

Human Rights

The newsletter of the Illinois State Bar Association's Section on Human Rights Law

Remarks from the Editor

BY KATHRYN E. EISENHART

About the time this newsletter is published, the ISBA will be presenting an MCLE course on the effect of the *Hively v. Ivy Tech* on sexual orientation and Title VII of the Civil Rights Act. (September 13) However, there is really nothing very settled about sexual orientation and Title VII.

Right now in the Second Circuit Court

of Appeals, *Zarda v. Altitude Express*, the court granted an *en banc* review. The case was originally decided in April 2017. The original three judge panel determined that it did not have the authority to overturn Second Circuit precedent so the plaintiff did not prevail in his discrimination suit.

Among the organizations filing

Continued on next page

Sessions v. Morales-Santana: **Gender-based classifications** **in the Immigration and** **Nationality Act struck down** **by the U.S. Supreme Court**

BY ROBERT HEUER

On June 12, 2017, the Supreme Court issued a ruling in furtherance of gender equality, striking down as violative of the Fifth Amendment's equal protection guarantee a provision of the Immigration and Nationality Act (8 U.S.C. § 1401 et seq.) that treated unmarried men and women differently in their ability to

transmit U.S. citizenship to their children born abroad.

The Immigration and Nationality Act

The Immigration and Nationality Act ("the Act"), provides the framework for

Continued on page 3

Remarks from the Editor

1

Sessions v. Morales-Santana:
Gender-based classifications
in the Immigration and
Nationality Act struck down
by the U.S. Supreme Court

1

Sale to I.D.-carrying buyers
only: A violation of human
rights?

5

The winner of the Gertz Award

5

Upcoming CLE programs

6

(Notice to librarians: The following issues were published in Volume 43 of this newsletter during the fiscal year ending June 30, 2017: September, No. 1; October, No. 2; December, No. 3; March, No. 4; April, No. 5; June, No. 6).

If you're getting this
newsletter by postal mail
and would prefer electronic
delivery, just send an
e-mail to Ann Boucher
at aboucher@isba.org

Remarks from the editor

CONTINUED FROM PAGE 1

amicus briefs is the Department of Justice under Attorney General Jeff Sessions. Changing the policy under the Obama administration, the A.G is arguing that Title VII does not protect LGBT people from discrimination.

Readers should be aware that the Seventh Circuit (en banc) held that sex discrimination under Title VII covers sexual orientation. Interestingly, the Illinois Human Rights Act protects employees from discrimination based on sexual orientation. As you may remember, for the last few years, complainants have had the choice for review of the Department of Human Rights' decision by either the circuit court or the

Human Rights Commission. Of course, that does NOT apply to state workers, who are limited to a review by the Commission. (Sovereign Immunity).

I cannot predict was the Second Circuit will do as it is not a court whose decisions affect me directly. Should they rule against the employee and for the employer, the case will be heading to the Supreme Court. If the Second Circuit rules in favor of the employee, we will be waiting for another, more conservative circuit to rule against protection for LGBT people in keeping with the argument made by A.G. Sessions' staff. ■

Human Rights

Published at least four times per year. Annual subscription rates for ISBA members: \$25.

To subscribe, visit www.isba.org or call 217-525-1760.

OFFICE

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

EDITOR

Kathryn E. Eisenhart

MANAGING EDITOR / PRODUCTION

Katie Underwood

✉ kunderwood@isba.org

HUMAN RIGHTS LAW SECTION COUNCIL

Evan Bruno, Chair
Kathryn E. Eisenhart, Vice-Chair
Michael J. Maslanka, Secretary
Shannon M. Shepherd, Ex-Officio
Bob K. Downs
Gene F. Friedman
Glenn R. Gaffney
Burton A. Gross
Ellis B. Levin
Prof. Sheila M. Murphy
Hon. James M. Radcliffe, III
Masah S. Renwick
Mark E. Wojcik
Pam Sakowicz Menaker, Board Liaison
Melissa L. Burkholder, Staff Liaison
Annemarie E. Kill, CLE Committee Liaison
Glenn R. Gaffney, CLE Coordinator



ILLINOIS BAR FOUNDATION

At the heart of the ISBA

SUPPORT THE ILLINOIS BAR FOUNDATION

Contributions from ISBA members are vital to the success of the IBF's programs.

Access to Justice Grants

Warren Lupel Lawyers Care Fund

Post- Graduate Fellowship Program

More than \$400,000 has been given to support these important programs, this year. Every dollar you contribute makes an impact in the lives of those in need.

Please consider making a donation to the IBF to improve statewide access to justice.

DISCLAIMER: This newsletter is for subscribers' personal use only; redistribution is prohibited. Copyright Illinois State Bar Association. Statements or expressions of opinion appearing herein are those of the authors and not necessarily those of the Association or Editors, and likewise the publication of any advertisement is not to be construed as an endorsement of the product or service offered unless it is specifically stated in the ad that there is such approval or endorsement.

Articles are prepared as an educational service to members of ISBA. They should not be relied upon as a substitute for individual legal research.

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.

Sessions v. Morales-Santana

CONTINUED FROM PAGE 1

acquisition of U. S. citizenship from birth by a child born abroad, when one parent is a U. S. citizen and the other a citizen of another nation.

Under the Act, an unmarried U.S. citizen father was subject to the general rule applicable to married U.S. citizen parents: in order to transmit citizenship to children born abroad, the unmarried U.S. citizen father, prior to the child's birth, must have been continuously physically present in the U.S. for 10 years, five of which must have been after the age of 14.

However, the Act granted an exception for unmarried U.S. citizen mothers which allowed them to transmit citizenship to children born abroad if she had lived continuously in the U.S. for only one year prior to the child's birth.

The physical presence requirements have since been amended, but they continue to extend favorable treatment to mothers as an exception to the general rule applicable to fathers.

Facts and History of the Case

Luis Ramón Morales-Santana was born in the Dominican Republic in 1962 to a U.S. citizen father and a non-U.S. citizen mother who were unwed at the time, although they later married and added the father's name to Morales-Santana's birth certificate.

After being convicted for various crimes, including robbery and attempted murder, Morales-Santana found himself facing deportation in 2000. To avoid deportation, he asserted U.S. citizen through his father.

Morales-Santana's father was born in the U.S. and lived in the U.S. continuously until he moved to the Dominican Republic twenty days before his 19th birthday, thereby failing to meet the five-years-after-age-14 requirement of the general rule of the Act. Had the exception for unmarried U.S. citizen mothers been applied to Morales-Santana's father, he would have met the one year physical presence requirement.

Because Morales-Santana's father had failed to meet the physical presence requirement of the Act for unmarried U.S. citizen fathers, an immigration judge rejected this assertion, and ordered Morales-Santana's removal to the Dominican Republic.

In 2010, Morales-Santana moved to reopen the proceedings, asserting that the Government's application of differing gender-based requirements for transmission of citizenship violated the Constitution's equal protection guarantee, and the Board of Immigration Appeals (BIA) denied the motion.

The U.S. Second Circuit Appeals Court later reversed the BIA's decision, holding that the differential treatment of unwed mothers and fathers was unconstitutional. The court then applied the easier physical presence requirement for unmarried U.S. citizen mothers and held that Morales-Santana's father transmitted citizenship to Morales-Santana at birth.

The Act's Gender-Based Physical Presence and Age Requirements Violate the Fifth Amendment's Guarantee of Equal Protection

Affirming the Second Circuit, the Supreme Court noted that at the time of the enactment of the Act, the following two "once habitual, but now untenable, assumptions pervaded the Nation's citizenship laws and underpinned judicial and administrative rulings":

1. in marriage, the husband is dominant, and the wife is subordinate; and
2. an unwed mother is the sole guardian of a non-marital child, as unwed fathers care little about their children.

"Lump characterization of that kind, however, no longer passes equal protection inspection," the court stated.

The Court noted that laws providing or denying benefits in reliance on stereotypes about women's domestic roles can "create a cycle of discrimination that forces women to continue to assume the role of primary

family caregiver." The Court further stated that such laws "disserve men who exercise responsibility for raising their children."

All Gender-Based Classifications Are Subject to Heightened Scrutiny

The Court stated that all gender-based classifications are subject to heightened scrutiny and that defenders of gender-based government action must demonstrate an exceedingly persuasive justification for that action.

The Court noted that "laws granting or denying benefits 'on the basis of the sex of the qualifying parent,' ... differentiate on the basis of gender, and therefore attract heightened review under the Constitution's equal protection guarantee." It cited the following examples of such unconstitutional gender based differentials:

- *Reed v. Reed*, 404 U. S. 71, 74, 76–77 (1971): a probate-code preference for a father over a mother as administrator of a deceased child's estate.
- *Frontiero v. Richardson*, 411 U. S. 677, 688–691 (1973): exclusion of married female officers in the military from benefits automatically accorded married male officers;
- *Weinberger v. Wiesenfeld*, 420 U. S. 636, 648–653 (1975): a Social Security classification that excluded fathers from receipt of child-in-care benefits available to mothers;
- *Accord Califano v. Goldfarb*, 430 U. S. 199, 206–207 (1977): a Social Security classification that denies widowers survivors' benefits available to widows; and
- *Califano v. Westcott*, 443 U. S. 76, 84 (1979): provision of unemployed-parent benefits exclusively to fathers.

The Court stated that in the instant case the Government needed to show that the Act's gender-based physical presence requirements for transmission of citizenship at birth:

1. served important governmental objectives; and
2. were substantially related to achieving those objectives.

The Government's Rationales for the Gender-Based Differential Do Not Survive Heightened Scrutiny

The Government asserted two rationales for the gender-based physical presence requirements:

1. that a child born abroad would have a strong connection to the U.S.; and
2. that the risk of statelessness for the foreign-born child of a U. S. citizen would be reduced.

The Government asserted that the gender-based physical presence requirements were meant to ensure that a child born abroad has a strong connection to the U.S. However, the Court found logic to be grounded in the untenable assumption that an unwed mother is the sole guardian of a non-marital child. Since the father is presumably out of the picture, the logic goes, the unwed U.S. citizen mother's influence over the child will be without any other competing national influence, and therefore the physical presence requirement does not need to be as long as for an unwed U.S. citizen father, whose national influence over the child would be affected by the competing national influence of the mother (presumed to be in the picture according to the gender stereotypes).

The Court also held that the gender-based physical presence requirements were not substantially related to ensuring that a child born abroad has a strong connection to the U.S., stating:

Citizenship may be transmitted to children who have no tie to the United States so long as their U. S. citizen mother was continuously present in the United States for one year at any point in her life prior to the child's birth; but it may not be transmitted by a U. S.-citizen father who falls a few days short of meeting §1401(a)(7)'s longer physical-presence requirements,

even if he acknowledges paternity on the day the child is born and raises the child in the United States.

The Government also asserted that the gender-based physical presence requirements were meant to reduce the risk of statelessness for the foreign-born child of a U. S. citizen.

The Court rejected this rationale for two reasons:

1. congressional hearings and reports offered no support for the assertion that a statelessness concern prompted the diverse physical-presence requirements; and
2. the Government failed to show that the risk of statelessness disproportionately endangered the children of unwed U.S. citizen mothers.

Because the Government failed to advance any exceedingly persuasive justification for the Act's gender-based physical presence and age requirements, the Court held, the disparate criteria "cannot withstand inspection under a Constitution that requires the Government to respect the equal dignity and stature of its male and

female citizens."

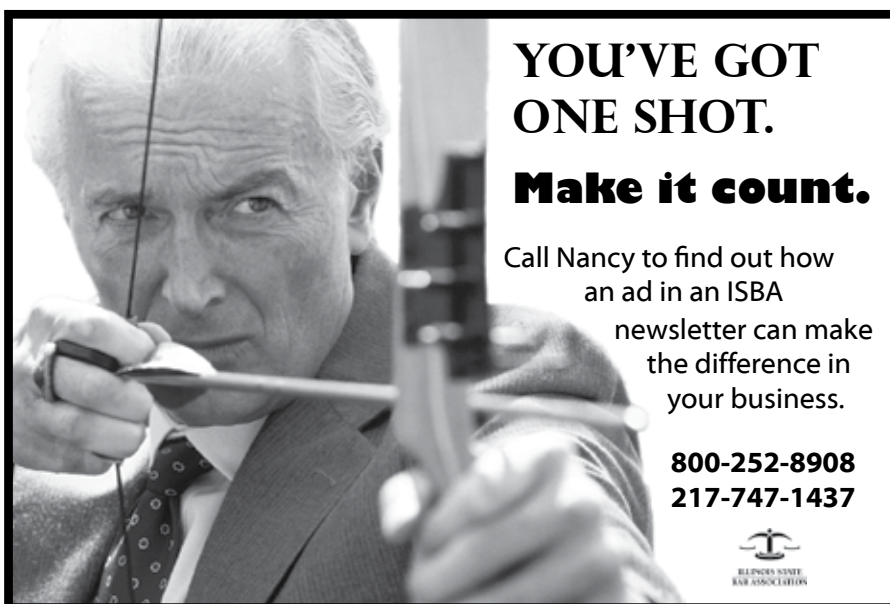
Application of the General Rule with No Gender-Based Exceptions

The Court noted that ordinarily, the preferred remedy would be to extend the favorable treatment, in this case by extending to unmarried U.S. citizen fathers the shorter physical presence requirement provided to unmarried U.S. citizen mothers.

However, the Court found that this would displace Congress' general rule and decided that the longer physical presence requirements of the Act's general should be applied equally to both unmarried U.S. citizen mothers and fathers.

While the decision is a reinforcement of the Constitution's guarantee of equal protection, the holding resulted in a disappointing outcome for Morales-Santana, whose assertion of U.S. citizenship was rejected because the longer physical presence requirement of the Act's general rule was applied to his case.

"Going forward," the Court held, "Congress may address the issue and settle on a uniform prescription that neither favors nor disadvantages any person on the basis of gender." ■




YOU'VE GOT ONE SHOT.

Make it count.

Call Nancy to find out how an ad in an ISBA newsletter can make the difference in your business.

800-252-8908
217-747-1437


ILLINOIS STATE BAR ASSOCIATION

Sale to I.D.-carrying buyers only: A violation of human rights?

BY MICHAEL J. MASLANKA

The Illinois Human Rights Act is not often litigated in the Appellate Court or Supreme Court, but was addressed in a case decided on June 23, 2017 by the First District Appellate Court, *Deutsch Bank National Trust v. Peters*.

In that case, Mr. Peters defended a mortgage foreclosure case and a judgment was entered. A judicial sale occurred and the bank purchased the property. The bank motioned for confirmation of the sale, but Mr. Peters objected. He said that the language in the published notice of sale violated the Illinois Human Rights Act. The language read as follows: “You will need a photo identification issued by a government agency (driver’s license, passport, etc.) in order to gain entry into our building and the foreclosure sale room . . .” Mr. Peters said that the notice violated the Human Rights Act because it required potential

buyers to provide some form of government issued identification and such discriminated on the basis of national origin against certain persons, particularly Mexican Nationals, who are in the country without proper documentation and are prohibited from obtaining a government issued form of identification and who, therefore, would be unable to participate in the judicial sale of the property. The trial court felt that Mr. Peters did not identify anyone, including himself, who was denied access to the sale based on the lack of a government issued form of identification. The trial court said that Mr. Peters’ claim was purely speculative. The trial court found that Mr. Peters had not proven that the notice of sale violated the Human Rights Act, or that he even had standing to raise that issue. The Appellate Court seemed quite forgiving with violations of Supreme Court Rule

341 and with the issue of forfeiture. In any event, the Appellate Court understood what Mr. Peters was arguing and stated that since Peters could not identify “a distinct and palpable injury fairly traceable to the notice of sale, . . .” he did not have standing to assert the violation as a basis to challenge the resulting judicial sale. The trial court’s judgment was affirmed.

Mr. Peters’ argument may have been somewhat far-fetched, but still maintained some element of merit and was not attacked as frivolous. The bases on which discrimination can be alleged are almost limitless under the Illinois Human Rights Act and perhaps, that is a good thing. As our culture changes so can the reasons to discriminate against one person or another. In this case, there was no violation of the Illinois Human Rights Act that could be decided on the merits. ■

The winner of the Gertz Award

This year the winner of the Gertz award is the John Marshall Law School’s International Human Rights Clinic (IHRC). Thanks to Director Sarah Davila-Ruhaak for the information she provided about the Clinic.

The John Marshall Law School International Human Rights Clinic (IHRC) was founded in 2014 by Professors Sarah Dávila-Ruhaak and Steven D. Schwinn as a continuation of The John Marshall Law School’s long-standing history and dedication to human rights.

The IHRC is a nonprofit, nonpartisan law school legal clinic dedicated to promoting and protecting human rights in the United States and around the world. The IHRC offers students a background in human rights advocacy through

the practical experience of working in international human rights cases and projects. To achieve its mission, the IHRC collaborates with a range of partners in both academia and the advocacy field to develop human rights accountability mechanisms; documents and disseminates information on pressing issues in human rights; and serves as a platform and forum for dialogue between individuals and entities sharing innovative ideas and methods in human rights.

The IHRC has been working on three major projects this summer. It has continued its dedication to protecting the rights of Syrian asylum seekers and providing them with direct representation in asylum cases. By engaging in their direct representation, the IHRC continues

to attempt to narrow the gap of access to justice for this community and has ensured that Syrians who have escaped the conflict are protected under U.S. asylum law and are prevented from being returned.

The IHRC has continued its work in the Puerto Rican Human Trafficking Project where it has investigated and documented human rights violations that Puerto Rican homeless persons with addiction have suffered when brought to the U.S. mainland. It hopes to submit a shadow report to the United Nations on the topic shortly.

Finally, the IHRC has started investigating the environmentally catastrophic practices of the dumping of coal-ash and has been finding stemming human rights violations from such practice. ■

Upcoming CLE programs

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

October

Wednesday, 10-04-17 LIVE Webcast— Issues to Recognize and Resolve When Dealing With Clients of Diminished Capacity. Presented by Business Advice and Financial Planning. 12-2 pm.

Thursday, 10-05-17 - Webinar— Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members only. 12:00-1:00 pm.

Thursday, 10-05-17 – Chicago, ISBA Regional Office—The New Bankruptcy Rules and Advanced Topics in Consumer Bankruptcy. Presented by Commercial Banking, Collections & Bankruptcy. 8:55am – 4pm.

Thursday, 10-05-17 – LIVE Webcast— The New Bankruptcy Rules and Advanced Topics in Consumer Bankruptcy. Presented by Commercial Banking, Collections & Bankruptcy. 8:55am – 4pm.

Friday, 10-06-17 – Holiday Inn and Suites, East Peoria—Fall 2017 Beginner DUI and Traffic Program. Presented by Traffic Law. Time: 8:55 am – 4:45 pm.

Friday, 10-06-17 – Holiday Inn and Suites, East Peoria—Fall 2017 Advanced DUI and Traffic Program. Presented by Traffic Law. Time: 8:55 am – 4:30 pm.

Friday, 10-06-17 – Chicago, ISBA Regional Office—Pathways to Becoming Corporate General Counsel and the Issues You Will Face. Presented by Corporate Law. Time: 9:00 am – 12:30 pm

Monday, 10-09-17 – Chicago, ISBA Regional Office—Workers' Compensation Update – Fall 2017. Presented by Workers' Compensation. Time: 9:00 am – 4:00 pm.

Monday, 10-09-17 –Fairview

Heights—Workers' Compensation Update – Fall 2017. Presented by Workers' Compensation. Time: 9:00 am – 4:00 pm.

Tuesday, 10-10-17 – Webinar— Outlook for Mac. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 10-11-17 – LIVE Webcast—Enforcing Illinois' Eviction Laws: A Basic Guide to Landlord Remedies and Tenant Rights. Presented by Real Estate Law. 12-1 pm.

Wednesday, 10-11-17 – LIVE Webcast—Working Effectively with Interpreters. Presented by Delivery of Legal Services. 2-3:30 pm.

Thursday, 10-12-17 – Chicago, ISBA Regional Office—Illinois Medicaid Rules and Procedures Bootcamp. Presented by Elder Law. 8:15 am – 4:30 pm.

Thursday, 10-12-17 - 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.

Monday-Friday, 10-16 to 20, 2017 – Chicago, ISBA Regional Office—40 Hour Mediation/Arbitration Training Master Series. Master Series. Monday, Wednesday, Thursday and Friday 8:30-5:45. Tuesday 8:30-6:30.

Tuesday, 10-17-17 – Chicago ISBA Regional Office (ISBA Mutual Classrooms)—Mediation Roundtable: The Discussion of Hot Topics in the Mediation of Disputes. Presented by Alternative Dispute Resolution. 12:15 – 1:15 (lunch served at noon).

Thursday, 10-19-17 - Webinar— Fastcase Boolean (Keyword) Search for

Lawyers. Presented by the Illinois State Bar Association – Complimentary to ISBA Members only. 12:00-1:00 pm.

Thursday, 10-19-17 – Bloomington— Real Estate Law Update – Fall 2017. Presented by Real Estate.

Tuesday, 10-24-17 – Webinar—Law Firm Accounting 101. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 10-25-17 – Webinar— Working with Low Income Clients. Presented by Delivery of Legal Services. 12-1:30 pm.

Thursday, 10-26-17 – LIVE Webcast— Diversity and Inclusion in the Practice of Law. Presented by LOME. 12-1 pm.

Friday, 10-27-17 – Chicago, ISBA Regional Office—Solo and Small Firm Practice Institute. All Day.

Friday, 10-27-17 – LIVE Webcast— Solo and Small Firm Practice Institute. All Day.

November

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

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.

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—Profession Under Pressure; Stress in the Legal Profession and Ways to Cope. Presented by Civil Practice and Procedure. 8:15 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.

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.

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

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

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.

Feb 6 - Fred Lane's ISBA Trial Technique Institute.

March

Thursday, 03-08-18 – ISBA Chicago

Regional Office—The Complete UCC. Master Series, Presented by the ISBA. 8:30-5:00.

Monday, 03-12 to Friday, 03-16— Pere Marquette Lodge, Grafton IL—40 Hour Mediation/Arbitration Training. Master Series, presented by the ISBA—WILL NOT BE ARCHIVED. 8:30 -5:45 daily.

Friday, 03-16-18 – Holiday Inn & Suites, Bloomington—Solo and Small Firm Practice Institute. All day.

Friday, 03-23-18 – ISBA Chicago Regional Office—Applied Evidence: Evidence in Employment Trials. Presented by Labor and Employment. 9:00 am – 5:00 pm.

Friday, 03-23-17 – LIVE Webcast—Applied Evidence: Evidence in Employment Trials. Presented by Labor and Employment. 9:00 am – 5:00 pm.

June

Friday, 06-01-18 – NIU Naperville, Naperville—Solo and Small Firm Practice Institute. All day. ■



**ILLINOIS STATE
BAR ASSOCIATION**

**Now Every Article Is
the Start of a Discussion**

If you're an ISBA section
member, you can comment on
articles in the online version
of this newsletter

**Visit
WWW.ISBA.ORG
to access the archives.**

HUMAN RIGHTS

ILLINOIS BAR CENTER
SPRINGFIELD, ILLINOIS 62701-1779

SEPTEMBER 2017

VOL. 44 NO. 1

Non-Profit Org.
U.S. POSTAGE
PAID
Springfield, Ill.
Permit No. 820



ISBA LAW ED
CLE FOR ILLINOIS LAWYERS

SAVE THE DATE

Title VII Now Covers Sexual Orientation - The Law That Made History—LIVE Webcast

September 13, 2017 • 12 p.m. Central

CLE Credit: 2.00 MCLE

FREE ONLINE CLE:

All eligible ISBA members can earn up to 15 MCLE credit hours, including 6 PMCLE credit hours, per bar year.

For more information:

www.isba.org/cle/upcoming

In an en banc opinion, the 7th Circuit has now added Sexual Orientation as a Protected Classification under Title VII, making this a first in the country ruling that may or may not create a sea of change in anti-discrimination laws and the law, in general, as it relates to sexual orientation. Get the information you need to advise your clients on this timely topic, including:

- How the legal landscape of discrimination claims may be affected;
- Who will be effected by this ruling;
- Hively v Ivy Tech Community College[1] and the history behind the ruling; and
- How the rest of the Circuit Courts across the country view this ruling.

Member Price: \$60.00