



Collaboration for Justice: A Legacy of Systemic Reform

Chicago Council of Lawyers and Chicago Appleseed Fund for Justice

1970



The Council files the case of *Chicago Council of Lawyers v. Bauer*, which successfully challenged restrictions that had been imposed by the federal district court on public comment by attorneys about anticipated and pending litigation. This is a major victory for lawyers' free speech.

1971



The Council successfully lobbies to put disciplinary procedures for attorneys under the direct control of the Illinois Supreme Court.

1973



The Council opens the city's first Lawyer Referral Service for victims of police misconduct.

1974



The Council and the Fund For Justice release the Legal Services Directory, a comprehensive directory of private and public agencies providing free and low cost legal services to residents in Chicago.

1977



The Council and the Fund For Justice pioneer the experimental projects, the South Shore Law Office, offering legal services to persons of low and middle income, and the Legal Services For the Mentally Disabled of Uptown Law Clinic, helping mentally disabled clients.



The Council receives the Harrison Tweed Award from the National Legal Aid and Defender Association and the American Bar Association, "In recognition of the outstanding leadership and support given in developing and maintaining a broad program of legal aid for the indigent citizens of Cook County".

1978



The Council and the Legal Assistance Foundation of Chicago complete a two-year study of 8,000 Cook County housing eviction cases. As a result, one eviction court judge is reassigned and another is subjected to disciplinary proceedings.



The Council begins its Indigent Criminal Defense Referral Panel, providing highly qualified attorneys to indigent defendants who cannot be represented by the public defender's office because of conflicts of interest.



The Council is largely responsible for the defeat of Judge John Boyle in his bid for retention. Judge Boyle was serving as the Chief Judge of the Circuit Court of Cook County but the Council found that he was performing in a "highly political, autocratic and incompetent manner."

1988



The Council and the Fund For Justice release their 18-month study of the Cook County Public Defender's Office, detailing the needs of the Office.

1990



The Council releases its report evaluating 50 judges running for retention in the November 1990 general election. Seven of the 11 judges that the Council found not qualified or not recommended were defeated by the voters.

1994



The Council successfully advocates for change to statute of limitations period in legal malpractice cases, ensuring greater access to relief for meritorious claims.

1994



Ten years after the release of their original investigation, the Council and the Fund For Justice release their review of the policies and procedures of the Chicago Department of Law. The study reports that most of the Council's and Fund's 1984 recommendations are in effect and that the Department has improved dramatically over the past decade.

1997



The Council is the first local bar association in the country to urge a moratorium on the death Penalty by drafting an amicus curiae brief and submitting it to the Illinois Supreme Court.



In 1997, the Fund for Justice becomes an independent Chicago affiliate of the Appleseed Foundation— Chicago Appleseed Fund for Justice.

1999



Together with the Midwest Immigrant Rights Center and the Young Lawyers Section of the Chicago Bar Association, the Council and Chicago Appleseed receive an American Bar Association grant for a project to provide representation to immigrants from certain Central American and former Soviet bloc countries.

2000



While other bar associations evaluates him as "qualified", the Council takes the lead in filing a disciplinary complaint against Illinois Supreme Court candidate, Morton Zwick, for violating Canon 67 by using misleading television advertisements.

2002



Legislation is introduced and later passed incorporating the Chicago Appleseed/Chicago Council model of a unified child support system. We are invited to participate in the state child support agency's internal advisory committee.

2004



Chicago Appleseed initiates the VoteForJudges.org campaign, a voter education effort featuring non-partisan judicial evaluation information through a website, brochures, speakers' bureau, and media coverage. The website alone attracts one million hits and provides 100,000 downloadable pages.

2007-2008



The Council assists in drafting the Chicago City Council ordinance that establishes an independent police investigatory agency.



Chicago Appleseed and the Council help negotiate reform of bond hearings at the Criminal Courts Building at 26th Street and California Avenue. This included an end to videoconferencing in bond hearings and establishing a pretrial services program.

2009



Through the work of the Council, Judge Pietrucha is removed from the juvenile courts and placed elsewhere because of his lack of appreciation for the concepts of juvenile justice.

Criminal Justice Reform

Stopping Illegal and Unconstitutional Practices, and Implementing Indigence Hearing Reform. Chief Judge of the Circuit Court, Timothy C. Evans, issued in August 2013 General Administrative Order No. 2013-11 in response to a Chicago Appleaseed investigation that uncovered a practice where judges were denying defendants a public defender without the required indigence hearing. The Chief Judge’s order and accompanying memoranda require the courts to conduct hearings on indigence based on the required financial affidavits and in line with Illinois statute and federal constitutional law. The Chicago Appleaseed investigation was done in collaboration with the Chicago Council of Lawyers, and with pro bono counsel from DLA Piper.

We uncovered a practice where judges routinely denied public defender to defendants simply because they had posted bond and not upon a statutorily required indigence hearing. Furthermore, in cases where a public defender was assigned, the public defender’s office would often be reimbursed from the defendant’s bond money on a motion by the assistant state’s attorney—also without an underlying indigence hearing. Essentially, these practices force defendants to choose between pre-trial freedom and a public defense and are in clear violation of Illinois statute and jurisprudence, as well as the Sixth Amendment to the U.S. Constitution.

Helping to Bring About a New Model of Criminal Justice Treatment Diversion. Beginning in May 2013, we have been staffing the Adult Redeploy Planning and Implementation Grant Project under the guidance of Presiding Judge Paul Biebel, Court Administrator Peter Coolson, and Judges Mary Roberts and Lawrence Fox. Through this effort, a treatment diversion courtroom—the ACT (Access to Community Treatment) Court—has been established to focus on providing community-based treatment services in felony cases. We believe that this model can lead to a coordinated diversion process within the Circuit Court of Cook County that will result in a permanent reduction of the Cook County Jail population.

Judicial and Lawyer Ethics

Established the Center for Judicial Performance and Integrity (Center). Within the Center is the Judicial Performance Commission of Cook County, which in 2010 and again in 2012 used specially designed judicial evaluations to help improve the quality of the judiciary through research-based reports that includes detailed discussion of the strengths and weaknesses of judicial performance, proposed judicial performance improvement plans, when indicated—including such strategies as peer mentoring, additional education, and court watching.

We also submitted to the Illinois Supreme Court, in collaboration with the Illinois Campaign for Political Reform, our Policy Brief on proposed judicial recusal standards and procedures.

Family Law

Working to make the Illinois child support system more efficient and effective. In collaboration with the Presiding Judge of the Cook County Circuit Court Domestic Relations Division, we are working to identify proposed innovations and review existing improvements to ensure that the court treats fairly and equally both marital and non-marital children. With pro bono assistance from Skadden Arps Slate Meagher & Flom and Baker & McKenzie, we are assessing changes made to the Parentage Court following the submission of our preliminary report. We have been asked by the Presiding Judge of the Domestic Relations Division to see whether having a separate Parentage Court is constitutional in light of changes that have been made to improve the process. We are staffing Court-appointed committees to bring about changes in the Domestic Relations and Parentage Courts.

Immigration Court Reform

In 2009, Chicago Appleaseed with National Appleaseed and its pro bono partners, Latham & Watkins LLC and Akin Gump Strauss Hauer & Feld LLP released a comprehensive report on the immigration courts, *Assembly Line Injustice*. Since the release of this report, some of our recommendations have been implemented, including hiring new immigration court

judges having backgrounds other than as serving as Department of Homeland Security trial counsel, designating a specific Assistant Chief Immigration Judge to be responsible for training, and creating a website link for public complaints about unprofessional immigration judge conduct.

In collaboration with National Appleseed, the Appleseed Network of Justice Centers, and national law firms Akin Gump and Latham & Watkins, Chicago Appleseed in 2012 released our latest report, *Reimagining the Immigration Court Assembly Line: Transformative Change for the Immigration Justice System*. Working with U.S. Senator Chris Coons, Appleseed, Chicago Appleseed and our pro bono partner, Akin Gump, successfully saw the recent approval of an amendment to S.744 which incorporates our longstanding position that immigrants should not have to file Freedom of Information Act requests in Immigration Court to receive their own records. This amendment will make the system fairer, more efficient, and save more than \$10 million tax dollars each year.

Payday Lending/Economic Inclusion Reform

Chicago Appleseed participated in an effort to pass legislation limiting the predatory practices charged by payday lenders. In collaboration with the Illinois Asset Building Group (IABG), we worked with financial institutions to develop small dollar loan portfolios. Two years of work on small dollar lending culminated in November 2012 at the Illinois Asset Building Group 2012 Conference. At the conference, Chicago Appleseed presented on two path-breaking tools that Chicago Appleseed and IABG developed for lenders interested in offering safe yet profitable small dollar loans: the *Alternative Small Dollar Loan Toolkit* and the *Small Dollar Loan Profitability Calculator*.

State and Federal Judicial Evaluations

The Chicago Council of Lawyers continues to evaluate state judicial candidates, judges seeking retention, proposed Illinois Supreme Court judicial appointments, and candidates to become Cook County Associate Judges as it has since 1970. The Council has been evaluating federal district judges in Chicago since 1972.



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