

Law Related Education

The newsletter of the Illinois State Bar Association's Committee on Law Related Education

The Illinois State Bar Association's Law-Related Education Newsletter is provided free of charge on a quarterly basis during the school year. We are dedicated to promoting law-related education resources and discussion topics appropriate for use in classroom or community settings. If you do NOT wish to receive this complimentary newsletter, please reply and indicate in the message line that you wish to be removed from our mailing list. Statements, expressions of opinion or comments appearing herein are those of the editors or contributors, and not necessarily those of the Association or the Committee.

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From the Chair

BY KATEAH M. MCMASTERS

I am very grateful to announce that I have stepped into the role of Chair for the ISBA Standing Committee on Law Related Education for the Public for 2017-2018. Since I joined this Committee five

years ago, it has worked tirelessly to grow its mission, coordinate civics education programs, and expanded its goals and objectives. I am confident this will be

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Conflict Resolution Day is October 19, 2017

The Association for Conflict Resolution ("ACR"), invented Conflict Resolution Day to achieve four goals:

1. Promote awareness of mediation, arbitration, conciliation and other creative, peaceful means of resolving conflict;
2. Promote the use of conflict resolution in schools, families, businesses, communities, governments and the legal system;
3. Recognize the significant contributions of (peaceful) conflict resolvers; and
4. Obtain national synergy by having

celebrations happen across the country and around the world on the same day.

A sampling of Conflict Resolution activities can be found at the following websites:

- <<https://www.teachervision.com/classroom-management/conflict-resolution-activities>>
- <<https://www.pinterest.com/explore/conflict-resolution-activities>>
- <<https://www.playworks.org/resource/four-conflict-resolution-techniques-for-school-children>>. ■

From the Chair

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another successful year with the continued efforts of this year's Committee members and associate members.

I would like to thank those members who have stepped up to chair the various subcommittees of the Committee: Judge Michael Chmiel as Civics Education Chair, Lauren DeJong and Ed Schoenbaum as Communications Co-Chairs and Sarah Taylor as Mock Trials Chair. The important work of the Committee could not be accomplished without their time and commitment.

Last year the Civics Education subcommittee successfully rolled out our Lawyers in the Classroom and Speakers Bureau programs. Lawyers in the Classroom is a program that enables teachers to find lawyers in their area who are willing to speak to students on legal topics or legal careers. A list of volunteer lawyers, arranged by County, is available on the ISBA website. The Speakers Bureau is designed to connect community based organizations with lawyers in their community who are willing to speak about various legal topics that are of interest to their organization. Organizations can

request a speaker through the ISBA Web site.

In addition to civics education, the other major focus of our Committee is our involvement with the High School Mock Trial Invitational. This program provides high school students the opportunity to experience how our system of justice works through preparation and presentation of a trial in a statewide competition with the winner advancing to the national competition. This year's Invitational will be based on a civil lawsuit and is sure to be another success thanks to the students, professionals, attorneys and judges who volunteer some of their weekend hours to judge and evaluate the teams, as well as the students, teachers and coaches who put in countless hours of preparation for the competition.

Anyone who is interested in learning more about or volunteering with Lawyers in the Classroom, the Speakers Bureau, or the High School Mock Trial Invitational should contact our outstanding staff assistant, Kim Furr, at ISBA Headquarters for further information. I am looking forward to another great year! ■

Law Related Education

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OFFICE

ILLINOIS BAR CENTER
424 S. SECOND STREET
SPRINGFIELD, IL 62701
PHONES: 217-525-1760 OR 800-252-8908
WWW.ISBA.ORG

EDITORS

Lauren Evans DeJong

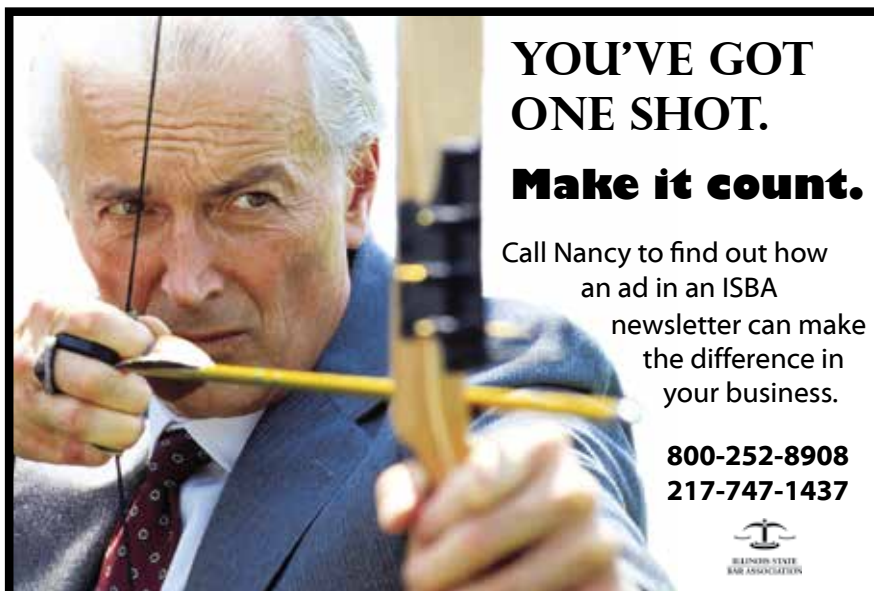
MANAGING EDITOR / PRODUCTION

Katie Underwood

✉ kunderwood@isba.org

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The articles in this newsletter are not intended to be used and may not be relied on for penalty avoidance.

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

2017 Girl Scouts Project Law Track: Lake County

BY KRISTIE CARY FINGERHUT

As a full-time working mom of three kids, I often start my day reviewing emails to start tackling forever-growing list of “To-Dos.” One such morning in 2016, I received an email with a flyer for the Girl Scouts’ Project Law Track from my daughter’s Brownie Troop Leader, who forwarded it to me and a fellow Troop mom (since we are both family law attorneys in Lake County) expressing interest in this activity for when our daughters were older. The idea was to have “real world law professionals” work with girls between 6th and 12th grades to learn about the legal profession and put on a mock trial at the end. Seeing that the program involved the girls attending 4 sessions-3 on weeknights and one Saturday morning- and noticing that it was being offered in Chicago and DuPage County, I was disappointed realizing that the likelihood of my daughter being able to participate once she was old enough was slim given the time and location challenges that it would present to a working mom like me. I decided to send two emails of my own: one to the Girl Scouts event contact asking how we could expand this offering to Lake County and another to a group of judges and attorneys whom I thought would be able to direct me to the appropriate contact people to get permission to bring the event to Lake County.

For the Spring 2016 season, I attended two of the Chicago sessions and two of the DuPage sessions to get a feel for the program and then began planning. Working with both the Lake County Bar Association’s Community Outreach Committee and the Association of Women Attorneys of Lake County, two of my colleagues (Karissa Anderson and Rebecca Whitcombe) and I worked to organize


the event for Spring 2017 utilizing the program format that Chicago and DuPage had been using for a few years.

Throughout April and May, 2017, we held three weeknight sessions in Waukegan for the seven middle school participants who signed up for the inaugural Lake County activity. The first night we gave them an overview of the law and court system and explored how the law was similar to and different from the portrayals in the media. The second night the group learned a bit about the process of becoming a lawyer, toured a law office and met with three different panels of Judges, different types of attorneys and a group of courthouse professionals. The third night, the girls worked with volunteer mentor attorneys to understand, practice and perfect their individual roles in the upcoming mock trial activity. On the final day, the girls took a tour of the Circuit Clerk’s office and met again with their mentors before heading to the real courtroom to put on their mock trial before Judge Nancy Waites, her deputy and a “jury panel” of volunteer lawyers (and a Girl Scout helper...my own Junior Girl Scout daughter).

The seven girls who participated were all very excited to be there, engaged in the entire activity process, and took their roles seriously as their family and friends watched from the gallery. Following the reading of the jury verdict, the girls were each awarded with a patch and certificate for their hard work (while everyone enjoyed the reward of Girl Scout Cookies). It was a great experience for all (participants and volunteer mentors alike) and we are excited to improve on the program, which we plan to put on again in March, 2018. Anyone who is interested in learning more about the program or

volunteering is welcome to contact me at KCF@Fingerhutlaw.com

Kristie C. Fingerhut is a busy (and often tired) Soccer Mom and Girl Scout Cookie Mom who also practices family law in Libertyville, Illinois, at the Law Offices of Kristie C. Fingerhut.



Did you know?

Every article published by the ISBA in the last 15 years is available on the ISBA’s Web site!

Want to order a copy of any article?* Just call or e-mail **Jean Fenski at 217-525-1760 or jfenski@isba.org**

*Sorry, if you’re a licensed Illinois lawyer you must be an ISBA member to order.

What is the Jones Act?

BY LAUREN EVANS DEJONG

The Jones Act has been in the news lately, most particularly with calls for waiver of the Act. But what is the Jones Act?

The Jones Act is the common name for the Merchant Marine Act of 1920, codified at 46 USC § 883. It is known as the Jones Act because it was introduced by Senator Wesley Jones. It was enacted by Congress in order to stimulate the shipping industry in the wake of the First World War.

The Act controls coastwise trade within the United States and determines which ships may lawfully engage in that trade and the rules under which they must operate. "Coastwise Trade" applies to a voyage that begins at any point within the United States and delivers commercial cargo to any other point within the United States. Specifically, Section 27 requires that all goods transported by water between ports of the United States be carried on United

States flag ships, constructed in the United States, owned by United States citizens and crewed by United States citizens and United States permanent residents.

The Jones Act prevents foreign-flagged ships from carrying cargo between the United States mainland and noncontiguous parts of the United States, such as Puerto Rico, Hawaii, Alaska and Guam. Foreign ships inbound with goods cannot stop at any of these locations, offload goods, load mainland bound goods and continue to the United States mainland ports. Although ships can offload cargo and proceed to the US mainland without picking up any additional cargo intended for delivery to another US location.

The Jones Act also governs the relationship between the employer and the crew aboard a United States vessel.

Requests for waivers of the Act and its

provisions are reviewed by the Department of Homeland Security on a case-by-case basis. Historically, waivers have only been granted in cases of national emergencies or upon the request of the Secretary of Defense. Most recently, the Jones Act was suspended in the aftermath of Hurricanes Harvey, Irma and Maria.

There are many supporters of the Jones Act who argue that the Act protects national security, generates tax revenue and assures a reliable domestic transportation service subject to national control and the availability of skilled professionals and modern facilities needed in times of war and national emergency. However, for each supporter of the Act, there is a critic who claims that the Act is a protectionist measure which prohibitively increases shipping costs. ■

ISBA LAW ED
CLE FOR ILLINOIS LAWYERS

SAVE THE DATE

Profession Under Pressure: The Causes of Stress in the Legal Profession and How to Better Cope

November 10, 2017 • 8:50 a.m. - 4:45 p.m. Central

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For more information:
www.isba.org/cle/upcoming

The legal profession has some of the highest suicide rates, job dissatisfaction, substance abuse, and depression cases in the country. Don't miss this full-day seminar that explores the causes behind these statistics and how to cope in a high-stress environment. Topics include:

- The stresses faced by both lawyers and judges;
- Why asking for help is important when the stress gets to be too much;
- What law schools are doing to prepare students for a stressful career;
- How stress affects us physically, psychologically, and emotionally;
- The crisis facing the legal profession and how to cope with it;
- Trends in lawyer discipline;
- The Illinois Supreme Court Commission on Professionalism's role in the wellbeing of Illinois attorneys; and
- The causes of stress, depression and mental illness in this profession.

ABE Opportunity Grants

For the second year, the American Bar Endowment (the ABE) is making Opportunity Grants available to support smaller, innovative programs and projects by eligible grantees that fit within the mission of the ABE. Opportunity Grants are intended to be one-time awards to start or enhance a program of law-related research, education, or public service projects. The ABE will consider grant applications from 501(c)(3) entities for projects that meet the focus requirements set out in the Program Goal. Applications from entities previously supported by an ABE grant are eligible for consideration. Grants under this program to entities previously supported during ABE's regular annual grant cycle are to be considered independent of that cycle. It is expected that a program or project receiving an Opportunity Grant will become self-sustaining. The application process is streamlined to encourage proposals from a broad range of organizations. Prospective applicants are encouraged to contact Joanne Martin in the ABE office for more information and assistance. The ABE is a tax-exempt charitable organization that was established in 1942 for purposes including, particularly, "to advance legal study and research and to promote the administration of justice and uniformity of judicial decision throughout the United States." The ABE carries out this purpose by sponsoring quality, affordable insurance plans, primarily for American Bar Association members, which provide the insureds the opportunity to make a charitable donation to the ABE of their policy dividends or other financial return. These donated amounts are then used, along with funds in the ABE's Legal Legacy Fund, to make grants in support of legal study and research, educational and public service law related projects. Over the past 65 years plus, through the beneficence of ABE insured members and prudent management of the Legal Legacy Fund, the ABE has made grants of more than \$277 million.

Program Goal

The goal of the Opportunity Grants program is to assist eligible grantees in the development or enhancement of innovative programs and projects that address issues of immediate and critical interest to the public and members of the legal profession. Examples of areas of focus include rule of law initiatives, access to justice initiatives, civics education on the American legal/justice system, and legal services initiatives. During the past year, which was the first cycle of the ABE Opportunity Grants Program, 15 grants totaling over \$340,000 were made. The grants were typically for \$20,000, although several were for larger amounts based on programmatic need. For a listing of the grantees, go to <www.abendowment.org/givingback/opportunity_grants.asp>.

Grant Uses

ABE Opportunity Grants are intended to support specific programs and projects that address urgent needs and emerging opportunities and/or that might not otherwise be able to obtain funding from alternative sources in a short period of time. Typically, the use of these grant funds will be of short duration (e.g., 12 months). Opportunity Grants will not be made to programs or projects that are intended to influence legislation, or to government regulatory agencies. It is the preference of the ABE that grant funds not be used for the salaries of existing staff; capital expenditures; administrative overhead; services that may be duplicative of or overlap with the same type of activities carried on by another organization or organizations in the immediate geographic area of the applicant; events and sponsorships that are not a direct part of carrying on the actual program or project function; or to address operating deficits.

Eligible Grantees

An eligible grantee is an organization currently determined to be tax-exempt

under section 501(c)(3) of the Internal Revenue Code and classified as a public charity under section 509 (a) of the Internal Revenue Code. Examples of potential grantees include projects from state and local bar associations and foundations; law school legal clinic programs; legal aid/pro bono legal services organizations; juvenile justice organizations; domestic violence shelters providing legal assistance; and veterans' legal assistance organizations.

Grant Application Information.

Grant applications are available on the ABE's website (abendowment.org) or by contacting Joanne Martin at the ABE's office. Grant applications must be submitted to the ABE by October 31, 2017 for consideration and announcement of the grant awards by February 28, 2017. Funding of the grants will take place by April 1, 2017. An applicant with a proposal that has time-sensitive needs and/or limited opportunities may request that the ABE consider the application prior to February 28, 2017. We encourage prospective applicants to contact the ABE directly to discuss any urgent grant request. The successful grant applicants have periodic report obligations related to the use of the grant funds. A final report presenting the results of the program or project must be made within three (3) months of the close of the period over which the grant funds are used.

ABE Contact

To obtain an application form, visit <<http://www.abendowment.org/pdf/OppGrant-Application.pdf>>. Additional guidance may be requested from the ABE at:

American Bar Endowment
321 North Clark Street, 14th Floor
Chicago, Illinois 60654-7648
Attention: Opportunity Grants
800-621-8981, ext. 6408 or 312-988-6408
jmartin@abendowment.org ■

Veterans Day is fast approaching: What will you be doing and why?

BY SHARON L. EISEMAN

The Veterans Day holiday is upon us.

To many people, that means a day off of work or school and to others, participating in a parade or attending a ceremony held at a local cemetery. To yet others, particularly those who lost a loved one in a war or other conflict or welcomed home an injured warrior, a national observance provides some solace in the recognition that the service of those courageous men and women of the military meant something to our country and to its residents. Yet for a large part of our population, the history of the establishment of Veterans Day is unknown. Thus, we offer the following walk through time to identify why November 11 of every year is observed across our nation.

On the 11th hour of the 11th day of November, 1919, the Armistice between the Allied Nations and Germany was signed, thus formally ending the World War I hostilities—although the official end of that war did not occur until June 28, 1919, when the Treaty of Versailles was executed, a Treaty that the U.S. did not sign, leaving us to ponder what that meant or may still mean. President Woodrow Wilson's words uttered on that day in November continue to have resonance. As he was quoted in New York's *The Evening World* newspaper on November 11, 1919:

"My Fellow Countrymen:

The armistice was signed this morning. Everything for which America fought has been accomplished. It will now be our fortunate duty to assist by example, by sober friendly counsel and by material aid in the establishment of just democracy throughout the world."

Thereafter, observances of that meaningful anniversary were called Armistice Day—until Congress, by

Resolution in 1926, provided for an annual observance of the Armistice, followed by action in 1938 declaring that Day a national holiday. It wasn't until 1954, however, after the end of the Korean War, that the name of the holiday was changed to Veterans Day by President Dwight D. Eisenhower in tribute to all veterans, living and dead. It is worth noting that this feature of the Veterans Day holiday differs from the veteran population honored by the Memorial Day holiday which pays tribute to those who died in the service of our country.

Yet other facts in the evolving nature of Veterans Day are of interest. For example, from 1968 to 1975, Veterans Day was celebrated on the fourth Monday in October pursuant to the 'Uniform Holidays Bill' passed by Congress. Apparently, it was deemed important by our elected leaders to have a manageable schedule of dates for observing national holidays. Apart from the ensuing chaos that edict created in many states that had been observing the holiday on November 11, what happened in 1975? President Gerald Ford 'returned' the day of observance to November 11 in respect for its historical roots—in the signing of the Armistice—even though Veterans Day now commemorates veterans of both WWI and WWII and any other conflict in which the U.S. has participated, including the Vietnam War and the Persian Gulf War and those conflicts currently taking place.

Here are a few curiosities: For teachers and grammarians who wonder why we don't designate this holiday as Veterans' Day (i.e. as possessive), the thinking is that the holiday doesn't *belong* to veterans but instead honors them—so the apostrophe isn't erroneously missing. And according to some sources, the first national celebration of the holiday was in Alabama in 1947 and led by veteran Raymond Weeks from Birmingham who was awarded the

Presidential Citizenship Medal in 1982 by President Reagan, and given the title of "Father of Veterans Day" by Elizabeth Dole who had prepared the President's briefing.

For so many individuals in our country, underlying the observance of this holiday is the understanding that, no matter what one believes about the policies of our federal government concerning the role of the United States in military operations and intervention, we recognize that the women and men who join the armed forces and are deployed abroad to aid a country in defending and protecting its citizenry from invasion, or to protect the population from a despotic regime, deserve our respect and support. ■

It's Campaign Season for the 2018 Election

Run for ISBA Office—

Positions Available:

- 3rd VP
- BOG:
 - Cook (1)
 - Area 1 (Circuit 18) (1)
 - Area 3 (Circuits 12, 13, 16, 21 and 23) (1)
 - Area 4 (Circuits 10, 14 and 15) (1)
 - Area 6 (Circuits 7, 8 and 9) (1)
 - Area 8 (Circuits 3 and 20) (1)
- Assembly:
 - Cook (22)

The 2018 Notice of Election is now available. Find out more at www.isba.org/elections.

Filing of Petitions begins on January 2, 2018 and ends on January 31, 2018.

Upcoming CLE programs

TO REGISTER, GO TO WWW.ISBA.ORG/CLE OR CALL THE ISBA REGISTRAR AT 800-252-8908 OR 217-525-1760.

November

Wednesday, 11-01-17 – ISBA Chicago Regional Office—Anatomy of a Medical Negligence Trial. Presented by Tort Law. All Day. 8:45 - 5:15.

Thursday, 11-02-17 - Webinar—Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members only. 12:00-1:00 pm.

Friday, 11-03-17 – NIU Naperville—Real Estate Law Update – Fall 2017. Presented by Real Estate. 8:15 am – 4:45 pm.

Thursday, 11-09-17 - Webinar—Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members only. 12:00-1:00 pm.

Friday, 11-10-17 – Chicago, ISBA Regional Office—The Causes of Stress in the Legal Profession and How to Better Cope. Presented by Civil Practice and Procedure. 8:50 am-4:45 pm.

Tuesday, 11-14-17 – Webinar—Speech Recognition. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 11-15-17 – Chicago, ISBA Regional Office—Microsoft Word in the Law Office: ISBA's Tech Competency Series. Master Series with Barron Henley. All Day.

Thursday, 11-16, 2017 – Chicago, ISBA Regional Office—Microsoft Excel In the Law Office: ISBA's Technology Competency Series. Master Series with Barron Henley. Half Day.

Thursday, 11-16, 2017 – Chicago, ISBA Regional Office—Adobe Acrobat and PDF Files in the Law Office: ISBA's Technology Competency Series. Master Series with

Barron Henley. Half Day.

Thursday, 11-16-17 - Webinar—Fastcase Boolean (Keyword) Search for Lawyers. Presented by the Illinois State Bar Association – Complimentary to ISBA Members only. 12:00-1:00 pm.

Friday, 11-17-17 – Webcast—Obtaining and Using Social Media Evidence at Trial. Presented by Young Lawyers Division. 12:00-1:30 pm.

Tuesday, 11-28-17 - Webcast—Ethics Questions: Multi-Party Representation – Conflicts of Interest, Joint Representation and Privilege. Presented by Labor and Employment. 2:00-4:00 pm.

Tuesday, 11-28-17 – Webinar—Understanding Process Mapping. Practice Toolbox Series. 12:00 -1:00 p.m.

Thursday, 11-30-17 – Webcast—Nuts and Bolts of the Tax Tribunal. Presented by SALT. 9am – 12:45 pm

Thursday, 11-30-17 – ISBA Chicago Regional Office—Nuts and Bolts of the Tax Tribunal. Presented by SALT. 9am – 12:45 pm

December

Wednesday, 12-06-17 - Webcast—Defense Strategies for Health Care Fraud Cases. Presented by Health Care. 12:00-1:30 pm.

Tuesday, 12-12-17 – Webinar—Driving Profitability in your Firm. Practice Toolbox Series. 12:00 -1:00 p.m.

Tuesday, 12-12-17 – ISBA Mutual—E-Filing in Illinois. Presented by ISBA and ISBA Mutual. 1-2:30 (lunch from 12-1).

Wednesday, 12-13-17—Children and Mental Health Law. Presented by Mental Health. 9-12:15.

Thursday, 12-14-17 – Chicago, ISBA Regional Office—Vulnerable Students: A Review of Student Rights. Presented by Education Law. 9:00 am – 12:30 pm.

Friday, 12-15-17 – Chicago, ISBA Regional Office—Guardianship Boot Camp. Presented by Trusts and Estates. 8:30 – 4:30.

Friday, 12-15-17 – LIVE Webcast—Guardianship Boot Camp. Presented by Trusts and Estates. 8:30 – 4:30.

January

Wednesday, 01-10-18 – LIVE Webcast—On My Own: Starting Your Solo Practice as a Female Attorney. Presented by WATL. 12-2 PM.

Thursday, 01-11-18 – ISBA Chicago Regional Office—Six Months to GDPR – Ready or Not? Presented by Intellectual Property. 8:45 AM – 12:30 PM.

Thursday, 01-18-18 – ISBA Chicago Regional Office—Closely Held Business Owner Separations, Marital and Non-Marital. Presented by Business and Securities. 9AM - 12:30 PM.

Wednesday, 01-24-18 – ISBA Chicago Regional Office—Mentoring Luncheon.

Thursday, 01-25-18 – ISBA Chicago Regional Office—Starting Your Law Practice. Presented by General Practice. 8:50 AM – 4:45 PM.

February

Friday, 02-02-18 – Normal, IL—Hot Topics in Agriculture Law – 2018. Presented by Agriculture Law. All-day.

Monday, 02-05 to Friday, 02-09—**ISBA Chicago Regional Office**—40 Hour Mediation/Arbitration Training. Master Series, presented by the ISBA—WILL NOT BE ARCHIVED. 8:30 -5:45 daily. ■