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ILLINOIS STATE BAR ASSOCIATION

Traffic Laws & Courts

The newsletter of the Illinois State Bar Association's Section on Traffic Laws & Courts

Cook County judge finds law precluding court supervision for "excessive speeding" unconstitutional

By Tom Speedie

In *People v. Rizzo,* (Cook County Case No. 37997158) defendant was charged with speeding 40 or more mph over the speed limit (625 ILCS 5/11-601.5(b)2). In his motion, he argued that the aggravated speeding statute is unconstitutional as violating Due Process and Equal Protection, and that preclusion of court supervision on the charge pursuant to 730 ILCS 5/5-6-1(p) violates the proportionate penalties clause of the Illinois Constitution (Ill. Const. 1970, art I, Sec. 11).

In the Court's Memorandum Decision and Order, Judge Gubin rejected the Defendant's first argument. She found that, given the "serious problems that individuals operating a vehicle at excessive speed can cause," Illinois had a legitimate interest in enacting legislation designating speeding more than 25 mph over the limit as a Class B misdemeanor (625 ILCS 5/11-601.5(a)), and 35 mph and more over as a Class A (625 ILCS 5/11-601.5(b)).

Judge Gubin went on to address the Defendant's argument that aggravated speeding is identical to reckless driving (625 ILCS 5/11-503), and, because reckless driving is eligible for court supervision and aggravated speeding is not, the result is a violation of the proportionate penalties clause: "All penalties shall be determined both according to the seriousness of the offense and with the objective of restoring the offender to

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Are blood draws under Illinois Implied Injury Consent Injury statutes unconstitutional?

By Donald J. Ramsell

In *Breithaupt v. Abram*, 352 U.S. 432, 77 S.Ct. 408, 1 L.Ed.2d 448 (1957), the United States Supreme Court held that a warrantless blood draw from a person suspected of driving a motor vehicle while under the influence of alcohol did not violate the Fourth Amendment to the Constitution of the United States because that amendment did not apply to the States. Id. at 434, 77 S.Ct. 409 - 10, 1 L.Ed.2d 450. The Court also held that the blood draw did not violate due process because "there is nothing 'brutal' or 'offensive' in the taking of a sample of blood when done, as in this case, under the protective eye of a physician." Id. at 435, 77 S.Ct. 410, 1 L.Ed.2d 451. The Court stated that "[t]he blood test procedure has become routine in our everyday life" and that "a majority of our States have either enacted statutes in some form authorizing tests of this nature or permit findings so obtained to be admitted in evidence." Id. at 436, 77 S.Ct. 410–11, 1 L.Ed.2d 451. The Court concluded by stating:

> Furthermore, since our criminal law is to no small extent justified by the assumption of deterrence, the individual's right to immunity from such invasion of the body as is involved in a properly safe-

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useful citizenship (Ill. Const. 1970, art I, Sec. 11)." Judge Gubin rejected that argument, as a charge of reckless driving has an element of willful and wanton disregard for the safety of persons and property, while aggravated speeding does not contain such an element, thus the charges are not identical.

The Judge goes on, however, to declare the prohibition on court supervision for aggravated speeding an unconstitutional violation of the proportionate penalties clause because it is cruel and degrading. She lists the charges for which court supervision is unavailable, noting that many of them involve bodily injury. She goes on to observe that offenses for which court supervision is available include driving while suspended or revoked, driving under the influence, and theft.

Judge Gubin concludes that mandating a misdemeanor conviction on a first offense, and not allowing a judge to consider mitigating factors, resulting in a non-expungable, permanent (barring a pardon) criminal conviction, with ongoing ramifications in many areas of a person's life, is cruel and degrading, thus unconstitutional. ■

Are blood draws under Illinois Implied Injury Consent Injury statutes unconstitutional?

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> guarded blood test is far outweighed by the value of its deterrent effect due to public realization that the issue of driving while under the influence of alcohol can often by this method be taken out of the confusion of conflicting contentions.

Id. at 439–40, 77 S.Ct. 412, 1 L.Ed.2d 453.

In *Schmerber v. California*, 384 U.S. 757, 770–71, 86 S.Ct. 1826, 1835-36, 16 L.Ed.2d 908, 919–20 (1966), there was a serious motor vehicle accident where the officer spent hours at the scene attending to the vehicle and the accident itself. The driver was thereafter taken straight to the hospital for a blood draw. The Supreme Court held that, under the facts, including the natural dissipation of alcohol in the bloodstream, a warrantless blood draw was justified following the lawful arrest of a person for the offense of driving while under the influence of alcohol.

Recently, in *Missouri v. McNeely*, 133 S.Ct. 1552 (U.S. Mo., 2013), the Supreme Court held that the Fourth Amendment's search warrant requirement prohibits warrantless nonconsensual blood testing in drunk-driving cases, unless there are exigent circumstances that would excuse the warrant requirement. It further clarified that, even where probable cause exists to believe the driver is under the influence, the natural elimination of alcohol in the bloodstream standing alone, is not a per se exigency. It stated that its opinion in *Schmerber v. California* never stated that mthe elimination of alcohol was a per se exigency. Instead, it held that the existence of exigent circumstances must be determined on a case by case analysis based upon the totality of the circumstances.

Illinois, however, has statutes that require a person to submit to a warrantless blood test, and require a police officer to obtain a warrantless blood test, in cases where there has been a fatality or serious personal injury accident.

625 ILCS 5/11-501.2(c)(2) states:

> Notwithstanding any ability to refuse under this Code to submit to these tests or any ability to revoke the implied consent to these tests, if a law enforcement officer has probable cause to believe that a motor vehicle driven by or in actual physical control of a person under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof has caused the death or personal injury to another, the law enforcement officer shall request, and that person shall submit, upon the request of a law enforcement officer, to a chemical test or tests of his or her blood, breath or urine for the purpose of determining the alcohol content thereof or the presence of any other drug or combination of both.

625 ILCS 5/11-501.6 states:

> § 11-501.6. Driver involvement in personal injury or fatal motor vehicle accident; chemical test.
>
> (a) Any person who drives or is in actual control of a motor vehicle upon the public highways of this State and who has been involved in a personal injury or fatal motor vehicle accident, shall be deemed to have given consent to a breath test using a portable device as approved by the Department of State Police or to a chemical test or tests of blood, breath, or urine for the purpose of determining the content of alcohol, other drug or drugs, or intoxicating compound or compounds of such person's blood if arrested as evidenced by the issuance of a Uniform Traffic Ticket for any violation of the Illinois Vehicle Code or a similar provision of a local ordinance, with the exception of equipment violations contained in Chapter 12 of this Code, or similar provisions of local ordinances. The test or tests shall be administered at the direction of the arresting officer. The law enforcement agency employing the officer shall designate which of the aforesaid tests shall be administered. A urine test may be administered even after a blood or breath test or both has been administered. Compliance with this Section does not relieve such person from the requirements

of Section 11-501.1 of this Code.

These statutes make no mention of a warrant, nor of exigent circumstances. They wrongly inform a driver that he has 'no choice' but to submit to a warrantless test, and wrongly instruct a police officer to obtain a sample in every such accident (with or without a warrant).

For consent to a search to be valid, the totality of the circumstances must indicate that it was voluntarily given and was not "the product of duress or coercion, express or implied[.]"*Schneckloth v. Bustamonte*, 412 U.S. 218, 227, 93 S.Ct. 2041, 2048, 36 L.Ed.2d 854 (1973). The voluntariness of a search based on consent is a factual question to be determined from the totality of all the circumstances. "Whether the accused knew that he possessed a right to refuse consent also is relevant to determining the voluntariness of the consent, although the State need not prove that defendant knew of the right to refuse consent to show that the consent was voluntary." *Schneckloth*, 412 U.S. 248 - 49, 93 S.Ct. 2059.

Therefore one must ask:

> Are test results obtained under these Illinois statutes violative of the Fourth Amendment prohibition against nonconsensual warrantless testing?

In a recent decision in Illinois, an appellate court was asked to decide whether 11-501.6, the personal injury testing statute, was facially unconstitutional under the 4th amendment in light of *McNeely*. But before discussing that opinion, a little more about the ramifications of *McNeely* nationwide might be in order.

To begin with, in *Missouri v. McNeely*, the blood test was administered pursuant to the Missouri implied consent law, yet suppression of the result was affirmed.

And many other states have, since *McNeely*, suppressed blood tests despite the fact that they were 'lawfully' taken under their state's implied consent laws.

For example in Arizona, their state supreme court suppressed a blood test result taken of a juvenile pursuant to implied consent. They held that a compelled blood draw, even when administered pursuant to Arizona's implied consent law, is a search subject to the Fourth Amendment's constraints. *State v. Butler*, 232 Ariz. 84, 87, 302 P.3d 609, 612 (Ariz.,2013).

In South Dakota, defendant Fierro was arrested for DUI. After making the arrest, the trooper, reading from a DUI advisement card, informed Fierro that she was required by law to give a sample of her blood. When Fierro specifically asked if she had to submit to a blood withdrawal, the trooper responded: "Yep, because state law says you have to." The Supreme Court of South Dakota suppressed the test result. To quote from its opinion:

> "The State contends that SDCL 32–23–10 (the South Dakota Implied Consent law) permits compelled, warrantless blood draws in every case. SDCL 32–23–10, by itself, does not provide an exception to the search warrant requirement in South Dakota and any argument to the contrary cannot be reconciled with the United States Supreme Court and this Court's Fourth Amendment warrant requirement jurisprudence. We have never held that SDCL 32–23–10, by itself, constitutes one of the "few specifically established and well-delineated exceptions" to the Fourth Amendment warrant requirement and decline to do so today. See *Mincey v. Arizona*, 437 U.S. 385, 390, 98 S.Ct. 2408, 2412, 57 L.Ed.2d 290 (1978) (quoting *Katz v. United States*, 389 U.S. 347, 357, 88 S.Ct. 507, 514, 19 L.Ed.2d 576 (1967)). Furthermore, our precedent is clear that the Legislature cannot enact a statute that would preempt a citizen's constitutional right, such as a citizen's Fourth Amendment right. See *Poppen v. Walker*, 520 N.W.2d 238, 242 (S.D.1994), superseded by constitutional amendment, November 8, 1994, amendment to S.D. Const. art. III, § 25, as recognized in *Brendtro v. Nelson*, 2006 S.D. 71, 720 N.W.2d 670 (providing that "[t]he legislature cannot define the scope of a constitutional provision by subsequent legislation"); *Rupert v. City of Rapid City*, 2013 S.D. 13, ¶ 43 n. 10, 827 N.W.2d 55, 71 n. 10 (stating "[a]s the Constitution is the 'mother law,' any statutory framework must conform to it and not vice versa") (quoting *Poppen*, 520 N.W.2d at 242). Without more, SDCL 32–23–10 is not an exception to the warrant requirement.
>
> The State has failed to provide this Court with an exception to the warrant requirement that permits the compelled, warrantless blood draw

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> that occurred in this case. Accordingly, this type of blood draw violates the warrant requirement of the Fourth Amendment of the federal constitution and Article VI, § 11 of our state constitution."

State v. Fierro, 853 N.W.2d 235, 243 (S.D.,2014).

In *Aviles v. State*, 385 S.W.3d 110 (Tex. App.2012), the Court of Appeals of Texas upheld the denial of a motion to suppress evidence of the blood specimen of a defendant charged with felony driving while intoxicated even though the blood sample was obtained without consent and without a warrant. The sole basis of the court's decision was that "[t]he Texas Transportation Code expands the State's ability to search and seize without a warrant, providing implied consent to obtain blood samples from persons suspected of driving while intoxicated, in certain circumstances, even without a search warrant." Id. at 115. The United States Supreme Court granted the defendant's petition for a writ of certiorari, and it vacated the judgment and remanded the case for further consideration in light of *McNeely*. *Aviles v. Texas*, ––– U.S. ––––, 134 S.Ct. 902, 187 L.Ed.2d 767 (2014). As one state supreme court noted "There is no logical reason for the Court's action [in *Aviles*] unless a majority concluded that Texas's implied consent statute did not justify a warrantless blood draw." *State v. Halseth,* 339 P.3d 368, 370, 2014 WL 6756312, 3 (Idaho) (Idaho,2014).

The Texas courts finally began suppression of blood draws under that statute, stating in *State v. Villarreal* 2014 WL 6734178, 21 (Tex.Crim.App.2014):

> "We hold that a nonconsensual search of a DWI suspect's blood conducted pursuant to the mandatory-blood-draw and implied-consent provisions in the Transportation Code, when undertaken in the absence of a warrant or any applicable exception to the warrant requirement, violates the Fourth Amendment. We affirm the judgment of the court of appeals suppressing the blood-test results on the basis of a Fourth Amendment violation."

In *State v. Halseth*, the Idaho Supreme Court held that their implied consent law did not justify a warrantless blood draw where the driver refused to consent. 339 P.3d 368, 2014 WL 6756312 (2014).

The Colorado Supreme Court also suppressed a blood draw taken from an unconscious driver under an implied consent provision that stated that a person has been deemed to have consented to a blood draw when unconscious or otherwise incapable of withdrawing consent. *People v. Schaufele,* 325 P.3d 1060 (2014). Illinois has the same language in its implied consent laws.

Illinois has twice before visited the issue of the constitutionality of implied consent testing under the 11-501.6 personal injury statute, but has never addressed 11-501.2(b)(2).

The first time the Illinois Supreme Court reviewed it, section 11–501.6 stated that an alcohol (or drug) test could be conducted if (1) an accident has occurred which resulted in death or personal injury, and (2) there was probable cause to believe that the driver to be tested was at least partially at fault for the accident. That version of the statute was declared unconstitutional because the probable cause element of section 11–501.6 related to a driver's fault for the accident, but did not require any grounds to suspect that a driver is under the influence of drugs or alcohol. *King v. Ryan,* 153 Ill.2d 449, 456-457, 607 N.E.2d 154, 15, 180 Ill.Dec. 260, 264 (Ill.,1992):

> "Although the statute promotes the laudable goal of public safety, this factor alone is not sufficient to justify a relaxing of the constitutional requirements in light of the clearly expressed criminal applications of the statute. Moreover, we believe the objective and subjective intrusions on the driver's reasonable expectation of privacy are significant."

King v. Ryan, 153 Ill.2d 449, 462, 607 N.E.2d 154, 161, 180 Ill.Dec. 260, 267 (Ill.,1992).

By the second time the Illinois Supreme Court reviewed 11-501.6, the legislature had amended the statute by: (1) deleting the requirement that chemical testing be premised upon a driver's fault in causing an accident; (2) deleting the provision that chemical test results could be used in civil and criminal proceedings; (3) adding a requirement that chemical testing be premised upon the issuance of a Uniform Traffic Ticket for a non-equipment traffic offense; and (4) defining with more particularity the types of "personal injury" that trigger the chemical testing provision. However, the legislature did not alter two components in the statute. First, the legislature retained the implied-consent provision of the predecessor statute. Second, the legislature did not require an individualized suspicion of chemical impairment before subjecting a driver to chemical testing.

In a 4-3 decision, the Illinois upheld the statute under the 'special needs' exception to the Fourth Amendment. "Illinois has a special need to suspend the licenses of chemically impaired drivers and to deter others from driving while chemically impaired. This specialized need goes beyond the need for normal law enforcement. Thus, a search may be reasonable absent individualized suspicion if a chemical test is nonintrusive or a driver's expectation of privacy has been reduced." *Fink v. Ryan*, 174 Ill.2d 302, 308-309, 673 N.E.2d 281, 28, 220 Ill.Dec. 369, 373 (Ill.,1996) (citations omitted).

The Illinois Supreme Court finding of 'special needs' does not stand on firm ground given other U.S. Supreme Court rulings besides *McNeely*. In delineating the use of this exception, the United States Supreme Court has explained that it *only* applies "when special needs beyond the normal need for law enforcement, make the warrant and probable-cause requirement impracticable." Skinner, 489 U.S. at 619, 109 S.Ct. at 1414 (citation omitted) (emphasis added). See, e.g., *Ferguson v. City of Charleston*, 532 U.S. 67, 82–83, 121 S.Ct. 1281, 1291–92, 149 L.Ed.2d 205 (2001) (invalidating nonconsensual testing of pregnant women for illicit drug use because "the immediate objective of the searches was to generate evidence for law enforcement purposes").

And other state supreme courts have rejected the attempt to argue the special needs exception post-*McNeely*:

> "We disagree with the State's argument that the seizure of Fierro's blood falls under this exception to the warrant requirement. The primary purpose of the warrantless seizure of Fierro's blood was evidentiary and prosecutorial. *Peterson v. State*, 261 N.W.2d 405, 408 (S.D.1977) (stating that in addition to "a fair, efficient and accurate system of detection and prevention of drunken driving ... [t]he immediate purpose of ... the implied consent law is to obtain the best evidence of blood and alcohol content at the time of the arrest of a person reasonably believed to be driving while intoxicated") (citation omitted). The State also concedes this point in its brief: "The immediate pur-

> pose of the implied consent statute is to obtain the best evidence of blood alcohol content at the time a person reasonably believed to be driving while intoxicated is arrested." Therefore, based on this set of facts, there are no " 'special needs' beyond normal law enforcement that may justify departure[ ] from the usual warrant and probable-cause requirements." Skinner, 489 U.S. at 620, 109 S.Ct. at 1415 (citation omitted)."

State v. Fierro, 853 N.W.2d 235, 243 (S.D.,2014).

Given that *McNeely* held that a warrant and probable cause were required even in the face of an implied consent statute that suggested otherwise, the claim in *Fink* that the mandatory testing statute is valid because "the warrant and probable-cause requirement[s] [are] impracticable" seems unsupportable.

The 'special needs' basis for originally upholding 11-501.6 (as stated in *Fink*) is of questionable continuing validity. A statute that informs a driver that they *shall* consent to a warrantless blood draw seems contrary to present fourth amendment jurisprudence under the strictures of *McNeely* regarding free and volitional consent. The lack of any mention of a warrant or exigent circumstances, before directing an officer to draw blood, appears to also be a structural defect in the Illinois statute(s).

So, what did the appellate court decide regarding the constitutionality of Illinois' mandatory testing personal injury statute in *Hasselbring*? Their finding is repeated herein:

> "As such, we disagree with defendant's argument McNeely "calls into question 'implied consent' laws throughout the nation and has effectively overturned those that require no probable cause of impairment to administer chemical testing such as 625 ILCS 11–501.6." Moreover, as stated, a statute is only facially unconstitutional if it can never be constitutionally applied. See *Davis*, 2014 IL 115595, ¶ 25, 379 Ill.Dec. 381, 6 N.E.3d 709. Section 11–501.6 does not create a per se exception to the fourth amendment's warrant requirement. An individual in defendant's position can withdraw his consent and refuse the officer's request to provide a blood sample. In this case, defendant chose to consent to provide a blood sample at the officer's request. "A well-settled, specific exception to the fourth amendment's warrant requirement is a search conducted pursuant to consent." *People v. Pitman*, 211 Ill.2d 502, 523, 286 Ill. Dec. 36, 813 N.E.2d 93, 107 (2004) (citing *Schneckloth v. Bustamonte*, 412 U.S. 218, 219, 93 S.Ct. 2041, 36 L.Ed.2d 854 (1973))."

People v. Hasselbring, 21 N.E.3d 762, 772, 386 Ill.Dec. 843, 853 (Ill.App. 4 Dist., 2014).

The U.S. Supreme Court has cautioned against permutations by each state supreme court that would apply federal constitutional law in a way that "would change the uniform 'law of the land' into a crazy quilt." *Kansas v. Marsh*, 548 U.S. 163, 185, 126 S.Ct. 2516, 165 L.Ed.2d 429 (2006) (Scalia, J., concurring).

Of further interest above is the test for constitutionality that was applied in *Hasselbring*: "A statute is facially unconstitutional only if there are no circumstances in which the statute could be validly applied. [Citations.] The fact that the statute could be found unconstitutional under some set of circumstances does not establish the facial invalidity of the statute. [Citation.] Thus, a facial challenge must fail if any situation exists where the statute could be validly applied." [citation]" Under this approach, virtually every statute would be upheld; even the statute in *King* that was declared unconstitutional would now have to be upheld, since it was capable of being validly applied at least some of the time.

This test for facial constitutionality has been roundly criticized by many, as it virtually prohibits *any* statute with a structural or procedural defect from being declared facially invalid. As Justice Karmeier wrote in his special concurrence in *One 998 GMC*:

> "My colleagues are not the first to blur the distinction between "as applied" and facial challenges. While the two doctrines are simple enough to state, their application has been vexing. When and how litigants should be permitted to challenge statutes as facially invalid rather than merely invalid "as applied" is a hotly debated topic both within the United States Supreme Court and among legal scholars. Richard H. Fallon, Jr., Fact and Fiction about Facial Challenges, 99 Calif. L. Rev. 915, 917 (2011); Richard H. Fallon, Jr., As– Applied and Facial Challenges and Third–Party Standing, 113 Harv. L. Rev. 1321 (2000); see Michael C. Dorf, Facial Challenges to State and Federal Statutes, 46 Stan. L. Rev. 235 (1994); Alex Kreit, Making Sense of Facial and As–Applied Challenges, 18 Wm. & Mary Bill Rts. J. 657 (2010).
>
> "The difficulty may lie in the doctrine itself. One commentator has charged that "categorizing constitutional cases into 'facial' and 'as-applied' challenges, and relying on these categories to shape doctrine and inform case outcomes, is an inherently flawed and fundamentally incoherent undertaking." *Kreit*, supra, at 659. Another has lamented that the "distinction between as-applied and facial challenges may confuse more than it illuminates" and argued that the distinction between facial and as-applied challenges should be eliminated altogether. *Dorf*, supra, at 294. But if the doctrine is to be abandoned, that determination should be made by the United States Supreme Court, which created it. For now, the Court continues to observe the doctrine, and because we follow its precedent when construing the due process clause of our own constitution, it is appropriate that we continue to observe the doctrine as well.
>
> "Fortunately, the analytical problems may not be as daunting as the doctrine's detractors may believe. A persuasive argument has been made that in situations not involving overbreadth, a facial challenge is properly understood to be one where a litigant asserts that a constitutional defect inheres in the terms of the statute itself, independent of the statute's application to particular cases. Marc E. Isserles, Overcoming Overbreadth: Facial Challenges and the Valid Rule Requirement, 48 Am. U. L. Rev. 359, 363–64 (1998). Such challenges have been termed "valid rule" facial challenges in order to distinguish them from the familiar "overbreadth" facial challenges common in first amendment cases.
>
> "Unlike an overbreadth challenge, which predicates invalidity on some aggregate number of potentially unconstitutional applications of an otherwise valid rule, a "valid rule" facial

challenge is premised on the notion that because of something a statute contains or fails to include, it can never pass constitutional muster. The inclusion of an offending provision or the omission of a provision which constitutional principles require is an inherent and inescapable flaw which renders the law invalid no matter what the circumstances. *Isserles*, supra, at 387.

"When the doctrine is viewed in this way, it becomes evident that when the United States Supreme Court spoke in *United States v. Salerno*, 481 U.S. 739, 107 S.Ct. 2095, 95 L.Ed.2d 697 (1987), of a statute being unconstitutional on its face when no set of circumstances exists under which it would be valid, it was not prescribing an application-specific method of determining the law's validity, an approach which would be entirely appropriate in an overbreadth challenge. Rather, it was explaining why the statute was invalidated in the first place, namely, because some underlying constitutional doctrine rendered the statutory terms incapable of any constitutional applications. *Isserles*, supra, at 401.

"This is certainly how the circuit court in this case understood facial challenges to work. In considering the claimants' procedural due process challenges, it focused on constitutional deficiencies inherent in the statutory scheme itself, as the United States Supreme Court had in *Mathews v. Eldridge*, 424 U.S. 319, 96 S.Ct. 893, 47 L.Ed.2d 18, and the United States Court of Appeals, Second Circuit, had in *Krimstock v. Kelly*, 306 F.3d 40. The particular circumstances of the specific claimants whose vehicles are subject to forfeiture in these proceedings played no role in the court's determination that the challenged statutory provisions did not comport with procedural due process requirements."

People v. One 1998 GMC, 960 N.E.2d 1071, 1096-1098, 355 Ill.Dec. 900, 925 - 927 (Ill.,2011).

In summary, there are many issues that will be raised regarding cases that fall under the auspices of the mandatory testing personal injury statutes in Illinois for many years ahead. ■

Upcoming CLE programs

To register, go to www.isba.org/cle or call the ISBA registrar at 800-252-8908 or 217-525-1760.

June

6/1/15 – 6/5/15 – Non CLE Co-sponsored event (DNP)—Settlement (Mediation) Week. Sponsored by the Illinois Chapter of the Association of Attorney Mediators, co-sponsored by the ISBA ADR Section.

Tuesday, 6/2/15- Teleseminar—Options in Real Estate Transactions- Buying Time to Decide & Wait and See. Presented by the ISBA. 12-1.

Wednesday, 6/3/15, Live Webcast—Hot Topics in Insurance Coverage – 2015. Presented by the ISBA Insurance Law Section. 9:00 – 11:15.

Wednesday, 6/3/15 – Live Webcast—Sexual Harassment Claims: Key Topics for Initial Client Interview. Presented by the ISBA Labor & Employment Section. 12:00 Noon – 1:30.

Wednesday, 6/3/15 – Live Webcast—Cameras in the Courtroom. Presented by the ISBA Standing Committee on Government Lawyers. 3:00 – 5:00 pm.

Thursday, 6/4/15- Chicago, ISBA Chicago Regional Office—Marty Latz Negotiation Program. Master Series presented by the ISBA. All Day.

Thursday, 6/4/15- Live Webcast—Marty Latz Negotiation Program. Master Series presented by the ISBA. All Day.

Friday, 6/5/15 – Chicago, ISBA Regional Office—6th Annual Animal Law Conference. Presented by the ISBA Standing Committee on Animal Law. All Day.

Friday, 6/5/15 – Live Webcast—6th Annual Animal Law Conference. Presented by the ISBA Standing Committee on Animal Law. All Day.

Monday, 6/8/15- Teleseminar (live replay)—Employees, Social Media, Smartphones, Tablets: Legal Issues for Employers. Presented by the ISBA. 12-1.

Tuesday, 6/9/15- Teleseminar—2015 Ethics in Litigation Update, Part 1. Presented by the ISBA. 12-1.

Wednesday, 6/10/15- Teleseminar—2015 Ethics in Litigation Update, Part 2. Presented by the ISBA. 12-1.

Wednesday, 6/10/15 - Live Webinar—The Lawyer's Pen as Mighty Client-Finder: Writing for Business Development. Presented by the ISBA Standing Committee on Law Office Management and Economics. Noon – 1:00 pm.

Wednesday, 6/10/15- Live Webcast—Service Animals: Rights Under the Fair Housing Act and in Employment. Presented by the ISBA Standing Committee for Disability Law. 9-10 am.

Thursday, 6/11/15- Teleseminar—2015 Estate Planning Update. Presented by the ISBA. 12-1.

Thursday, 6/11/15 – Chicago, ISBA Regional Office—Modern Wordprocessing, Document Assembly and Electronic Storage. Presented by the ISBA Standing Committee on Legal Technology. 1:00 – 5:15 pm.

Thursday, 6/11/15 – Live Webcast—Modern Wordprocessing, Document Assembly and Electronic Storage. Presented by the ISBA Standing Committee on Legal Technology. 1:00 – 5:15 pm.

Friday, 6/12/15 - Chicago, ISBA Chicago Regional Office—Injunctions, Declaratory Judgments, Receiverships and Other Equitable Proceedings; Identifying, Pleading and Proving Equitable Causes of Action Beyond Foreclosure. Presented by the ISBA Commercial Banking & Bankruptcy Section. All Day.

Friday, 6/12/15 – Live Webcast—Injunctions, Declaratory Judgments, Receiverships and Other Equitable Proceedings; Identifying, Pleading and Proving Equitable Causes of Action Beyond Foreclosure. Presented by the ISBA Commercial Banking & Bankruptcy Section. All Day.

Monday, 6/15/15- Teleseminar (live replay)—Estate Planning for Digital Assets. Presented by the ISBA. 12-1.

Tuesday, 6/16/15- Teleseminar—Drafting LLC/Partnership Operating Agreements, Part 1. Presented by the ISBA. 12-1.

Wednesday, 6/17/15- Teleseminar—Drafting LLC/Partnership Operating Agreements, Part 2. Presented by the ISBA. 12-1.

Friday, 6/19/15 – Lake Geneva, WI, Grand Geneva (during Annual Meeting)—Legal Writing: Improve your Ultimate Work Product. Morning. Presented by the Illinois State Bar Association.

Friday, 6/19/15 – Lake Geneva, WI, Grand Geneva (during Annual Meeting)—Ethics and Professionalism through the Lens of Literature - 2015. Presented by the Illinois State Bar Association. Afternoon Sessions.

Saturday, 6/20/15 – Lake Geneva, WI, Grand Geneva (during Annual Meeting)—CLE Coordinator Training for New Coordinators (DNP – Invitation Only). 8:00 – 9:30.

Monday, 6/22/15- Teleseminar (live replay)—Ethics and Confidentiality: What Is, What Isn't, and What Can Be Shared? Presented by the ISBA. 12-1.

Tuesday, 6/23/15- Teleseminar—Estate Planning for the Elderly, Part 1. Presented by the ISBA. 12-1.

Wednesday, 6/24/15- Teleseminar—Estate Planning for the Elderly, Part 2. Presented by the ISBA. 12-1.

Wednesday, 6/24/15 – Chicago, ISBA Chicago Regional Office—Anatomy of a Building Code Violation Administrative Hearing: From Inspection to Judgment. Presented by the ISBA Administrative Law Section. 11:30 am- 1:15 pm.

Wednesday, 6/24/15 – Chicago, ISBA Chicago Regional Office—Welcome to the Jungle: LLC Members and Their Rights and Interests in Bankruptcy – A Primer for the Business Counselor. Presented by the ISBA Business & Securities Law Section. 2:00 – 4:30 pm. ■

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