



THE  
**FUTURE  
IS NOW**  
LEGAL SERVICES  
2024

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# **PARTICIPANT GUIDE**

Presented by the  
Illinois Supreme Court  
Commission on Professionalism  
April 18, 2024

## View from the Bench: Access to Justice in the Legal Profession



**Justice Elizabeth  
Rochford**

*Illinois Supreme Court*

Before being elected to the Illinois Supreme Court in 2022, Justice Elizabeth M. Rochford served as Associate Judge of the Nineteenth Judicial Circuit where she took the lead in developing and initially presiding over a courtroom dedicated to Self-Represented Litigants in family law. Justice Rochford serves as the Illinois Supreme Court Liaison to the Illinois Supreme Court Commission on Professionalism.

In her talk, she will discuss this experience as well as a lawyer's obligation to advance access to justice, how Illinois Courts are working to make justice within reach across the state, and the importance of walking the path litigants take to better appreciate the challenges they face.

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## Bridging Gaps in Access to Legal Services



**Jazz Hampton**

*CEO & General  
Counsel, TurnSignl*

TurnSignl is an on-demand, real-time service that provides 24/7 legal guidance from an attorney to drivers while their camera records the interaction. When drivers are stopped by law enforcement officers or involved in a car accident, they can access live video chat with an attorney at the press of a button. TurnSignl attorneys are vetted and trained to de-escalate interactions between police, drivers, and passengers, help protect drivers' civil rights, and ensure that all parties return home safely.

Jazz Hampton, TurnSignl's CEO and General Counsel, has been featured on PBS NewsHour, NBC Nightly News with Lester Holt, CBS, and NBC Top Story. Jazz will join us for a fireside chat to discuss innovating to fill gaps in the justice system, de-escalation techniques for tense legal situations, using a client-centered approach to designing and delivering legal services, and more.

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## The Elusiveness of Well-Being in the Legal Profession



**Patrick Krill**

*Principal & Founder,  
Krill Strategies*

After reviewing 11 years of data from the U.S. Bureau of Labor Statistics, The Washington Post identified the law as the most stressful profession. With all the stressors and demands of the legal profession, is prioritizing mental and physical health attainable for legal professionals?

During this panel, Bree Buchanan and Patrick Krill, two global leaders in the study of health and well-being of the legal profession, will share data from their research on attorney mental health and substance abuse and discuss its implications for lawyers, clients, and public trust in the legal profession.



**Bree Buchanan**

*Senior Advisor,  
Krill Strategies*

The panelists will also provide recommendations on realistic practices that all lawyers—from BigLaw to solos—can implement to support their health and well-being and the effective delivery of legal services.

## From Intention to Action: Ten Rules for Allyship in the Legal Workplace



**Michelle Silverthorn**

*Diversity, Equity, and  
Inclusion Speaker;  
Author; Founder of  
Inclusion Nation*

Everyone says they're well-meaning. But well-meaning is only the start. Good intentions don't change behaviors or systems like real actions taken for change. This is the work of allyship.

While many of us might think we are good allies, so much of allyship can be performative. Our real test is whether those with whom we are allying believe the same. Do they see your good intentions translating into active support in your firms and the courtroom? Would they want you to become a better ally through your words and deeds?

In "From Intention to Action," Michelle Silverthorn, attorney, author, and Founder & CEO of Inclusion Nation, will share what it means to be an ally in the legal profession and what inequities allies must recognize. She will help attendees become aware of the privileges of their identities and the power they have available. She'll share the steps needed to become a better ally inside and outside the workplace, and help us all learn the language, actions, and tools to promote real, lasting change in the legal profession.

## Practical Uses of Generative AI: How LLMs are Reshaping Legal Services



**Damien Riehl**

*VP, Solutions Champion  
at vLex; Leadership  
Team at SALI*

The term "AI" has been used for decades — powering tools for document review and proofing — but generative AI (e.g., ChatGPT, Copilot) is different. Where prior AI could merely interpret existing documents, generative AI can write new documents at a post-graduate level.

In this talk, lawyer and technologist Damien Riehl will demonstrate how generative AI can perform real-world legal tasks. He will provide attendees with live demos on how they can use generative AI in their practices, including emerging use cases like pleading analysis, document drafting, and argument scrutiny.

Attendees will gain insight into the benefits and challenges of using AI in legal practice, including generative AI's potential to expedite routine and repetitive work, improve the quality of legal services, and improve access to justice.

## Generative AI Ethical Imperatives: Charting a Responsible Course



**Trisha Rich**

*Partner,  
Holland & Knight*

Generative artificial intelligence offers opportunities for lawyers and law firms to draft pleadings and contract language, outline trial strategies, develop marketing content, communicate with clients, and more.

But it also poses numerous ethical challenges, as demonstrated by the error-ridden legal pleadings, fabricated case references, and other "hallucinations" we have seen in the news.

In this talk, legal ethicist Trisha Rich, who serves as a Commissioner with the Illinois Supreme Court Commission on Professionalism, will examine many of the key ethical issues and duties that arise from using generative AI in legal practice, such as confidentiality, supervision, fees, transparency, biases, and candor to the court.

Attendees will learn how to evaluate the benefits and risks of using generative AI while spotting crucial ethical issues as they employ these tools in their organizations.

## You Be the Judge: Responding to Incivility in the Courtroom



**Judge Barbara Flores**

*Cook County  
Circuit Court*

Lawyers' incivility during legal proceedings can cause delays, increase litigation costs and legal fees, and undermine the public's confidence in the rule of law. Navigating such behavior without exacerbating it, while remaining a vigorous advocate for the client's interests, can be challenging for the lawyer who is on the receiving end of this incivility.



**Judge Matthew Lee**

*Champaign County  
Circuit Court*

Hon. Barbara N. Flores (Associate Judge, Circuit Court of Cook County) and Hon. Matthew D. Lee (Associate Judge, Sixth Judicial Circuit Court) will provide their perspective on incivility, along with practical recommendations for how lawyers should handle incivility when it arises in a variety of contexts, including hearings, depositions, and emails. They will also provide tips for addressing incivility when it occurs during Zoom hearings or involves self-represented litigants. Finally, the judges will share how the justice system as a whole benefits from lawyers' civility and professionalism.

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## Welcome Remarks



**John Kim**

*Chair of the  
Commission on  
Professionalism*

John Kim serves as Associate General Counsel at Edward Jones where he counsels on labor and employment matters. Previously, John worked as in-house counsel at State Farm, and was in private practice in Central Illinois. He received his J.D. from the American University's Washington College of Law and a B.A. from Wheaton College (IL).

He currently serves on the Board of Directors of the National Asian Pacific American Bar Association Law Foundation and Prairie State Legal Services. As a member of the McLean County Bar Association, he serves on the Underwood Committee on Professionalism.

John is Chair of the Illinois Supreme Court Commission on Professionalism.

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### About The Future Is Now: Legal Services

The Future Is Now: Legal Services is an annual conference hosted by the Illinois Supreme Court Commission on Professionalism. During the event, legal thought leaders present compelling TED-like talks and participate in town hall discussions focused on how lawyers can innovate in their practices while adhering to the Rules of Professional Conduct.

### About the Illinois Supreme Court Commission on Professionalism

The Illinois Supreme Court established the Commission on Professionalism under [Supreme Court Rule 799](#) to promote integrity, professionalism, and civility among the lawyers and judges of Illinois, to foster a commitment to the elimination of bias and divisiveness within the legal and judicial systems, and to ensure those systems provide equitable, effective, and efficient resolution of problems for the people of Illinois.

The Commission achieves this mission through professional responsibility CLE, lawyer-to-lawyer mentoring, legal professionalism programming, educational resources, and more. To learn more, visit [2Civility.org](https://www.2Civility.org) and follow us on [social media](#).

## Materials

### **Bridging Gaps in Access to Legal Services**

Outline & Additional Information

TurnSignal Enables Access to an On-Demand Attorney During Traffic Incidents

What is TurnSignal?

### **The Elusiveness of Well-Being in the Legal Profession**

Outline & Additional Information

Well-Being Needs to Be Part of the Legal Profession's DNA

### **From Intention to Action: Ten Rules for Allyship in the Legal Workplace**

Outline & Additional Information

Transition Your 'Good Intentions' Into Attorney Allyship

Inclusive Language is Allyship

Navigating Conversations About Diversity in the Legal Profession

Black Women Lawyers Continue to Experience High Rates of Discrimination and Bias

### **Generative AI in the Legal Profession**

Outline & Additional Information

3 Things Lawyers Should Be Doing Now with Generative AI

Getting Started with ChatGPT for Lawyers

The Rise of ChatGPT: Ethical Considerations for Legal Professionals

Why ChatGPT Matters for the Future of Legal Services

### **You Be the Judge: Responding to Incivility in the Courtroom**

Outline & Additional Information

Illinois Supreme Court Commission on Professionalism Survey on Professionalism 2021

Reimagining Law: Why Judges Can't Look Away When Incivility Arises

The True Cost of Incivility in the Legal Profession

Bullying Does Not Pass for Advocacy in Illinois

### **Speaker Bios**

## **Fireside Chat: Bridging Gaps in Access to Legal Services**

**Speaker:** Jazz Hampton, [TurnSignl](#) CEO and General Counsel

**Moderator:** Erika Harold, Executive Director of the Illinois Supreme Court  
Commission on Professionalism

### **I. Learning Objectives**

- a. Learn how innovation and technology can help fill gaps in the justice system and meet unmet legal needs.
- b. Learn why deescalating tense situations is essential to the effective delivery of legal services.

### **II. Overview of TurnSignl**

- a. [TurnSignl Demo Video](#)
- b. On-demand, real-time service that provides 24/7 legal guidance from an attorney to drivers while their camera records the interaction.
- c. Enables drivers who are stopped by law enforcement officers or involved in a car accident to access live video chat with an attorney at the press of a button. Only attorneys licensed in the user's local jurisdiction are allowed to answer TurnSignl video calls from users.
- d. How it works:
  - i. If a driver is pulled over or in an accident, they can launch the app with the press of a button or single voice command.
  - ii. The app begins to record through the front-facing camera and stores video in the user's cloud.
  - iii. An attorney appears on the screen to guide and de-escalate the entire interaction.

### **III. TurnSignl's Mission**

- a. De-escalate interactions between police, drivers, and passengers.
- b. Help protect drivers' civil rights.
- c. Ensure that all parties return home safely.

### **IV. De-escalation training**

- a. TurnSignl attorneys are vetted and trained via certified de-escalation training to de-escalate interactions between police, drivers, and passengers.

- b. De-escalation training is essential to promoting safety for all involved, facilitating effective communication, protecting drivers' civil rights, and avoiding exacerbating the situation.
- c. De-escalation techniques can be useful for all lawyers when navigating tense situations with clients.
  - i. Strategies that can be effective in de-escalating such situations include expressing empathy, using a calm voice, talking "with" not "at" the client, reassuring the client you are there to help, and establishing realistic expectations based on clear and concise explanations of the law and their legal rights.

#### **V. Meeting unmet legal needs**

- a. Finding an entry point for engaging individuals who may not otherwise consult an attorney is central to bridging the access to legal services gap.
- b. New technologies now enable lawyers to engage with clients virtually and offer opportunities to holistically change every facet of the profession, from case and document management tools, billing software and processes, to closing out matters.

#### **Additional Information:**

- [TurnSignl's Website](#)
- [ABA TECHSHOW 2023: Leading with Protection, De-escalation, and Safety with Jazz Hampton](#) (Lawyers Who Lead, with Sigalle Barnes (podcast interview))
- [Social Impact Tech: Jazz Hampton of TurnSignl On How Their Technology Will Make An Important Positive Impact](#) (Jilea Hemmings, Authority Magazine, April 25, 2022)
- [TurnSignl Enables Access to an On-Demand Attorney During Traffic Incidents](#) ([2Civility.org](#))

## TurnSignl Enables Access to an On-Demand Attorney During Traffic Incidents

By Erika Harold

As organizations like the [Legal Services Corporation](#) and the [World Justice Project](#) are [quantifying](#) the United States' significant justice gap, attorney Jazz Hampton has co-founded a company that seeks to bridge that gap by using technology to increase people's access to lawyers.

Indeed, as its slogan declares, [TurnSignl](#) enables users of its app to virtually "put an attorney in the passenger seat."

Hampton, who will join me for a fireside chat at the Commission on Professionalism's [Future Is Now: Legal Services conference](#) on April 18 ([register here](#)), said many of TurnSignl's users have never previously consulted with an attorney and are grateful for the ability to do so.



### What is TurnSignl?

Launched in 2021, following the justice reform movements of 2020, the TurnSignl app allows drivers who are in traffic-related incidents to receive on-demand guidance from a lawyer in their jurisdiction through live video chat.

[TurnSignl has also](#) noted the opportunity its app creates for attorneys seeking to meet unmet legal needs in their communities.

"We empower attorneys to harness this unique offering to lead the change they'd like to see within their local communities and grow their practice in the process," [TurnSignl wrote](#).

Given this emphasis on leveraging technology to increase the accessibility of lawyers' services at individuals' points of need and its capacity to create opportunities for attorneys to attract and serve potential new clients, TurnSignl has been a standout in recent legal technology and justice innovation arenas.

This includes winning the [ABA Techshow's Startup Alley competition](#) in 2022 and being featured in numerous news media outlets [including PBS Newshour](#).

### How does TurnSignl work?

During a traffic stop or accident, drivers who subscribe to the TurnSignl mobile app can connect with a lawyer in their jurisdiction through voice activation or by pressing a call button after opening the app. They can then speak with a lawyer through live video chat during the incident. The driver's camera records the interaction, which is saved in the subscriber's personal cloud for future use if necessary.



The TurnSignl app is available in all 50 states and Washington, D.C. This [video from TurnSignl](#) provides an overview of how it works.

### **A focus on de-escalation**

TurnSignl's [mission is to](#) “protect drivers’ civil rights, de-escalate roadside interactions, and ensure both drivers and law enforcement officers return home safely.”

As such, all attorneys who provide services through the app are required to participate in certified de-escalation training to facilitate effective communication during what can be relatively tense incidents. Strategies that can be effective in de-escalating such situations include expressing empathy, using a calm voice, talking “with” not “at” the driver, reassuring the driver that the attorney is there to help, and establishing realistic expectations based on clear and concise explanations of the law and the driver’s legal rights.

Indeed, these techniques can be useful for *all lawyers* when communicating with clients who become agitated or emotional.

Because TurnSignl’s emphasis on safety extends to law enforcement officials, Hampton [told FindLaw.com](#) that TurnSignl “talked to over 20 police officers—from chiefs of police to boots-on-the-ground officers—to learn more about how we can ensure that when they see a TurnSignl bumper sticker, they will feel safer during that stop than any other they have that day.”

### **Hear from Hampton on April 18**

To learn more about Hampton’s motivation for co-founding TurnSignl, techniques for de-escalating tense situations, and strategies for meeting unmet legal needs in your community, I invite you to attend our [Future Is Now: Legal Services conference](#), which will be held virtually on Thursday, April 18, from noon – 4:30 p.m. CDT.

Additional sessions will explore (i) practical and ethical ways lawyers can utilize generative AI in their practices, (ii) how lawyers can proactively work to ensure their colleagues and other legal professionals are treated fairly and without bias, (iii) realistic approaches lawyers can employ when seeking to safeguard their mental health and well-being, and (iv) judges’ tips for lawyers who encounter incivility during legal proceedings and want to respond constructively without exacerbating the situation.

*Four hours of CLE are available, including one hour of diversity and inclusion CLE and one hour of mental health and substance abuse CLE.*

Click [here to register](#); we hope you can join us!

*Original Blog Post: <https://www.2civility.org/turnsignl-enables-access-to-an-on-demand-attorney-during-traffic-incidents/>*

Q

What is TurnSignal's mission?

A

Our mission is to protect drivers' civil rights, de-escalate roadside interactions, and get everyone home safe.

Q

How does the app work?

A

If you've been pulled over or in an accident, activate TurnSignal. You will be connected to a lawyer in a real-time video call and they will guide you through the interaction.

Q

What features are on the app?

A

- Interaction is recorded & saved to the cloud
- Real-time legal guidance over video
- Follow-up from lawyers in your area
- Do's & Don'ts of a traffic stop
- Know Your Rights tab by state

## The Elusiveness of Well-Being in the Legal Profession

**Speakers:** Bree Buchanan, *Senior Advisor, Krill Strategies*  
Patrick Krill, *Principal & Founder, Krill Strategies*

**Moderator:** Stephanie Villinski, *Deputy Director of the Illinois Supreme Court Commission on Professionalism*

### **I. Learning Objectives**

- a. Learn about the recent research data on lawyer mental health and substance use.
- b. Learn about the consequences for lawyers, clients, and public trust in the legal profession if the troubling well-being data is not addressed.
- c. Learn practical solutions to improve workplace and personal well-being.

### **II. Definitions & Data Points**

- a. Terms such as well-being, health, work-life balance are used interchangeably.
- b. Important data on lawyer well-being
  - i. Law is the most stressful profession, based on an examination of [11 years of data from the U.S. Bureau of Labor Statistics](#).
  - ii. [35% of women and 29% of men reported](#) that their drinking increased during the pandemic.
  - iii. Male attorneys who reported an increase in drinking due to COVID were almost four times more likely to engage in risky drinking. Female attorneys who reported an increase in drinking due to COVID were [seven times more likely to drink riskily](#).
  - iv. A [recent study of Massachusetts attorneys](#) found that 77% reported feeling burned out, 26% reported high rates of anxiety, 21% reported depression and 7% reported suicidal thoughts — all higher than average for U.S. adults.
  - v. Lawyers with the best mental and physical health — and lowest risk of attrition — [work in environments that make them feel most valued for their skill, talent, professionalism, or inherent worth as a human being](#).

### **III. Reasons for Troubling Well-Being Data**

- a. The practice of law tends to attract high achieving perfectionists who often struggle to meet their own self-imposed and often impossibly high standards, which in turn may lead to self-defeating thinking, anxiety, and depression.

- b. Law school and legal practice are often hypercompetitive, conducive to ‘all-or-nothing’ or ‘win-lose’ thinking, and adversarial in nature. Lawyers often develop a degree of skepticism or cynicism both because of practicing law and to successfully anticipate all potential negative outcomes while representing their clients.
- c. Lawyers have extensive caseloads and demanding schedules that keep them from taking the time they need to connect with friends and family, catch up on sleep, and recover from stress.
- d. Lawyers believe they need to be available to their clients around the clock, and the number of hours attorneys must bill adds to the 24/7 demands.
- e. Lawyers who feel most valued for their billable hours, productivity, responsiveness, and other financial contributions were more likely to report that their time in the legal profession had been detrimental to their mental health, caused their use of alcohol or drugs to increase, and that they were contemplating leaving the legal profession due to mental health, burnout, or stress.

#### **IV. Implications & Consequences if Well-Being Data is Ignored**

- a. The American Bar Association’s National Task Force on Lawyer Well-Being put it simply in its 2017 report: “To be a good lawyer, one has to be a healthy lawyer.”
- b. Many lawyers are unable to be their best for their clients, colleagues, communities, and families if they are unhealthy.
- c. [According to Jarrod F. Reich](#), the costs that firms experience due to untreated lawyer mental health and addiction issues include: (1) lawyer disciplinary actions; (2) absenteeism and presenteeism; and (3) costs associated with high attrition.
- d. Lawyers who aren’t prioritizing well-being don’t have the mental clarity and energy to analyze, synthesize, and handle the stressful situations that are common in the profession. This can impact professionalism, civility, and an attorney’s standing in the legal community.
- e. This type of behavior can then erode public trust in the legal system.

#### **V. Practical Solutions to Improve Lawyer Well-Being**

- a. Overall, [short breaks from our digital devices can help relieve stress, strengthen focus and concentration, and improve relationships](#). For example, don’t check email during your evening meal or quality time with loved ones.

- b. Sleep is important. According to the National Sleep Foundation, the average adult requires between seven to nine hours of sleep per night. Getting too little sleep, particularly over an extended period, can lead to mental, physical, and physical side effects, including decreased cognitive function, mood swings, weight gain, and hypertension.
- c. The [solo and small firm attorneys who savor their vacations](#) have invested time and effort in becoming delegators and optimizing functions at their law firms. They have worked hard to ensure that they need not have their hands in every aspect of their firms because their colleagues have everything under control.
- d. Legal employers can sign the [ABA Well-Being Pledge](#).
- e. If firm/organization leaders are working all hours of the night and not taking vacation, it sets a bad example for everyone working for them.
- f. Employees who feel they are growing and developing in their careers will be more satisfied and less likely to experience burnout. [Providing ample professional development opportunities can contribute to overall well-being](#).
- g. [According to Patrick Krill](#), “If your firm’s executive committee or leadership team has not had mental health and well-being on a meeting agenda or retreat schedule in the last year, it is failing to discuss a critical issue clearly facing your population and absolutely affecting your business performance and risk profile in ways both large and small, now and into the future.”

**Additional Information:**

- [Well-Being Needs to Be Part of the Legal Profession’s DNA \(2civility.org\)](#)
- [Cracking the Code on Well-Being in Law: Applying Research and Experience to Advance an Essential but Elusive Priority](#) (Patrick Krill, NALP PDQ, May/June 2023)
- [Loneliness in Law: A Silent Source of Our Suffering](#) (Bree Buchanan, eMagazine [www.legalbusinessworld.com](http://www.legalbusinessworld.com), February 2024)

## Well-Being Needs to Be Part of the Legal Profession's DNA

By Stephanie Villinski

Currently, well-being is not part of the legal profession's DNA like the billable hour, high workloads, professional advancement, and profits are.

But what if it did not have to be an all-or-nothing proposition? What if lawyers did not have to sacrifice their well-being at the cost of being an effective attorney?

I will ask Patrick Krill and Bree Buchanan of [Krill Strategies](#), two global leaders in the study of attorney mental health and well-being, these questions at the Commission on Professionalism's annual [Future Is Now: Legal Services](#) conference, which will be held virtually on Thursday, April 18, 2024.

There is still time [to register](#)! You can earn four hours of CLE for attending, including one hour of diversity and inclusion CLE and one hour of mental health and substance abuse CLE.

### Troubling lawyer well-being data

Krill and Buchanan have dedicated much of their careers to uncovering the data that lies behind the stories of chronic anxiety and stress that are part of the legal profession.

Krill was part of a [pivotal 2016 study](#) from the ABA Commission on Lawyer Assistance Programs and the Hazelden Betty Ford Foundation that explored the prevalence of substance abuse and mental health among attorneys.

In the survey of 13,000 practicing lawyers, between 21% and 36% qualified as problem drinkers, and roughly 28%, 23%, and 19% said they were struggling with some level of depression, stress, and anxiety, respectively.

COVID-19 only exasperated the issue. In research Krill [conducted during the pandemic](#), 35% of women lawyers and 29% of male lawyers reported an increase in their drinking, which became problematic for many.

Finally, [a study Krill conducted](#) on the connection between employer values and lawyer well-being found that lawyers who feel most valued by their employers for their billable hours, productivity, responsiveness, and other financial contributions are more likely to report that their time in the legal profession has been detrimental to their mental health.

These lawyers also reported that these feelings caused an increase in their alcohol and/or drug use and led them to contemplate leaving the legal profession due to mental health, burnout, or stress. Based on these data, the problem cannot be ignored.





### **Ignoring the data is not the answer**

Over the last eight years, there have been meaningful efforts to educate attorneys on the importance of mental health and well-being in the legal profession. However, [according to Krill](#), the progress has frequently been obscured by inertia, maladaptive attitudes, entrenched business models, and budget cuts.

When attorneys don't prioritize their mental health and well-being, it [can lead to things like performance issues](#), disciplinary action, and even potential disbarment.

In addition, [in a recent article about loneliness](#) in the legal profession, Buchanan highlighted that the high workloads and competitive nature of the profession prevent much-needed quality connections with other people. This, in turn, makes law one of the loneliest professions.

Buchanan co-founded the National Task Force on Lawyer Well-Being and is a co-author of its 2017 report, [The Path to Well-Being: Practical Recommendations for Positive Change](#).

She has also served as chair of the ABA Commission on Lawyers Assistance Programs, was appointed Board President of the Institute for Lawyer Well-Being in Law, and served as director of the Texas Lawyers Assistance Program.

### **Practical ways to incorporate well-being into the profession's DNA**

I have not painted a glowing picture of well-being in the legal profession. The good news is that, in addition to researching the issue, Buchanan and Krill currently [help lawyers and employers](#) understand, address, and reduce incidents of mental health distress and problematic substance use.

Join us at the Future Is Now on Thursday, April 18, to learn how big firms, small firms, and solo practitioners can realistically address the profession's well-being problems and the simple steps lawyers can take to improve their mental health.

You don't want to miss my discussion with these two insightful experts on the data behind the stories, what is working and what isn't, and long-term solutions to ensure well-being becomes part of the DNA of the legal profession.

[Click here to register for the Future Is Now!](#)

*Original Blog Post: <https://www.2civility.org/well-being-needs-to-be-part-of-the-legal-professions-dna/>*

## **From Intention to Action: Ten Rules for Allyship in the Legal Workplace**

**Speaker:** **Michelle Silverthorn**, *Diversity, Equity, and Inclusion Speaker; Author; Founder of Inclusion Nation*

**Moderator:** **Julia Roundtree Livingston**, *Diversity, Equity, and Inclusion Manager of the Illinois Supreme Court Commission on Professionalism*

### **I. Learning Objectives**

- a. Define ally.
- b. Identify what we can expect from allies in the legal profession.
- c. Describe ten rules for better allyship in the legal workplace.

### **II. What is an ally?**

- a. Define ally.
  - i. Good intentions are not enough.
  - ii. Good intentions can hurt.
  - iii. Good intentions are performative.
  - iv. Real action is transformative.
- b. Identify assumptions.
  - i. Do colleagues assume things about me?
  - ii. What assumptions are my clients making of me?

### **III. What is Privilege?**

- a. Define privilege.
  - i. Evaluate our privilege as an attorney, as a law student.
  - ii. Evaluate our access to choose workspaces.
  - iii. Evaluate our ability to communicate without additional services (i.e. language, generational legal background).
- b. Identify your power. Evaluate what action we can take according to our power.

### **IV. Ten Rules for Allyship in the Legal Profession**

- a. Center on those who are marginalized.
- b. Become more aware of the biases you have of others.
- c. Remember to show up for the community you're allying around.
- d. All oppression is not the same; all experiences are not identical.
  - i. Don't exaggerate your identities so you can better identify.
  - ii. Empathy matters.
- e. Interrupt bigotry when you see it.
  - i. Be specific.

- ii. Be personal.
  - iii. Be forward-thinking.
  - iv. Be firm.
- f. Amplify those who bias excludes from success.
  - i. What's your opinion?
  - ii. How would you handle this challenge?
  - iii. How can you ally up?
- g. Accept that you will make mistakes—and apologize for them.
  - i. Apologize without caveat.
- h. Identify inequity in systems and learn how you can change it.
  - i. What power do you have to shift fences?
- i. Recognize that you will feel uncomfortable.
  - i. Why are you feeling uncomfortable?
  - ii. What situations lead to discomfort?
  - iii. What skills do you need to learn to reduce that discomfort?
- j. Put respect and empathy at the heart of all your work.
  - i. Good = Treat people the way they want to be treated.
  - ii. Better = Respect someone because of who you are, not because of who they are.

## V. Townhall Q & A

- a. What do I do if I follow these steps to improve my allyship and I get it wrong?
  - i. Getting things wrong is part of how we learn, and in those moments where we unintentionally harm others, we should own those mistakes, apologize, and commit to incorporating feedback while continuing to learn.
- b. What are some ways that I can encourage other attorneys in my workplace, legal orgs, etc. to become an ally alongside of me?
  - i. Acknowledge other attorneys' efforts: Show empathy and understanding to others' efforts.
  - ii. Calm other attorneys' fears about engaging in acts of allyship: Share stories, be willing to answer questions, and express empathy about the process of becoming an ally.
  - iii. Build rapport with other attorneys: Build trustworthy connections by finding common ground and emphasizing similarities.
- c. How do I get over the feeling that I might not be equipped or the right person to be an ally? (Even after thoughtful DEI training.)
  - i. Continue to educate yourself: One or even two DEI trainings will not leave you knowing everything about how to become an ally.
  - ii. Learn about different communities: Read books, listen to podcasts, attend events put on by different communities.

- iii. Uncover your own unconscious bias.
- iv. Identify any problematic thought patterns or beliefs you hold.
- v. Put allyship into action: speak up, model inclusive behaviors, embrace inclusive language.
- vi. Remember that being an ally is an ongoing process.
- d. How can the legal community stay proactive in adapting to the changing needs related to allyship?
  - i. Stay aware of social movements by hearing from multiple perspectives.
  - ii. Attend affinity bar association events to stay current on legal initiatives backed by diverse populations.
  - iii. Encourage events in your legal workplace which offer the perspective of individuals from diverse backgrounds to hear what struggles they might be facing in the legal profession.
- e. In what ways can legal policies and practices be adapted to promote allyship and inclusion in the Illinois legal profession?
  - i. Law firms' commitment: Law firms play a pivotal role in shaping the legal profession. They can actively promote allyship.
    1. Training.
    2. Mentorship programs.
    3. Inclusive policies.
    4. Affinity groups.
    5. Accountability.
  - ii. Individual commitment: Every legal professional can contribute to allyship and inclusion.
    1. Educate yourself.
    2. Speak up.
    3. Amplify voices.
    4. Be an active ally.
    5. Network inclusively.
    6. Self-reflection.
- f. Are there strategies for fostering a legal workplace culture that encourages allyship (for attorneys in leadership positions attending the conference)?
  - i. Educate yourself.
  - ii. Listen & amplify.
  - iii. Use inclusive language.
  - iv. Challenge biases.
  - v. Support affinity bar associations and initiatives.
  - vi. Use your privilege to advocate.
  - vii. Support & respect boundaries.
  - viii. Reflect & learn from mistakes.

- g. How can we measure the success or impact of allyship initiatives in the legal profession?
  - i. Establish a baseline: Assess where your firm stands on the path from diversity to inclusion.
  - ii. Ensure your employee engagement survey addresses inclusion and segments results by race, gender, sexual orientation, religion, ethnicity, and other designations.
  - iii. Identify gaps based on survey.
  - iv. Develop a plan for the allyship program and how they align with the firm's strategic priorities.
    - 1. Set clear goals and objectives.
    - 2. Be specific about what you want to achieve.
    - 3. Regularly report on progress.
    - 4. Allocate financial resources. Determine the budget size and source based on the program plan.
    - 5. Recruit and support allies.
  - v. Engage everyone with a role to play: leadership, human resources, affinity groups, and learning and development.
    - 1. Provide on-going training.
    - 2. Allies will require coaching, mentoring and best practices.
- h. How can law firms incorporate allyship into their training programs?
  - i. The American Bar Association published [a guide](#) to establishing an allyship program to support LGBTQ+ colleagues. It includes planning, tools, communications, discussion guides, webinars, and other resources.
  - ii. Invite speakers to your firm who focus on allyship training.
  - iii. Become familiar with how other law firms have incorporated allyship into their training programs: For example, [Latham & Watkins](#) shares their experiences and tips that they have found effective for attorney involvement in allyship at their firm.
- i. What challenges could attorneys face when attempting to be allies in the legal profession? And, how can these changes be addressed or mitigated?
  - i. Feeling of discomfort: Attorneys often feel uncomfortable speaking up as an ally in the moment.
    - 1. Solution = Continue to find opportunities to self-educate, expose yourself to diverse perspectives, and understand that allyship is a journey which will involve attempts to make you feel more comfortable in your allyship actions.
  - ii. Resistance to change: Some attorneys resist acknowledging the need for change or may be complacent with the status quo.
  - iii. Allies must actively advocate for equity, even when it requires uncomfortable conversations.

**Additional Information:**

- [Transition Your 'Good Intentions' Into Attorney Allyship \(2civility.org\)](#)
- [Inclusive Language is Allyship \(2civility.org\)](#)
- [Navigating Conversations About Diversity in Legal Profession \(2civility.org\)](#)
- [Black Women Lawyers Continue to Experience High Rates of Discrimination and Bias \(2civility.org\)](#)

## Transition Your 'Good Intentions' Into Attorney Allyship at the Future Is Now

By *Julia Roundtree Livingston*

Imagine you and your colleague are attending a meeting to discuss a significant and complex case for your law firm. You are joined by your colleague, Maya, a highly skilled and young Latina attorney, as well as other attorneys in the firm.

As the meeting progresses, Maya offers insightful analysis and proposes innovative solutions to the client's legal challenges.

However, one of the senior partners, Steve, consistently directs his questions and comments to the other attorneys in the room, who are predominantly white men. Despite Maya's contributions, Steve seems to overlook her presence and fails to acknowledge her contributions.

As someone acquainted with Maya and Steve, do you:

- a. Do nothing, as this is how Steve is to all newer attorneys.
- b. Talk to Maya afterward to let her know that you appreciate and agree with her contributions.
- c. During a break in the meeting, approach Steve to discuss his displayed bias and further highlight the issue during a leadership meeting.

Choosing between options a, b, and c could be the difference between just having good intentions (e.g., letting Maya know you appreciate and agree with her contributions individually) or taking it one step further to actively support Maya as an ally.

### Learn to practice intentional allyship as an attorney

Michelle Silverthorn, an attorney, author, and Founder & CEO of Inclusion Nation, describes allyship as "an active and consistent effort to use your privilege and power to support and advocate for people with less privilege."

Attorneys are presented with countless opportunities to be allies in their workplaces, courtrooms, and personal lives. But the challenge lies in moving from the intention of being a good ally to actually taking action to be one.

Silverthorn, who formerly served as the Commission on Professionalism's Diversity and Education Director, will [delve into this during a session](#) at our eighth annual [Future Is Now: Legal Services Conference](#), which will be held virtually on Thursday, April 18.

To date, almost 600 lawyers, judges, and other legal professionals have registered to hear Michelle and the rest of [our speaker lineup](#) discuss issues of innovation and legal professionalism, including bridging



the access to justice gap, realistic approaches to mental health and well-being, practical and ethical uses of AI, how lawyers should respond to incivility in the courtroom, and more.

Four hours of professional responsibility CLE is available, including one hour of diversity and inclusion and one hour of mental health and substance abuse. [Registration is open](#) but space is limited.

[Click to Register](#)

### **A rise in incivility toward diverse lawyers**

For the most part, the representation of diverse attorneys in the legal profession has been slowly increasing. However, this is less so in law firm leadership. For example, women make up 39% of all lawyers but only 22% of equity partners, [according to the ABA](#) and the National Association of Women Lawyers.

Moreover, attorneys of color make up 21% of all lawyers but just 11% of partners, according to the ABA and the National Association for Law Placement.

The Commission on Professionalism's [2021 Survey on Professionalism](#), which studied the experiences of lawyers across Illinois, found that 62% of attorneys from diverse backgrounds agreed that uncivil and unprofessional behavior discourages diversity in the profession.

In addition, the survey [showed instances of incivility](#) tied to race, age, and sex have grown significantly since a similar survey in 2014.

So, how do we create legal workplaces that embrace diversity and make attorneys from all backgrounds feel included and valued?

### **How to be an ally**

While many of us may intend to support inclusive workplaces, it can be hard to know when and how to act.

For example, have you ever considered what changes your firm could make so a colleague who is deaf or hard of hearing can better communicate with clients? Or perhaps you may notice that deserving women and people of color are excluded from working on important cases but do not know if you should raise it with leadership.

To be an active ally at work, attorneys must identify inequities like these in their workplaces, challenge their assumptions about others, and identify the power they hold.

Michelle will teach attendees how to do this, walking through real-life scenarios that illustrate how to be an ally in the legal profession. And she will share language, actions, and tools attorneys can use daily to engage in authentic allyship as an attorney, i.e., the person with whom you are allying sees and recognizes your efforts as genuine.

In addition, Michelle will address questions like: What happens if I say the wrong thing? How can you make someone listen who does not want to? Should I encourage my colleagues to be allies?



Importantly, attendees will have the opportunity to ask Michelle questions too.

By becoming a trusted ally for colleagues and clients, attorneys can help to advance a diverse and inclusive legal profession that looks more like the communities it serves.

Not only will this support the health and well-being of traditionally underrepresented attorneys who often report feeling isolated, but it can also help improve public trust in the legal profession. Moreover, diverse teams that draw on varying points of view are often reported to be more successful.

We hope you will join us to hear from Michelle and the rest of [our top-notch speaker lineup](#) on Thursday, April 18. Registration is open, but time is running out. [Register here](#).

Attendees are eligible to receive 4.0 hours of professional responsibility CLE credit, including 1.0 hour of diversity and inclusion and 1.0 hour of mental health and substance abuse CLE credit.

*Original Blog Post: <https://www.2civility.org/transition-your-good-intentions-into-attorney-allyship-at-the-future-is-now/>*

## Inclusive Language is Allyship

*By Jayne Reardon*

Should lawyers use legal terms of art that may be considered offensive? A provocative series of posts recently lit up a listserv I'm on, bringing this issue into sharp focus. Some comments articulated a historically neutral explanation for a term, another sought evidence that a receiver took offense, another dismissed the kerfuffle with a pithy "Micro-Aggressions warrant no more than a Micro-Concern." Another comment that said acceptable language, like people, changes and evolves over time.



Given that "effective communicator" is part of a lawyer's job description, we should be sensitive to how listeners may interpret our language.

### Metaphors May Offend

The unfortunate truth about America's status as a "melting pot" includes discrimination toward each new wave of immigrants. Often, that discrimination has included labeling immigrants with an ethnic slur.

Over time, some of these ethnic slurs have been abandoned as unacceptable. However, others live on in our language as shortcuts or analogies. Speakers or writers may intend no discrimination or malice but offend nonetheless.

Take the term "Chinese wall." When I was practicing, I recall my firm using the term to defend against a possible motion to disqualify due to the lateral hiring of an attorney who represented an opposing party at a previous firm.

By using screening procedures to isolate the attorney with confidential information, the hope was that the conflict of interest would be restricted to the individual lawyer and not be imputed to other attorneys in the firm.

"Chinese Wall" actually appears in Black's Law Dictionary. There it is defined as "more commonly known as 'ethical wall' or 'firewall,' this term refers to '[a] screening mechanism maintained by an organization, esp. a law firm, to protect client confidences from improper disclosure to lawyers or staff who are not involved in a particular representation.'"

Justice Law in *Peat, Marwick, Mitchell & Co. v. Superior Court* (1988) firmly asserted that the term "Chinese Wall" should be jettisoned in favor of "screen" or "ethical wall":

"'Chinese Wall' is one such piece of legal flotsam which should be emphatically abandoned. The term has an ethnic focus which many would consider a subtle form of linguistic discrimination. Certainly, the continued use of the term would be insensitive to the ethnic identity of the many persons of Chinese descent."

A strained metaphor when crafted, it is uncomfortable but important to acknowledge this example at this time in history. It shows how pervasive discrimination is, even in our profession.

As diversity advocate and former General Counsel Rick Palmore will share next week in his talk at The Future Is Now: Legal Services conference, awareness and acknowledgment are the first steps toward greater inclusiveness. Action must follow for true allyship.

### **History and Intent Doesn't Mitigate Effect**

Similarly, our collective path is riddled with examples of people being targeted or ostracized for having a disability. Terms that lawyers use regularly in arguments may smack of ableism, or discrimination in favor of able-bodied people.

For example, “the blind leading the blind” describes a situation when someone who knows nothing about a subject gets advice from another person who knows little more. Similarly, “turning a blind eye” may refer to ignoring facts or an argument and “turning a deaf ear” may mean to ignore or refuse to listen.

I learned from a listserv commenter that the expression “turn a blind eye” is believed to have come from the 1801 Battle of Copenhagen in which Horatio Nelson, a British naval commander, was ordered to withdraw. Nelson, who was blind in one eye due to an earlier battle, pretended not to see the signals by putting his telescope to his wounded eye.

However, whether or not this or any term originated from a historical event doesn't ameliorate the harmful effects this language can have on a person.

In addition, that our intent may be benign in using certain terms is irrelevant. As another commenter on the listserv said, “Personally, I don't believe that I have standing, as you lawyers might say, to tell someone else what they shouldn't find offensive.”

### **Language Can Signal Inclusiveness...or Not**

As lawyers, our stock in trade is language. We can choose language that makes our points persuasively or language that is distracting and possibly offensive. Distracting or offensive language, of course, doesn't serve our clients, our profession, or our image in the eyes of the public.

When we disregard how others may interpret our language or are unthoughtful with our words, we risk offending members of our professional community, like the judge, judge's staff, opposing counsel, or others who may hear the oral argument or read the brief. In choosing more inclusive language, we choose allyship.

Allyship, according to Nicole Asong Nfonoyim-Hara, the Director of the Diversity Programs at Mayo Clinic, describes an action of “a person of privilege work[ing] in solidarity and partnership with a marginalized group of people to help take down the systems that challenge that group's basic rights, equal access, and ability to thrive in our society.”

Allyship is also defined as a form of action by Ellie Krug, Founder and President of Human Inspiration Works.

In a conversation about her upcoming talk at The Future Is Now conference, Krug explained that “ally” is a noun. “An ally acts to help humans who often lack a voice to speak on their own behalf or who aren’t always in the room when demeaning or marginalizing comments/behaviors occur, or marginalizing policies or plans are made,” she writes.

As a transgender lawyer, Krug finds the language of “us vs. them” particularly pernicious to our democratic values. She exhorts lawyers to embrace the diversity, equity, and inclusion practices that the business community adopted long ago.

Increased allyship through language and actions is essential for the legal profession to remain relevant. The topic may make us uncomfortable, but that is where growth occurs.

Concrete steps toward allyship will be explored at the Commission on Professionalism’s The Future Is Now conference on April 29, 2021. Krug, Palmore, and Hon. Ann Claire Williams, a retired federal judge now at Jones Day, will share specific strategies for actively re-shaping the culture of our profession.

If you haven’t registered for The Future Is Now, it’s not too late. Register here and I will “see” you there. CLE and judicial education credit will be provided to conference attendees.

*Original Blog Post: <https://www.2civility.org/inclusive-language-is-allyship/>*

## Strategies for Navigating Difficult Conversations About Diversity in the Legal Profession

By Laura Bagby

In January and February, the Institute for Inclusion in the Legal Profession is encouraging lawyers to spend one hour talking about diversity, equity, and inclusion with another professional whose diversity is different from theirs.

Through this initiative, called #TalkIntoAction, [IILP hopes to](#) expose lawyers to different points of view and encourage them to critically examine their perspectives while learning from others.



The #TalkIntoAction initiative is open to all legal professionals and the conversations can happen anywhere (e.g., in the office, over Zoom, at lunch, etc.). IILP [lays out a few ground rules here](#) and encourages participants to share a photo or screenshot of their #TalkIntoAction conversation on social media or with [Jennifer.Jackson@theiilp.com](mailto:Jennifer.Jackson@theiilp.com).

Before having these conversations, our DEI Manager [Julia Roundtree Livingston](#) said lawyers should consider why diversity, equity, and inclusion are important goals in the legal profession.

“Lawyers and judges who better understand the communities they serve can help build public confidence in the justice system and respond to the needs of all who require legal help,” Roundtree Livingston said. “Moreover, diverse and inclusive legal professionals support an improved culture at law firms, which can positively impact the productivity and mental health of attorneys.”

Roundtree Livingston [participated in the challenge](#) last year with Judge Lindsey Shelton of Macon County, Illinois.



*Julia Roundtree Livingston and Judge Lindsey Shelton participate in #TalkIntoAction 2023.*

## Having difficult conversations

Engaging in a conversation about diversity in the legal profession or elsewhere can be intimidating. The Commission talks to Illinois lawyers about how to approach these conversations in our CLE [“We Need To Talk: Navigating Challenging Conversations About Diversity,”](#) which we deliver virtually and in person around the state.

Below we share some tips from the CLE on interrupting your implicit biases to get the most out of these #TalkIntoAction conversations.

### First, examine your implicit biases.

We all have implicit biases. In some respects, we are all—at least initially—limited by the scope of our backgrounds and lived experiences.

Many of the quick judgments or assessments we make each day are viewed through the prism of these perspectives. Therefore, our first instinct may be to view our background and experiences as “normal.” Regardless of whether it’s intentional or not, our biases can impact others, making them feel unwelcome, unsupported, and devalued.

However, in conversations about diversity in the legal profession, we can interrupt those biases by:

- **Start with a commitment to be fair.** If you commit to fairness in a conversation or shared experiences, you are much more likely to treat others this way. Why? Because you are intentionally thinking about it, which can also make it easier for you to spot your own biases.
- **Recognize that we believe ourselves to be bias-free.** Rebecca Howlett and Cynthia Sharp [wrote in the ABA’s GPSolo publication](#) that, “it is important to recognize that we all carry biases as we are products of our system.” They went on to say that while our unconscious biases can be resistant to change, we can work to disrupt them if we’re “constantly confronted with recurring evidence” that they need to change. So, the issue isn’t whether such biases exist; the issue is committing to interrupting them.
- **Try not to be defensive if someone draws your attention to a bias.** If someone points out an unconscious bias, notice if you’re shifting into self-preservation mode, then focus on listening to them and trying to fully understand their perspective. Ask clarifying questions if you need to. Listening doesn’t mean you have to agree with them, but it does take strength and humility on your part and allows the other person to be heard.
- **Learn from your discomfort.** You don’t have to be an expert on the background or culture of others but can be interested in learning about it. Ask questions, let your partner educate you about their background and experiences, and offer the same to them. This honesty and vulnerability will lead to more meaningful communication.

### More dos and don’ts

Here are some additional dos and don’ts if you experience or find yourself exhibiting bias:

*If you experience bias:*

- **Don't blame yourself** for the other person's behavior or comments. You didn't cause the other person's bias and aren't at fault.
- **Don't hold yourself responsible** for the conversation's outcome. You have no control over the other person's intentions or reactions to the conversation.
- **Don't apologize** for initiating the conversation. This is meant to be a learning experience. Your goal is to provide the other person with insights into the experiences of someone different and to try to understand their experiences too.
- **Do focus on the other person's** words and behavior rather than their perceived intentions. What you hear and see should be your focus; you can't guess what their intentions are.
- **Do consider suggesting how the other person** could have handled the situation in a way that made you feel valued and respected.
- **Do make a few notes** regarding what happened and how it made you feel (e.g., excluded, marginalized, disrespected).

*If you find yourself exhibiting bias:*

- **Don't do nothing**, which can make your partner feel devalued or unimportant.
- **Don't sidetrack or terminate** the conversation, which can make your partner feel angry and disrespected.
- **Don't try to appease your partner** by saying what you think they want to hear. This may make your partner feel that you're being inauthentic and aren't taking the situation seriously.
- **Do engage in good faith.** If you're willing to have a conversation, do so honestly and openly. If you're not quite in that space, ask to reschedule so you can prepare yourself emotionally.
- **Do be open to changing your behavior and perspective.**
- **Do validate what you can sincerely affirm.** You may not fully appreciate or agree with the other person, however, if there are things you could have handled better, commit to doing so in the future and thank your partner for allowing you to have this experience.

We hope to see your #TalkIntoAction conversations about diversity in the legal profession on social media!

*Original Blog Post: <https://www.2civility.org/strategies-for-navigating-difficult-conversations-about-diversity-in-the-legal-profession/>*

## Survey Finds Black Women Lawyers Continue to Experience High Rates of Discrimination and Bias

By Laura Bagby

A recent survey found 70% of Black women lawyers had experienced or witnessed discrimination and bias in the workplace and 47% said they feel the burden of having to educate people on diversity, equity, inclusion, and belonging (DEIB) just because they are Black.



The study, [conducted by the](#) National Bar Association (NBA) Women Lawyers Division (WLD) and Kanarys Inc., a technology company focused on DEIB, evaluated the state of Black women attorneys on issues related to DEIB in their work environments.

The NBA is the oldest and largest network of predominately Black attorneys and judges in the U.S.

During the summer and fall of 2022, 163 members of the NBA WLD and other Black women's legal organizations were surveyed. The majority of respondents (48%) indicated that they worked in a law firm, followed by in-house (16%), government agency (12%), court (6%), and non-profit (6%) organizations.

"Black women's value and lived experience must be recognized for more than increasing diversity in an organization, so we can be provided with equitable support and access and have a higher level of investment for success across the legal industry," the NBA WLD leaders wrote in the report.

### Legal profession rates below average

Overall, Black women lawyers rated their legal workplaces almost 10 points lower on DEIB issues than Kanarys' national cross-industry average (49 vs. 58), which is a benchmark score for all organizations Kanarys has assessed.

While 66% of participants said they were comfortable expressing their identity at work and their workplaces display a commitment to improving diversity, just 65% intend to be working at their current organization in two years.

This finding underscores the importance of retention efforts, in addition to recruitment and hiring. Importantly, there was a 22-point gap between lawyers aged 26-37 and those 45-54 when asked about their plans to move jobs, with the younger attorneys indicating a [significantly higher desire](#).

When it came to equitable treatment, 78% of respondents said their workplaces offered real opportunities to improve their skills. However, sentiment fell well below cross-industry averages when it came to things like accountability for discrimination, fair performance evaluations, workplace treatment, work allocation, and recognition.



Moreover, almost 25% of respondents said they did not feel comfortable intervening or telling HR about discrimination and bias concerns, and 29% said they felt that “white allyship at their organization is performative.”

Interestingly, respondents noted that mentorship programs, which can foster belonging and advancement opportunities, “show preference to in-group mentorship (e.g., male mentee paired with male mentor).”

This inherently excludes Black women from mentoring programs, the report said, due to the low number of Black women lawyers in leadership levels.

### Roadmap for advancing Black women lawyers

Based on its findings, the NBA identified steps individuals and organizations can take to advance Black women lawyers.

These include things like expanding pipeline opportunities beginning in high school and through law school; investing in the hiring and promotion of Black women (especially in mid-level and senior/executive positions); using metrics to track and better understand the work experience of Black women lawyers; celebrating the success of Black women, inside and outside of the organization; and supporting inclusive and equitable work environments, like calling out discrimination and [educating yourself](#) on the oppression of marginalized communities.

“It is vital that legal organizations recognize the valuable talents, experiences, and perspectives that Black women lawyers bring to the profession, not just at the associate level but at senior and partnership levels,” said Julia Roundtree Livingston, Diversity, Equity, and Inclusion Manager at the Illinois Supreme Court Commission on Professionalism. “Until organizations start making room for Black women at the top, it will continue to be difficult to truly influence a culture change, for this generation and future attorneys.”

### What’s happening in Illinois

There are significant efforts in Illinois to support the advancement of Black women lawyers and other attorneys from traditionally underrepresented communities. In fact, four of Illinois’ nine law schools are [led by Black women](#).

Here are three ways you can get involved:

- **Support pipeline programs:** [Just The Beginning – A Pipeline Organization](#) (JTB) was developed by the Hon. Ann Claire Williams (Ret.) to encourage young people—from middle school through law school—to pursue careers and leadership opportunities in the law. JTB offers nationwide programs like the Summer Legal Institute, Middle School Law Camp, judicial internships, [and Jumpstart](#), a pre-law school program in collaboration with the Commission on Professionalism and Illinois law schools.
- **Mentor diverse attorneys:** The Commission on Professionalism partners with more than 100 organizations across Illinois on a [lawyer-to-lawyer mentoring program](#), which pairs new and more established attorneys for a one-year term. In 2022, the Commission [released a toolkit for](#)

[participants](#) that is specifically dedicated to mentoring underrepresented attorneys. CLE credit is available for mentors and mentees.

- **Take our Bullying in the Legal Profession survey:** This September, the Commission [plans to survey Illinois lawyers](#) on their experiences with bullying in the legal profession to identify its impact and provide strategies for prevention. Keep an eye out for the survey in your email inbox.

*Original Blog Post: <https://www.2civility.org/survey-finds-black-women-lawyers-continue-to-experience-high-rates-of-discrimination-and-bias/>*

## Generative AI in the Legal Profession

**Speakers:** **"Practical Uses of Generative AI: How LLMs are Reshaping Legal Services,"** Damien Riehl, *VP, Solutions Champion at vLex and Leadership Team at SALI*  
**"Generative AI Ethical Imperatives: Charting a Responsible Course,"** Trisha Rich, *Partner at Holland & Knight*

**Moderator:** **Mark Palmer, Chief Counsel of the Illinois Supreme Court**  
*Commission on Professionalism*

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### ***Practical Uses of Generative AI: How LLMs are Reshaping Legal Services***

#### **Summary**

The term "AI" has been used for decades — powering tools for document review and proofing — but generative AI (e.g., ChatGPT, Copilot) is different. Where prior AI could merely interpret existing documents, generative AI can write new documents at a post-graduate level.

In this talk, lawyer and technologist Damien Riehl will demonstrate how generative AI can perform real-world legal tasks. He will provide attendees with live demos on how they can use generative AI in their practices, including emerging use cases like pleading analysis, document drafting, and argument scrutiny.

#### **I. Learning Objectives**

- a. Gain insight into the benefits and challenges of using AI in legal practice.
- b. Explore generative AI's potential to expedite routine and repetitive work, improve the quality of legal services, and improve access to justice.
- c. Experience real-world examples of utilizing AI-based tools in various legal work applications from litigation to transactional to the business of law.

#### **II. Overview of AI's Evolution in Legal Services**

- a. Discussion of when and how artificial intelligence has entered the legal profession including impacts on the delivery of legal services.

#### **III. Generative AI: A Paradigm Shift**

- a. Definition and capabilities of generative AI – generative AI refers to artificial intelligence that can generate new content, from text to images, by learning from vast datasets. It's capable of:
  - i. Creating new content like articles, music, and art.
  - ii. Predicting outcomes based on data trends.
  - iii. Automating repetitive tasks, enhancing productivity.
- b. Contrast with traditional AI tools in legal practice.

- c. The significance of generative AI's ability to produce outputs and create new documents.
  - i. Compare and contrast an "internet search" with an "AI conversation."

#### **IV. Benefits and Challenges**

- a. Discussion on the efficiency and quality improvements in legal services
- b. Ethical and practical challenges of implementing AI
  - i. Bias and Fairness: AI may reflect or amplify biases present in training data.
  - ii. Transparency: Understanding AI decision-making processes can be complex.
  - iii. Accountability: Determining liability for AI's actions or advice remains unclear.

#### **V. Demonstrations: Generative AI in Action**

- a. Demonstration of pleading analysis using generative AI
- b. Examples of document drafting for a legal case
- c. Scrutiny of legal arguments through AI assistance

#### **VI. Real-World Applications**

- a. Sharing examples from litigation, transactional work, and law business management
  - i. How technology efficiencies can impact billing for legal services
  - ii. How AI tools are improving access to justice
    - 1. Lowering Costs: Automating routine tasks can reduce legal fees.
    - 2. Increasing Efficiency: AI can quickly process and analyze legal documents.

#### **VII. Encouragement to Explore Generative AI in Legal Practices**

- a. Experiment and test various AI tools while remembering your ethical guardrails such as not to input confidential information.
-

## ***Generative AI Ethical Imperatives: Charting a Responsible Course***

### **Summary**

Generative artificial intelligence offers opportunities for lawyers and law firms to draft pleadings and contract language, outline trial strategies, develop marketing content, communicate with clients, and more.

But it also poses numerous ethical challenges, as demonstrated by the error-ridden legal pleadings, fabricated case references, and other “hallucinations” we have seen in the news.

In this talk, legal ethicist Trisha Rich will examine many of the key ethical issues and duties that arise from using generative AI in legal practice, such as confidentiality, supervision, fees, transparency, biases, and candor to the court.

### **I. Learning Objectives**

- a. Learn how to evaluate the benefits and risks of using generative AI.
- b. Apply the Illinois Rules of Professional Conduct in spotting crucial ethical issues.
- c. Examine how best to ethically employ these tools in their organizations now and in the future.

### **II. Overview of Ethical Considerations**

- a. Understanding generative AI
  - i. Highlight examples in legal work contexts—drafting documents, outlining strategies, covered by Damien Riehl—and emphasizing putting your ethical obligations first.
- b. Ethical Challenges in News
  - i. Case studies of errors and “hallucinations” in legal AI, especially in litigation.
  - ii. Discussion of confidentiality breaches and misinformation.
- c. Key Ethical Duties and Issues Based on Illinois Rules of Professional Conduct
  - i. Rule 1.1 Competency – Comment 8 technology risks and benefits
  - ii. Rule 1.4 Communication
  - iii. Rule 1.6 Confidentiality: Safeguarding client information
  - iv. Rule 2.1 Duty to Exercise Independent Professional Judgment
  - v. Rule 3.3 Candor to the Court: Maintaining honesty in AI-generated content
  - vi. Rule 5.1, 5.3 Supervision: Ensuring AI tools are used appropriately
  - vii. Rule 5.5 Unauthorized Practice of Law
  - viii. Risk of Biases: Recognizing and mitigating inherent biases
  - ix. Risk of Violating IP Laws
  - x. Billing: Addressing fair billing practices with AI efficiency
  - xi. Transparency: Being open about AI’s role in work product

### **III. Best Practices for Ethical AI Use**

- a. Strategies for supervision and quality control
  - i. Proper training and CLEs related to technology including consumer vs. enterprise tools and software.
  - ii. Office policies and procedures to be included in training and compliance updates across the organization.
- b. Ensuring transparency and client communication

### **IV. Embracing AI with Ethical Vigilance**

- a. Experiment and test various AI tools while remembering your ethical guardrails such as not to input confidential information.
-

## Town Hall Q&A Session

### Summary

The sessions from Damien and Trisha will be followed by a moderated town hall that will allow attendees to ask questions in real time. Our chief counsel, Mark C. Palmer, who frequently writes and speaks on legal technology's impact on our profession, will moderate.

#### I. Pace of AI Impacting the Legal Profession

- a. Discussion regarding how the profession, courts, bar associations, etc. are reacting to it.
  - i. Court rules and policies requiring disclosure of use of AI in court filings are duplicative of current rules (e.g., FRCP 11) and confusing.
  - ii. Speed of technology advancement vs. speed of training and education for competency?

#### II. Question Topics

- a. AI's impact on jobs for lawyers and legal professionals
  - i. AI is likely to transform rather than replace jobs for lawyers and legal professionals. It can automate routine tasks, allowing lawyers to focus on more complex and strategic work.
- b. AI's impact on training, education, and supervision of and for lawyers, judges, and other legal professionals
  - i. AI will necessitate continuous learning and adaptation in legal education and training. It may also assist in the supervision of legal work by providing tools for analysis and review, while the outputs of AI must be affirmed by human review.
- c. Organizational policies are needed to govern the use of AI, ensuring ethical standards, data protection, and accountability are maintained.
- d. Expand on the risk, benefits, limitations with relying on AI-generated work product.
  - i. The risks include potential biases in AI outputs and over-reliance on AI without proper oversight.
  - ii. The benefits are increased efficiency and cost-effectiveness.
  - iii. Limitations involve AI's current inability to fully understand the nuances of human language and context.
- e. Clients' role in utilizing AI for the delivery of legal services.
  - i. Clients can play a significant role by being open to the use of AI tools, which can lead to more efficient and cost-effective legal services.
- f. Getting started for lawyers, particularly solo and small firm practitioners.
  - i. Discussion of comparing the use of consumer facing (often free or inexpensive) tools vs. enterprise tools (often more expensive while more secure, customizable).
- g. Looking ahead to the next 5-10 years, AI is poised to significantly influence the legal profession in several ways:

- i. Enhanced Legal Research: AI will likely become more adept at sifting through legal databases, predicting relevant case law, and suggesting applicable statutes, making legal research more efficient.
- ii. Automated Document Drafting: AI's ability to generate legal documents based on templates and specific user inputs will streamline the drafting process, saving time and reducing human error.
- iii. Predictive Analysis: AI may offer predictions on case outcomes, helping lawyers make more informed decisions about whether to settle or proceed to trial.
- iv. Client-Lawyer Interaction: AI may change how clients interact with their lawyers, with more communication and legal service delivery occurring through AI interfaces.
- v. Data Security and Privacy: As AI systems handle more sensitive information, there will be an increased focus on data security and privacy, with lawyers needing to navigate complex data protection laws.

**III. Attendee Moderated Questions** – Open virtual floor for participant questions and discussion

**Additional Information:**

- [3 Things Lawyers Should Be Doing Now with Generative AI](#)
- [Getting Started With ChatGPT for Lawyers](#)
- [The Rise of ChatGPT: Ethical Considerations for Legal Professionals](#)
- [Why ChatGPT Matters for the Future of Legal Services](#)



## 3 Things Lawyers Should Be Doing Now with Generative AI

By Mark C. Palmer

As a lawyer, maintaining the knowledge and skills required to practice law in today's environment while meeting daily practice demands is no small task. Throw in maintaining competency in emerging technologies and understanding how to use them effectively, and the practice of law can be overwhelming.



Over the past several decades, lawyers have slowly—but surely—embraced computers, the internet, email, and cloud computing in the way we work, communicate, and serve our clients. To date, [40 states have adopted](#) the ABA's Model Rule of Professional Conduct 1.1, Comment 8, to include “keeping abreast of the benefits and risks associated with relevant technology” in maintaining attorneys’ professional competency.

Today, generative artificial intelligence (genAI) is just starting to transform the legal profession. AI refers to the ability of machines to perform tasks that normally require human intelligence.

Traditional AI has been widely used in the legal industry and in our daily lives for years—for example, Google searches, Netflix recommendations, spell check, and legal research tools. But genAI is different; it generates new content from scratch, based on what it learns from the data it scans.

GenAI tools like OpenAI’s ChatGPT and Microsoft’s Copilot can help lawyers generate original and high-quality content, such as legal documents, contracts, briefs, or memos. GenAI can also help lawyers with creative tasks, such as brainstorming, storytelling, or creating marketing material.

Many, if not most, lawyers have heard about genAI. But many may dismiss it as a trend or lack the free time to explore the potential of these tools. I see you and I get it!

However, genAI is relevant and [being used in legal practice](#). And lawyers need to understand the benefits and risks for themselves, their organizations, and their clients.

Here are three things lawyers should be doing now with genAI in their law practice:

### 1. Remember your ethical requirements

Before experimenting with various genAI tools, lawyers must remember the ethical guide rails demanded of them. GenAI raises [multiple ethical issues](#) for lawyers, such as confidentiality and supervision, and lawyers have a duty to adhere to their ethical obligations and ensure that their use of genAI—and its use by those they supervise in their practice—doesn’t violate these duties.

For example, lawyers have a duty to protect the confidentiality and privacy of their clients' information, and to ensure it's not disclosed, misused, or compromised by genAI tools. (See Illinois Rules of Professional Conduct [1.6](#), [1.9](#), [1.18](#).)

However, GenAI tools categorized as "self-learning" leverage previously inputted data from users to enhance their outcomes. This entails continuous refinement of future responses as additional inputs from users are integrated into the existing parameters. As emphasized by a recent bar ethics opinion on using genAI, when genAI tools have the potential to include such inputs containing confidential information in future answers, there exists a risk of breaching confidentiality ([Florida Bar Ethics Opinion 24-1](#)).

This advisory opinion underscores that such a risk can be alleviated by employing an in-house genAI tool rather than relying on an external tool hosted and managed by a third party, such as ChatGPT or Copilot. This can help attorneys retain greater control over data security.

## 2. Experiment with genAI tools

Unlike traditional internet searching, where you input keywords and sift through search results, interacting with genAI involves a more dynamic and conversational approach. To begin, users select a platform or tool that offers genAI capabilities. Once in the platform, users type their questions or prompts into the chat box, initiating a dialogue with the tool.

One of the most striking differences you may notice with genAI is the conversational style of interaction. Instead of receiving a list of static answers to a question, like a traditional Google search, users engage in a back-and-forth exchange with the platform, much like conversing with another person.

This encourages users to frame their questions in a natural and informal manner, fostering a more engaging and intuitive experience.

While I've written before about [getting started with genAI for lawyers](#), I suggest more personalized experimentation. Explore the nuances of language and context by adjusting your prompts and observing how the AI responds, such as asking it to recommend movies or books, places to visit and things to do for an upcoming trip, or what to make for dinner using a list of ingredients in your fridge.

By trying different phrasings, tones, or levels of specificity, you can uncover the breadth of the genAI's capabilities and fine-tune your interactions accordingly. You can tap into your creativity to go beyond seeking information or answers, leveraging genAI to brainstorm ideas or better organize your tasks.

Being proactive and curious about genAI can help lawyers gain a competitive edge and a reputation for being innovative and forward-thinking.

## 3. Train and supervise your team on genAI

As you're experimenting with genAI, odds are your team is too. Training and supervising employees in the use of genAI is not only an ethical requirement (Illinois Rules of Professional Conduct [5.1](#), [5.3](#)), it requires a structured approach focused on policy, education, and ongoing support.

Ensure your organization has a policy for using genAI in accordance with lawyers' professional obligations and properly train them on its capabilities and limitations with emphasis on ethical considerations.

Establish clear guidelines and best practices for using the technology in the workplace, such as a process for reviewing the work product and verifying the accuracy and sufficiency of research conducted on the platform.

Consider how your organization can foster a culture of continuous learning. Provide access to educational resources, encourage knowledge-sharing among employees, and solicit feedback on AI tools, while balancing risk and quality assurances.

This can help mitigate potential challenges associated with genAI, such as bias or misinformation, and empower employees to explore the technology's creative potential within the boundaries of ethical standards and organizational policies.

Training and supervision should be ongoing. GenAI is constantly evolving and improving, and new genAI tools and applications will continue to become available. Make sure you account for this in your training and supervision.

### **Approach genAI strategically**

As you navigate the realm of genAI in your legal practice, approach the technology with a strategic mindset.

Embracing genAI requires a nuanced understanding of its capabilities and benefits. By staying abreast of ethical requirements, experimenting with genAI tools in a personalized manner, and training and supervising your team effectively, you can position your practice to be at the forefront of innovation and efficiency.

Stay curious, stay informed, and embrace the transformative power of genAI to propel your law practice into the future.

*Original Blog Post: <https://www.2civility.org/3-things-lawyers-should-be-doing-now-with-generative-ai/>*

## Getting Started With ChatGPT for Lawyers

By Mark C. Palmer

In the fast-evolving landscape of legal practice, staying ahead of the curve is not just an advantage, but a necessity. Staying up to date on new technology helps lawyers attain competence in the [benefits and risks of technology](#) for you and your clients, while providing ways to streamline your work and enhance client service.

Whether you realize it or not, most lawyers are already using AI. As my colleague [Erika Harold wrote](#), “AI is already an integral part of the legal profession, whether through e-discovery, contract review, legal research, or client billing applications.”



However generative AI (genAI) tools like ChatGPT are different than traditional AI, which analyze historical patterns to detect and categorize data sets, formulating insights and predicting future outcomes. GenAI, on the other hand, learns patterns from data to produce entirely new content.

I have [written before](#) about how [ChatGPT](#) and other genAI tools do their thing. As a refresher, when using ChatGPT, a user inputs a question or command, called a “prompt,” asking the platform to do something. ChatGPT then analyzes a diverse range of web-based text sources that it has access to — or is “trained on” — and generates a response based on these sources. The response often seems like it has come from a human.

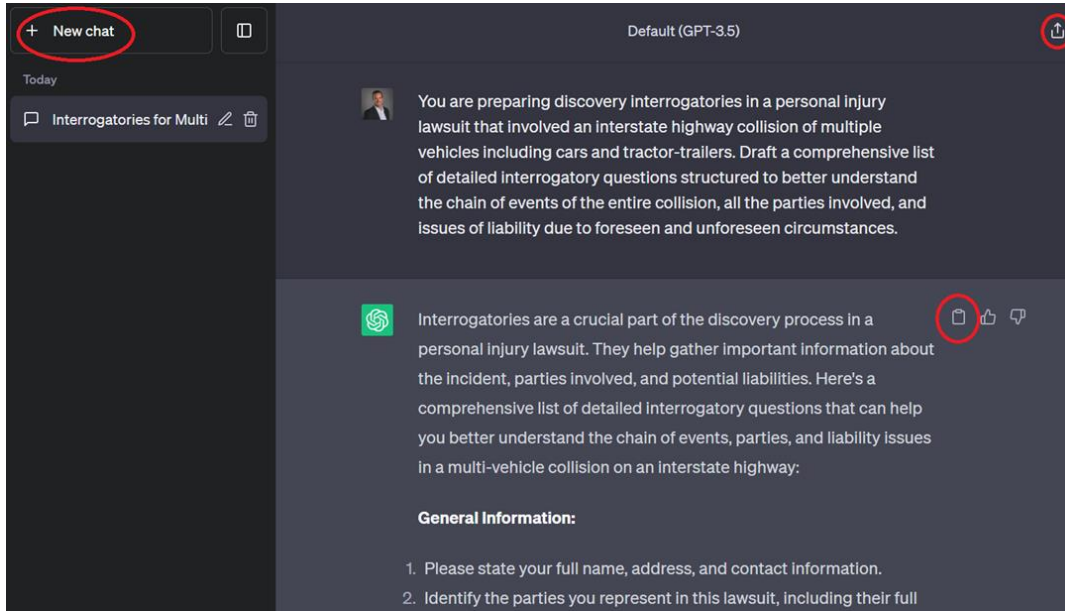
While this quick guide is meant to help lawyers feel more comfortable using ChatGPT, many other emerging “chatbot” tools can also be used, often free or at a minimal cost. I will get into that later. For now, let’s dive into a ChatGPT primer for lawyers.

### How to access ChatGPT

You can access ChatGPT from a web browser or your phone. To access ChatGPT from a web browser:

1. Go to: <https://chat.openai.com/auth/login> and click “Sign up.”
2. Create an account using your email or sign in using your Google, Microsoft, or Apple account.
3. Once logged in, type your prompt into the “Send a message” box. Draft your prompt using natural, conversational language, like you are talking to an assistant.
4. A response will be generated instantly as if a person is typing it.
5. Just like chatting with an assistant, you can refine or follow up on the response by inputting additional prompts, as if to continue the conversation. Or start a new chat by clicking “New chat” in the upper left corner.
6. Your history of chats is logged in the left window so you can return and resume previous chats.

- You can share your chat by clicking the share button in the upper right to create a link and copy a response by clicking the clipboard icon next to the response. (IMPORTANT: ChatGPT can [provide inaccurate and biased information](#), so it is best to use it as a starting point or to supplement your work, and critical to verify any content used. I will get into this more later.)



To access ChatGPT from an iOS or Android phone:

- Follow the same process as above using your phone's browser or download the **official** ChatGPT app by OpenAI (watch for imitators) for [iOS](#) or [Android](#).
- Sign up to create an account using your email or sign in using a Google, Microsoft, or Apple account.
- Once logged in, follow the steps above (starting at 3) to get started.

### Effective ChatGPT prompts for lawyers

The key distinction between ChatGPT and traditional search engines is the nature of the interaction. While search engines rely on keywords and algorithms to generate results, ChatGPT responds to natural language prompts.

This means that lawyers should engage with ChatGPT in a conversational manner, which can provide more nuanced and contextually accurate responses. And the ability to ask ChatGPT follow-up questions and tailor responses with subsequent prompts turns the traditional "Google it" on its head.

Lawyers should draft prompts that are detailed and tailored to specific needs. As the examples provided in a [previous post](#) demonstrate, genAI is particularly good at helping lawyers summarize content and serving as a starting point for drafting documents.

Here are some sample ChatGPT prompts lawyers may use for common tasks:

- For summarizing content (documents, laws, opinions, etc.)**

- Initial prompt: “Summarize the following into an executive summary and include key bullet points outlining all issues, analysis, and conclusions throughout” [paste the content to be summarized in window].
- Follow-up prompt: “Identify the legal issues and analyze the potential risks and benefits of pursuing a legal strategy to succeed on these issues including costs and risk management.”
- **For drafting litigation content**
  - Initial prompt: “You are preparing discovery interrogatories in a personal injury lawsuit that involved an interstate highway collision of multiple vehicles including cars and tractor-trailers. Draft a comprehensive list of detailed interrogatory questions structured to better understand the chain of events of the entire collision, all the parties involved, and issues of liability due to foreseen and unforeseen circumstances.”
  - Follow-up prompt: “Generate more questions related to weather conditions and the driving and medical histories of those involved.”
- **For drafting marketing content**
  - Initial prompt: “Draft a courteous and professional response to the following negative online review that is brief and offers further dialogue to improve upon their experience:” [paste negative review].
  - Follow-up prompt: “Rewrite it using a more sympathetic tone.”

### Risks and ethical considerations

While ChatGPT and other genAI tools hold immense potential, it is crucial to be aware of potential risks. Lawyers must balance using these tools to increase efficiency with critically assessing their responses.

As with many novel applications, there are [ethical and practical issues to consider with ChatGPT](#), particularly regarding confidentiality ([Rule 1.6](#)) and supervision ([Rules 5.1, 5.3](#)) demands on lawyers. To address these issues, two best practices should be kept in mind:

1. **Nothing is confidential** – Sharing sensitive client information or proprietary details with ChatGPT could pose risks to client confidentiality and attorney-client privilege. Lawyers should draft prompts in a hypothetical context and without private details or personal information.
2. **Verify responses** – ChatGPT’s responses are based on patterns in the data it was trained on (i.e., has access to). It may not always provide accurate responses and even produce inadvertently bias or [false content](#). Additionally, it could use segments of content from another source without permission. That is why ChatGPT is best used as a supplement or starting point to your work product rather than as a definitive source.

### Growing possibilities

As the legal profession evaluates new technologies, including in our [courts](#) and [law schools](#), I encourage you to be open to acquiring new skills that can enhance your practice.

When used responsibly, ChatGPT offers an innovative approach to the delivery of legal services. While it will not replace the nuanced skills and judgment of a lawyer, genAI can revolutionize how lawyers apply their expertise.

As I mentioned above, while this blog focused on ChatGPT, many other emerging chatbot tools can also be used, often free or at a minimal cost, including:

- [Bard](#) – Google’s internet-connected genAI tool, powered by PaLM2
- [Bing](#) – Microsoft’s search engine now with AI-powered functionality (requires using Edge web browser)
- [Claude AI](#) – a genAI tool created by AI research company Anthropic
- [LLaMa 2](#) – Meta’s genAI tool
- [Perplexity AI](#) – a genAI tool powered by GPT-3

Expect this list to grow quickly along with an array of other AI-driving tools that can produce images (e.g., [Midjourney](#)), write code (e.g., [GitHub Copilot](#)), make videos (e.g., [Runway](#)), and even change your voice (e.g., [Voicemod](#)).

Give them a try and comment below with your experience or favorite prompts!

*Original Blog Post: <https://www.2civility.org/getting-started-with-chatgpt-for-lawyers/>*

## The Rise of ChatGPT: Ethical Considerations for Legal Professionals

By Mark C. Palmer

With the growing technological advancements in the legal industry, legal professionals are increasingly exploring the use of large language models (LLMs) such as [ChatGPT](#) and Google's [Bard](#) to enhance their practices. The potential of LLMs and their applications to revolutionize the legal profession is undeniable, but the integration of these models into the practice of law requires ethical considerations.



### Background on LLMs

The rapid pace of technological progress in the area of LLMs is driving the popularity and diverse applications of ChatGPT and other platforms. As a result, legal professionals are increasingly interested in understanding how LLMs operate and their potential to optimize legal practice. However, the integration of this novel tool into the practice of law raises ethical considerations that must be addressed to ensure the responsible use of the technology.

But first, here is a quick, simple primer on how ChatGPT works including an explanation of the terms associated with the platform and examples of prompts geared toward legal work: [Why ChatGPT Matters for the Future of Legal Services](#).

### Ensuring confidentiality

Attorneys have an ethical duty to maintain client confidentiality of current, former, and even potential clients. (Illinois Rules of Professional Conduct [1.6](#), [1.9](#), [1.18](#).)

Much discussion on attorney-client confidentiality is centered around shielding sensitive information from unintended recipients, e.g., cloud-based cybersecurity or email encryption. A prudent attorney must contemplate how their clients' information is being received, transmitted, stored, and even destroyed.

It's not unusual for an attorney to utilize legal research tools such as Westlaw or Fastcase by inputting their clients' legal issues or even specific facts at issue. But what about when legal professionals share those issues and facts with ChatGPT? The comments to Rule 1.6 (Confidentiality of Information) offer some reminders:

- “[18] Paragraph (e) requires a lawyer to act competently to safeguard information relating to the representation of a client against unauthorized access by third parties and against inadvertent or unauthorized disclosure by the lawyer or other persons who are participating in the representation of the client or who are subject to the lawyer’s supervision. See Rules 1.1, 5.1 and 5.3. The unauthorized access to, or the inadvertent or unauthorized disclosure of, information relating to the representation of a client does not constitute a violation of paragraph (e) if the lawyer has made reasonable efforts to prevent the access or disclosure...”



- “[19] When transmitting a communication that includes information relating to the representation of a client, the lawyer must take reasonable precautions to prevent the information from coming into the hands of unintended recipients. This duty, however, does not require that the lawyer use special security measures if the method of communication affords a reasonable expectation of privacy...”

When using ChatGPT, legal professionals must first ensure that confidential client information is not disclosed. The [terms of use](#) for ChatGPT at the time of this post expressly state that any content shared using ChatGPT (i.e., the “Non-API Content” referred to below) may be reviewed and is not private:

- “3(c) **Use of Content to Improve Services.** We do not use Content that you provide to or receive from our API (“API Content”) to develop or improve our Services. We may use Content from Services other than our API (“Non-API Content”) to help develop and improve our Services. You can read more here about [how Non-API Content may be used to improve model performance](#). If you do not want your Non-API Content used to improve Services, you can opt out by filling out [this form](#). Please note that in some cases this may limit the ability of our Services to better address your specific use case.”

The [ChatGPT General FAQ](#) page further emphasizes, “Please don’t share any sensitive information in your conversations.”

Nevertheless, you will want to maintain the privacy of the ChatGPT inputs and outputs that are related to your representation of clients. Section 5 of the terms of use puts all obligations regarding data security and privacy on the user:

- “5(b) **Security.** You must implement reasonable and appropriate measures designed to help secure your access to and use of the Services.”

Similar to [securing your information transmitted in the cloud](#), information transmitted via electronic means must be properly safeguarded. You must “make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.” Rule 1.6(e).

Therefore, attorneys and legal professionals may use ChatGPT for general legal research, writing, and getting ideas, but should avoid providing specific details of a client’s case or disclosing personal or confidential information.

### Supervising people and AI

Rules [5.1](#) and [5.3](#) state that attorneys have a duty to supervise lawyers and non-lawyers working with them. Attorneys should ensure that those in your organization using ChatGPT, lawyers and non-lawyers alike, are properly trained and understand the ethical considerations surrounding its use. Similar to my discussion before of [attorneys’ use of chatbots](#), this duty extends to others’ use of ChatGPT and to ChatGPT itself.

The responses generated by ChatGPT can be imperfect and even problematic. LLMs such as ChatGPT are trained on very large amounts of text data, so they may not always provide the most up-to-date or relevant information on a given legal topic, even when the prompt directs it to focus on a particular context. Review and refine ChatGPT responses to ensure that they accurately reflect the unique circumstances of the client’s case and provide comprehensive responses to legal issues.

For example, while ChatGPT can quickly generate a step-by-step guide for a simple legal problem such as returning a security deposit, jurisdictional nuances such as local ordinances or court document requirements are more error-prone. But you cannot blame the bot, as ChatGPT can only generate text

based on patterns it has learned from the data on which it was trained. And when it hasn't been trained on the data you need, it's pretty darn good at [fabricating responses](#) instead.

Attorneys know to closely examine the subsequent treatment of a case (i.e., Shepardize) to ensure its authority before relying on its use. Likewise, attorneys should supervise and review any output generated by ChatGPT (e.g., see [ChatGPT hallucinations example](#)) and train their legal professionals to verify outputs before using them.

### **Plagiarism and ChatGPT detection**

Regulation of artificial intelligence use will be a growing issue for industries and governments, including the legal profession. At the February 2023 ABA Midyear Meeting, a [resolution](#) was adopted taking a first step to emphasizing fundamental concepts such as accountability, transparency, and traceability in ensuring the trustworthiness of AI systems.

Regardless, attorneys remain ultimately responsible for their work product and advice to their clients. Even when the content is accurate, attorneys want assurance that it is original. While ChatGPT is programmed to provide original responses to prompts, the process can create strings of content from other works, because outputs are generated by analyzing vast amounts of data. So, if you are directly using portions of a response as your work product, it would be prudent to check the information with a plagiarism checker and be transparent about your use of LLMs. Three free tools include [Grammarly](#), [Chegg](#), and [Quetext](#).

Likewise, there have quick advancements in tools used to detect the use of ChatGPT in content, including from the maker of ChatGPT itself, OpenAI. Here are three free tools to help distinguish between AI-written and human-written text: OpenAI's [AI Text Classifier](#), [Writefull](#), and [Sapling](#).

I tested these detection tools on a ChatGPT known authored blog post. While the conclusion was consistently correct, the degree was wide-ranging between the products from "99.9% fake" to about 75% ChatGPT generated. Here are the [results](#).

### **How should legal professionals use ChatGPT?**

Legal professionals can use ChatGPT as a powerful tool to improve their efficiency and productivity. Still, as with any novel tool or process, its use must be subject to ethical considerations, particularly regarding confidentiality and supervision.

As ChatGPT and similar applications provide new ways to enhance the practice of law and the delivery of legal services, don't fear the replacement of lawyers by robots. Instead, I encourage attorneys to embrace your [technology competency requirement](#) to understand "the benefits and risks associated with relevant technology."

*Original Blog Post: <https://www.2civility.org/ethical-considerations-for-chat-gpt-for-legal-professionals/>*

## Why ChatGPT Matters for the Future of Legal Services

By Mark C. Palmer

Like many, I came to Chicago for the 2023 ABA [TechShow](#) knowing that ChatGPT was going to be a buzzword in the hallways, sessions, and panels. That was no surprise as it has been trending (including in legal tech circles) since its public launch in November 2022.

My goal as a TechShow attendee was two-fold: (1) Gain a better understanding of how [ChatGPT](#) works, and (2) attempt to put aside the hype to objectively evaluate its potential impact on how lawyers work.



Here is what I discovered and why I am excited about what ChatGPT can do for [legal services](#).

### How does ChatGPT do its thing?

ChatGPT is a large language model (LLM) trained by [OpenAI](#) that uses learning techniques to generate human-like responses to natural language inputs, called prompts.

At its core, ChatGPT is a neural network that has been trained on vast amounts of text data to predict the language most likely to follow a given sequence of words.

In the TechShow session “ChatGPT for Lawyers,” which was facilitated by [Tom Martin](#) of [LawDroid](#) and [Carolyn Elefant](#) of [MyShingle](#) (a former speaker at the Commission’s [Future Is Now: Legal Services](#) conference), Martin helped us understand how ChatGPT creates generative responses rather than automated outputs.

In other words, when forming an answer, ChatGPT adapts to the relationships of the parameters given rather than following a predetermined decision tree.

Martin reviewed three key components of ChatGPT: vectors, tokens, and temperature.

**Vectors** – ChatGPT uses vectors to represent words. Think of a vector as a mathematical arrow that has both a magnitude and a direction. In the case of ChatGPT, each word in its vocabulary is represented by a vector in a high-dimensional space.

These vectors are learned during training using a technique called word embedding, which maps words to dense numerical vectors that capture the meaning and relationships between words.

**Tokens** – A token is a sequence of characters that represents a unit of meaning, such as a word or a punctuation mark. For example, the prompt “What is the meaning of life?” has seven tokens, one for each word and one for the question mark.

In ChatGPT, the input text is tokenized into individual tokens that are then fed into the neural network. The model uses these tokens to generate a probability distribution for the next word in the sequence, based on the context provided by the preceding words.

A single prompt is limited to 1,000 tokens (~1.5 pages of content), so you cannot paste an entire appellate brief into ChatGPT and ask for an analysis...yet.

**Temperature** – ChatGPT uses a technique called temperature sampling to control the level of randomness in its responses. Temperature is a hyperparameter that determines the degree of randomness in the output generated by the model.

Think of a dial between zero and two. Turning the temperature up toward two leads to more diverse and unpredictable responses while turning it down to zero leads to more conservative and predictable responses.

In practice, ChatGPT works by taking in a sequence of tokens and generating a probability distribution over the next possible tokens. The model then samples from this distribution to generate the next token in the sequence, and the process is repeated until a stopping criterion is reached.

When ChatGPT was released on November 30, 2022, it was working with data containing 175 billion parameters and limited knowledge of events after 2021. The next version, ChatGPT 4.0, is expected to be released in 2023. It will have 100 trillion parameters that are expected to [enhance its abilities, including creativity](#).

The output generated by ChatGPT is often remarkably human-like, and the model has proven to be a powerful tool for a wide range of natural language processing tasks, including language translation, question-answering, and chatbot development.

### Putting ChatGPT to work for legal services

During TechShow's LegalTech Visionaries panel, [Erin Levine](#) of [Hello Divorce](#) (and another former [Future Is Now speaker](#)) put it bluntly when she said, "ChatGPT is not going to replace [lawyers], it's going to make us look like superheroes."

Although she described writing prompts for ChatGPT "like talking at a 10-year-old," she told attendees that she is not only using the platform to help draft social media and marketing content but is exploring where it could fit in servicing her clients.

Visionaries panelist [Jazz Hampton](#) of [TurnSignl](#) described ChatGPT as a "great launching point" for content and admitted he often uses it to draft LinkedIn posts. Once you recognize its capabilities, he said, you may ask it to modify content as well as tone or style. For example, asking ChatGPT to edit a LinkedIn post to be more cheerful.

In the TechShow session "Using AI and Data Analytics in Litigation," [Steve Embry](#) of [TechLaw Crossroads](#) queued up a discussion for [Pablo Arredondo](#) of [Casetext](#) by asking a question that is probably on the minds of many lawyers: "[So what?](#)"

In short, Embry answered his own question. He said that ChatGPT has already proved itself as a tool for lawyers seeking to deliver legal services more efficiently (faster) and effectively (lawyers doing lawyer work).

From assisting with legal writing to streamlining client communications, ChatGPT offers a range of benefits that can enhance lawyers' ability to provide quality legal representation, Embry said.

For example, with its [open API](#), ChatGPT may enhance law firms' abilities to respond to client inquiries, schedule appointments, and provide updates on case progress.

This can help lawyers free up valuable time that would otherwise be spent on administrative tasks, allowing them to focus more on the legal aspects of their practice.

## Legal prompts for ChatGPT

Below are prompts Martin and Elefant shared that lawyers may want to try entering into ChatGPT. As a reminder, a prompt is language supplied by a human that is the starting point for ChatGPT's response.

Prompts can range from short questions to complex legal situations. The better and more specific a prompt the higher the likelihood that you will receive an accurate response.

### Prompts for assisting legal writing

- Draft a demand letter for an auto accident case [with specific details for injuries and dollar amounts]
- Draft interrogatories and requests to produce documents for [specific cause of action and facts from a Complaint]

### Prompts for legal marketing

- Draft a polite response to this negative online review: [paste review]
- Write sample YouTube titles with short descriptions for videos [about a topic]
- Write an outline for an eBook about the probate administration process in California, include a short summary for each step of the outline, and use language suitable for an 8<sup>th</sup>-grade reading level
- Also for this eBook, develop a legal disclaimer and color scheme and propose a cover photo and a title
- Write a 5-day email plan for client marketing [with specific details about the topic]

### Prompts for administrative work

- Convert information from this paragraph into an organized spreadsheet: [paste paragraph]

## ChatGPT 'hallucinations'

While ChatGPT may allow lawyers to focus more of their time on legal work, I would like to share a notable caveat from my research: when asking ChatGPT legal research questions, be mindful that it can get confused about what is real and what is fiction.

For example, when I asked it to provide caselaw on a topic, it cited and described three cases from three different jurisdictions that were all relevant to my prompt.

However, while they sounded very convincing, the cases were fake. So, I followed up my prompt by asking for "actual cases." This caused it to first discuss a "real case" and then to say that the real case wasn't a real case when I asked for the citation.

Confused? You can see the screenshots in this [Twitter thread](#).

Arredondo called these errors "hallucinations" that can nevertheless be very convincing. When asked if the newer versions of ChatGPT would be any better at deciphering fact from fiction, he said, "No, in fact, they will only be more convincing!"

However, when the OpenAI model is integrated with a data set (for example, cases, documents, etc.), it can draw upon reliable data to produce accurate, factual answers that are supported by real citations.

Basically, when the model is applied to data, it can improve accuracy (though caution should still be applied). For example, Docket Alarm uses GPT-3 artificial intelligence to [summarize case filings without having to open them](#).

### **We still need attorneys ‘at the helm’**

While ChatGPT might help lawyers improve their writing skills or act as a virtual legal assistant in some respects, it will not replace the critical thinking, legal expertise, judgment, and empathy that human lawyers bring to their practice. ChatGPT should be viewed as a tool to enhance the legal practice, rather than a replacement for it.

Arredondo put it well when he said, “it still needs the attorney at the helm.”

As the legal industry continues to evolve, ChatGPT and other LLMs will likely be used more in legal practice. Lawyers must stay informed on these technologies, so they can separate reality from hype and meet the changing needs of their clients more efficiently and effectively than ever before.

*Original Blog Post: <https://www.2civility.org/why-chatgpt-matters-to-the-future-of-legal-services/>*

## **Panel: You Be the Judge: Perspectives on Civility from the Bench**

**Panelists:** Judge Barbara N. Flores, *Cook County Circuit Court*  
Judge Matthew D. Lee, *Champaign County Circuit Court*

**Moderator:** Erika Harold, *Executive Director of the Illinois Supreme Court Commission on Professionalism*

### **I. Learning Objectives**

- a. Identify consequences of incivility and benefits of civility in legal proceedings.
- b. Learn strategies for navigating and addressing incivility in legal proceedings.

### **II. Consequences of Incivility**

- a. Delays/disrupts legal proceedings
- b. Increases litigation costs/legal fees
- c. Undermines the public's confidence in the rule of law
  - i. For further information, please see the Illinois Supreme Court Commission on Professionalism's "*Survey on Professionalism: A Study of Illinois Lawyers 2021*" (attached)

### **III. Hypothetical 1**

- a. During a status conference, Lawyer B keeps interrupting Lawyer A. Lawyer A tries to ignore it, but Lawyer B continues interrupting and cutting Lawyer A off. The judge isn't admonishing Lawyer B for interrupting, and Lawyer A is worried she won't be able to raise all the issues she needs to raise. What should Lawyer A do?
  - i. Maintain professionalism and civility.
  - ii. Mentally note the legal/factual issues that need to be raised to fully represent the client's interests and make the appropriate record.
  - iii. Proactively ask the judge to be heard on the key issues essential to advocating for the client's interests.

#### IV. Hypothetical 2

- a. The Judge instructed Lawyer A and Lawyer B to submit a joint case management order. Lawyer A has attempted to confer with Lawyer B, sending multiple emails and leaving multiple voicemails, but Lawyer B refuses to communicate regarding the order. Instead, Lawyer B emailed Lawyer A: “Your case is absurd on its face. I’m not wasting my time on this. For all I care, this case can linger forever.” What should Lawyer A do?
  - i. Respond to the email in a professional tone, (i) attaching proposed dates for the case management order, and (ii) specifying a reasonable date by which a response is requested.
  - ii. If no response is received by that date, file a motion seeking a status hearing and attach the email requesting a response by a reasonable date along with the proposed dates for the case management order.
    1. As every judge will have a different way such matters should be brought before the court, prior to filing a motion seeking a court date, review applicable local rules/standing orders and confer with the Judge’s clerk (along w/other attorneys who have previously practiced before the Judge) to see if there are any other preferred ways of requesting a status hearing.

#### V. Hypothetical 3

- a. Lawyer A—a relatively new lawyer—is deposing Lawyer B’s client. Lawyer B is disrupting the deposition by making condescending comments and improper speaking objections such as:
  - i. I can tell you are new at this because you aren’t doing a good job; this is a clown show.
  - ii. I’m objecting because your questions are a waste of time, and I have better things to do than to sit here and participate in amateur hour.
  - iii. The hiring standards at your firm must’ve declined, because you’re not at the level I’m used to seeing from your firm.
- b. What should Lawyer A do?
  - i. Do not respond in an uncivil manner.
  - ii. Object to opposing counsel’s improper comments and speaking objections.
  - iii. If the improper conduct persists, take a break from the deposition and request a brief [Rule 201\(k\)](#) conference to ask opposing counsel to cease making the improper comments/objections.



- iv. If opposing counsel continues to engage in improper and disruptive behavior once the deposition resumes, continue as much of the deposition as possible to avoid waiving any deposition time and questions.
- v. Following the deposition, obtain the deposition transcript and file a [Rule 219](#) motion for sanctions and, depending on the severity of the behavior, include a [Rule 201\(c\)](#) request to conduct remaining depositions at a time when the Judge is available to rule on objections in real-time.

## **VI. Importance of Civility**

- a. Fosters respect for the legal/judicial systems and its participants
- b. Promotes efficient, equitable, and effective administration of justice
- c. Builds a lawyer's professional reputation

### **Additional Information:**

- [Illinois Supreme Court Commission on Professionalism Survey on Professionalism 2021](#)
- ["Reimagining Law: Why Judges Can't Look Away When Incivility Arises,"](#) Erika Harold's interview with Chief Judge Michael J. Chmiel of the 22nd Judicial Circuit in McHenry County, Ill. (transcript attached and video available via the included link)
- ["The True Cost of Incivility in the Legal Profession,"](#) by Erika Harold (attached and available via the included link)
- ["Bullying Does Not Pass for Advocacy in Illinois,"](#) by Jayne Reardon (attached and available via the included link)

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# Survey on Professionalism

A Study of Illinois Lawyers 2021

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Conducted on behalf of  
The Illinois Supreme Court Commission on Professionalism by  
The National Center for Principled Leadership & Research Ethics  
University of Illinois Urbana-Champaign



## Executive Summary

In the third administration of this survey, data indicate that most lawyers in the state of Illinois, across many areas of law and types of practices, believe the lawyers they interact with are professional and civil. However, there are some instances of incivility and unprofessionalism revealed by the sample. Many of the respondents indicate how they address incivility. Many practitioners care about issues of incivility and unprofessionalism and make attempts to address these issues.

## Introduction

### Survey and Methodology

Civility and professionalism are closely related—workplaces categorized as civil tend to be the most professional, with long-established principles of respect and toleration. This survey evaluates whether law practitioners and judges foster cultures of civility and professionalism in their workplaces and as individuals.

These values are tested here by a survey sent to law professionals in the summer of 2021, developed by the Commission cooperatively with the National Center for Principled Leadership and Research Ethics at the University of Illinois. The Commission communicated the survey via email to 20,000 lawyers in the state of Illinois and handled all correspondence with participants. NCPRE cleaned and analyzed the data. This survey expands upon similar 2007 and 2014 surveys on professionalism, also conducted by the Commission. The 1508 responses are laid out and analyzed in this report.

The survey was administered via Typeform and was active during August and September 2021. Data were analyzed with chi-squared tests with the level of significance set at  $\alpha = 0.05$ . Significance implies that independent variables measured in the sample could be responsible for the deviation from expectation by comparing the results across all respondents with the results for a given subgroup.

For more information about this survey or ILSCCP, please contact:

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## Findings

On a five-point scale, most of the respondents report that they interact with civil lawyers. Almost 90% of lawyers surveyed indicated that the attorneys they engage with are civil and professional or very civil and professional. It is important to note that not all lawyers conduct themselves civilly and professionally; the sample indicates that civility generally prevails for most lawyers in the state of Illinois. This general finding does not measure the disproportionate effect that incivility has in the interactions between lawyers. Incivility is present, observed differentially by under-represented groups, and may create more problems than civility solves.

The survey collected background characteristics of the respondents in addition to surveying their perceptions of civility. These characteristics include age, gender identification, racial identification, size of practice, practice setting, years of experience, and zip code. Appendix A contains a complete breakdown of these identifiers. Many of these background characteristics impacted how participants answered questions in the survey, and we provide a deeper analysis for those questions.

Most lawyers consider their colleagues to be civil/professional or very civil/professional, as the table below demonstrates (88.7%). However, a majority of respondents indicated that they have experienced uncivil or unprofessional behavior in the last six months.

<b>Q1: Most attorneys I engage with are:</b>	<b>Count</b>	<b>Percentage</b>
Very Civil/Professional	396	26.3%
Civil/Professional	941	62.4%
Neutral	127	8.4%
Uncivil/Professional	41	2.7%
Very Uncivil/Professional	3	0.2%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q2: Have you experienced uncivil or unprofessional behavior from another lawyer in the last six months?</b>	<b>Count</b>	<b>Percentage</b>
Yes	815	54%
No	643	46%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

The type of practice setting impacted whether or not lawyers experienced unprofessional or uncivil behavior in the previous six months. Throughout this report, practice setting impacts responses to many of the questions. This indicates that some types of settings or types of practices are more prone to incivility than others. Participants who identified as being employed in certain settings civil rights law (N = 90; p = 0.0163), family law (N = 228; p = 1.5x10<sup>-11</sup>), criminal law (N = 241; p = 0.0049), and personal injury law (N = 198; p = 0.0028) all reported experiencing incivility significantly more than other settings.





## Specific Instances of Incivility/Unprofessionalism

Respondents also selected the type(s) of incivility they experienced in the last six months. Many people responded to more than one of these behaviors. For this question, many of the background characteristics influenced perceptions of civility to a statistically significant degree.

<b>Q2b: experienced uncivil or unprofessional behavior</b>	<b>Count</b>
Sarcastic or condescending attitude	527
Misrepresenting or stretching the facts, or negotiating in bad faith	516
Inflammatory writings in correspondence, memos, briefs, or motions	414
Playing hardball (such as not agreeing to reasonable requests for extensions)	377
Indiscriminate or frivolous use of drafts, pleadings, or motions	373
Inappropriate interruptions of others (e.g., clients, colleagues, counsel, judges, witnesses)	335
Inappropriate language or comments in letters or email	181
Swearing, verbal abuse, or belittling language	158
Inappropriate comments about a lawyer's age or experience	135
Sexist comments	100
Racially or culturally insensitive comments	53
Other	15
<b>Total</b>	<b>3,184</b>

The experiences of uncivil or unprofessional behavior in the form of sarcasm, misrepresenting facts, inflammatory writings, and playing hardball accounted for over 50% of specific instances of incivility. While instances of racial, gender and sexual harassment did occur sporadically—accounting for less than 5% of incivility experiences—this type of incivility has not changed since the 2014 administration of this survey (4.41% in 2014).

The practice settings with the highest percentages of respondents reporting experiencing unprofessional behaviors come from legal aid and non-profit areas of law. Military and academic practice settings generally experience these behaviors less often than other settings. However, the weight of this finding is limited, as only five respondents indicated they are members of academia and two are members of the military.





## Engaging with (In)civility

This survey also served to gauge how lawyers respond to both professionalism/civility and unprofessionalism/incivility. Most of the respondents (86.0%) tend to take the high road when confronted with incivility, opting to ignore or address the behavior in some civil way. Less than 3% of respondents said that they would opt to treat incivility with incivility in return, which indicates that even when they are in uncivil situations, most lawyers remain civil.

Conversely, when confronted with other civil lawyers, almost all respondents indicated that they would be civil in return. Less than 1% of respondents said they would take advantage of civility for their gain.

<b>Q3: When another lawyer acts unprofessionally or uncivilly toward you, what is your typical reaction?</b>	<b>Count</b>	<b>Percentage</b>
Try to ignore it	589	39.1%
Tend to be uncivil in return	42	2.8%
Choose civil ways to address the behavior (such as reframing or providing constructive feedback)	707	46.9%
Not applicable	126	8.4%
Other	44	2.9%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q4. When another lawyer acts professionally or civilly toward you, what is your typical reaction? (select one)</b>	<b>Count</b>	<b>Percentage</b>
Do not react	118	7.8%
Tend to act professional and civil in return and toward others	1331	88.3%
Take advantage of them	9	0.6%
Not applicable	28	1.9%
Other	22	1.5%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

Age ( $p = 0.026$ ), years of experience ( $p = 0.0007$ ), and practice setting ( $p = 0.021$ ) all had an impact on how one responds to (in)civility. Those who have more experience choose civil ways to address incivility over half of the time, whereas newer professionals are less likely to address the situation.





Age	% reporting they address incivility with civil behaviors
25-29	36%
30-34	43%
35-39	43%
40-44	52%
45-49	47%
50-54	50%
55-59	55%
60	49%
Prefer not to answer	80%

Specifically, the data indicate that as age increases, lawyers are more likely to respond to incivility by choosing civil ways to address the behavior.

See Appendix F for a breakdown on age and responding to incivility.





## Tolerance of Incivility in the Workplace

<b>Q8. Thinking about your workplace environment and culture, indicate how much you agree or disagree with the following statements:</b>	<b>Strongly agree</b>	<b>Somewhat agree</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Do not know/ not applicable</b>
Cultivates a culture where people of all backgrounds are welcomed and valued.	63.2%	19.6%	4.8%	2%	10.4%
Allows me to freely express my ideas, opinions, and beliefs in my organization ...	56.6%	23.5%	6.7%	2.9%	10.3%
... and I feel heard on my ideas, opinions, and beliefs in my organization.	54.6%	24.5%	7.4%	2.8%	10.8%
Does not tolerate inappropriate jokes on race, ethnicity, gender, sexual orientation, or disabilities.	61.5%	17.7%	5.2%	2.5%	13.1%
Allows me to voice an opposing view or argument without fear of consequences.	55.2%	23%	7.6%	3.4%	10.8%
Always takes strict action against any kind of intolerance and/or discrimination.	41.1%	21.4%	8.6%	3%	25.9%
Allows me to be comfortable discussing my background and cultural experiences with my co-workers.	57.9%	19.4%	4.9%	2.5%	15.3%
Publicly expresses and communicates its goals and strategies for diversity and inclusion.	49.7%	19.4%	9.2%	3.7%	18%

Some workplaces do not follow the general trend toward civility shown in other parts of the survey. For example, while a majority of workplace environments have civil cultures, as indicated by question 8, some still struggle, such as disrespect toward other cultures and backgrounds, tolerating inappropriate jokes, and taking action against intolerance and discrimination.

Practice setting again impacted how participants answered this question, along with age and years of experience. This again indicates that lawyers with different experience levels are more or less inclined to see their work environments as uncivil.







Most respondents from each practice setting report that their workplace publicly expresses and communicates its goals and strategies for diversity and inclusion.

The data also show that lawyers who are just beginning their careers agree that their workplaces allow them to express their ideas freely, and interestingly, those with less experience reported this more than their counterparts with more experience. 87% of lawyers with 0-4 years of experience reported that they were free to express ideas, opinions, and beliefs, whereas 76% of lawyers with more than 35 years of experience agreed. Perhaps workplaces are tolerant of listening to the ideas of the new generation of lawyers. The trend is also similar for expressing opposing views.

Years of experience	% indicating their workplace allows them to freely express ideas	% indicating their workplace allows them to express an opposing view
0-4	87%	86%
10-14	83%	78%
15-19	88%	84%
20-24	80%	79%
25-29	83%	81%
30-34	76%	74%
35-39	73%	73%
40-44	77%	69%
45	80%	60%





## Sexual Harassment and the Workplace

<b>Q9: Does your workplace have a policy in place that addresses sexual harassment?</b>	<b>Count</b>	<b>Percentage</b>
Yes	1103	73.1%
No	246	16.3%
Unaware	159	10.5%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q9a: Generally, how would you assess your workplace's policies, procedures, and approach to preventing sexual harassment and responding to incidents?</b>	<b>Count</b>	<b>Percentage</b>
Excellent	551	36.5%
Good	401	26.6%
Sufficient	262	17.4%
Insufficient	43	2.9%
Negligible	38	2.5%
Unsure	213	14.1%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q10: Does your workplace conduct training or information sessions related to sexual harassment?</b>	<b>Count</b>	<b>Percentage</b>
Yes	890	59.0%
No	487	32.3%
Unsure	131	8.7%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

This survey builds upon the previous civility survey (from 2014) by adding additional questions about sexual harassment policies in the workplace. These data provide valuable insight about sexual harassment policy in practices and other workplaces. Over a quarter of respondents reported that their workplace does not have a sexual harassment policy in place, or they are unaware if there is a policy.

Beyond inquiring about sexual harassment policy in the workplace, data were also collected about sexual harassment training. 41% of practitioners report that their workplace does not conduct sexual harassment training or that they were unaware if their workplace conducts these trainings. 23% of respondents who reported working in a law firm also report that their workplace does not have a policy that addresses sexual harassment and 45% of those working in law firms report that there is no sexual harassment training at all.\*

\*Practices with only one practitioner account for 10.6% of the workplaces with no sexual harassment policy. It is likely that such practices operate without needing written policies in most areas.





## Appendix A: Background Characteristics

Area of Law (select all that apply)	Count	Percentage
Antitrust	14	0.9%
Bankruptcy	70	4.6%
Civil and Commercial Litigation	359	23.8%
Civil Rights /Liberties	90	6%
Criminal Law	241	16%
Employment Law	172	11.4%
Environmental Law	29	1.9%
Family Law	228	15.1%
General Corporate	230	15.3%
General Practice	200	13.3%
Health Law	59	3.9%
Immigration Law	34	2.3%
Insurance	98	6.5%
Intellectual Property	88	5.8%
Municipal Law	81	5.4%
Personal Injury	198	13.1%
Probate /Estate Planning	197	13.1%
Public Utilities/Administrative/Regulated Industries	25	1.7%
Real Estate	272	18%
Securities Law	27	1.8%
Tax	56	3.7%
Workers' Compensation	66	4.4%
Other: Please Specify	87	5.8%





<b>Zip code</b>	<b>Count</b>	<b>Percentage</b>
Illinois (60000-62999)	1495	99.1%
Outside Illinois	10	0.6%
Prefer not to answer	3	0.2%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Years of Experience</b>	<b>Count</b>	<b>Percentage</b>
0-4	208	13.8%
5-9	76	5.0%
10-14	237	15.7%
15-19	64	4.2%
20-24	235	15.6%
25-29	108	7.2%
30-34	352	23.3%
35-39	197	13.1%
40-44	26	1.7%
45	5	0.3%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Practice Setting</b>	<b>Count</b>	<b>Percentage</b>
Corporate /In-House Counsel	189	12.5%
Government	297	19.7%
Judiciary	6	0.4%
Law Firm	856	56.8%
Academic	5	0.3%
Legal Aid or Non-Profit	77	5.1%
Military	2	0.1%
Not Currently Practicing	21	1.4%
Other: Please Specify	55	3.6%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>





Size of Practice	Count	Percentage
1	358	23.7%
2-5	377	25.0%
6-10	158	10.5%
11-50	288	19.1%
51-100	91	6.0%
101-300	92	6.1%
301-500	42	2.8%
501-1000	64	4.2%
1001	38	2.5%
<b>Grand Total</b>	1508	100%

Racial identification	Count	Percentage
White	1101	73%
Black or African-American	69	4.6%
Asian	35	2.3%
Native Hawaiian/Pacific Islander	1	0.1%
Hispanic or Latino	37	2.5%
American Indian or Alaska Native	1	0.1%
Middle Eastern	8	0.5%
Multiracial	89	5.9%
Prefer not to answer	167	11.1%
<b>Grand Total</b>	1508	100%

Gender	Count	Percentage
Female	650	43.2%
Male	750	49.8%
Genderfluid	2	1.3%
Non-binary	2	1.3%
Genderqueer	1	1.3%
Prefer not to answer	101	6.7%
<b>Grand Total</b>	1505	100%





## Appendix B: Question 5

<b>Q5a: Setting: During court, mediation, or arbitration proceedings</b>	<b>Count</b>	<b>Percentage</b>
Never	397	26.3%
Rarely	296	19.6%
Occasionally	274	18.2%
Frequently	43	2.9%
Do not know/ Not Applicable	498	33%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q5b: Setting: In meetings</b>	<b>Count</b>	<b>Percentage</b>
Never	393	26.1%
Rarely	410	27.2%
Occasionally	438	29%
Frequently	70	2.6%
Do not know/ Not Applicable	197	13.1%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q5c: Setting: In email, text, or written correspondence</b>	<b>Count</b>	<b>Percentage</b>
Never	380	25.2%
Rarely	455	30.2%
Occasionally	495	32.8%
Frequently	95	6.3%
Do not know/ Not Applicable	83	5.5%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q5d: Setting: In telephone conversations</b>	<b>Count</b>	<b>Percentage</b>
Never	425	28.2%
Rarely	461	30.2%
Occasionally	426	28.2%
Frequently	91	6%
Do not know/ Not Applicable	105	7%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>





<b>Q5e: Setting: In video-recorded depositions</b>	<b>Count</b>	<b>Percentage</b>
Never	494	32.8%
Rarely	173	11.5%
Occasionally	92	6.1%
Frequently	24	1.6%
Do not know/ Not Applicable	725	48.1%
<b>Grand Total</b>	1508	100%

<b>Q5f: Setting: In non-video recorded depositions</b>	<b>Count</b>	<b>Percentage</b>
Never	421	27.9%
Rarely	190	12.6%
Occasionally	152	10.1%
Frequently	46	3.1%
Do not know/ Not Applicable	699	46.4%
<b>Grand Total</b>	1508	100%

<b>Q5g: Setting: Among lawyers within your firm or place of employment</b>	<b>Count</b>	<b>Percentage</b>
Never	874	58%
Rarely	199	13.2%
Occasionally	105	7%
Frequently	26	1.7%
Do not know/ Not Applicable	304	20.2%
<b>Grand Total</b>	1508	100%

<b>Q5h: Setting: Among lawyers on social media</b>	<b>Count</b>	<b>Percentage</b>
Never	615	40.8%
Rarely	211	14%
Occasionally	110	7.3%
Frequently	43	2.9%
Do not know/ Not Applicable	529	35.1%
<b>Grand Total</b>	1508	100%





## Appendix C: Question 6

<b>Q6a: Consequences: Discourages diversity in the profession</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	116	7.7%
Disagree	195	12.9%
Somewhat agree	428	28.4%
Strongly agree	510	33.8%
Do not know/ Not Applicable	259	17.2%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q6b: Consequences: Harms public/client confidence</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	41	2.7%
Disagree	58	3.8%
Somewhat agree	359	23.8%
Strongly agree	1004	66.6%
Do not know/ Not Applicable	46	3.1%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q6c: Consequences: Tends to prolong discovery and/or negotiations</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	37	2.5%
Disagree	17	1.1%
Somewhat agree	290	19.2%
Strongly agree	1064	70.6%
Do not know/ Not Applicable	100	6.6%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q6d: Consequences: Leads to an increase in litigation/ transaction costs</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	36	2.4%
Disagree	31	2.1%
Somewhat agree	321	21.3%
Strongly agree	1009	66.9%
Do not know/ Not Applicable	111	7.4%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>







<b>Q6e: Consequences: Makes it more difficult to resolve a matter</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	32	2.1%
Disagree	16	1.1%
Somewhat agree	225	14.9%
Strongly agree	1200	79.6%
Do not know/ Not Applicable	35	2.3%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q6f: Consequences: Makes the practice of law less satisfying</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	36	2.4%
Disagree	43	2.9%
Somewhat agree	262	17.4%
Strongly agree	1126	74.7%
Do not know/ Not Applicable	41	2.7%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>





## Appendix D: Question 11

<b>Q11a: cultivates a culture where people of all backgrounds are welcomed and valued</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	30	2%
Disagree	73	4.8%
Somewhat agree	295	19.6%
Strongly agree	953	63.2%
Do not know/ Not Applicable	157	10.4%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q11b: allows me to freely express my ideas, opinions, and beliefs in my organization, and I feel heard</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	43	2.9%
Disagree	101	6.7%
Somewhat agree	355	23.5%
Strongly agree	853	56.6%
Do not know/ Not Applicable	156	10.3%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q11c: ...and I feel heard on my ideas</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	42	2.8%
Disagree	111	7.4%
Somewhat agree	369	24.5%
Strongly agree	823	54.6%
Do not know/ Not Applicable	163	10.8%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q11d: Does not tolerate inappropriate jokes on race, ethnicity, gender, sexual orientation, and disabilities</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	38	2.5%
Disagree	78	5.2%
Somewhat agree	267	17.7%
Strongly agree	927	61.5%
Do not know/ Not Applicable	198	13.1%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>





<b>Q11e: Allows me to voice an opposing view or argument without fear or consequences</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	51	3.4%
Disagree	115	7.6%
Somewhat agree	347	23%
Strongly agree	832	55.2%
Do not know/ Not Applicable	163	10.8%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q11f: Always takes strict action against any kind of intolerance and/or discrimination</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	45	3%
Disagree	130	8.6%
Somewhat agree	323	21.4%
Strongly agree	620	41.1%
Do not know/ Not Applicable	390	25.9%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q11g: Allows me to be comfortable discussing my background and cultural experiences with my co-workers</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	38	2.5%
Disagree	74	4.9%
Somewhat agree	293	19.4%
Strongly agree	873	57.9%
Do not know/ Not Applicable	230	15.3%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>

<b>Q11h: Publicly expresses and communicates its goals and strategies for diversity and inclusion</b>	<b>Count</b>	<b>Percentage</b>
Strongly disagree	56	3.7%
Disagree	139	9.2%
Somewhat agree	292	19.4%
Strongly agree	750	49.7%
Do not know/ Not Applicable	271	18%
<b>Grand Total</b>	<b>1508</b>	<b>100%</b>





## Appendix E: Sexual Harassment Questions

<b>Q9b. If yes, how does your workplace make the policy available?</b>	<b>Count</b>
In an employee handbook or similar human resources materials	751
During employee onboarding or initial training	663
During ongoing or routine training	701
Accessible by online access (e.g., intranet, shared drive)	503
Delivered upon request	278
Unsure / other	59

<b>Q9c: If yes, does your workplace inform you of your rights and obligations and the rights and obligations of others under the policy?</b>	<b>Count</b>	<b>Percentage</b>
Frequently	331	28.6%
Occasionally	546	50.1%
Rarely (e.g., only upon hiring)	144	13.2%
Never	20	1.8%
Unsure	68	6.2%
<b>Grand Total</b>	<b>1089</b>	<b>100%</b>

<b>Q9d: If yes, do you know who is responsible for managing complaints made under the policy?</b>	<b>Count</b>	<b>Percentage</b>
Yes	982	90.6%
No	102	9.4%
<b>Grand Total</b>	<b>1084</b>	<b>100%</b>

<b>Q9e: If yes, are you confident that they would deal with concerns or complaints in a thorough, confidential, and impartial manner?</b>	<b>Count</b>	<b>Percentage</b>
Yes	853	78.7%
No	78	7.2%
Unsure	153	14.1%
<b>Grand Total</b>	<b>1084</b>	<b>100%</b>





<b>Q10b: If yes, do you consider the level of training or information sessions to be adequate?</b>	<b>Count</b>	<b>Percentage</b>
Yes	783	88.8%
No	46	5.2%
Inconsistent	53	6.0%
<b>Grand Total</b>	<b>882</b>	<b>100%</b>





## Appendix F: Cross-tabulations

<b>Years of Experience</b>	<b>% reporting they respond to incivility with civility</b>
0-4	39%
5-9	44%
10-14	46%
15-19	40%
20-24	56%
25-29	55%
30-34	51%
35-39	47%
40-44	54%
45 +	80%

<b>Practice setting</b>	<b>% reporting their workplace does not conduct sexual harassment training</b>
Academic	20%
Corporate/In-House Counsel	6%
Government	9%
Judiciary	17%
Law Firm	46%
Legal Aid or Non-Profit	19%
Military	0%
Not Currently Practicing	29%



**2021 Survey on Professionalism – A Study of Illinois Lawyers**

**1. Most attorneys I engage with are: (select one)**

- Very Civil/Professional
- Civil/Professional
- Neutral
- Uncivil/Unprofessional
- Very Uncivil/Unprofessional

**2a. Have you experienced uncivil or unprofessional behavior from another lawyer in the last six months?**

- Yes
- No

**2b. If yes, select all that apply:**

- Indiscriminate or frivolous use of drafts, pleadings, or motions
- Playing hardball (such as not agreeing to reasonable requests for extensions)
- Inflammatory writings in correspondence, memos, briefs, or motions
- Misrepresenting or stretching the facts, or negotiating in bad faith
- Inappropriate interruptions of others (e.g., clients, colleagues, counsel, judges, witnesses)
- Sarcastic or condescending attitude
- Inappropriate language or comments in letters or email
- Swearing, verbal abuse, or belittling language
- Inappropriate comments about a lawyer's age or experience
- Racially or culturally insensitive comments
- Sexist comments
- Other: please specify

**3. When another lawyer acts unprofessional or uncivil toward you, what is your typical reaction? (select one)**

- Try to ignore it
- Tend to be uncivil in return
- Choose civil ways to address the behavior (such as reframing or providing constructive feedback)
- Not applicable. I have not experienced unprofessional or uncivil behavior.
- Other: please specify

**4. When another lawyer acts professional or civil toward you, what is your typical reaction? (select one)**

- Do not react
- Tend to act professional and civil in return and toward others
- Take advantage of them
- Not applicable. I have not experienced professional or civil behavior.
- Other: please specify

**5. How often have you experienced uncivil or unprofessional behavior in these venues/settings during the last six months?**

	Never	Rarely	Occasionally	Frequently	Do not know/ Not applicable
During court, mediation, or arbitration proceedings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In meetings (settlements, closings, negotiations, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In email, text messages, or written correspondence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In telephone conversations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In video-recorded depositions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In non-video recorded depositions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Among lawyers within your firm or place of employment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Among lawyers on social media	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**6. Think about the consequences of uncivil or unprofessional behavior. For each below, indicate how much you agree or disagree with the following statements:**

<i><b>Incivility or unprofessional behavior...</b></i>	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Somewhat Agree</b>	<b>Strongly Agree</b>	<b>Do not know/ Not applicable</b>
Discourages diversity in the profession	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Harms public/client confidence in the justice system	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tends to prolong discovery and/or negotiations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Leads to an increase in litigation /transaction costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Makes it more difficult to resolve a matter	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Makes the practice of law less satisfying	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**7. What potential actions, programs, or initiatives would you recommend to improve professionalism and civility in the legal profession?**

**8. Thinking about your workplace environment and culture, indicate how much you agree or disagree with the following statements:**

<i>My workplace ...</i>	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Somewhat Agree</b>	<b>Strongly Agree</b>	<b>Do not know/ Not applicable</b>
1. cultivates a culture where people of all backgrounds are welcomed and valued.					
2. allows me to freely express my ideas, opinions, and beliefs in my organization ...					
3. ... and I feel heard on my ideas, opinions, and beliefs in my organization.					
4. does not tolerate inappropriate jokes on race, ethnicity, gender, sexual orientation, or disabilities.					
5. allows me to voice an opposing view or argument without fear of consequences.					
6. always takes strict action against any kind of intolerance and/or discrimination.					
7. allows me to be comfortable discussing my background and cultural experiences with my co-workers.					
8. publicly expresses and communicates its goals and strategies for diversity and inclusion.					

**9a. Does your workplace have a policy in place that addresses sexual harassment?**

- Yes
- No
- Unaware

**9b. If yes, how does your workplace make the policy available? (select all that apply)**

- In an employee handbook or similar human resources materials
- During employee onboarding or initial training
- During ongoing or routine training
- Accessible by online access (e.g., intranet, shared drive)
- Delivered upon request
- Unsure
- Other: please specify

**9c. If yes, does your workplace inform you of your rights and obligations and the rights and obligations of others under the policy?**

- Frequently
- Occasionally
- Rarely (e.g., only upon hiring)
- Never
- Unsure

**9d. If yes, do you know who is responsible for managing complaints made under the policy?**

- Yes
- No

**9e. If yes, are you confident that they would deal with concerns or complaints in a thorough, confidential, and impartial manner?**

- Yes
- No
- Unsure

**10. Does your workplace conduct training or information sessions related to sexual harassment?**

- Yes
- No
- Unsure

**11. If yes, do you consider the level of training or information sessions to be adequate?**

- Yes
- No
- Inconsistent

**12. Generally, how would you assess your workplace's policies, procedures, and approach to preventing sexual harassment and responding to incidents?**

- Excellent
- Good
- Sufficient
- Insufficient
- Negligible
- Unsure

**12. Before taking this survey, had you heard of the Illinois Supreme Court Commission on Professionalism (also known as 2Civility)?**

- Yes
- No
- Not Sure

**12a. If yes, in what ways have you engaged with the Commission? (select all that apply)**

- The Future Is Now annual conference
- Free online CLE
- In-person CLE
- Social media
- Newsletter
- Blog posts
- Mentoring program
- Courthouse trainings
- Law school programing
- Other:

**13. About You:**

**13a. What is the zip code in which you primarily practice?** \_\_\_\_\_

**13b. Years of experience in the legal profession:**

- 0-4
- 5-9
- 10-14
- 15-19
- 20-24
- 25-29
- 30-34
- 35-39
- 40-44
- 45+

**13c. Check the one that best describes your practice setting:**

- Law Firm
- Corporate/In-House Counsel
- Government
- Judiciary
- Academic
- Military
- Legal Aid or Non-Profit
- Not Currently Practicing
- Other

**13d. What best describes the primary area(s) of law in which you concentrate? (select all that apply)**

- Antitrust
- Bankruptcy
- Civil and Commercial Litigation
- Civil Rights/Liberties
- Criminal Law
- Employment Law
- Environmental Law
- Family Law
- General Corporate
- General Practice
- Health Law
- Immigration Law
- Insurance
- Intellectual Property
- Municipal Law
- Personal Injury
- Probate/Estate Planning
- Public Utilities/Administrative/Regulated Industries
- Real Estate
- Securities Law
- Tax
- Workers' Compensation
- Other: please specify

**13e. Approximately how many lawyers are employed in your organization?**

- 1
- 2-5
- 6-10
- 11-50
- 51-100
- 101-300
- 301-500
- 501-1000
- 1001+

**13f. Check all that apply to you:**

- White
- Black or African American
- Asian
- Native Hawaiian/Other Pacific Islander
- Hispanic or Latino
- American Indian or Alaska Native
- Middle Eastern
- Multiracial
- Prefer not to answer

**13g. What is your gender identity? (Choose all that apply)**

- Woman
- Man
- Non-binary
- Genderqueer
- Genderfluid
- Prefer not to answer
- Prefer to self-describe:

**13h. What is your age?**

- Under 25
- 25-29
- 30-34
- 35-39
- 40-44
- 45-49
- 50-54
- 55-59
- 60+
- Prefer not to answer

**14. Do you have anything else you would like to share?**

## Reimagining Law: Why Judges Can't Look Away When Incivility Arises

In this episode of Reimagining Law, we talk to Judge Michael J. Chmiel of the 22<sup>nd</sup> Judicial Circuit in McHenry County, Ill. Judge Chmiel talks about how judges can set the tone for civility in the courts, why they can't turn the other way when incivility arises, and the standing orders he issued that promote civility and professionalism in his courtroom.

Subscribe to our YouTube channel to stay updated on new episodes.



### Timestamps

- 00:00:44 Judge Chmiel, our world seems to be consumed with a lot of contention and division. How can lawyers and judges, who are typically leaders in our communities, help to set the tone for civility?
- 00:02:16 How do you define civility and professionalism?
- 00:04:28 As a judge, how do you respond to incivility in your courtroom?
- 00:05:53 You issued a series of standing orders that begin with a section reminding parties and attorneys to engage in professionalism and civility in the handling of Court cases and to confer on pending matters before coming to the courthouse. Why did you issue this order?
- 00:08:40 Do you think incivility undermines public trust in the justice system?
- 00:09:53 What is one piece of advice you would share with lawyers and judges who want to make a positive difference in the profession?

### Related Resources

- [Illinois Supreme Court Adopts New Code of Judicial Conduct](#)
- [How Lawyers Use Words to Influence Perception](#)
- [Is a Misinterpretation of "Professionalism" Being Used to Exclude Attorneys?](#)

### About Judge Michael J. Chmiel

Judge Michael J. Chmiel was elected to the 22<sup>nd</sup> Circuit Court of Illinois in 2006 when the circuit was created, won retention in 2012, and will assume the role of chief judge in December 2022. Judge Chmiel grew up on the southwest side of Chicago and attended the University of Illinois College of Law. He has previously practiced law in Chicago and Rockford.

This interview was recorded on July 8, 2022.

### Transcript

#### Erika Harold 0:07

Hi, I'm Erika Harold, Executive Director of the Illinois Supreme Court Commission on Professionalism. Welcome to Reimagining Law. Today I'm joined by Judge Michael Chmiel, presiding judge of the civil

division in the 22nd Judicial Circuit in McHenry County, who will be chief judge in December. We will talk today about the role of lawyers and judges in helping to steer courtrooms, workplaces, and society as a whole toward civility. Judge Chmiel, thanks for joining me. Before we jump in, I'd like to remind our viewers to like this video and subscribe to our channel for new videos from the Commission. Now let's get started. Judge Chmiel, our world seems to be consumed with a lot of contention and division. How can lawyers and judges who are typically leaders in our communities help to set the tone for civility?

**Judge Michael J. Chmiel 0:57**

One way is to show up. First, we're in the front lines, that's what Shakespeare said about lawyers and people. We are on the front lines. People come to us with issues. I think it's important for us to stay in our lanes, to use the current vernacular. But this is a challenge as well. Social media is really challenging. It's the new world order; I think we have to respect it; we have to realize it. We have to take a deep breath before responding too. I think all too often, we're quick to hit a button. But take a deep breath because of, candidly, who we are, whether you're an attorney, or a judge, or any person for that matter. We have to realize what we say is important. There is a concern people have talked about over the last couple of years about cancel culture and either canceling somebody or not showing up, if you will. But I think it's important to show up and to be thoughtful because everything we say and do reflects upon us in our profession. I think that's how we set the tone for civility.

**Erika Harold 2:16**

Those are big terms—civility and professionalism. How would you define civility and professionalism?

**Judge Michael J. Chmiel 2:24**

True enough. Civility, without being redundant, is being polite, respecting other views, and it's really important because too often there are other views. We have opinions and I think we need to realize that there's another opinion out there, "having a good bedside manner" to use the term from the medical profession. Oddly enough, having a good bedside manner in our world might be good for business as well. I think if we're being civil, we're being polite, we're respecting other views, that doesn't mean you have to endorse the other view. If you're representing the plaintiff, you don't have to endorse the defendant's point of view because you have a job to do. But having a good bedside manner or civility, in the end, is typically better for business. There are some who like the uncivil person, but I think generally people want to gravitate to somebody who is civil. Professionalism, on the other hand, is knowing what we are doing, knowing what we are saying, realizing our role, and knowing and respecting the profession, because we're a part of it. One of the cool things about our profession is we more or less police ourselves; we have people on all aspects of it. We're in a profession, and I don't take that lightly. I think most people don't. Sometimes we forget about that. "It's a job." No, it's a profession. In our profession, what are we doing? We're ultimately advancing the Rule of Law. Through our work, we're helping order society. I think it's huge that we have a profession, we police ourselves, know what we're doing and, in the end, civility and professionalism come together. They're so interwoven and I think they're very important for us to have in our presence.

**Erika Harold 4:28**

As a judge, how do you respond when incivility occurs in your courtroom?

**Judge Michael J. Chmiel 4:33**

Well, the easy way is to make sure it never happens—or look the other way, but you can't. In my courtroom when I'm thinking about different things that have happened in Courtroom 202 here in Woodstock—come visit—I think it's important to address it. It's difficult at times we have to know our

role. To me a very important role for judges is temperament, but people come to us they look for us to steer the ship if you will. So, I think it's important to deal with it. Sometimes we have to educate people on it. In other words, what's the role of everybody, me the judge, the attorney, the witness, whoever it is? And we have to remind people. Oftentimes I'll admonish witnesses from the witness box, "The role of the attorney is this, the role of the witness is this, together will try to advance the cause." You have to meet it with a proper tone. Typically, with incivility, we're working to deescalate it. I got that from the marshals of the Supreme Court, colleagues of mine on court security, but you want to deescalate it. You have to address it. And then ultimately, we as judges have to use the tools we have. If it doesn't tone down? Well, I'll be shy about what I say, but we judges have a fair amount of power, direction, authority, and we have to use it, but we have to cage it. And I think ultimately, to get back to the point, we need to address it.

**Erika Harold 5:53**

You issued a series of standing orders that begin with a section that reminds parties and attorneys to engage in professionalism and civility in the handling of court cases, and to confer on pending matters before coming to the courthouse. What made you decide to issue that order?

**Judge Michael J. Chmiel 6:11**

Well, I've been doing this a while as an attorney in the trenches, then as a judge now for over 17 years. What I saw is oftentimes people would come up the cases called, they'd meet each other at the bench or in front of the bench, and they maybe shake hands or just say I'm here for the plaintiff or I'm here for the defendant. I've had a sense from the bench that people are not talking before. This takes me back to when Justice Bob Thomas kind of inspired and put together the Commission on Professionalism. I said, "Why do we need that?" And then ever since I'm reminded of seeing that type of conduct. So, selfishly, it helps us process the case, but what we're here to do in our courtrooms is we are here to help people with their issues, their problems, their disagreements. If you don't talk before you come up here, then this is a real awkward setting. Everything in my courtroom for the most part is recorded, and I want people to have that discussion. It's helpful when attorneys are involved, but even when a litigant isn't involved, where it's difficult to represent yourself, because you're in it, you're passionate about it, I think it's important going back to civility, to respect the other side, respect their two points of view. Otherwise, we probably wouldn't have a case in the courtroom. It's important to have that dialogue to realize we have an issue that you're coming to us at the courthouses to address. The reason why I put it in my standing order, and I encourage the judges in our civil division to do it as well, is we often have to remind ourselves that we love our jobs. I love my profession. I think reminding ourselves is important. To me, it's a critical function of what we do in courtrooms. We engage to come up with a resolution. We typically say there's a winner and a loser, but at least if people feel like they had a good shake, that there was a good process, then I think the world gets to be a better place. I really do. That's more or less why. I do it more than anything to remind people that it's a critical function of people involved in the case, especially if you're an attorney representing somebody else.

**Erika Harold 8:40**

Do you think that incivility undermines public trust in the justice system?

**Judge Michael J. Chmiel 8:45**

Absolutely, yes. When you see somebody who's bombastic or whatever the word is, don't you scratch your head and say, "Well, maybe I should meet this person outside?" Well, that's not the justice system. That's, with all due respect, the Old-World ways of centuries ago. No, we've evolved. That undermines and cuts from what we're trying to do. If we can provide an orderly forum, we can then advance what is



the Rule of Law, but we need buy-in by everyone, by judges, by attorneys, by our court staff. I include everyone, but the litigants and the parties. For them to come here and want to deal with us, they have to feel like they're going to get a fair shake, so to speak. And incivility pushes that away and it prevents it from happening. I can't emphasize enough incivility—we've got to get rid of it. There's a place for that. Maybe on the athletic field or in a boxing match, but not in the courtroom.

**Erika Harold 9:53**

What is one piece of advice that you would share with lawyers and judges who want to make a positive difference in the profession?

**Judge Michael J. Chmiel 10:01**

Well, I've used this phrase from a friend who has inspired this in my vernacular of late, and that is, "Show up, get involved, stay involved." I really, really believe that it's what we make of it. When you think it through, they're U.S. attorneys, right? Even as judges, we have to be an attorney, whether it's a new grad or even a law student, all the way up to the Chief Justice of the Supreme Court. We're all in this together. What we do is so important. What I mean by showing up: show up, be civil, be professional in your daily job, but as well do some of what you and I are doing here, working to advance the Rule of Law through teaching, sharing ideas, collaborating. It's important to have a life too, but for our profession, I really believe you have to show up and participate. It's what we make of it.

**Erika Harold 10:58**

Well, Judge Chmiel, thank you so much for joining us. And to all of you who are watching, please like and share this video and subscribe to our channel to stay updated on new videos from the Commission. Thank you so much for watching.

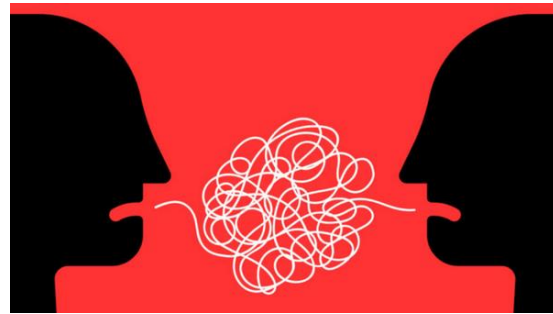
*Original Blog Post: <https://www.2civility.org/reimagining-law-why-judges-cant-look-away-when-incivility-arises/>*

## The True Cost of Incivility in the Legal Profession

By Erika Harold

While some lawyers view incivility as a relatively minor transgression, a recent New York Supreme Court decision shows incivility can be costly.

Justice Andrea Masley's decision is noteworthy not only because of the steep penalties she imposed but also because of the strength of the opinion itself. Justice Masley rejected the notion that incivility is simply vigorous advocacy and instead reinforced civility as a first principle of the legal profession.



### Objecting on the grounds of 'being obnoxious'

The litigation at issue involved a dispute over music publishing and production agreements between plaintiff Jacob Hindlin, a music writer and producer, and defendants Prescription Songs LLC and Kasz Money, Inc., a music publishing company and a music production company, respectively. (*See Hindlin v. Prescription Songs LLC*, New York Supreme Court, New York County; Cal. No. 2022L-01547; Ind. No. 651974/2018.)

Defendant Kasz Money filed counterclaims, including claims against Nonstop Management, LLC, which served as plaintiff Jacob Hindlin's manager. Notably, the plaintiff's wife Jaime Hindlin was the CEO of Nonstop Management.

The defendants sought to depose Mrs. Hindlin, and Justice Andrea Masley ordered that her deposition be taken over two days. Following day one of Mrs. Hindlin's deposition, however, the defendants sought sanctions against the lawyers representing Mr. and Mrs. Hindlin. They [alleged that](#) the Hindlins' lawyers:

“(i) relentlessly obstructed the deposition by making personal attacks on Defendants’ counsel and our law firm with disparaging and insulting diatribe and threats of retribution in violation of established rules of civility and the rules of professional conduct, (ii) amplified this orchestrated obstruction repeatedly with pages and pages of argumentative speaking objections, often filled with invective, and (iii) repeatedly instructed the witness not to answer appropriate questions.”

(Defendants’ Memorandum of Law, NYSEF Doc. No. 960, p. 1.)

According to the defendants, the lawyers representing the Hindlins collectively “interjected with improper speaking objections and/or colloquy” approximately 300 times, and Mrs. Hindlin was improperly instructed not to answer 30 questions. (*Id.*, at pp. 2-3.)

The defendants also alleged that the Hindlins' lawyers "repeatedly engaged in abusive, unprofessional, insulting, and bullying behavior, stating to opposing counsel, among other things:

- 'You're pretty terrible about asking questions...'
- 'I'm going to object on the grounds of it being obnoxious.'
- 'Somebody ought to teach you about conducting depositions.'
- '[S]omebody ought to run a CLE program for your firm.'
- 'I suggest that maybe you and your colleagues attend a CLE about what depositions are really about.'
- '[W]e have a combined approximately ... 100 years of litigating experience, and I join in his — in his statement. And, by the way, I know [other] lawyers who have the same opinion of you gentlemen.'
- 'You're going to get your comeuppance for this, I can guarantee it.'
- 'If you don't show up [to a post-deposition conference], you will suffer the consequences. It is not a threat. It is a promise.'"

(*Id.*, pp. 1-2) (Internal emphasis and citations omitted.)

Additionally, the defendants asserted that "counsel repeatedly swore, and used inappropriate and aggressive language throughout the deposition" and suggested that if the defendants' counsel continued asking questions about a certain topic, then "God help you, because it will be up to a higher [power] than me or the Court[,] and you have to look at yourselves in the mirror in the morning." (*Id.*, p. 10.)

The Hindlins' lawyers filed pleadings in opposition to the Motion for Sanctions, arguing the questions posed by the defendants' lawyers were improper both in form and substance and designed to cause undue stress and the waiver of privilege. (See *e.g.*, [Affirmation in Opposition](#), NYSEF Doc. No. 975; [Memorandum in Opposition](#), NYSEF Doc. No. 995.) They also emphasized the significant health challenges the witness was already experiencing.

### **The risks of 'tarnishing the profession'**

Justice Masley, however, rejected these arguments. Following her review of the deposition transcript and the parties' pleadings, she [issued a decision](#), sanctioning the Hindlins' lawyers. (NYSEF Doc. No. 1037.)

In her ruling, Justice Masley found that:

"This is not the first time [Attorney] Goodman has exhibited this type of unprofessional, bullying behavior in this action, though it was only brought to this court's attention with this motion. ... [Goodman: 'You are not very good at asking questions, but you are very good at interrupting others.'], ... [Goodman: 'You are really obnoxious']; ... [Goodman: 'wipe that silly smile off your face'] ... [Goodman: 'You have no knowledge of the law at all. You're a

joke .... you're nonsense.']; ... [Special Master: 'Ok, Mr. Montclare. You are on mute sir ... You've got to unmute yourself.' Montclare: 'I said it's nice to see you again ...' Goodman: 'You could have stayed on mute Paul. That would have been fine'.]"

(*Id.*, at p. 4.) Justice Masley then delineated key reasons why lawyers must exhibit civility, even when vigorously advocating for their clients.

First, Justice Masley noted that “lawyers are expected to ‘advise their clients and witnesses of the proper conduct expected of them ... and make reasonable efforts to prevent [them] from causing disorder or disruption.’” (*Id.*, pp. 4-5) (quoting 4C NY Prac, Com Litig in New York State Courts § 86: 16). As such, Justice Masley exhorted that “[a]ttorneys must model civility for their clients.” (*Id.*, at p. 5.)

Second, Justice Masley found that incivility impedes legal proceedings. She explained that a lawyer’s incivility in a deposition might “incite the witness,” thereby “necessitating that the deposition be retaken.” (*Id.*) Instead of emboldening witnesses to join them in thwarting legal proceedings, Justice Masley underscored the obligation lawyers have to intervene when their witnesses engage in abusive or obstructive conduct.

Finally, and perhaps most importantly, Justice Masley found that incivility “tarnishes the profession.” (*Id.*) Accordingly to Justice Masley, “[o]ffensive and abusive language by attorneys in the guise of zealous advocacy is plainly improper, unprofessional, and unacceptable.” (*Id.*)

She emphasized that “[a]n attorney who demonstrates a lack of civility, good manners and common courtesy taint the image of the legal profession and, consequently, the legal system, which was created and designed to resolve differences and disputes in a civil manner.” (*Id.*) (Internal quotations and citations omitted.)

Justice Masley then ruled that the conduct of the Hindlins’ lawyers was “uncivil and obstructive” and therefore sanctionable. (*Id.*, p. 6.) She ordered the following:

- The Hindlins’ lawyers must reimburse the defendants the fees and expenses they incurred during the first day of the deposition and in connection with filing the motion for sanctions. The defendants attested that such fees and costs totaled \$56,040.54.
- The attorney representing the witness, Mrs. Hindlin, was required to pay \$2,000.00 to the Lawyers’ Fund for Client Protection.
- The attorney representing Mr. Hindlin was required to pay \$10,000.00 to the Lawyers’ Fund for Client Protection for engaging in obstructive conduct despite not even being the witness’ lawyer.
- The Hindlins’ lawyers were mandated to attend a CLE on civility and provide the CLE instructor with a copy of the deposition transcript at issue so the instructor could use it in his seminar “as an example of uncivil sanctionable behavior.” (p. 6, n. 8.) They were then required to submit to the court “an affirmation attesting to their attendance and

whether they complied with this court’s order that they read the standards of civility.”  
(*Id.*, p. 7.)

The Hindlins’ lawyers appealed Justice Masley’s Order, and such appeals remained pending as of the date of this blog’s initial publication.

### **Civility is foundational to our justice system**

While [surveys conducted](#) by the Illinois Supreme Court Commission on Professionalism show that incivility is commonplace in the legal profession, the imposition of judicial sanctions for incivility is far less common.

Indeed, many litigators and law firms are loath to even seek sanctions against opposing counsel, as they don’t want to be perceived as weaponizing motions and legal proceedings and are concerned about escalating a cycle of incivility. Ironically, some of the lawyers most likely to threaten to seek sanctions are those whose behavior is most warranting of sanctions.

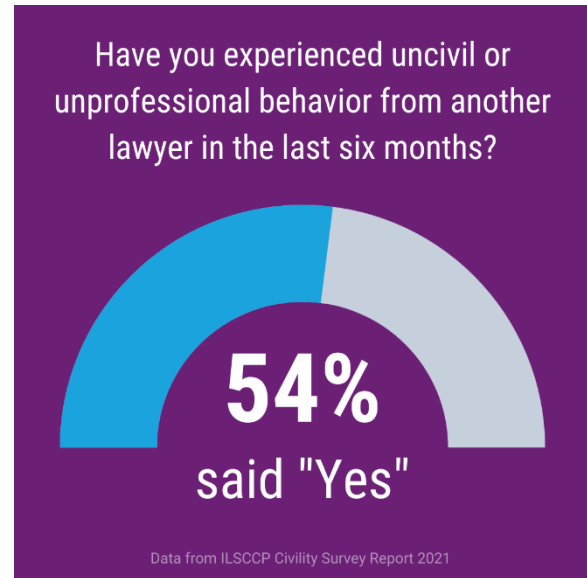
This creates a quandary for judges wishing to foster civility, as a significant amount of incivility occurs outside of the courtroom and is never brought before them via a motion. Some Illinois judges are [proactively attempting](#) to prevent incivility in their courtrooms.

For example, the Domestic Relations Division of the Cook County Circuit Court has an expansive [civility Rule](#) which includes a prohibition against lawyers “engag[ing] in offensive conduct or do[ing] any acts that may contribute to hostility or acrimony between the parties or others related to the pending action,” “even when called upon by a client to do so.” (Rule 13.11(a)(iv).)

Additionally, earlier this year, Judge Michael J. Chmiel of the 22nd Judicial Circuit in McHenry County, Illinois, issued a [Standing Order on Professionalism and Civility](#), stating that “Parties and the attorneys who represent them are reminded to engage in professionalism and civility in the handling of cases which come before the Court.” As Judge Chmiel told me in [a Reimagining Law interview](#), “we as judges have to use the tools we have” to combat incivility.

Justice Masley did just that in her Order. Not only did she impose sanctions to punish alleged incivility in the case before her, but she also wrote an instructive opinion articulating the foundational role of civility in preserving both the legal profession and the justice system.

As Justice Masley noted, “[s]ociety at large, and the legal community in particular, is increasingly less tolerant of sharp practices and sharp behavior that verges on harassment. It is



a question of enlightened self-interest for lawyers and their clients to be tough yet civil.” (*Id.*, p. 3) (quoting Hon. Lawrence K. Marks, Jeremy Feinberg and Laura Smith, § 86:1 Scope note, 4C NY Prac, Com Litig in New York State Courts § 86:1 [5th ed.] )

*Original Blog Post:* <https://www.2civility.org/the-true-cost-of-incivility-in-the-legal-profession/>

## Bullying Does Not Pass for Advocacy in Illinois

By Jayne Reardon

Earlier this month, you may [have read](#) about the Illinois Attorney Registration and Disciplinary Commission's recommended three-year suspension of attorney Felipe Nery Gomez for sending "threatening and harassing emails" to seven attorneys during pending litigation.

Based on the contents of the emails (which I'll get into in a bit) it seems like it would be an open and shut case of incivility in communications. However, an ethics attorney interviewed for the piece says that "the line between zealous advocacy and 'scorched-earth' litigation tactics is often much blurrier."

I initially planned this blog post to discuss the tension lawyers might feel between a duty of zealous advocacy and a duty to conduct oneself civilly at all times, and even drafted a few paragraphs.

However, after I read the opinion of the Illinois ARDC Hearing Board and researched other disciplinary cases in the state, I realized that there is a pattern in uncivil communication in Illinois and it isn't a pretext of advocacy: it's straight-up bullying, and it often targets females.

### How is "zealous advocacy" defined?

Lawyers often assert that the line between incivility and zealous advocacy is fuzzy. But where does the duty of zealous advocacy really come from?

The word "zealous" doesn't appear in the [Illinois Rules of Professional Conduct](#). It does, however, show up twice in the Preamble and once in a comment.

Paragraph 2 of the Preamble states that as an advocate, "a lawyer *zealously* asserts the client's position" but goes on to qualify that by saying "under the rules of our adversary system."

The Preamble also states that lawyers may have to resolve conflicts between duty to clients, the legal system, and the lawyer's interest. In resolving such conflicts, they are told to exercise "sensitive professional and moral judgment" guided by basic principles "include[ing] the lawyer's obligation *zealously to protect and pursue a client's legitimate interests, within the bounds of the law, while maintaining a professional, courteous and civil attitude toward all persons involved in the legal system.*" (Preamble, Cmt. 9)

[Emphasis added in both of these passages.]

Comment 1 to Rule 1.3, which requires a lawyer to act with diligence, explains that a "lawyer must also act with commitment and dedication to the interests of the client and with zeal in advocacy upon the client's behalf."



However, the comment goes on to explain the limits of that zeal. “A lawyer is not bound, however, to press for every advantage that might be realized for a client...The lawyer’s duty to act with reasonable diligence does not require the use of offensive tactics or preclude the treating of all persons involved in the legal process with courtesy and respect.” (Rule 1.3, Cmt. 1)

Given that the [definition](#) of zeal is “a strong feeling of interest and enthusiasm” in pursuit of a cause or an objective, there really is no friction between zeal and civility.

As Kevin Dubose and Jonathan E. Smaby [wrote](#) in the Texas Bar Journal, the word “zealous” in the Texas Disciplinary Rules of Professional Conduct (identical in relevant part to Illinois’ Rules of Professional Conduct) envisions zeal as “a passionate and enthusiastic manner designed to achieve a favorable outcome for the client. Thus, zealousness should not be judged by its stridency but by the result.”

### **Advocacy or bullying in the Gomez case?**

In the case that kicked off this post, the ARDC Hearing Board [found that](#) Gomez violated the Illinois Rules of Professional Conduct in sending threatening and harassing emails to seven other attorneys in three different litigation matters.

Gomez’s emails referred to opposing counsel as “scum,” “liar,” “idiot,” “active criminal,” and “targets” and threatened them with lawsuits and sanctions.

The Hearing Board found that Gomez violated Illinois Rules of Professional Conduct Rules 4.4(a) and 8.4(d).

Rule 4.4(a) states that in representing a client, “a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.”

And Rule 8.4(d) states that it is professional misconduct for a lawyer to “engage in conduct that is prejudicial to the administration of justice.”

Gomez attempted to defend his statements as protected opinions under the First Amendment and substantially related to the litigation. The ARDC Hearing Board rejected these arguments, and it recommended that Gomez be suspended from the practice of law for three years and until further order of the court.

Two of the cases in which Gomez sent abusive emails were in federal court. The Executive Committee of the U.S. District Court for the Northern District of Illinois disbarred Gomez from practicing law in that court until further order.

Citing the federal court disbarment and a threat of irreparable injury to the public, the administrator of the ARDC petitioned the Illinois Supreme Court for an interim suspension during the pendency of the disciplinary case.

On April 8, 2021, the Illinois Supreme Court suspended Gomez immediately and until further order of the court.



Under all these circumstances, it is expected that the Court will approve the ARDC's recommendation of a three-year suspension until further order of court. (A suspension until further order of the court requires the suspended lawyer to petition for reinstatement after the fixed period of suspension ends. Reinstatement is only allowed by the Illinois Supreme Court following a hearing before the ARDC Hearing Board in which the attorney bears the burden of proof.)

### **A pattern of bullying female attorneys in Illinois**

While the Gomez case involved emails directed to male attorneys, during my research into Illinois disciplinary cases, I found an alarming pattern of bullying of female attorneys by their male counterparts. It can be assumed that this bullying, which is far from zealous advocacy, has been used to intimidate and belittle female attorneys.

I've included some instances below where male Illinois lawyers who made disparaging comments against female lawyers were disciplined for violating Rule 4.4(a):

- **In [In re Craddock](#)**, the ARDC Hearing Board [found that](#) a male attorney used vulgar and disparaging gender-based language on three separate occasions in addressing female litigation counsel in federal and state court litigation matters. This included twice in the hallway of the federal courthouse when he intentionally addressed counsel by altering the first syllable of her name "Courtney" to a pejorative term. After counsel filed a motion for sanctions against him, he sent a disparaging email that altered both her first and last names to include the words "c—" and "b—" and threatened reprisals. On April 3, 2020, the Illinois Supreme Court suspended him for three months. (He was also suspended for 12 months by the Executive Committee of the U.S. District Court for the Northern District of Illinois, which found he violated Rule of Professional Conduct 8.4(g) by "engag[ing] in conduct that the lawyer knows or reasonably should know is harassment or discrimination on the basis of...sex" by twice using gender-based, vulgar terms to insult his opposing counsel.)
- **In [In re Pondenis](#)**, the Hearing Board found an attorney made statements in text messages calling the girlfriend of a former client a "deadbeat" who had no intention of paying bills and had an order of protection taken out against her children. In addition, in connection with a pending eviction notice against him, the attorney sent rude text messages to his landlord and his landlord's wife, including calling the wife a "fat b—." These pejorative statements were found to have no legitimate purpose other than to embarrass in violation of Rule 4.4(a). In [an order](#) issued on September 23, 2021, the Illinois Supreme Court suspended the attorney from the practice of law for one year and until further order of court.
- **In [In re Cohn](#)**, a male attorney directed vulgar language to female opposing counsel in a deposition. In the deposition, when Cohn directed his witness not to answer a question, opposing counsel stated, "Certify the question." Cohn responded, "Certify your own stupidity, then." When Cohn instructed his witness not to answer another question, and opposing counsel certified that question, Cohn stated, "I'm going to get sanctions

against your firm like you wouldn't believe, b——." In finding misconduct, the Hearing Board stated, "there is no question that directing vulgar gender-based slurs toward another person in the course of representation violates rule 4.4(a)." The Hearing Board found that the comments were made to demean and harass the attorney and that she testified credibly that she felt embarrassed and verbally abused. (Counsel filed a Motion for Sanctions against Cohn and the Hearing Board found that Cohn made disparaging remarks about the judge being in "robe rage" that violated Rules 8.2(a) and 8.4(d)). The Illinois Supreme Court [suspended Cohn](#) for six months and until he completes the ARDC professionalism course.

- **In In re Novoselsky**, an attorney was suspended for six months in 2015 for violating Rule 4.4(a) by repeatedly calling his female opposing counsel insulting, vulgar, and gender-based slurs. The Hearing Board found he called female opposing counsel names including "f—— b——," "a——," "pervert," "slut," and "child molester." He called male opposing counsel in another matter a "cokehead" and "an idiot." He also called a deputy sheriff a "dumbbell" and repeatedly threatened to "have her job." (Another disciplinary action was filed against Novoselsky; the Illinois Supreme Court disbarred him in September 2020.)

Far from any sort of advocacy, zealous or otherwise, the above cases show a pattern of behavior that amounts to bullying. As in most cases of bullying, the targets are perceived to be weak.

Thank you to all of the women and their supporters who have exhibited courage in standing up and bringing these behaviors to the attention of the ARDC. Thank you to the ARDC for prosecuting these attorneys and to the Illinois Supreme Court for disciplining them for their offensive behavior.

As a female attorney in Illinois, it's heartening to know that defending bullying as a form of advocacy doesn't stand in our court system.

*Original Blog Post:* <https://www.2civility.org/bullying-does-not-pass-for-advocacy-in-illinois/>

# Speaker Bios

## Elizabeth M. Rochford

Justice Elizabeth M. Rochford earned her Bachelor of Arts degree in English from Loyola University of Chicago and her Juris Doctor degree from Loyola University School of Law in Chicago. She served as Assistant State's Attorney (1986-1989), as a solo practitioner, trusts and estates, and real estate (1989-2012), as Commissioner of the Court of Claims (1990- 2012), and Administrative Law Hearing Officer for municipalities including Lincolnwood, Skokie, Morton Grove, and Glenview (2005-2012).

Justice Rochford was appointed as Associate Judge of the Nineteenth Judicial Circuit, Lake County (Waukegan) in December 2012, and was assigned to hear criminal matters, family law matters and in probate presiding over decedent's estates and guardianships of minors and disabled adults. In response to the Supreme Court's mandate on Access to Justice, Judge Rochford took the lead on developing and initially presiding over a courtroom dedicated to Self-Represented Litigants (SRLs) in family law. Justice Rochford was elected to the Illinois Supreme Court from the Second Judicial District in 2022.

Her Illinois State Bar Association (ISBA) activities include serving on the Board of Governors (2013-2022), a member of numerous ISBA committees and section councils, including Women and the Law, Bench and Bar, Trusts and Estates, and Mental Health, and she also served on the Task Force on Lawyers Feeding Illinois and was Chair of the LFI kick-off at the 2012 Mid-Year Meeting. Her Lake County Bar Association leadership positions include President (2010-2011), chair of the Community Outreach Committee, chair of the Trusts and Estates Committee (2005- 2008), and chair of the Real Estate Committee (2005-2007). She also served as the President of the Illinois Judges Foundation from 2015-2016 and is currently the Secretary of the Illinois Judges Association.

Justice Rochford is a former co-editor of, and regular contributor to, the IJA's publication, "The Gavel" and serves as co-chair of the "Paging It Forward" literacy initiative. Her volunteer activities include: the United Way reading program, the IJF Literacy Initiative, the LCBA Guardianship Help Desk, Volunteer Mediator, the Loan Modification Assistance Program, Habitat for Humanity, Volunteer Estate Planners, The People's Law School, Lawyers in the Classroom, 100 Club Board of Directors, Leader Council for Mercy Home for Boys and Girls, and the Spirit of 67 Board of Directors. She also served as an Adjunct Professor of English for the City Colleges of Chicago.

Justice Rochford's honors include the Joyce Fitzgerald Award from A Safe Place (2022), the Democratic Women of Lake County RBG Award (2021), the ISBA Woman of Influence Award (2020), the IJA Presidential Service Award (2020), the Lake County Bar Association "Access to Justice Award" (2019), the Lake County Women's Coalition "Woman of Vision Award" (2019), the 19th Judicial Circuit Liberty Bell Award, on behalf of the LCBA Guardianship Help Desk (2012), the Outstanding Diversity Leader Award, Diversity Scholarship Foundation (2011), the Lake County Bar Association Leadership Service Award (2011), and the Extra Mile Award, NHS (2010).

## Bree Buchanan

Bree Buchanan, JD, MS, is Senior Advisor for Krill Strategies, a legal consulting firm providing support to AmLaw100 firms seeking to enhance well-being among their personnel. In 2020, she worked with a small team to create the Institute for Well-Being in Law and served as its first executive director and board

president. In January 2024, Bree was recipient of the Reed Smith Award for Excellence in Well-being in Law in recognition of her pioneering work in the field. Prior to this, she served as director of the Texas Lawyers Assistance Program and Chair of the ABA Commission on Lawyers Assistance Programs. Currently, she serves as a commissioner for the International Bar Association's Professional Wellbeing Commission. Bree's work in lawyer well-being follows a twenty-five-year career spent working on issues related to domestic violence during which she worked as a litigator, lobbyist, and law school professor.

## **Judge Barbara N. Flores**

Hon. Barbara N. Flores was selected as an Associate Judge and appointed to the Circuit Court of Cook County in October of 2021. Judge Flores is currently assigned to the First Municipal District (Chicago) in a diversion courtroom where self-represented landlords and tenants have access to free legal aid, mediation, and rental assistance resources before trial. Over 20,000 cases begin in this courtroom each year. Judge Flores was previously assigned to the Traffic Division hearing non-felony and minor traffic offense cases. Before joining the bench, Judge Flores served as a Commissioner on the Illinois Workers' Compensation Commission from 2019 to 2021. She previously served at the Commission as an Arbitrator, the first Latina to hold the position. Prior to her service on the Commission, Judge Flores focused on labor and employment work at the federal, state, and local levels.

Judge Flores is actively involved in the professional community, especially dedicated to diversity and inclusion efforts in the legal profession, the advancement of law students, and continuing legal education. In this capacity, she has served as a long-standing Secretary/Trustee of the Hispanic Lawyers Scholarship Fund of Illinois. Her commitment to the profession extends to the broader community as a Co-Chair of the Diversity Scholarship Foundation's Scholarship and Continuing Legal Education committees since 2014, as a longtime member of various bar associations, and as a law student mentor through various organizations focused on the advancement of women and minorities in the law. Judge Flores also serves on various committees including the Supreme Court Commission on Access to Justice, Eviction Forms Subcommittee (2023–present), and Chicago Bar Foundation/Circuit Court, Pro Se Advisory Committee and Language Access Subcommittee (2023–present), and Illinois Judges Association, Selection/Retention Working Group (2022–2023).

Judge Flores received a Bachelor of Science degree in Psychology from the University of Illinois in Urbana-Champaign and is an alumna of Chicago-Kent College of Law, where she obtained her Juris Doctor degree and Certificate in Litigation and Alternative Dispute Resolution.

## **Jazz Hampton**

Jazz Hampton is CEO and General Counsel at TurnSignl and an Adjunct Professor of Entrepreneurial Finance at the University of St. Thomas Opus College of Business. TurnSignl is a Minnesota-based tech company that provides real-time legal guidance from an attorney to drivers, all while their camera records the interaction.

Hampton has been featured on NBC Nightly News with Lester Holt, MSNBC, CBS, NBC Top Story, and was recently named one of Minneapolis-St. Paul's 40 Under 40 for his work at TurnSignl and in the community, where he sits on the Board of Directors at the Minneapolis Foundation, Catholic Charities Twin Cities, and Great North Innocence Project. He is also a Masonic Institute for the Developing Brain's Philanthropic Advisory Council member. Finally, Jazz is on the board for the Greater North Innocence

Project, and beyond his board position, he is actively representing incarcerated individuals in their legal disputes to prove their innocence and gain their freedom.

Before joining TurnSignl, Hampton was the Director of Diversity and Inclusion and a practicing attorney at Foley & Mansfield, a national law firm with 150+ attorneys, as well as an adjunct professor at Mitchell Hamline School of Law, an Emerging Leader within Twin Cities Diversity in Practice, and the Co-Chair of DRI's Young Lawyer Diversity Committee.

## **Erika Harold**

Erika Harold is Executive Director of the Illinois Supreme Court Commission on Professionalism.

Most recently, Erika was a commercial litigation attorney at Meyer Capel, P.C. in Champaign, Illinois, where she represented clients at both the trial and appellate levels and advised clients on matters of statutory and constitutional interpretation.

Earlier in her career, she was a litigation attorney at the Chicago offices of Sidley Austin LLP and Burke, Warren, MacKay & Serritella, P.C., representing businesses in commercial disputes and advising religious institutions in matters involving First Amendment protections. She has served on the Illinois Supreme Court Committee on Equality since 2015.

Erika is a graduate of Harvard Law School, where she won a Boykin C. Wright Memorial Award for appellate advocacy in Harvard Law School's prestigious Ames Moot Court Competition. She funded her legal education through the scholarships and appearance fees she earned as Miss America 2003. Ms. Harold has been active in Illinois politics, most recently running a statewide race for Attorney General.

Erika has taught students about the U.S. legal system as part of the Lawyers in the Classroom program, coached students in city-wide mock trial competitions, and served on the teaching faculty of Harvard Law School's Trial Advocacy Workshop.

She is a nationally recognized advocate of bullying prevention efforts and has spoken to more than 100,000 students about combating peer-to-peer harassment.

Erika is licensed to practice by the Supreme Court of Illinois and the United States District Courts for the Northern and Central Districts of Illinois. She served on the Illinois Supreme Court Commission on Professionalism as a Commissioner from 2017 to 2022.

## **John Kim**

John Kim serves as Associate General Counsel at Edward Jones where he counsels on labor and employment matters. Previously, John worked as in-house counsel at State Farm, and was in private practice in Central Illinois. He received his J.D. from the American University's Washington College of Law and a B.A. from Wheaton College (IL). Before attending law school, John worked as a refugee and asylee caseworker in Nairobi, Kenya, and for a faith-based organization in Washington, D.C.

John is active in legal organizations at the national, state, and local levels. He currently serves on the Board of Directors of the National Asian Pacific American Bar Association Law Foundation. He also serves on the state-wide boards of legal services providers Prairie State Legal Services and the Immigration Project. As a member of the McLean County Bar Association, he serves on the Underwood Committee

on Professionalism. In his community, John is a long-time volunteer at the only free and charitable clinic in McLean County, the Community Health Care Clinic. Also, he serves on the board of the Children's Discovery Museum Foundation.

John joined the Illinois Supreme Court Commission on Professionalism in 2019. He was appointed Vice-Chair in 2022 and Chair in 2024.

## **Patrick Krill**

Patrick Krill is a lawyer, licensed and board-certified addiction counselor, and researcher who has initiated and helped lead many of the legal profession's efforts to improve mental health over the last decade. Widely regarded as a leading authority on the mental health and wellbeing of lawyers, he is the founder of [Krill Strategies](#), a behavioral health consulting firm exclusively for the legal profession. In that role, he serves as a trusted advisor and educator to large legal employers, including more than half of AmLaw 100 firms.

Patrick is the former director of the Hazelden Betty Ford Foundation's Legal Professionals Program, a leading clinical treatment program for lawyers, judges and law students struggling with addiction and mental health problems. Patrick regularly publishes cutting edge, peer-reviewed research on lawyer mental health, has authored approximately eighty published articles related to addiction and mental health, and is frequently quoted in both print and broadcast media. Patrick's highly specialized background and unique breadth of knowledge related to mental health and well-being in the legal profession make him a widely sought-after speaker and trusted resource for solving one of the legal profession's most challenging problems. He can be reached at [Patrick@prkrill.com](mailto:Patrick@prkrill.com).

## **Judge Matthew D. Lee**

Hon. Matthew D. Lee is an associate judge for the 6th Judicial Circuit Court of Illinois. He was appointed to the bench on February 25, 2021. Prior to his appointment, Judge Lee was an attorney and partner in private practice at Meyer Capel, P.C. in Champaign with a focus in criminal defense.

Judge Lee earned a bachelor's degree with majors in political science and speech communication from the University of Illinois Urbana-Champaign in 2000 and completed his J.D. at the University of Illinois College of Law in 2003. After graduating from law school, he began his legal career as an Assistant State's Attorney with the McLean County State's Attorney's Office where he remained for over 10 years and prosecuted serious felony cases prior to joining Meyer Capel.

Born in Taiwan as the son of a minister, Judge Lee moved with his family to the United States as an infant and spent his childhood in Minnesota, Saskatchewan and Colorado before settling in Naperville in 1990. He and his wife Jennifer have four sons.

## **Mark C. Palmer**

Mark C. Palmer is the Chief Counsel of the Illinois Supreme Court Commission on Professionalism. Mark strives to serve judges, attorneys, law students, and the people of Illinois with a dedication to the quality of justice and the rule of law.

As Chief Counsel, Mark facilitates the promotion of professionalism, civility, and integrity among the legal and judicial systems to better provide equitable, efficient, and effective service to the public through education and outreach initiatives. Mark leads professionalism programming through the statewide mentoring program, collaborating with stakeholders from Galena to Cairo. Mark also supports the development and delivery of educational programming to lawyers and in law schools and performs outreach across the state on behalf of the Commission.

Prior to joining the Commission, Mark was in private practice at the Champaign law firm Evans, Froehlich, Beth & Chamley where his law practice focused on areas including commercial litigation, municipal law, banking law, and creditor's rights, among others. He represented private and appointed clients in both civil and criminal cases in state and federal courts.

## Trisha Rich

Trisha Rich is an attorney in Holland & Knight's Chicago and New York offices, the national co-chair of the firm's Legal Profession Team and a member of the Litigation and Dispute Resolution practice. Trisha also serves as the Professional Responsibility Partner for Holland & Knight's Chicago office. Her practice focuses on legal ethics and professional responsibility matters and complex commercial litigation.

Trisha is a national leader in the legal ethics community. She founded and coordinates the Attorney Defense Initiative, the nation's first privately sponsored pro bono initiative that focuses on assisting impaired lawyers facing disciplinary charges. Trisha is the immediate past president of the Association of Professional Responsibility Lawyers, the nation's largest legal ethics bar organization, and she is a frequent speaker and author on a variety of issues related to ethics and risk management. She is currently an adjunct professor at New York University School of Law, where she teaches legal ethics and professional responsibility. She previously taught legal ethics at Northwestern University Pritzker School of Law and has been a guest lecturer at the University of Michigan Law School. Trisha is a member of the Ethics Commission of Metropolitan Water Reclamation District of Greater Chicago, which adjudicates ethics complaints involving the agency's governmental officers and employees. Trisha is the author of *Practical Ethics*, the ethics column in the Chicago Bar Association's publication, *The Record*. Trisha is the third author of the column in the history of the CBA, and its first woman author. She is also the co-editor of the sixth edition of *Attorney Fee Agreements in Michigan*, published by The Institute of Continuing Legal Education.

In her professional responsibility practice, Trisha advises lawyers, law firms, legal tech companies and in-house counsel on a variety of issues related to professional responsibility and legal ethics, along with risk management, including legal malpractice, partnership and corporate structuring, regulation, law firm management and employment issues, fee disputes, data breaches, conflicts and disqualification issues, confidentiality, privilege, attorney disciplinary defense, character and fitness proceedings, and all areas of legal ethics. Trisha also advises both law firms and lawyers on ethical and fiduciary issues related to lateral hiring, law firm dissolution and expulsion matters, and she serves as outside general counsel to law firms across the country. She has experience with law firm internal investigations, and also serves as an expert witness on legal ethics and professional responsibility matters, including partnership and fee disputes.

In her commercial litigation practice, Trisha represents a wide variety of clients in litigation and other disputes, including national and international companies, small businesses, municipalities and state

agencies, and individuals. She has extensive experience in resolving disputes between businesses and represents clients at the trial and appellate levels in a wide variety of matters, including actions for breach of contract, tort claims, breach of warranty, fraud, consumer fraud, deceptive trade practices, tortious interference and all aspects of real estate, property management and receivership litigation. Trisha also has broad experience representing financial institutions in all types of litigation, including consumer financial litigation. Trisha also has experience serving as an arbitrator.

Trisha has first- and second-chaired many trials and evidentiary hearings in both state and federal courts, and in arbitrations, and has extensive experience representing clients in administrative hearings. She is a member of the Trial Bar for the Northern District of Illinois, has argued before the U.S. Court of Appeals for the Seventh Circuit, is a 2012 graduate of the National Institute for Trial Advocacy's (NITA) national trial practice program, was designated as a NITA Advocate in 2022, and was designated as a NITA Master Advocate in 2023.

Prior to practicing law, Trisha taught practical and theoretical ethics at two universities.

## **Damien Riehl**

Damien Riehl is a lawyer and technologist with experience in complex litigation, digital forensics, and software development.

A coder since 1985 and for the web since 1995, Damien clerked for the chief judges of state and federal courts, practiced in complex litigation for over a decade, has led teams of cybersecurity and world-spanning digital forensics investigations, and has led teams in legal-software development.

Damien is Chair of the Minnesota State Bar Association's working group on AI and the Unauthorized Practice of Law (UPL).

At SALI, the legal data standard he helps lead, Damien develops and has greatly expanded the taxonomy of over 15,000 legal tags that matter, helping the legal industry's development of Generative AI, analytics, and interoperability.

At vLex Group — which includes Fastcase, NextChapter, and Docket Alarm — Damien helps lead the design, development, and expansion of various products, integrating AI-backed technologies (e.g., GPT) to improve legal workflows and to power legal data analytics.

## **Julia Roundtree Livingston**

Julia Roundtree Livingston is the Diversity, Equity, and Inclusion (DEI) Manager at the Illinois Supreme Court Commission on Professionalism where she leads the Commission's education and advocacy initiatives aimed at promoting DEI in Illinois' legal and justice systems. She joined the Commission in 2023.

Prior to joining the Commission, Julia was Executive Director of Macon County Court Appointed Special Advocates (CASA), which provides court-appointed volunteers to advocate for abused, neglected, and/or dependent children who are involved in the Macon County juvenile court system. She was appointed to this role in 2018 after serving as CASA's Director of Development.



At CASA, Julia led a sustainable nonprofit organization with multiple streams of funding while educating the community on the need for CASA's services. This included working with local lawyers and judges to organize trainings for CASA volunteers, regularly communicating with legal and judicial professionals about CASA's capabilities, and presentations to the Decatur Bar Association on CASA's work.

During her time at CASA, she grew the organization's impact by increasing the number of community volunteers who became advocates as well as the number of children that CASA serves. In 2021, Julia led Macon County CASA in expanding its services into a second county, DeWitt County.

In addition to her role at CASA, Julia was a member of the Illinois CASA Equity Task Force, the Illinois CASA/Children Advocacy Centers Task Force, and the CWAC (Child Welfare Advisory Committee) on Racial Equity led by the Illinois Department of Children & Family Services.

Before joining CASA, Julia was the Director of Development at Baby TALK, an educational non-profit in Decatur, Illinois, and an English professor at Southern Illinois University Carbondale, the University of Illinois Urbana-Champaign, Florida State University, and Richland Community College.

Julia received an ABD (all but dissertation) in African American Literature and U.S. Literature Since 1865 from Florida State University and a master's and bachelor's degree from Southern Illinois University Carbondale, where she was a 4-year letter winner in cross country and indoor/outdoor track.

She is a member of the Diversity & Education Leadership Team at the Maroa-Forsyth School District and founder of Discourse on Racial Difference: A Macon County Book Club, which has 600 members statewide.

Julia lives with her husband and three children in Forsyth, Illinois. As a family, they enjoy board games, watching sports, playing basketball and soccer, and traveling.

## **Michelle Silverthorn**

Michelle Silverthorn is a trailblazer in the field of diversity and inclusion, advocating for new voices to be heard in a dynamic, ever-changing workplace. With a wealth of experience as an organizational inclusion expert and a highly sought after global keynote speaker, Michelle has lent her expertise to a range of Fortune 500 companies, banks, law firms, startups, Hollywood studios, universities, and non-profits. From intimate workshops to industry conferences, Michelle equips everyone with the necessary tools and skills to finally make real progress on diversity and inclusion.

After graduating from Princeton University and the University of Michigan Law School, Michelle worked as an attorney in New York and Chicago before founding the diversity consulting firm, Inclusion Nation. She now travels the world and delivers over 100 speeches and workshops each year, both in person and online, spreading the message of inclusion and belonging.

As a TEDx speaker and author of the book "Authentic Diversity: How to Change the Workplace for Good," Michelle has shared her expertise with countless individuals and organizations. Her newly released Inclusion LAUNCH diversity e-learning suite provides a valuable resource for companies and individuals seeking to improve their understanding of these important principles.

Her expertise has garnered her recognition from a variety of media outlets, including NPR, PBS, Bloomberg, the Chicago Tribune, and Fortune Magazine. Michelle's professional journey has taken her to

many corners of the globe, including jobs in Trinidad and Tobago, Peru, Botswana, Kazakhstan, and Switzerland. She has experienced a wide range of cultures and lifestyles, from her childhood in the beautiful Caribbean to her current home in Ann Arbor, Michigan, and through it all, has committed to the singular goal – making diversity matter for good.

## **Stephanie Villinski**

Stephanie Villinski is the Deputy Director of the Illinois Supreme Court Commission on Professionalism. She helps to execute operations and programs within the Commission by leveraging technology and project management processes.

As Deputy Director, Stephanie is responsible for streamlining the day-to-day activities of the Commission such as IT, workflows, and data analysis. In addition to these operations, Stephanie also supports the Commission's mentoring, education, and law school programs. With a particular interest in health and wellness, Stephanie seeks to promote a healthier, more rewarding professional life for lawyers and by extension, better service to their clients.

Stephanie graduated summa cum laude from Saint Mary's College and with Order of Coif distinction from DePaul University College of Law. Subsequently, she dedicated her career to social justice and public interest law. Most recently, she was the Content Director at Illinois Legal Aid Online (ILAO) and was charged with publishing high-quality, user-centered content. She managed ILAO's recent 2-year content transformation from five websites to one.