YLD News

The newsletter of the Illinois State Bar Association's Young Lawyers Division

Exploring the viability of expanding 711 licenses to law students working for private law firms

BY MARIE K. SARANTAKIS

While externs, interns, and law clerks are traditionally thought of as conducting tedious menial assignments, such as taking coffee orders and making copies, today's

law students are performing fairly
high-level work in their field. Many
burgeoning lawyers are engaging in
sophisticated tasks that entail legal
Continued on page 5

Exploring the viability of expanding 711 licenses to law students working for private law firms

•

10 steps to curate a professional image online

1

CLAIM! A voice for the voiceless, opportunities to help women in need 2

Great Springfield-area volunteer opportunity on October 9

4

Lawyers: Don't forget the importance of being 'present'

Communication etiquette as a young lawyer—Responsiveness

Practical advice for new lawyers

YLD's Day at the Races

10 steps to curate a professional image online

BY COREY VARMA

"Think about what people are doing on Facebook today. They're keeping up with their friends and family, but they're also building an image and identity for themselves, which in a sense is their brand."

- Mark Zuckerberg

In today's world, your online search results are the first stop for future employers, clients, and adversaries. Therefore, it's vitally important for young professionals, like us, to curate a professional image online. Here are some helpful steps to help curate your search results:

Continued on page 4

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CLAIM! A voice for the voiceless, opportunities to help women in need

BY JOHN BATHKE

At first glance, Logan Correctional Center in Lincoln, Illinois is an eerie mixture of barbed wire and brick. Contained within the walls of this multi-security prison, however, are the living quarters of approximately 1,950 incarcerated women. Isolated from the outside world, these women are voiceless and vulnerable. These women often have limited access to the justice system and are often unable to enforce their legal rights, specifically, their right to establish and maintain a relationship with their children. Luckily, the program Chicago Legal Aid for Incarcerated Mothers ("CLAIM") gives these women a voice.

CLAIM is a program of Cabrini Green Legal Aid, www.cgla.net, and located at 740 N. Milwaukee, Chicago, Illinois 60642. CLAIM offers family law legal services to incarcerated mothers, formerly incarcerated mothers, and caregivers of children whose parents are incarcerated. Staff and volunteers with CLAIM assist incarcerated women in several facilities throughout Illinois: Cook County Jail, Decatur Correctional Center, Logan Correctional Center, Dwight Correctional Center, Fox Valley Work Release Center, and Metropolitan Correctional Center in Chicago. CLAIM staff and volunteers consult with these incarcerated women, assist them with the drafting of necessary pleadings, and often appear in court on their behalf in 70 different counties in Illinois.

When I first started working as an attorney, I was appointed by the circuit court to represent an incarcerated woman in family law related civil proceedings. That is when I first discovered CLAIM. You see, CLAIM drafted the very pleadings that resulted in my appointment.

From that day forward, I decided to volunteer with CLAIM. My first volunteer experience was at Logan Correctional Facility. I had no idea what to expect. As I drove from my law office in Peoria, Illinois to the steps of Logan, I thought to myself, "what help could I possibly provide these women." I was a little nervous. To my relief, I was greeted by friendly and grateful faces. CLAIM staff and volunteers are dedicated and loving people. The incarcerated women I worked with were not only very appreciative of my time but truly thankful for the services CLAIM provides. These women had no one else to turn to. It is as if they had been forgotten by the outside world.

During my first visit to Logan, CLAIM provided a family law class to a room filled with incarcerated women. Afterwards, CLAIM staff and volunteers met with individual women and assisted them with their specific family law issues. The hallways were filled with those who were desperate for help.

My volunteer experiences with CLAIM have been both rewarding and educational. I encourage other attorneys to become involved as well. For the energetic lawyer anxious to make a difference, CLAIM offers many opportunities to volunteer. For those interested in assisting in the Cook County area, please contact the email address volunteer@cgla.net. For those outside of the Cook County area, your help is also desperately needed. Please contact Alexis Mansfield at alexismansfield@cgla.net.

With the help of pro bono legal volunteers like you, these women can have a voice.

YLD News

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1. Google yourself

Before you begin, you should see what you're dealing with. If you haven't already Googled yourself, you probably should. Check out other search engine results too, because they'll likely be different. This should give you an idea of how to proceed through the next few steps.

2. Delete unprofessional material

Look through your search results to identify material that should be deleted. Take advantage of privacy policies that allow you to request that material be deleted.

This is also a good time to scroll through your social media posts to identify questionable material you might want to delete. If you're tagged in anything questionable and you can't delete the post yourself, send a message to the post's owner and politely ask them to delete the material.

3. Check your social media privacy settings

Your social media privacy settings are the gatekeeper to your social media presence. And consequently, your online presence as a whole. Take some time to review your settings on all your social media accounts. If necessary, limit visibility to your profile to existing connections. Do this once every few months because these privacy settings and

options are constantly changing and being updated.

4. Add connections wisely

Don't add people you don't know. If you don't know the person that you're trying to add (or the person trying to add you), there's probably no reason to be connected on social media.

5. Professional headshots

That mirror picture or selfie is not flattering. Trust me, get professional headshots.

6. No one cares about your Outfit Of The Day (OOTD)

While we're on the topic of mirror pictures and selfies, no one cares about your Outfit Of The Day (OOTD). When you post an OOTD, you're projecting an immature and vain image of yourself – not to mention unflattering. Let's keep it professional.

7. Get published in a law review or journal

Easier said than done. I get that. But getting published is one of the best ways to get noticed in the legal community. If you don't have the time or motivation to do the formal law review process while in law school, there are ways to get published on your own. Services like ExpressO make it

easy to submit your manuscript to many law reviews at once.

8. Start a blawg

If you're not inclined to write a full-scale law review article, start a "blawg." A blawg, like a blog, is a platform that allows you to self publish your ideas. Tools like Wordpress make it really easy to get up and running.

9. Check your spelling and grammar

The easiest way to lose credibility in the legal community is to have poor spelling and grammar. I can't emphasize this enough. And don't just rely on Word's built-in tools. Many times, Word will miss glaring spelling and grammar issues.

10. Keep politically charged and controversial rants to a minimum

Finally, try and keep your politically motivated rants to a minimum. There's a good chance you'll offend people, and possibly scare away prospective clients. If you must, use a pseudonym.

Hopefully these ten steps help you maintain a professional online image.

Remember, like Mark Zuckerberg said, your online image is your "brand." Keeping your brand professional will help you maintain a successful career as a young lawyer.

Great Springfield-area volunteer opportunity on October 9

BY GEORGE L. SCHOENBECK

The Senior Lawyers Section Council of the Illinois State Bar Association is hosting a CLE event titled "Computer Basics 2015: Is This Thing On?" on October 9, 2015 from 8:30 a.m. to 12:15 p.m. at Lincoln Land Community College, 5052 Shepherd Road, Springfield, IL (Logan Hall, Room 1138). The Senior Lawyers Section is looking for younger lawyers to volunteer at the event to provide one-on-one assistance to the event's attendees. Most of the assistance will concern basic computer principles. No in-depth knowledge of any particular programs or operating systems is required. This is a great opportunity to meet some of the senior members of our profession and demonstrate your proficiency with technology to them. Interested volunteers should contact Don Mateer at mateerdon@gmail.com.

4

reasoning and decision-making under the supervision of a licensed attorney. Illinois Supreme Court Rule 711 is a mechanism that enables them to do so.

Illinois Supreme Court Rule 711 allows law students in good academic standing, who have earned at least half of their total juris doctorate credits, to seek certification from the Dean of their respective law school, to be able to perform certain tasks traditionally reserved to an attorney. For example, eligible students may counsel, advise, and negotiate on behalf of clients. They may even represent clients in mediation proceedings. Furthermore, licensees can appear in court and administrative hearings subject to certain limitations.

Under subsection (b) of the rule, only law students working under the supervision of a legal aid organization, office of the public defender, or law office of the State can obtain a 711 limited law license. Noticeably excluded from this list are private law firms. This begs the question, why are students externing for private practitioners precluded from performing similar work?

This query was raised by our 139th ISBA President, Umberto S. Davi. When President Davi assumed office this June, he announced that one of his initiatives this bar year would be to explore the expansion of 711 licenses to qualified law students working for private firms, so that a greater number of students could gain practical experience by being able to work more directly with clients and appear in court.

In furtherance of his initiative, President Davi formed the ISBA Special Committee on Rule 711 ("the Committee"). The exploratory Committee is chaired by the Honorable Michael J. Chmiel. Judge Chmiel has served on the bench for ten years and is the 2015 recipient of the ISBA's Board of Governor's Award in recognition of his exemplary contributions to the ISBA and legal profession at large. Judge Chmiel's leadership, and his devotion to improving the profession and enhancing legal education, will assist the Committee in the year ahead.

Under Judge Chmiel's direction, the



Members of the ISBA Rule 711 Committee: (Front row, from left): Michelle Dahlquist, ISBA President Umberto S. Davi and Jessica Durkin; (back row, from left): Bailey E. Cunningham (Assistant Counsel to the ISBA)Marie K. Sarantakis, Ryan Henderson, Committee Chair Judge Michael J. Chmiel, Robert Park, Eva Tameling, Theresa Ceko and Committee Vice-Chair Kelly E. Gordon. (Not pictured): Michael Bergmann and Christina Cullom. The Committee is exploring the expansion of the 711 license to private law firms.

Committee gathered for its first meeting at the ISBA's Chicago Regional Office on August 27, 2015. President Davi was in attendance welcoming members, answering questions, and providing direction to the group moving forward. During the meeting, the Committee reviewed the rule-making process of the Illinois Supreme Court, discussed the current 711 licensure processes, and formulated a six-month plan moving forward.

Part of that plan included soliciting feedback from other ISBA leaders. Kelli E. Gorden, Vice-Chair of the Committee, drafted a memorandum that has been circulated amongst the various substantive ISBA Section Councils for review and commentary. The Chair of each Section will synthesize Council Members' positions and concerns in order to report back to the Committee. During their next meeting, the 13-member Committee will review the summations of each Section Council and Committee, and develop a strategy to address the rule.

As with any initiative, there are many variables and unknowns, and part of the work of the Committee is to anticipate and address such concerns. While it is premature to know whether the notion of expanding 711 licenses to law students who are working for private practitioners is practicable, the response thus far has been



Committee Chair Judge Michael J. Chmiel and ISBA President Umberto S. Davi met on August 27, 2015 for the first ISBA Rule 711 Committee meeting at the Chicago Regional Office.

overwhelming receptive. It is the work of the Committee to flush out the viability of this initiative implemented by ISBA President Davi and to report back to the ISBA leaders and members-at-large with their findings and proposals in the months to come. Stay tuned to the ISBA website and our YLD Newsletter for updates on the Committee's progress.

Marie K. Sarantakis is a third-year law student at The John Marshall Law School. She serves as an Editor for the ISBA YLD Newsletter, Section Council Member of the ISBA Family Law Council, and is assigned to the ISBA Special Committee on Rule 711. Questions and comments can be directed to Ms. Sarantakis at msarant@law.jmls.edu.

Lawyers: Don't forget the importance of being 'present'

BY LYNDSAY MARKLEY

I attended the National Trial Lawyers Summit in Miami early this year. As an attorney who started up my solo practice less than a year ago, handling a case load that needs more attention than a three-year-old roaming around a Chihuly exhibit—my decision to attend is not one I took lightly.

After ten months of allocating my time to 95% work and 5% everything else (including shoveling down the occasional meal), going to a professional conference seemed self-indulgent and unnecessarily taxing on my already constrained time, overwhelmed brain and taxed emotions.

Thankfully I shrugged off those concerns and it was one of the best decisions of my career. Sure, I went with the intention of ditching some of the conference and hitting the beach (I am only human!), but I found myself glued to my seat for speaker-after-speaker, completely enthralled in the variety of topics and degree of depth that each individual brought to the platform.

Listening to the all-star line-up of trial attorneys left me feeling like a 13-year-old at a One Doubt concert: Howard Nations, Mark O'Mara (of "George Zimmerman defense attorney" national fame), Mark Lanier, Michael Berg and trucking wunderkind, Dan Ramsdell (a man whose personal story is as moving as any of his cases) just to name a few.

Each speaker shared their own unique experiences, stories that have made them household names in the legal community (and likely the bull's-eye of many a corporation's office dart boards). From jury voir dire through closing arguments to running your law practice like a "real" business, the panelists covered an array of pertinent topics. Although all of the speakers were veterans in the court room, each approach was fresh and new—clearly

their commitment to continuing their education of the law and 'cross-training' (as Howard Nation calls it) into others areas, including psychology and the art of story-telling—an essential skill for someone who wants to convey their client's story to twelve strangers.

In addition to great legal minds, the conference boasted some unexpected topics from non-lawyers. For instance, one of my favorite non-attorney speakers was Samy Chong, who spoke to us (and, it felt like, directly to me) about the importance of 'presence' in our practice and in our lives. In a culture that looks down on 'downtime,' it can be hard to justify your need to clear your head and take care of yourself. As if you are less of an attorney for needing to focus. Mr. Chong's words reassured us all that meditation and focus results in great ideas and a happier, more productive life—not 'wasted time'.

Many of the speakers agreed that presence, self-exploration, defining oneself and setting work boundaries is mandatory to professional success and overall happiness. Interestingly, a professional conference—for trial attorneys, nonetheless!—was encouraging. It reaffirmed my own journey of self-awareness and reflection—not just as a lawyer, but as a human-being.

As the minutes and hours passed, I realized that for the first time in 10 months, I wasn't frantically checking my emails or worrying about my to-do list. Instead, I found myself truly listening and reconnecting to what drew me to my work as a trial attorney for plaintiff's in the first place: my desire to help people by serving as their advocate when they are truly in need. That is why I do, what I do- so I can stand up to Goliath and give a voice to the "Davids" of the world that have been wrong and cannot use their voice. I want to

accomplish social change one life at a time by holding corporations and individuals who harm others accountable for their actions.

This reminder of what success looks like to me—executing societal change— was a breath of fresh air. Due to the intensity of the past few months (starting up my own law firm), I was so focused on each individual dot on the canvas that I could never see the full Monet. It is much easier to wake up every morning and get into the trenches of the law when you are focused on your end goal: not another motion to compel, but ultimately taking the defendant into the court room and holding them publicly accountable for the injuries to your clients.

Since I left Summit, I re-read my Gerry Spence library, sought out new tomes on psychology and story-telling and enjoyed more quiet moments for reflection or spontaneous realization. And, guess what? Although these actions have not moved my cases forward on paper, they moved them forward in my mind—creating the entire trial from voir dire to closing, in a way that makes the steps I have to take to get there, not only bearable but enjoyable.

Chicago-based attorney Lyndsay Markley (www.lmarkleylaw.com and Twitter: https://
twitter.com/lyndsaymarkley) has dedicated her legal practice to fighting on behalf of persons who suffered injuries or death as the result of the wrongful or careless conduct of others. Lyndsay set up her own law practice in February 2014 and previous to this, was an equity shareholder at another established Chicago law firm. Her 2015 accolades include 10 Best Under 40 status from the American Institute of Personal Injury Attorneys, Premier 100 Trial Attorney status from the American Academy of Trial Attorneys and Illinois' Rising Star status from Super Lawyers.

Communication etiquette as a young lawyer—Responsiveness

BY VINCENT A. OPPEDISANO

Since law school we have been trained to speak and act in a way that will persuade others to do what we want them to do. We want the judge or jury to find for our client. We want opposing counsel to cooperate with us in moving a case. We want our clients to work with us in accomplishing our mutual goals. Maybe we want to get hired by a client in the first place. Sometimes the vehicle we use to respond, or the amount of time we take to do so, can be as important as what we actually say. Developing a good sense of how to best reply to different communications will help you in your practice in a number of ways. Here are a few rules and general guidelines that should help.

Don't Respond to a Phone Call by E-Mail (or another less personal form of communication)

How would you feel if you left a voicemail for a lawyer and they e-mailed you back? You would probably wonder whether your call was important. If you had a difficult question for the lawyer and they answered you through a text message, you might question their professionalism or whether they even know how to address your question. A client might send 200 text messages a day, but chances are they will expect a heightened level of professionalism from their lawyer. Don't let anyone question you. Give them your time and full attention. Give them a call. Have a real conversation.

There are exceptions to the rule. If you receive a voicemail on your iPhone while you're out of the office and you'd like to respond immediately but you're on a crowded bus, maybe you can send a quick e-mail to briefly address your client's questions or concerns. Absent special circumstances, though, we should always give the other person the professional courtesy of calling them back over the

phone.

Always Respond as Soon as You Reasonably Can

I try to respond to all communications as soon as possible, preferably within a few hours, even e-mails. If more than 24 hours pass without a response, many people will begin to wonder whether you received their message, or whether their message is important to you at all. Too many unanswered messages can quickly build your reputation as a flaky non-responder.

If You Won't Be Available, Let Them Know

My practice allows me to be available to communicate with clients most of the time. Maybe you're in court all day and only available over the phone for two hours in the afternoon. That's okay, but let everyone know that. Make sure your receptionist knows you have court in the morning and a lunch meeting with a client. Record a custom voicemail greeting that tells callers their call is important to you, informs them of the exact times you will be unavailable, and lets them know you will respond as soon as you can. Draft an away message on your e-mail account. The one day you forget to do this could be the day you ruin your reputation with a judge or lose out on a potential new client.

If You're Waiting for Something to Happen Before You Can Give an Answer, Let Them Know

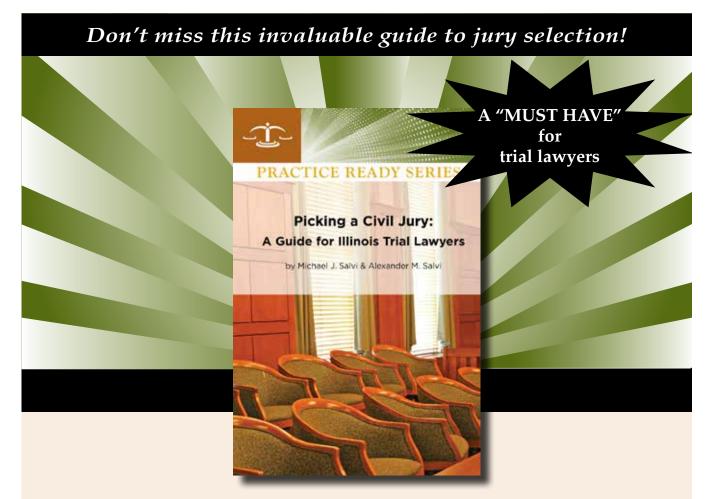
A client sends you an e-mail asking how to best draft a non-compete clause in an employment contract. It's a complicated issue you haven't come across before and you want to run the question by a partner before answering, but the partner won't be back in the office until tomorrow afternoon. Thank the client for his e-mail. Tell him you're going to review the issue

with a partner and get back to him tomorrow afternoon. He will appreciate your acknowledgement and know that you're on top of it.

The Golden Rule of Communication

This is usually pretty simple. Ask yourself how you would want to be treated. Would you be irritated if you left a message for your lawyer asking for a status of your case and he took four days to get back to you? If you were paying your lawyer by the hour to defend you and she sent you a three-sentence e-mail from her smartphone with two typos, might you question her competency? If you tried contacting your attorney several times and could only get through to an assistant, would you feel like you're receiving the service you deserve?

You get the idea. Sometimes we can be so overwhelmed trying to accomplish everything we need to in our workday that we can let the smaller details go unattended. The digital age of distractions has made it easier than ever to let our attention wander to the unimportant. No matter what mode of communication we use to contact our clients, other lawyers, and colleagues, at the end of the day we're all just people who want to be ensured our needs are being taken care of. In the legal arena, almost everyone we deal with in the course of the day is trying to solve a problem or avoid a problem. Consistently showing everyone you encounter that you are working to address their problems will go a long way towards establishing a solid professional reputation as a young attorney.



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Practical advice for new lawyers

BY KYLE STEVENS

The first year of the practice of law is an exciting and challenging time; the application of knowledge and thought processes honed through years of schooling. Unfortunately, some of the most important knowledge necessary for the practice of law must be learned not through books and lecture, but rather through trial and error. For those just entering the practice of law the following are four (4) guidelines I wish I had known when I was first admitted.

Find A Mentor

Let's face it, up to this point you have learned how to be a very good law student. You have sat through hour upon hour of lecture. You have written memoranda and case briefs until their form has become second nature. You have met every challenge put before you by academia. Yet now you find yourself in a very different setting; no longer in the theoretical of the classroom, but rather in the office where the consequences of your judgment have very real results for your client.

Whether you are practicing in large urban areas or sparse rural locales, having a mentor will prove invaluable. Helpful mentors can easily be found through state or local bar associations (such as ISBA's Lawyer-to-Lawyer Mentoring Program), firm administered programs, or through relationships built through clerk and internship opportunities. Regardless of how you find your mentor, make productive use of them. Talk to them about the highs and lows of your new career; ask them how they have dealt with the challenges you now face.

During that first year, a mentor can help navigate the sometimes intimidating social and professional issues encountered in the practice of law. Mentors can help you develop and establish habits and practices that will help you along in establishing a healthy, successful career. If you haven't taken the step to find these great

resources, you will be placing yourself at a disadvantage to those that have.

Find a Work/Life Balance

Without finding a work/life balance appropriate for you, you will find yourself speeding down a dangerous path towards unmanageable stressors, fatigue, and burnout. Your anxiousness to begin your long sought after career is justifiable; but it is a unsurmountable feat to build a successful personal and professional life without striking a balance between the two. Learning the differences between important and urgent, productive work and endless flailing, and between simply busy or altogether overburdened can prove more difficult than many of us wish to admit. This is especially true during your first few months of finding who you are as an attorney.

The accolades and acknowledgements that come from having a strong work ethic, successful assignment completion, or a well prepared case may serve to move your career forward, but these gains will be short-lived if they come at the price of what you deem to be a happy and well-balanced life. While the demands and nature of the profession dictate sacrifices be made, well advised is the young lawyer that learns early on the importance of happiness in both their personal and professional lives, and that the two are not mutually exclusive. Take time for you, whether it be hiking, dancing, etc.

Embrace Your Mistakes

No matter how hard we may try, none of us can be right 100% of the time. Hopefully as you begin your new career you find yourself able to find the right case, statute, argument, or theory. Hopefully your calendar is never double-booked, your suit or skirt always properly pressed (and coffee-stain free), and your arrival always punctual. Rest assured, however, that you will make mistakes. As each and every one of us have and will. While we all aim for

perfection, learn to embrace your mistakes.

In your career you will find few more long-lasting educational experiences than your own mistakes. Your double-booked calendar will make you re-evaluate your scheduling. Your tardiness for an appearance or meeting will make you account for delays next time. And your spilled latte will result in an extra shirt and tie hanging behind your office door.

Embrace these mistakes. Let them teach you life's lessons and let these mistakes help you prevent and mitigate the larger mistakes. Let the missed calendar appointment serve to prevent the missed deadline; the hastily prepared memorandum prevent the hastily prepared filing.

The Mundane Can be Spectacular

The young lawyer is a new member of one of the most noble and rewarding of professions. Attorneys serve people in some of their most trying of times—and also some of their greatest of times. Never forget that what may become routine to you—counseling a newly served spouse through the early stages of divorce, or preparing a party for deposition—is an experience for which they may have no frame of reference. Without your advice they likely have no ability to process or prepare for whatever situation, good or bad, they find themselves in.

You will never forget seeing the joy of parents in embracing their newly adopted child; the excitement of an aspiring entrepreneur in setting up their dream business; the relief of the wrongly accused in hearing a favorable verdict; or the peace of mind of the injured in being compensated. The emotions and reactions of clients are as varied as the circumstances that lead them to our offices. And being a part of that experience is a privilege, one we would not be a part of but for having chosen to enter this profession.

YLD's Day at the Races

The ISBA's Young Lawyers Division hosted a Day at the Races event on September 13th at Arlington Park.



From left to right: Natali Marquez-Ponce, Chris Niro (YLD Ex Officio), ISBA 3rd Vice President James McCluskey, ISBA 1st Vice President Vincent Cornelius, Marie Sarantakis, Janice Anderson, Janet Sosin, David Sosin, and YLD Chair Gerald Napleton).



From Left to Right: Carolyn Napleton, YLD Chair Gerald Napleton, Janet Sosin, and David Sosin).



From Left to Right: Janice Anderson, ISBA 3rd Vice President James McCluskey, Vice-Chair George Schoenbeck III, and son.



YLD Chair Chris Niro and son.



From Left to Right: Marie Sarantakis, Andrew Sarantakis, and ISBA 3rd Vice President James McCluskey.

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