First Lady Terry Thies, who walked me through the registration process. Many thanks to newsletter editor Emily Masalski, who compiled and prepared a special edition of *The Catalyst*, so we could announce our ISBA Women & the Law team to all members. Our team raised \$750 through online donations and additional donations through checks to other food banks throughout Illinois. Thank you for making our team efforts a success!

In addition to competing in Lawyers Feeding Illinois, in recent months our committee has been asked to comment on several comprehensive, complicated and controversial pieces of legislation. Thanks to all for your considered responses, and thanks to Julie Neubauer, legislation subcommittee chair, for coordinating Women & the Law commentary. Our positions remain important to the ISBA legislative efforts.

What's next? As many of you know, Women Everywhere hosts a Community Service Day where it pairs up volunteers from the legal community with community agencies providing services to women and children in need. It's a great way to spend a few hours helping others. The bulk of the volunteer activities are direct service in nature like gardening, painting or organizing donations. Other volunteer activities are legal in nature, like leading seminars for agency clients or providing resume assistance and other professional tips. This year, the Community Service Day is scheduled for Friday, June 14, 2013. Anna Fridman is taking the lead in coordinating our Women Everywhere team. Please contact Anna at [af@afm-law.com](mailto:af@afm-law.com) if you are interested in volunteering a half or full day with our Women & the Law team. ■

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## From rags to riches: How the portrayal of female attorneys in the media has evolved from clothes and fashion to focus and success

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attorneys being presented?

*Damages* is a show that displays two strong female attorneys. Ellen Parsons, a young, hardworking attorney begins season one working under the infamous Patty Hewes. Ellen emulates what may be one of the best female characters on television. In season one she is naïve but determined and her unwavering work ethic could ignite a fire in any aspiring attorney. Ellen is social and understanding, and clients can expect she will treat them with compassion, respect, and motivation to seek justice. Without delving into too much of the plot over the next four and a half seasons, Ellen shows a drive and a dangerous side that makes a young, female attorney one of the strongest female characters the television legal profession has seen.

A factor of Ellen Parsons' success is her relationship with Patty Hewes. Patty Hewes is vindictive, a threat to men and women alike. Patty is ruthless, conniving, and successful. Patty's manipulative ways earn her a reputation of a relentless but thriving attorney. Patty Hewes does not lose, unless it is a question of ethical values, because Patty may just be the most corrupt female to grace television. While this negative portrayal of a female attorney exists, the contrast between Patty and Ellen on *Damages* allows for viewers to acknowledge that there is a spectrum of cold and edgy that female attorneys are expected to be on. Thankfully, Ellen saves face for aspiring female attorneys with her sound moral compass and her drive.

Switching legal dramas to *Suits*, the strong female attorney is Jessica Pearson. Jessica Pearson is the managing partner at Pearson Hardman and she is highly respected. Jessica does not have a vital part of every episode as the show mainly revolves around Harvey Specter and Mike Ross; however, when Jessica is present in an episode, her presence is strong. Harvey Specter is the iconic strong, alpha-male who demands respect for his hard work, and the only person from whom Harvey Specter takes direction is Jessica Pearson. How refreshing to see a strong male lead character respect his female superior. Jessica Pearson is a commanding and strong female attorney and likely the strongest portrayal of a female attorney in a supporting role.

*Parenthood* has become a huge success with its complex family story line. While it is hard to determine a main character when the whole cast has a large role, it is fair to say that Julia, one of the four adult children, is a main character. From the beginning Julia has exemplified the modern working woman, she worked hard as an attorney and her husband stayed at home to take care of their daughter when they needed someone to stay at home. Julia has been empowering to female attorneys with her strong personality as a successful attorney. Julia's success is consistent, that is until season 4 when Julia and her husband chose to foster a child. The stress induced by the new member to the family ultimately caused Julia to miss a vital filing deadline. Soon after Julia's large blunder, Julia realized her family matters were far more important than staying on the partner track and she quit her job. Where Julia once was an empowering role for aspiring female attorneys, she quickly became an example. Julia is an example that women can be successful, can be breadwinners, and can ultimately end up being the emotional beings that quit their job because family is more important. Julia is an example that life happens, that family matters can severely stress your job, and that even a successful attorney can leave her passion for law to focus on the passion of her family. Her absence from her legal career may be temporary, but at this point in the series Julia is staying at home to focus on her family. The future for Julia is unknown but it would be inspiring to see her return to her passion of legal career once the balance in her family is restored. In *Parenthood*, Julia was the workaholic attorney in her marriage because she had such a supportive husband. Julia Braverman is the modern day Clair Huxtable, showing that with a supportive partner, a woman can have success for her family and for her career.

Overall, female attorneys have a presence in the media and not just a mere presence. When a female attorney is portrayed on a show, her personality and her work ethic shows. While older shows such as *Ally McBeal* and *Sex in the City* focused on the clothes and relationships of the female attorneys, the more modern shows are focusing more on

female attorneys in the workplace. Do these strong willed characters give our clients the wrong ideas about what to expect when they hire a female attorney? The characters discussed have a wide range of personalities, from naïve to deceptive, from fresh out of law school to seasoned litigators, but each of the characters discussed are respected both in the courtroom and by their peers, and that is a refreshing message that I wouldn't mind my clients seeing. ■

Kerriane Waters is a second year law student at Southern Illinois University School of Law. Kerriane is a 2011 graduate from the University of Illinois with a Bachelor's degree in Business Administration: Marketing. Born and raised in Peoria, IL, Kerriane enjoys being a resource to others and is currently a volunteer at the SIU Self Help Legal Center in Carbondale, IL. [kwaters@siu.edu](mailto:kwaters@siu.edu).



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# Women in politics: Amazing things happen when women get involved

By Jessica L. Henson

**"B**e willing to say yes and work hard," is just some of the advice that Terri Bryant and Barbara Brown give women aspiring to be political leaders.<sup>1</sup> Women in politics is not just a good thing, it is an amazing thing; according to Bryant and Brown who are active members of their respective parties. Wonderful things happen when women get involved; all that is necessary to get involved is a willingness to say yes and work hard.

Bryant is president of the Lincoln Series for Excellence in Public Service (Lincoln Series) and an active member of the Republican Party. As president of the Lincoln Series, Bryant encourages women to seek roles in political leadership. Bryant's political experience encompasses service as precinct committee-woman, candidate for the Jackson County Board, and delegate to the Republican National Convention this past year.

Brown currently serves as the Circuit Clerk of Randolph County, a board member of the Illinois Women's Institute for Leadership (IWIL), and an active member of the Democratic Party. Like Bryant, as a board member of IWIL, Brown encourages women to seek roles in political leadership. Brown's political experience includes representation of the 12th Congressional District on the Illinois Democratic State Central Committee since 1990; she also served as Deputy Chair of the Democratic Party of Illinois from 1990-1994 and currently serves as Vice-Chair of DPI. From 1978-1994 she served as the Randolph County Democratic Chairwoman; and Brown was the Democratic candidate for the State Senate seat from the 58th District in 1996, and 1998.

It is important for women to run for public offices. As Brown focused on the statistical aspect, she noted that more women register, and turn out to vote. In 2010, the voting rate was 46% for women compared to 45% for men.<sup>2</sup> Many women come out to show their support only to be disappointed by the low numbers of women willing to run. Further, Brown stated "when women do run, they win as often as men." Historically, politics is not a woman's world; and neither is the Illinois Department of Corrections where Bryant is responsible for the dietary needs of a prison. Since Bryant got her start some thirty years

ago as the first women guard, she has been relating women in politics to corrections.

Additionally, Bryant points out, women bring different things to the table in comparison to their male counterparts; the genders are naturally wired differently. "The fact is men typically think linearly, while women customarily multitask," stated Bryant. The success of women in politics boils down to their ability to multitask. Bryant uses her mother as an example; her mother would change diapers, cook bacon, and answer the phone all while having a conversation with her husband. Further, "women are consensus builders," said Bryant. She asserts that women are taught from an early age to get along with others and are instinctively good at bringing people together. Brown, from a statistical perspective, indicated that female members of Congress bring the most legislation; women get more things done than men. Bryant elaborates that as leaders it is important to remember how valuable consensus is.

In Bryant's opinion, women are perceived as the cleaner and more likeable political candidate. This perception is extremely important in the political process and can be attributed in part to the fact that women don't throw as much "mud" in public. To the public, perception is everything; the only other thing you need to be successful is a love/passion for government or a particular issue. Bryant has always been interested in politics. From the age of four or five, Bryant had a passion that she describes as "weird" for a child. She remembers watching Walter Cronkite on the news at five years old; and reminisces of when Nixon and Agnew resigned. Bryant was at a baseball game in the sixth grade when she heard the news of the resignation. She quickly gathered up her things, remembering always having all the sports equipment, and went home to watch the news.

The most difficult hurdle to overcome in seeking a political office seems to be the first step. Because women compartmentalize things, they tend to wait to be asked to run for office. Some men on the other hand just wake up and decide, "I'm going to run for office." For Bryant, who was raised by her grandmother and single mother, she decided it was time to stop only having strong opinions and feelings, and go do something about it. She

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got her start when she was asked to run for precinct committeewomen. At first she said no, but ultimately ran contested and lost. As all great women, Bryant didn't let this discourage her.

Bryant advises aspiring women leaders to say "yes," when they are asked to do something. Women tend to be insecure and discount their qualifications. She advises that if someone is asking you to do something, then the person thinks you are competent. In addition to saying yes, work hard, it is important to do your best at anything you do. It was because Bryant said yes and worked hard that she was able to achieve her accomplishments and position at the Lincoln Series. A piece of advice Bryant has held onto from her mother is to "act like you are supposed to be there and nobody will know the difference."

Bryant and Brown also advises women to "remember the people who got you there" as you make your way through the political process. To be successful, surround yourself with qualified people; they will not only make you look good, but they will also tell you when you are wrong. Many people make the mistake of surrounding themselves with people who make them "look good" or feel smarter. It is important to find people who are smarter, better, and loyal to you. Additionally, don't wait for someone to come to you! Find a

model and go to them. It is important to be proactive.

Practically, volunteer for a campaign. You won't find a perfect candidate, but find someone you have something in common with. Sometimes, for Bryant, it is enough for the candidate to be a woman and a Republican. In addition, be places; people have to see you. Volunteer if you have to, and be at as many events as you can be. You want people to say "who is that?" in a good way. This brings us back to perception and Bryant's mother's advice. If you're at everything, people think you are someone; "act like you are supposed to be there and nobody will know the difference." Lastly, be careful what you attach your name to. You are who you are, stand firm in what you believe, and be sure that whatever you put your name on you will be okay with it at any point throughout your life.

Finally, get involved in the Lincoln Series or IWIL. These programs are designed to help get women started in politics. Illinois is a big state, and there is a big difference even within the parties. The Lincoln Series is dedicated to increasing the number of Republican women in office in the state of Illinois. This program lasts several months with a class each month. The classes move around the state; the first class is the nuts and bolts of the Republican Party; the second, follows

women in the legislature. Application forms are due July 1, and interviews are given in October/November.<sup>3</sup> Alternatively, IWIL is open to all Illinois Democratic women who have a commitment to serve in public office and a willingness to commit the time necessary to participate fully. The curriculum is designed to meet several goals such as techniques of conducting effective campaigns and understanding the institutions of government and public policy. The application process begins in July with a mid-September deadline followed by personal interviews.<sup>4</sup> ■

Jessica Henson is a second-year law student at Southern Illinois University School of Law interested in criminal prosecution and family law from East Peoria, Illinois.

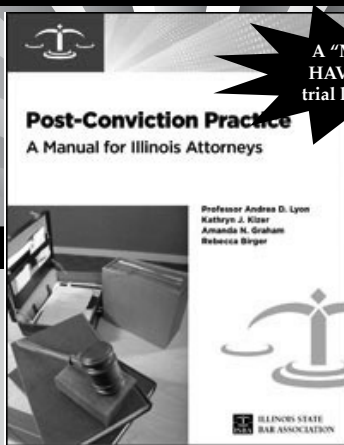
1. Terri Bryant and Barbara Brown spoke at the Southern Illinois University School of Law Women in Leadership Workshop (Jan. 18, 2013).

2. *Voting Hot Report*, U. S. CENSUS BUREAU, (APR. 16, 2012) [http://smpbff1.dsd.census.gov/TheDataWeb\\_HotReport/servlet/HotReportEngineServlet?reportid=767b1387bea22b8d3e8486924a69adcd&emailname=essb@boc&filename=0328\\_nata.html](http://smpbff1.dsd.census.gov/TheDataWeb_HotReport/servlet/HotReportEngineServlet?reportid=767b1387bea22b8d3e8486924a69adcd&emailname=essb@boc&filename=0328_nata.html).

3. See generally ILLINOIS LINCOLN EXCELLENCE IN PUBLIC SERVICE SERIES, <http://www.lincolnservice.com>, (last visited Febr. 13, 2013).

4. See generally ILLINOIS WOMEN'S INSTITUTE FOR LEADERSHIP, <http://www.iwilinfo.org>, (last visited Febr. 13, 2013).

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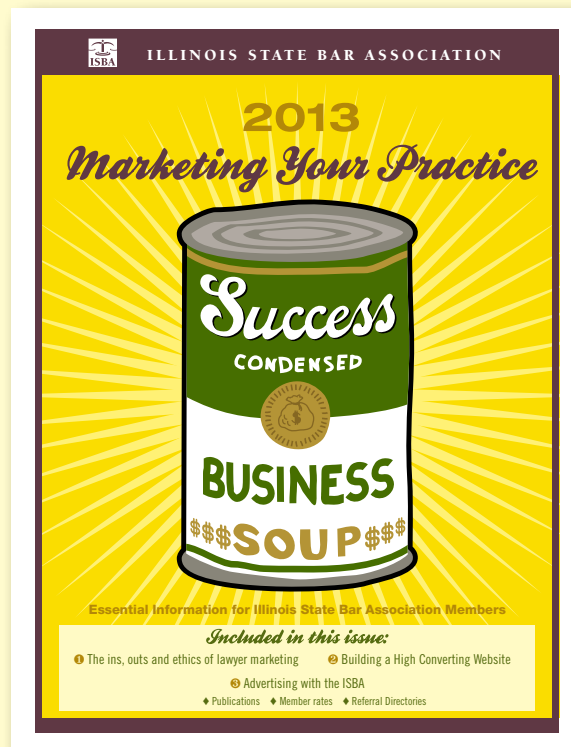


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## Is failure to file a *lis pendens* at the outset of a divorce case considered malpractice?

By Lindsay C. Stella, Esq.

Every family law attorney heeds warning when the word “malpractice” is uttered. We all know the fundamentals of malpractice in our respective fields, and we do our best to stay current on new law by attending an assortment of continuing legal education courses to protect against that malignant word. Inevitably, smaller items sometimes slip through the cracks. Filing of a *lis pendens* at the outset of a divorce case, through some not so recent case law, has proven itself to be one of those generally disregarded smaller items.

A *lis pendens*, in plain and ordinary language means “pending suit.” *Admiral Builders Corp. v. Robert Hall Villages*, 101 Ill.App.3d 132, 135 (1st Dist. 1981). The Illinois Statue on *lis pendens* states in relevant part:

...every condemnation proceeding, proceeding to sell real estate of decedent to pay debts, or other action seeking equitable relief, affecting or involving real property shall, from the time of the filing in the office of the recorder in the county where the real estate is located, of a notice signed by any party to the action or his attorney of record or attorney in face, on his or her behalf, setting forth the title of the action, the parties to it, the court where it was brought and a description of the real estate, be constructive notice to every person subsequently acquiring an interest in or a lien on the property affected thereby, and every such person acquiring an interest or lien as above stated, not in possession of the property and whose interest or lien is not shown of record at the time of filing such notice, shall, for the purposes of this Section, be deemed a subsequent purchaser and shall be bound by the proceedings to the same extent and in the same manner as if he or she were a party thereto.

735 ILCS 5/2-1901 (Lexis 2010).

In summation, the above statute affirms that when a dispute is pending over a piece of real property, the filing of a *lis pendens* is constructive notice to any person who acquires a lien or an interest of any type in that

property, that there is a pending dispute over the property, and that person shall take the property subject to whatever the outcome of the lawsuit shall be. Essentially, the third party is put on notice that there may be superior interests to the property, just as they would be through a regular title search. The problem in dissolution cases is that the world is not put on notice that a piece of real property will likely be divided because recording a *lis pendens* is not standard practice. The result is significant risk to your client’s potential real property interests.

So, how does this apply in the realm of divorce? In the case of *Voga v. Voga*, LeRoy Voga sued his Father, Lyle Voga, in April of 1999 to recover certain debts. 376 Ill.App.3d 1075, 1076 (2nd Dist. 2007). In June of 1999, Teresa Voga, Lyle’s wife, filed for divorce and also filed a *lis pendens* for the real property that she owned jointly with Lyle. *Id.* at 1077 – 1078. On July 1, 1999, the Court awarded Leroy a judgment against Lyle for \$238,000.00 and recorded a memorandum of judgment against the home. *Id.* at 1077. In June of 2000, the divorce court dissolved the marriage between Lyle and Teresa and awarded Teresa full title to the marital home. *Id.* Both the dissolution of marriage proceeding and the *lis pendens* were filed and recorded prior to the date of Leroy’s Judgment on July 1, 1999. *Id.*

Applying the *lis pendens* statute to the *Voga* case, Leroy had obtained an interest in the property through his memorandum of judgment and had constructive notice of the pending divorce proceedings because of the already recorded *lis pendens*. Therefore, Leroy was holding his lien subject to the result of the divorce litigation. Thus, the dissolution of marriage awarding the property to Teresa which extinguished Lyle’s interest in the marital home, also extinguished Leroy’s claim in the home to satisfy his judgment. This case demonstrates the importance of filing a *lis pendens* to protect your client’s assets at the end of a divorce proceeding.

A *lis pendens* also protects against one party unilaterally taking out an additional mortgage or home equity line of credit on the marital home without the other spouse’s knowledge. Even though the home may be

considered marital property and the home is held in only one party’s name, the bank would likely not need the approval or signature of the other spouse. Thus, if no *lis pendens* was recorded, the unknowing spouse would be awarded an asset with much less, if any, equity than was considered initially for an equitable distribution. However, a *lis pendens*, puts the bank or lender on notice of the pending divorce action, and this protects your client’s superior interest. If the bank did approve the loan, and the home was awarded to the spouse without knowledge of the loan, the bank would then have an unsecured loan against the first spouse rather than a secured loan on the property. A *lis pendens* puts the bank on constructive notice and their interest will be subject to the outcome of the divorce proceedings.

Similarly, where one spouse sells the property to a third party during a divorce action, and no *lis pendens* had been recorded, that purchaser becomes a bona fide purchaser. The failure to record a *lis pendens* will result in the loss of the property if it is sold to a bona fide purchaser who had no notice of the pending suit. *Admiral* at 1037. If the sale occurs after a recorded *lis pendens*, the purchaser is not bona fide. The purchaser’s claim is inferior to that of the spouse awarded the property in the dissolution proceeding. See *First Midwest v. Pogue*, 293 Ill.App.3d 359, 364 (4th Dist. 1997) (*a purchaser cannot claim to be a bona fide purchaser if a lis pendens was recorded prior to the date the purchaser acquire the property*). The Court does employ other means to deal with dissipation and sale of assets, however, those will not be discussed here.

The operative question is whether a failure to record a *lis pendens* constitutes malpractice. Under Illinois law, to prevail on a claim of legal malpractice, the plaintiff must prove: (1) the existence of an attorney-client relationship giving rise to a duty on the part of the attorney; (2) a negligent act or omission by the attorney constituting a breach of that duty; (3) proximate cause establishing that, but for the attorney’s negligence, the plaintiff would have prevailed in the underlying action; and (4) actual damages. *Mihailov-*



*ich v. Laatsch*, 359 F.3d 892, 905 (7th Cir. 2004).

In the case of *Sobilo v. Manass*, 479 F. Supp.2d 805, 824 (N.D. Ill. 2007), the Court found that failure to file a *lis pendens* in a divorce proceeding was reasonable evidence to determine proximate cause of malpractice. In *Sobilo*, the real property in question was held jointly by the Husband and Wife. *Id.* at 809. Subsequent to the filing of the divorce, a foreclosure action was initiated and recorded. *Id.* at 823. Immediately after the filing of the foreclosure, the Husband conveyed the property to a third party. *Id.* Subsequent to the Husband's third party transfer, the Wife's new attorneys recorded a *lis pendens* with the divorce action. *Id.* The Husband thereafter conveyed the real property to a fourth party. *Id.*

The issue presented was whether the first

set of attorneys' failure to file a *lis pendens* constituted malpractice. *Id.* The first set of attorneys argued that a *lis pendens* would have had little effect because the Husband transferred the property despite the recorded foreclosure and then also transferred the real property for a second time, despite the recorded divorce *lis pendens*. *Id.* The *Sobilo* Court stated that, "It is important to remember that the purpose of a *lis pendens* is not to act as an injunction preventing a sale but rather to put the world on notice that there may be superior interests." *Id.* at 824. The Court went on to say that, "Thus, although the sale of the Irving Park property may not have been prevented if Defendant had filed a *lis pendens* notice, the absence of a *lis pendens* notice will make it more difficult for Plaintiff to assert her interest in the property

against subsequent purchasers." *Id.* Therefore, because the failure to file a *lis pendens* has made it more difficult to ascertain the rights of the Wife, the attorney's failure to do so is proximate cause of her loss of the property. See *Id.*

Regardless of whether a jury would find the attorneys in the *Sobilo* case guilty of malpractice, recording a *lis pendens* at the outset is a simple way to prevent potential malpractice liability surrounding real property in a divorce action. ■

Written by Lindsay C. Stella, Esq. of Mirabella, Kincaid, Frederick & Mirabella, LLC. in Wheaton, Illinois. Lindsay practices primarily in the area of Family Law.

References Consulted:  
*What Every Divorce Attorney Should Know About Real Estate Law*, Richard F. Bales, 2013.

## The law that won't be missed

By Anna Fridman

I was browsing some news on the Internet and read that Paris recently dropped its trouser ban for women after 200 years. Granted, it has not been implemented for many years, but the news made me smile and wonder about other archaic laws that affect women's rights that are still on the books. I've found an entertaining list that I wanted to share:

1. In Maryland, a woman cannot go through her husband's pockets while he is sleeping.
2. In Vermont, a woman must obtain written permission from her husband if she wishes to wear false teeth.
3. In Tucson, Arizona, like in Paris until the repeal of the law, women are not allowed to wear pants.
4. In Dyersburg, Tennessee, it is illegal for a woman to call a man on a date.
5. In Carmel, New York, women may not wear high heels within the city limits.
6. In Cleveland, Ohio, a woman is prohibited from wearing patent leather shoes in public.
7. In Michigan, a woman isn't allowed to cut her hair without her husband's permission.<sup>1</sup>

Of course I can read these laws and find them amusingly outdated and a relic of the past. My point of view comes from the com-

fort of full freedom that the United States provides women. Looking at these laws however, I could not help, but to draw a parallel to real issues in the headlines that women currently face in other countries where the laws that hinder their freedoms are nothing to laugh at.

And there is abundance of the real issues and some very recent progress in the right direction. For example, in January of 2013, Morocco announced a plan to change law that allows rapists to marry underage victims. Currently, the Moroccan penal code allows those convicted of "corruption" of a minor to go free if they marry their victims and the practice is encouraged by judges to spare family shame.<sup>2</sup> The move was prompted by a suicide of a girl who was forced to marry a man who raped her. In another incident, in response to a highly publicized rape and subsequent death of the victim in India at the end of 2012, a government panel was formed to completely overhaul rape laws in India that have created a hostile and embarrassing environment for rape victims who tried to obtain justice against their attackers.<sup>3</sup>

Of course, there is still more than plenty of room for improvement. As we know, many countries are lagging behind on women's rights. As an example of many, in Iran in accordance with the law, a woman is to receive 74 lashes if her attire is perceived as inde-

cent. In Saudi Arabia, a woman is required to have a male escort with her when outside of home. I hope to see the day when we could also look at these laws with the ease of knowing that they are just vague memories of a time long gone. ■

1. Katherine Butler, "7 Ridiculous Laws Against Women," Ecosalon, November 30, 2010.

2. "Morocco announced plan to change law allowing rapists to marry underage victims," www.foxnews.com, January 23, 2013.

3. "Indian panel sends its recommendations on amending rape laws to the government," www.foxnews.com, January 23, 2013.



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# Apply for a public administrator or public guardian appointment

By Tracy Douglas

When an Illinois resident dies without someone to handle estate administration, the office of the public administrator steps in.<sup>1</sup> Similarly, when a disabled adult with an estate valued over \$25,000 needs a guardian, the office of the public guardian is available to be appointed.<sup>2</sup> This article explains the offices of public administrator and public guardian in Illinois' 102 counties and why they could be an interesting addition to an estate and guardianship practice.

Public administrators and public guardians in Illinois are appointed for each county by the Governor to four year terms, and they have to be confirmed by the Illinois Senate.<sup>3</sup> The chief judge of the Circuit Court appoints the public guardian in counties with a population of a million or more.<sup>4</sup> They are not paid by the government, except in counties with over a million in population.<sup>5</sup> The Governor may appoint one person to be public administrator and public guardian of several counties.<sup>6</sup> After appointment, the appointee must become certified as a National Certified Guardian within six months, pay a bond of \$5,000, and file an oath in the Circuit Court.<sup>7</sup> Once appointed, an appointee can begin carrying out the duties of public administrator and public guardian.

A public administrator handles the estate administration for those who died in Illinois without a will or person to probate the estate.<sup>8</sup> The decedent does not need to be a resident of this state.<sup>9</sup> Once the public administrator has letters of office as the administrator of the estate, he or she has the powers of an administrator under the Probate act.<sup>10</sup> In counties with a population less than a million, the public administrator is paid from fees, but the public administrator bears the expenses of the office.<sup>11</sup> In counties with a population more than a million, the public administrator pays the fees to a fund held by the county treasurer, and the county board sets the compensation, which has to be a minimum of \$20,000 but can be more.<sup>12</sup> Serving as a public administrator can be a challenging but rewarding addition to an estate practice, and the same case would be true for serving as a public guardian.

A public guardian may be appointed as guardian for disabled adults with estates

valued more than \$25,000.<sup>13</sup> Residents with estates worth less than \$25,000 are served by the Office of the State Guardian.<sup>14</sup> If the person's estate falls below \$25,000 while being a ward of the public guardian, then the guardianship is transferred to the State Guardian.<sup>15</sup> The duties of the public guardian include: monitoring the ward's care and progress, preparing inventory of the ward's belongings, and paying for care out of the estate's funds (including liquidating assets if needed).<sup>16</sup> The public guardian also has to file an annual report with the Circuit Court that details the cases handled, including the dates they were assigned, dates of termination and disposition of each terminated case, as well as fees collected from each ward.<sup>17</sup>

Public administrators and public guardians serve an important role in Illinois by helping with estate administration and protecting the interests of disabled adults. The work done by public administrators and

public guardians can be an intriguing addition to an estate and guardianship practice. If any lawyers are interested in serving, they can fill out an online application at [appointments.illinois.gov](http://appointments.illinois.gov) and select "Public Administrator and Public Guardian." ■

1. 755 ILCS 5/13-4
2. 755 ILCS 5/13-5
3. 755 ILCS 5/13-1
4. 755 ILCS 5/13-1.1
5. 755 ILCS 5/13-3, 3.1
6. 755 ILCS 5/13-1
7. 755 ILCS 5/13-1.2, 2
8. 755 ILCS 5/13-4
9. Ibid.
10. Ibid.
11. 755 ILCS 5/13-3
12. Ibid.
13. 755 ILCS 5/13-5
14. Ibid.
15. Ibid.
16. 755 ILCS 5/13-5 (a) (c) (e)
17. 755 ILCS 5/13-5 (k).

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## Move outside of your comfort zone

By Janice Boback

May it please the court . . . not sure if the court was really pleased but I know I was. I recently had the opportunity to argue a case before the United States Court of Appeals for the Federal Circuit in Washington, D.C. It was a wonderful experience, one that I will remember as one of the highlights of my career. I was the Appellant and represented the widow of a gentleman I will call Mr. D. Mr. D was a retired member of the United States Military and recipient of a Railroad Retirement Annuity. The Appellee was Mr. D's ex-wife. My client was married to Mr. D for more than 11 years and the Appellee was married to Mr. D for 40 years. The issue was who was the proper beneficiary of his railroad retirement annuity. The facts of the case are not particularly important for this article. The point of the article is that I almost gave up the opportunity to argue this case before the United States Court of Appeals for the Federal Circuit in Washington, D.C. based on my uneasiness of moving outside of my comfort zone.

I practice in at least 13 different counties in Illinois. I enjoy traveling to other court-houses, getting to know the attorneys and

learning how things are done outside of Cook County, and believe me when I say, "things are done differently outside of Cook County." I have argued in several different Appellate Courts in Illinois and have done some work in Bankruptcy Court. These are my comfort zones—they are all right here in our great state of Illinois.

When the potential client initially came into see me, I was sure I was not going to be able to take the case because I was not admitted to practice before the United States Court of Appeal for the Federal Circuit in Washington D.C. where the Appeal needed to be filed. I was sure that I had no business taking this case. Factually, it was certainly a case that I was interested in and was in my area of practice and expertise; however, taking on a case that would require me to move outside of my comfort zone (aka this great state of Illinois) was not an easy decision. Initially, I thought it was a very easy decision, "sorry, I cannot accept your case as I am not a member of the Bar where your case needs to be filed." I am so glad that I did not make the decision easy. I investigated what it would take to be admitted to this particular Court

and realized that since I was already admitted to practice in the Federal Court for the Northern District of Illinois and the United States Supreme Court, all I had to do was fill out the application, provide certifications regarding my other admissions, affidavits of good standing, pay a fee and just like that – I'm in. I printed out the Rules of the Court – read them from start to finish and accepted the case.

There was a lot to learn and some mistakes along the way (mistakes that were correctable and not the kiss of death) but it was truly an experience of a life time. I would encourage all of my colleagues to move outside of their comfort zone if the opportunity presents itself. Even if it is taking a case in another county—you learn so much from the people you meet. I will leave you with a quote from Dr. Seuss, "the more that you read the more things you will know. The more that you learn the more places you'll go." ■

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## Female judges in Illinois: Where are we now?

By Cindy Galway Buys and Stephanie Macuiba

This year marks the 140<sup>th</sup> anniversary of the first female attorney in Illinois.<sup>1</sup> Female attorneys in Illinois have come a long way in the formerly man's world. Some of the greatest progress in the past 20 years has been the increase of women in the judiciary.

circuit court <sup>2</sup>	% of women
1st (s)	15
2nd (s)	14
3rd (s)	18
4th (s)	19
5th (c)	31
6th (c)	16
7th (c)	9
8th (c)	13

9th (c)	13
10th (c)	15
11th (c)	19

The percent of women serving as judges in Illinois has increased from 9 percent in 1990 to 18 percent in 2000 to 29 percent<sup>3</sup> in 2012. While the number of female judges in Illinois has more than tripled since 1990, advancements have not been even across the state. Generally, the courts closer to Chicago have a higher percentage of females while women in the Southern part of the State have a lower representation. This article examines some of the statistics relating to females in the judiciary in Illinois and includes interviews with several female judges examining the role and experiences of these female judges.

circuit court	% of women
12th (n)	34
13th (n)	15
14th (n)	14
15th (n)	20
16th (n)	20
17th (n)	21
18th (n)	21
19th (n)	38
20th (s)	25
21st (n)	12
22nd (n)	19
Cook	40

Circuit courts average 29 percent females. Circuit judges can be further divided; 32 percent of women represent circuit judges

and 25 percent represent associate judges.<sup>4</sup> In 1990, eight circuit courts had only one female judge and many of them were serving in the associate judge position.<sup>5</sup> Today there is not a single circuit court with only one female judge. There are only three circuit courts with no women serving as full circuit judges: the Eighth, Ninth and Tenth.

The circuit with the most females per capita is Cook with women representing 40 percent of judges. Outside of Cook, the Twelfth, representing Will County, comes in second with 34 percent. The counties not associated with Chicago and the Chicago suburbs fare worse in female representation. The Seventh Circuit, representing Springfield and the surrounding counties, has the least percent of women with only 9 percent. It was not until 2010 that the first female was appointed to the bench in Williamson County in the First Circuit in Southern Illinois.<sup>6</sup>

The appellate courts fare better with a 35 percent female population. Huge strides have been made on the Appellate bench since 1990 when only two women served in the entire state. Today, the most females are found in the First District, while the court with the highest percent of female is the Second District with females representing 50 percent of judges. Both districts make up Chicago and the northern-most part of the State.

In 2000, no female was serving in the Fifth District. Now the Fifth District has two female judges, Melissa A. Chapman and Judy Cates. This year, the Fourth District will also be welcoming its first African American judge, Lisa Holder White, adding one more woman to the bench. Despite this advance, both the Fourth and Fifth, representing the entire southern portion of the State, are behind the rest of the state in female representation on the bench.

In Illinois State Courts, the Supreme Court has the greatest female presence with three out of seven justices being female. In 2000, only one female was present on the Supreme Court, Justice McMorro, who was also the first female appointed in 1992 and the first female Chief Justice elected in 2002.

Illinois federal courts have had mixed developments in the past twenty years. Currently 27 percent of the Federal Court system in Illinois is female. Female representation gets progressively lower from North to South.

The Northern District is composed of

27 percent females, the Central is at 18 and Southern is at 0. The Central District had only one female in 2000 and in 12 years only gained one other female. Although the Southern District has no females, it will have vacancies in the next year as two male judges retire. Could the first female be appointed to the Southern District?

Court	% of Women
circuit courts	29
appellate courts	35
Supreme Court	43
federal courts	27
Federal Court of Appeals (7th)	27

The number of females on the bench can be contrasted with the amount of females that are practicing attorneys in the state. According to the Illinois Attorney Registration and Disciplinary Committee, in 2011 women made up 36 percent of all attorneys in Illinois, up from 30 percent in 2000. Women also make up 45 percent of all associates at law firms which is down slightly from 45.7 in 2009.<sup>7</sup>

The statistics suggest that female representation is closer than ever to reflecting the amount of females in the legal profession with women making up 29 percent of the bench and 36 percent of the field. The times are slowly changing.

A number of females on the bench in Illinois agree. One judge stated that the numbers "have improved and continue to improve." Judge Archambeault from Will County suggests that the remaining imbalance is a "product of the times" and she remains positive that the imbalance will work itself out naturally as more males retire and more females enter the profession. In recent years she has seen women and men applying for judgeships and entering the bench in almost equal numbers. Judge Solverson from Jackson County in the First Circuit agreed. She believes the increase of women in law school in recent years will result in more females on the bench. As one judge put it, the bench is "slow to change, like legislation."

Judge Melissa Chapman from the Fifth Appellate District brings up a couple of obstacles she has seen for women entering the judiciary. She says many women want to start families and others wait until someone asks them to run, rather than running on their own initiative. Judge Solverson agrees that many women wait for someone to ask

them to run. However, she believes more young female attorneys are interested in becoming judges. Judge Solverson explained that female attorneys are exposed to more female judges and now see the bench as an attainable career goal.

No doubt women on the bench have increased in number but do these women face challenges because of their gender once on the bench? Judge Chapman remarks that "she faces the same challenges as the male judges." Another female judge remarked that lawyers and the public care more about how the judge rules rather than the gender of the judge.

With respect to the challenges of running for a judgeship as opposed to being appointed, most judges agreed that women do not face a gender challenge. Judge Solverson pointed out that the main challenge for both genders is the time and financial commitment associated with running.

All judges interviewed for this article agreed that the profession has reached the point where males and females interact equally on the bench. However, the judges interviewed for this article reiterated the fact that the profession has come a long way. It was not that long ago that a female attorney was presumed to be the office secretary.

Despite the positive numbers in Chicago and the surrounding counties, the poor numbers in Central and Southern Illinois cannot be ignored. One judge remarked that working in a circuit with more females might create a more innovative and open environment for improvement. The same judge also remarked that having more qualified female candidates is the solution for female underrepresentation in the judiciary.

How can women become more qualified for a judgeship? The judges interviewed stressed the importance of trial experience, not necessarily working in private practice or public interest. Judge Archambeault remarked that her vast trial experience from private practice and knowledge of civil procedure made the transition to the bench much easier.

So how can female attorneys in Southern and Central Illinois start a career on the bench? All judges interviewed for this article agree on one thing; the first step to being a judge is taking an active role in your community. Join committees, work on campaigns, and socialize with judges and lawyers. "Get out there and be seen" says Judge Archam-

beaut.

Judge Chapman advises future judges to learn networking skills, build relationships, and maintain a good character with both the public and legal community. Judge Solverson says aspiring judges need to make a mark on judges. She advises the best way to do this is to “do your job and do it well.” ■

Professor Cindy Buys is a Professor of Law and the Director of International Law Programs at Southern Illinois University (SIU) School of Law and Stephanie Macuiba is an SIU law student student expecting her J.D. in May 2013. Thanks to SIU law students Heather Abell (J.D. expected 2014) and Anna Newell (J.D. expected 2013) for their assistance interviewing female judges in Illinois.

The statistics from 1990 and 2000 have been

provided by Alice Noble-Allgire and can be found in her 2000 publication *Women Judges Rising in Number, But Still Scarce in Some Areas of the State*, The Catalyst (ISBA's Standing Committee on Women and the Law) 2000. The statistics from 2012 have been compiled by Stephanie Macuiba.

1. See Catherine D. Battista, *Celebrating 140 years of female attorneys in Illinois*, The Catalyst, (ISBA's Standing Committee on Women and the Law) Vol. 18 no. 13, January 2013.

2. “S” denotes Southern Illinois. “C” denotes Central Illinois. “N” denotes Northern Illinois. These divisions are a general reference for the reader and do not represent any official court divisions.

3. Includes all state courts, federal courts and the Court of Appeals for the Seventh Circuit in Chicago.

4. Circuit judges are elected for a six year term. They can hear any circuit court case. Associate judges are appointed by circuit judges. An associ-

ate judge can hear any case, except criminal cases punishable by a prison term of one year or more (felonies). see *Illinois Circuit Court General Information*, Welcome to Illinois Courts, <http://www.state.il.us/court/CircuitCourt/CCInfoDefault.asp> (last visited Feb. 13, 2013).

5. Noble-Allgire, *supra* note 1.

6. Chris Bonjean, *Smoot appointed first female judge in Williamson County*, Illinois Lawyer Now (Nov. 17, 2010), <http://iln.isba.org/2010/11/17/smoot-appointed-first-female-judge-in-williamson-county>

7. Roy Strom, *Report shows number of female associates slides*, Chicago Daily Law Bull. (Dec. 17, 2012), [http://www.chicagolawbulletin.com/Articles/2012/12/17/NALP-12-17.aspx?utm\\_source=subscriber&utm\\_medium=C D L B e m a i l &utm\\_campaign=headlines&utm\\_content=1C](http://www.chicagolawbulletin.com/Articles/2012/12/17/NALP-12-17.aspx?utm_source=subscriber&utm_medium=C D L B e m a i l &utm_campaign=headlines&utm_content=1C)

## You still have to eat!

By Julie A. Neubauer

As women attorneys, many of us know “The Second Shift” all too well. We work all day then come home to spouses, partners, children and pets all expecting our attention and care. How often do we order a pizza on our drives home or throw some prepackaged meal into the microwave just to make sure everyone is full before bedtime. The resulting bricks in our stomachs, together with our cases up the next day, spin in our heads and lead to insomnia, weight gain and compound our stress.

The attorneys and staff at my firm, as well as my family and friends, know I have embraced cooking as a way to clear my head and nourish both body and soul. Along the way I have found that nutritious cooking CAN actually be done easily, even during the week. This addition to the Catalyst may not be scholarly in nature nor does it delve into some hot legal topic – it even may ring of a bygone era when women dominated the realm of the kitchen rather than the courtroom. That said, the way I look at it is, we all still have to eat. So let's eat well!

The following are a few quick and easy, but healthy seasonal recipes that have helped push through this cold and often incredibly busy time of year. They all happen to be complete meals that fit in a bowl!

### Turkey Sausage & Brussels Sprouts

Heat 2 Tb of olive oil in a skillet over me-

dium high heat. Toss in onions, sliced into half moon shapes (thick or thin, your choice). At the same time add quartered Brussels sprouts. Smash a clove or two of garlic and toss it in the pan and season with salt, pepper or even Lawry's season salt if you like. Let cook, stirring as needed to allow some browning of the sprouts. Turn the heat down if the onions start to brown too quickly. When the sprouts are about half cooked through, deglaze the pan with some splashes of chicken broth and white wine. Allow to reduce until the liquid is almost gone. Add sliced Turkey smoke sausage, stirring occasionally to allow for even browning. Remove the large chunks of garlic and serve hot sprinkled with some shredded provolone cheese.

### Udon Noodle Soup

Heat 2 Tb of canola oil in a large skillet over medium heat. In a separate fairly large soup pot, heat chicken broth to a slight boil. Season fresh raw chicken breast tenders with a little salt and pepper. Dice a small onion and toss in the pan. Toss the chicken and onion into the pan. Deglaze with a splash of chicken broth, soy sauce and a few squirts of Saracha chili sauce for heat. When the chicken is cooked, remove it from the pan and set aside. If the broth is now boiling, toss in dry Udon noodles and turn the heat down a bit so it doesn't boil too fast. In the same pan you cooked the chicken toss in sliced mush-

rooms and fresh baby spinach and allow to wilt down. While the spinach and mushrooms are cooking, dice the cooked chicken and toss it back into the pan. Slowly add the chicken mixture into the broth add some chopped fresh cilantro and allow to simmer for 10 minutes. Serve in big bowls and sprinkle with more fresh cilantro and raw bean sprouts for texture.

The next recipe can be made on a sleepy Sunday and eaten all week long! You can also toss all the ingredients in the crock pot, the night before and refrigerate. Then just turn it on LOW in the morning, let it simmer all day while at work and come home to scrumptiousness.

### Slow Cooker Sweet & Sassy Turkey Chili

In a large skillet brown 1 lb ground turkey. (not too lean). Drain if necessary. You may want to use a little oil in the pan if the turkey is too lean. While browning, splash the turkey with a little spicy V-8 juice and season with salt, pepper garlic salt and chili powder. Not too much at this point! You can always add more but you can't take it away!

In a full size slow cooker, on high, stir together the following: 1 can spicy chili beans with the juice, 1 or 2 cans of black beans (drained), 1 can of diced tomatoes and 1 can of concentrated tomato soup. Stir in the fully

cooked ground turkey. Add some spicy V-8 juice, but no more than a Cup. Let it cook on high for 2 hours. Stirring every now and then. After 2 hours, stir in ¼ C of brown sugar and turn the slow cooker down to warm. Test for seasoning and add more salt, pepper or chili powder to taste. For the really adventurous, add a little cayenne pepper. Cook for another hour or two until you just can't wait anymore then dig in.

For a little something extra to go with the chili, I like to mix up some Jiffy cornbread mix as directed on the box and add real honey and some finely sliced jalapeños (seeded) right to the batter. Using a liquid measuring cup pour the batter into a mini muffin tin, leaving room for them to rise. Bake as directed on the box. When they come out, if you want to be a little bad, mix together some

honey and real butter, microwave it for less than a minute, stir. Dip the muffins or pour the honeybutter over right on top!

Enjoy! ■

Julie A. Neubauer is a family law attorney at Aronberg Goldgehn Davis & Garmisa in Chicago and may be contacted by email to [jneubauer@agdglaw.com](mailto:jneubauer@agdglaw.com).

## Someone you should know: Jody Raphael

By Melissa Olivero

Jody Raphael is an attorney and senior research fellow at the Schiller DuCanto & Fleck Family Law Center, DePaul University College of Law.

Ms. Raphael began her work on behalf of women and girls in the sex trade industry 12 years ago. After numerous interviews with survivors of prostitution, she began to understand that a vast number of them were poor victims of childhood sexual assault who were recruited into the sex trade and held there by violence and threats of violence. Since 1990 she has worked tirelessly to produce evidence of that fact and to let the voices of these girls and women be heard in the public policy arena. These efforts have begun to bear fruit in legislation and new practices that view these girls and women as victims and seek to preserve and enhance their rights. Ms. Raphael was one of the pioneers in this effort nationwide.

Ms. Raphael has produced three major pieces of work that have had a wide influence on the debate both here in Illinois and in the country. First was her 2004 book, *Listening to Olivia: Violence, Poverty, and Prostitution*, (Northeastern University Press), which tells the story of Chicago native Olivia Howard. Olivia entered prostitution as a stripper at age 16 and spent 19 years in the sex trade industry, ending up on heroin on the street, controlled by a violent pimp. This story, interspersed with the accounts of other prostitution survivors, demonstrated that Olivia's entry into prostitution as a teen was not totally voluntary, described the violence she experienced from customers and pimps, and how that violence and drug abuse (self-medication) trapped her in the industry. The

book was an attempt to give full humanity to a person in prostitution, to show how she was a woman like any other deserving to live a life free of violence and humiliation. At the same time it demonstrated the indifference of police, medical personnel, judges, and customers to her plight and how that indifference more worked to trap her in a life of violence.

In 2008, Ms. Raphael undertook research with 100 girls in the sex trade industry in the Chicago metropolitan area who were under the control of a pimp. The research was undertaken to determine how these women became ensnared in pimp-controlled prostitution and why they could not escape. Her research, entitled *Domestic Sex Trafficking of Chicago Women and Girls*, found that 10% of the girls had been put out in prostitution by their families at very young ages. Another 35% had been recruited into the industry by a person serving as a boyfriend, who then became the girl's pimp. The girls related the many instances of violence and threats of violence they currently experienced.

In 2010, Ms. Raphael undertook research with 25 ex-pimps in Chicago, entitled *From Victims to Victimizers: Interviews with 25 Ex-Pimps in Chicago*. This report documented the recruitment techniques used by pimps and traffickers in Chicago, confirming the exploitative actions of pimp boyfriends. As the pimps recruited girls under the age of 18, all met the definition of traffickers in U.S. anti-trafficking legislation. (2000). Interestingly, the research also demonstrated that all the pimps (seven of whom were women) all had sold sex prior to becoming pimps and traffickers and many had been forced into the

sex trade industry against their will. Graduating to pimping was a promotion and a relief, demonstrating how victims can then become victimizers as they stay within the sex trade industry to exercise control over their lives.

Ms. Raphael has also studied and written about sexual assault. Only 11% of rape cases reported to law enforcement in Illinois result in an arrest, when the national rate is 25%, down from 50% in the 1970s. Arrest rates in other violent crimes have held steady. These data mean that victims of rape rarely can hold the rapist accountable, who is then free to rape with impunity. These rape victims, who have already experienced humiliating and frightful violations, are abused again when law enforcement and the legal system refuses to take their claims seriously.

Ms. Raphael has spent six years investigating the causes of this situation, interviewing numerous rape survivors whose cases were not taken. The result is a new book being published in April 2013 by Chicago Review Press, *Rape is Rape: How Denial, Distortion, and Victim Blaming are Fuelling a Hidden Acquaintance Rape Crisis*. A review of her book from *Publisher's Weekly* states in part, "Raphael presents clear statistics on rape prevalence and reporting, consistent with a number of studies often ignored by policymakers and the press. She juxtaposes this research with firsthand interviews with acquaintance-rape victims and in-depth discussions of recent rape cases in the news, including those involving the Duke Lacrosse team and Julian Assange. The result is a compelling, grim account of the struggle for victims of sexual violence to be heard and believed."

Furthermore, as a result of Ms. Raphael's extensive data research on the Domestic Violence Courthouse in Cook County, published in 2005 and subject to front page coverage from the *Chicago Tribune*, the Circuit Court established a special study committee, followed by a new Domestic Violence Division of the Circuit Court and a new presiding judge. These structural improvements have enabled the new division to begin other efforts to remedy some serious problems with the domestic violence docket. Although battered and abused women come to the court and obtain emergency orders of protection, many do not return for a plenary order so that the emergency order dissolves. Additionally, many are unable to obtain an emergency order because they lack the ability to represent themselves pro se. In cooperation with the presiding judge, Ms. Raphael worked to create The Domestic Violence Pilot Project, in which over 200 DePaul law students have provide assistance to petitioners with their paperwork and their affidavit since February

2011. Almost 1400 petitioners have been assisted to date, and 85% have been successful in obtaining emergency orders of protection. Students volunteer three hours a week. They interview petitioners, assist with the required paperwork, and accompany petitioners to the courtroom. Importantly, after interviewing the petitioner, they type up a written affidavit on their laptop computers, which is printed out and attached to the petition.

Ms. Raphael has found that students at the Schiller DuCanto & Fleck Family Law Center gain immeasurably from involvement in the project. Students enjoy directly helping people and believe that their skills rapidly develop. As one student said, "I thought this project was an amazing opportunity to develop skills outside of the classroom. It helped give meaning to my week when I was buried in my textbooks." Students have also told her that they took pride in seeing how petitioners felt empowered by the experience: "Watching their moods change from being overwhelmed or upset at the begin-

ning of a session to feeling accomplished and safe after getting an emergency order of protection is a great feeling." Students, many for the first time, also learn about domestic violence and become aware and sensitive to the issue.

Making certain that the legal system is responsive to the needs of domestic violence victims-and other violence victims, including those sexually assaulted and sexually exploited in the sex trade industry-has been a priority since January 2004, when attorney and scholar Jody Raphael joined the Center on a full-time basis as senior research fellow. Ms. Raphael works full-time on research and advocacy to hold the legal system accountable. She provides overall supervision of the Domestic Violence Pilot Project. ■

Melissa Olivero is an administrative law judge. Melissa has previously practiced as a prosecutor, labor-management relations attorney, and insurance defense attorney. She resides in Peru, Illinois.

## No need to rush into fracking

Vito A. Mastrangelo

*This Op-Ed was featured in the Chicago Sun Times on March 14, 2013 and is reprinted with permission from the author.*

Imagine a conversation.

My neighbor asks, "What are you doing?"

I respond, "I'm drilling deep holes in my land and then, using very high pressure, filling them with a mixture of millions of gallons of water and thousands of gallons of chemicals, some of which are known carcinogens and endocrine disruptors. Some of the holes might even reach under your land and other neighbors' land, too."

"Why would you do that?" "To get oil and natural gas and make money."

"Can we clean the water afterwards?" "No."

"How will you get all that water here?" "Large trucks will use the county roads to bring in the water, chemicals, silica sand, and other materials."

"All that water during drought conditions?" "Yes."

"Will this process pollute the air?" "It releases methane, which is about 20 times more powerful a greenhouse gas than carbon dioxide."

"What happens to the fracking mixture afterwards?" "Some of it stays in the ground, and what comes back up is injected into new holes in the ground."

"Permanently?" "That's the plan."

"When this mixture comes back up, is it radioactive?" "Yes."

"But there are two earthquake zones in our area and we are overdue for a major earthquake--Won't a big quake cause that fluid mix to leak into our water and soil?"

"I don't worry about that."

This specific conversation is fictional but the process described is not. It is called hori-

zontal hydraulic fracking, and some State officials are promoting it. If allowed, fracking could take place in thousands of locations throughout Southern Illinois. Current fracking methods are dangerous and will adversely affect citizens' health.

The State has put many citizens in jails and mental institutions for conduct far less egregious. But the State is in dire financial straits, and politicians are desperate for the the oil and gas industry's money.

One fracking well pad can support a vertical well and at least eight horizontal well bores, and each horizontal lateral can be a mile long or longer. Initially, a well pad can take up six acres. The pumps and compressor stations are noisy, running 24/7. Well casings leak and fail, some sooner, some later. More than 1,000 cases of water contamination have been documented near fracking and drilling sites in the United States. In North Dakota alone, by one estimate, natural gas flares produce the same amount of global warming pollution as 2.5 million cars. Current fracking methods use known carcino-

gens, like benzene, naphthalene, and formaldehyde, and fracking pulls up radium from the ground. The Colorado School of Public Health determined that cancer, neurological, and respiratory disease risks are greater for residents living close to fracking wells, due to exposure to the various air contaminants released near well sites.

When the industry says it's "safe," think about the fox telling the farmer that his chicken coop is safe.

On February 7, the Illinois Emergency Management Agency conducted an earthquake drill. In Southern Illinois, we are overdue for a major earthquake. Representative Bradley's HB2615 suffers from many inad-

equacies, and the risk of a major earthquake in Southern Illinois is not addressed at all in his bill.

Once fracking happens, we cannot undo it.

Allowing fracking with current methods is reckless.

New York State will wait for the new \$1 million study by the [Geisinger](#) Health System of Pennsylvania before lifting its moratorium on fracking.

Illinois House Bill 3086 and Senate Bill 1418 would (1) create an independent Task Force to study fracking and report to the legislature and (2) establish a two-year moratorium in the meantime.

Better safe than sorry.

Learn more at [www.dontfractureillinois.net](http://www.dontfractureillinois.net).

Vito Mastrangelo  
Attorney at Law  
SAFE

Southern Illinoisans Against Fracturing  
the Environment

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<<http://www.suntimes.com/news/other-views/18835882-452/vito-a-mastrangelo-no-need-to-rush-into-fracking.html>>. ■

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### June

**Monday, 6/3/13- Teleseminar**—Asset Purchase Deals- Securing Value & Limiting Liability, Part 1- Live Replay from 2/11/13. Presented by the Illinois State Bar Association. 12-1.

**Tuesday, 6/4/13- Teleseminar**—Asset Purchase Deals- Securing Value & Limiting Liability, Part 2- Live Replay from 2/11/13. Presented by the Illinois State Bar Association. 12-1.

**Tuesday, 6/4/13 - Webinar**—Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association - Complimentary to ISBA Members Only. 10:00 - 11:00 a.m. CST.

**Wednesday, 6/5/13- Teleseminar**—Life Insurance and Estate Planning. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 6/6/13 - Chicago, ISBA Regional Office**—Introduction to Public Private Partnerships (P3s). Presented by the ISBA Construction Law Section, Co-sponsored by the ISBA Local Government Section. 8:30 am - 12:30 pm.

**Thursday, 6/6/13- Live Studio Webcast (Studio only)**—The Style Manual: A Webcast on Writing in the Illinois Courts. Presented by the ISBA Bench and Bar Section. 1:55-3:00.

**Thursday, 6/6/13 - Webinar**—Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association - Complimentary to ISBA Members Only. 10:00 - 11:00 a.m. CST.

**Thursday, 6/6/13- Springfield, Hilton Hotel**—The Intersection of Social Media and the Practice of Law. Presented by the ISBA and Sangamon County Bar Association. 1-4:15.

**Friday, 6/7/2013 - Chicago, ISBA Chicago Regional Office**—5th Annual Animal Law Conference. Presented by the ISBA Animal Law Section. 8:30 a.m. - 4:45 p.m.

**Friday, 6/7/2013 - Live Webcast**—5th Annual Animal Law Conference. Presented

by the ISBA Animal Law Section. 8:30 a.m. - 4:45 p.m.

**Friday, 6/7/13 - Bloomington, Double-Tree by Hilton**—Criminal Law Back to Basics. Presented by the ISBA Criminal Justice Section. 8:30 - 4:00.

**Monday, 6/10/2013 - Live Studio Webcast (STUDIO only)**—Getting Paid in Commercial Cases - Fee Arrangements from A to Z. Presented by the ISBA Commercial Banking, Collections and Banking Section. Noon - 1:00 pm.

**Monday, 6/10/13- Teleseminar**—Liquidity Planning in Estates and Trusts- Live Replay from 2/8/13. Presented by the Illinois State Bar Association. 12-1.

**Tuesday, 6/11/13- Teleseminar**—2013 Estate & Trust Planning Update, Part 1. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 6/12/13- Teleseminar**—2013 Estate & Trust Planning Update, Part 2. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 6/13/13- Teleseminar**—Drafting Confidentiality and Non-disclosure Agreements- Live Replay from 3/14/13. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 6/13-14/12- Chicago, Sofitel Chicago Water Tower**—Great Lakes Benefits Conference. Presented by the ASPPA and the IRS; co-sponsored by the ISBA Employee Benefits Section.

**Thursday, 6/13/13- Live Studio Webcast**—Medicare and its Impact on Tort Practitioners. Presented by the ISBA Tort Law Section. 9:30-11:30.

**Friday, 6/14/2013 - Chicago, ISBA Regional Office**—Ethics of Persuasion. Master Series Presented by the Illinois State Bar Association. 9:00 - 3:00

**Tuesday, 6/18/13- Teleseminar**—Plan-

ning & Drafting LLC Operating Agreements, Part 1. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 6/19/13- Teleseminar**—Planning & Drafting LLC Operating Agreements, Part 2. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 6/19/13 - Webinar**—Introduction to Boolean (Keyword) Search. Presented by the Illinois State Bar Association - Complimentary to ISBA Members Only. 10:00 - 11:00 a.m. CST.

**Friday, 6/21/13- Lake Geneva, Grand Geneva Resort and Spa (Annual Meeting)**—Legal Ethics and Social Media. Presented by the ISBA Standing Committee on Law Office Management and Economics.

**Friday, 6/21/13- Lake Geneva, Grand Geneva Resort and Spa (Annual Meeting)**—Deliver Knockout Presentations Your Audience Won't Forget. ISBA's Law Ed Faculty Development Series: The Art of Effective Communication. Exclusively for ISBA Law Ed Faculty (and for those who want to become Law Ed Faculty). 8:30am-11:45am.

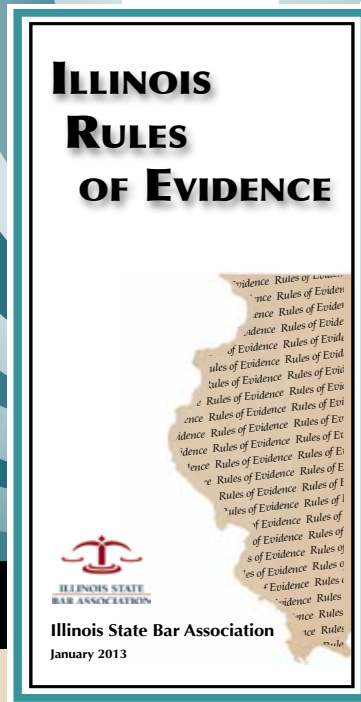
**Friday, 6/21/13- Lake Geneva, Grand Geneva Resort and Spa (Annual Meeting)**—Introduction to Legal Research. Presented by the Illinois State Bar Association- Complimentary to ISBA Members Only. 9:00-10:00am.

**Friday, 6/21/13- Lake Geneva, Grand Geneva Resort and Spa (Annual Meeting)**—Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association- Complimentary to ISBA Members Only. 10:15-11:15am.

**Friday, 6/21/13- Lake Geneva, Grand Geneva Resort and Spa (Annual Meeting)**—ISBA's Reel MCLE Series: Flight- How Many Ethical Dilemmas Can You Spot? Master Series Presented by the Illinois State Bar Association. 1:00-5:15pm.

**Monday, 6/24/13- Teleseminar**—Structuring Preferred Stock and Preferred Returns in Business- Live Replay from 4/16/13. Presented by the Illinois State Bar Association. 12-1. ■

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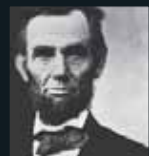
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