



# THE DECALOGUE TABLETS

SPRING 2026



10 N. Dearborn Street Suite 418  
Chicago, Illinois 60602  
www.decologue.org  
decaloguesociety@gmail.com

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by *Alex Marks*

On January 20, 2026, the Decalogue Society hosted a fundraiser at the law firm of Burke, Warren, MacKay & Serritella, P.C., in support of Team Israel in advance of the 2026 World

Baseball Classic – baseball’s version of the World Cup – which took place in March.

The event featured former major league all-star pitcher, and ace of the WBC 2017 Team Israel, Jason Marquis. Famed Chicago sportswriter Bruce Levine and Seth Kramer, producer of the film “Heading Home: The Tale of Team Israel,” were also present. Proceeds from the event went to Israel Baseball Americas, a non-profit organization whose mission is to spread Jewish pride through baseball and provide resources to the Israel national team.

The relationship between Jews and baseball is a long and passionate one, dating back as far as the Old Testament, which text famously starts with, as the old joke goes, “in the big inning.” At the turn of the century as millions of Jewish immigrants arrived in the United States, the national pastime quickly became an avenue for cultural assimilation and representation. The following decades gave rise to Hank Greenberg, the Detroit Tigers’ Hall of Fame slugger in the 30’s and 40’s, Al Rosen, the Cleveland Indians’ 1953 league MVP, and the iconic Sandy Koufax, affectionately known as the “Left Arm of God,” who at the peak of his immortal powers chose to sit out game one of the 1965 World Series, which happened to fall on Yom Kippur.

In 2015, award winning journalist John Rosengren summarized the significance of Koufax’s decision, which sixty years later still resonates among Jews:

*Koufax ... burnished his reputation as someone willing to honor the traditions of Judaism before all else. Had Koufax been Orthodox or regularly attended services, his observance of Yom Kippur would have been expected. But the fact he ... was not especially religious made his decision in 1965 even more significant. It bonded secular Jews with the observant and forged a new cultural identity for American Jews.*

Indeed, it is not a surprise that Rabbi Moshe Feller, no relation to Hall of Fame pitcher Bob, once said, “more Jews know Koufax than Abraham, Isaac and Jacob.”

A trailblazing path having been laid, Jewish participation in baseball not only continued throughout the latter half of 20th century, but has strengthened in recent decades. Stone, Holtzman, Green, Braun, Marquis, Youkilis, Kinsler, Pedersen, Pillar, Horwitz and Kramer is not a vibrant law firm, but former and current major league stars. And when all-star pitcher Max Fried faced all-star third-baseman Alex Bregman in the 2021 World Series, the first time such had happened in the fall classic, we knew we had fully arrived on the diamond.

However, baseball has not merely allowed for assimilation, but has more importantly served as a vehicle for fighting antisemitism. Greenberg famously said during the rise of Nazism that every home run he hit “was a home run against Hitler.” Rosen, at a time Jews often changed their names to avoid disclosure of their heritage, wanted to change his to sound more Jewish and often charged into opposing dugouts ready to fight when faced with a slur. Recently, Bregman drew a Star of David on his hat during a Houston Astros’ playoff game following the events of October 7, 2023. And, of course, who can forget when comedian Denis Leary, guest announcing in the booth of a Boston game, learned that Red Sox first baseman Kevin Youkilis was Jewish, leading to an enthusiastic rant from Leary about actor Mel Gibson, whose antisemitic statements had been a major news story at the time. The clip on YouTube is well worth the watch.

Now facing modern day highs in antisemitism, including a renewed challenge to Israel’s mere right of existence, baseball once again takes on a great importance. We have excelled in other professions at a higher rate, and our contributions to society in other fields are more outsized. But it is a game on a grass and dirt field for little boys in summer, and for those fortunate enough to still play that game as grown men, that carries with it the hopes, dreams, cultural identities and pride of Jews everywhere, and no more so than when on the upcoming world stage.

Decalogue hopes Team Israel’s participation leads to the further building of bridges across cultures, common understanding among countries, and hope for renewed peace.

Donations to Israel Baseball Americas can be made at:

<https://www.israelbaseball.org/>



# From the Other Side of the Bench: Yes, The Mandatory Arbitration Program Is Mandatory! (Yes, Even If There Is No Arbitration Clause!)

*by Judge Alon Stein*

You file a personal injury complaint with the Court and demand a jury. The Court seeks to assign the matter to its Court-Annexed Mandatory Arbitration Program.

You object to having the case assigned to mandatory arbitration. You believe that you cannot be forced into having your case resolved through arbitration because the parties had not contractually agreed to the case being resolved through arbitration.

Is that a proper objection?

The answer is no. The non-binding Court-annexed Mandatory Arbitration Program is mandatory and assignment to mandatory arbitration is not dependent on the existence of any contract to arbitrate. Rather, the requirement to arbitrate certain civil cases was set under the following rules: 735 ILCS 5/2-1001A–1009A of the Illinois Code of Civil Procedure, Illinois Supreme Court Rules 86 through 95, and Cook County Circuit Court Rules 18.1 through 18.11 (or similar local rules for other counties in Illinois). Under these provisions, no contractual agreement is needed for the Court to assign covered disputes to court-annexed mandatory arbitration.

Specifically, 735 ILCS 5/2-1001A provides that the Illinois Supreme Court can issue rules to “provide for mandatory arbitration of such civil actions as the Court deems appropriate in order to expedite in a less costly manner any litigation wherein a party asserts a claim not exceeding \$75,000.”

That is what the Illinois Supreme Court did when it issued Rules 86 through 95, which, for the Circuit Court of Cook County, govern Illinois’s Court-Annexed Mandatory Arbitration Program for the Municipal Districts of the civil division of the circuit court. In addition, Cook County Circuit Court Rule 18.3(b) provides: “All actions filed in the Municipal Districts after the effective date of these rules, involving personal injury \*\*\* seeking money damages only, not to exceed THIRTY THOUSAND DOLLARS (\$30,000), shall be assigned to an arbitration calendar.”

There is a purpose behind the Court requiring the parties to arbitrate without a contractual agreement between them to do so through a court-annexed mandatory arbitration program. That purpose is to resolve smaller cases faster and in a less expensive manner than a full trial. The Mandatory Arbitration Program is a system for resolving certain civil cases within specific financial limits. Court-Annexed Mandatory Arbitration is a less formal and faster alternative to trial. Instead of a judge

or jury, the case is presented before a panel of three attorney-arbitrators. The panel issues an arbitration award based on the facts and the evidence.

One’s right to a jury trial is not taken away through the Mandatory Arbitration Program. This is because the Mandatory Arbitration Program is nonbinding arbitration. Neither side is required to accept the arbitration panel’s award, provided that a party who participated in the arbitration hearing in good faith files a rejection of that award with the clerk of the circuit court within 30 days of its issuance and either paid the rejection fee or obtained a fee waiver. *See* Ill. S. Ct. R. 93(a) (“Within 30 days after the filing of an award with the clerk of the court, and upon payment to the clerk of the court of the sum of \$200 for awards of \$30,000 or less \*\*\*, any party who was present at the arbitration hearing, either in person or by counsel, may file with the clerk a written notice of rejection of the award and request to proceed to trial”).

If neither side rejects the arbitration award, then the Court enters judgment based on the award. If either party timely and correctly rejects the arbitration award, then the Court assigns the case to a trial room for a prompt trial.

In sum, in Illinois, if you file a civil lawsuit for money damages within a certain range, the Court can mandate that you go through non-binding arbitration before trial as a way to reduce backlog.

Arguing that the parties did not agree to arbitrate the matter is a failed argument. Do not make the mistake of arguing that the Court cannot force mandatory arbitration because the parties did not agree to do so in a contract.

Should such an argument be made, it may be subject to Rule 137 sanctions because if your case meets the statutory criteria, it is clear that the Court can force you into Mandatory Arbitration, not because you signed a contract agreeing to it but because the rules demand it for that type of dispute. The legal basis for requiring that such cases proceed through arbitration is found in 735 ILCS 5/2-1001A–1009A of the Illinois Code of Civil Procedure, Illinois Supreme Court Rules 86 through 95, and Cook County Circuit Court Rules 18.1 through 18.11 (or similar local rules for other counties in Illinois).

So, go through mandatory arbitration and treat it seriously. You might actually enjoy it!

*Judge Alon Stein is assigned to the Motion and Arbitration Section of the First Municipal District in Courtroom 1501 of the Daley Center, where he hears personal injury, premises liability, subrogation, commercial and other civil disputes.*

# Best Practices: Ten Commandments of Legal Writing

by Charles P. Golbert

Over the years I've collected thoughts about writing that I eventually compiled into a training I call the Ten Commandments of Legal Writing. To write an article about the Ten Commandments training for a publication called *The Decalogue Tablets* seems *bashert!* But a few caveats before we dive into the commandments.

First, there are not really ten commandments. There are more like seven or eight. But ten has a literary aesthetic that appeals to me.

Second, they are not commandments. Writing is an art, not a science, and there are times when it is appropriate to "violate" a commandment. But you should have a well thought out reason for doing so.

Finally, I loathe the term "legal writing." Good legal writing is simply good writing. I'm convinced that one of the reasons some lawyers are poor writers is they incorrectly believe that legal writing should be different from other writing. I use the term "legal writing" in the title only so the training will more easily pass muster for continuing legal education accreditation.

Let's dive into the ten commandments!

## 1. Start and end strong

Primacy and recency are powerful. Don't waste the power of primacy by starting a motion or brief with pages of convoluted procedural history. Get right to the point, in a compelling manner, in the opening sentences.

The first sentences of the introduction should present the issue in a gripping manner that captures the imagination and makes the reader want to continue reading. After reading the first few sentences, the judge should have already decided that she wants to rule in your favor. The remainder of the introduction should contain a concise and compelling outline of why the facts and law entitle your client to the relief sought.

The same is true for the conclusion. Don't squander the power of recency with language like "Wherefore, for all of the aforementioned reasons, the petitioner asks this honorable court, etc. etc." Instead, exploit the conclusion as your last opportunity to hammer home your key points and succinctly state the relief sought.

## 2. Be concise

Judges are busy. Attention spans are shorter than they used to be as we have become accustomed to receiving information from news soundbites, the internet, and social media.

You must mercilessly edit out all superfluous words, paragraphs, and even entire sections. Strike everything that doesn't drive your theory of why your client is entitled to relief. As Stephen King memorably put it, "Kill your darlings, kill your darlings, even when it breaks your egocentric little scribbler's heart, kill your darlings."

## 3. Use plain language

Use simple, plain language. Avoid legalese and jargon. Don't use a dollar word when a nickel word will do.

Instead of terms like "petitioner," "respondent," "decedent," "surviving spouse," etc., use people's names. It's much easier to follow. To mix it up you can use descriptive nouns, but use nouns that personalize and humanize your client while using nouns that are respectful but less personal for opposing parties. For example, in my practice representing children, I avoid using "the minor" and instead use terms like "the infant," "the child," and "the toddler."

Think of chatting with the bloke on the stool next to you at the local pub. Would you say, "The petitioner proceeded by automobile to the respondent's residence and discharged his firearm at the respondent"? Of course not! You'd say that Frank drove to Walt's home and shot him.

## 4. Avoid the passive voice

In the active voice, the subject acts. For example, John paid Jane. In the passive voice, the subject receives action. Jane was paid by John. This makes for a presentation that is awkward, more verbose, less precise, and less persuasive. Instead, use strong action verbs.

Again, these are not commandments, and there are times when you might decide to use the passive voice. An example might be when you want to hide the actor, as when Ronald Reagan testified, about the Iran-Contra affair, that "mistakes were made," obfuscating who made the mistakes. But virtually all writing is stronger in the active voice.

## 5. Avoid footnotes and block quotes

Footnotes break up the flow of your prose. The reader often skips or only skims the footnotes. Justice Stephen Breyer never used footnotes in his opinions, believing that a point is either important enough to include in the text or not important enough to include at all.

Similarly, the reader tends to skip or, at best, skim block quotes. It's better to break up a lengthy quote into shorter, more manageable chunks. Or you can use a fair but more concise paraphrase.

Possible exceptions are when the precise wording of a lengthy quote is important, or when a long quote is particularly eloquent or compelling. But these situations are rare.

If you use a block quote, introduce it with a concise summary. Don't make the reader figure out why you're including the long quote.

Again, good legal writing is simply good writing. You don't see lots of footnotes or lengthy block quotes in great literature or journalism. They don't belong in legal pleadings either.

## 6. Select the best cases and sources of authority

Don't just cite the first case you find that's on point or has language you like. Instead, cite the best case you can find. The case with the most analogous facts, that will be the hardest to distinguish, with the most compelling language. Select cases from the Supreme Court over those from the appellate courts, appellate cases from your jurisdiction over those from other jurisdictions, and more recent cases over older ones. Always use proper citation format and include the page cite.

## 7. Know, and follow, the rules of grammar, usage, and style, and court rules

Common topics of confusion include possessive plurals, “that” versus “which,” hyphens versus em dashes versus en dashes, use of ellipses, and noun-verb agreement, to name a few. If you’re not sure, look it up.

Always consult local court rules. Although limited to appellate briefs, Illinois Supreme Court Rule 341 provides guidance that is apropos to most writing such as using adequate margins, paginating the document, avoiding lengthy quotations and footnotes, binding the document securely, and using 12-point or larger typeface including in any footnotes.

## 8. Don’t forget theme

In trial advocacy, lawyers learn how to combine theory and theme to best advantage in the courtroom. In writing, lawyers tend to be adept at presenting their theory in a compelling manner.

But, for some reason, lawyers seem to forget about theme, which is such an effective advocacy tool, when they write. Legal documents, like trial presentations, should be a persuasive synthesis of theory and theme.

## 9. Don’t over-rely on technology

We’ve all seen briefs with telltale signs that large swaths had been cut and pasted from prior briefs, for example, when the names of parties have not been consistently replaced. Similarly, spellcheck and grammar check programs are helpful tools but no substitute for careful, close editing.

One particularly severe example of overreliance on spellcheck I have seen is an appellate brief my opponent filed in a child sex abuse case that repeatedly referred to “semen” as “seamen.” In one of my own pieces of writing, a colleague who edited the document caught that I wrote “asses” instead of “assess.” I thanked her for preventing me from making an a\*\* out of myself.

Artificial intelligence (AI) is giving new meaning to over-reliance on technology in writing. Every week I read about another lawyer who was disciplined for problems in a brief which turns out to have been written by AI.

Technology, when used properly, can improve writing and make us more efficient. But technology will never substitute for quality writing, proofreading, and editing. No matter how far technology advances, writers will still have to know the skills of the craft.

## 10. Edit, edit, edit

Edit at the micro (sentence) level, and at the macro level. At the micro level, eliminate all unnecessary words. Is every word the best choice of words? Can the sentence structure be improved? Is the sentence in the active voice?

A good exercise is to try to eliminate a quarter of the words in every sentence. Then repeat. Then repeat again.

At the macro level, organize the sentences within each paragraph, the paragraphs within each section, and the sections within the document. Do so while searching for clutter. Ruthlessly delete every sentence, paragraph, and section that is redundant or that doesn’t drive your theory of why your client is entitled to the relief sought.

Are there any typos or grammatical errors? Any legalese or jargon?

Ensure that all of your arguments are supported by authority, and that the authority cited is the best possible authority. Are all the citations in correct format including the page cites?

Are there violations of any other commandments? If so, is there a thought-out reason for each violation?

As Justice Louis Brandeis said, “There is no great writing, only great rewriting.” Or, as Ernest Hemingway put it, “The first draft of anything is sh\*t.”

A few final thoughts: These commandments should also be followed for emails, internal memoranda, and other “informal” writing. You never know what will be subpoenaed or forwarded. Your name is on the document.

One of the best ways to improve your writing is to read as much great literature, quality journalism, and other examples of good writing as you can. But read like a writer by being an active reader. Think about what makes the writing compelling and a joy to read.

The other way to improve your writing is to find a good editor. Write as much as you can, and have your work mercilessly edited by others who are good writers and editors. Over the years I’ve been the beneficiary of excellent editors who have greatly improved my writing. To this day, I still have much of my writing edited by others.

Above all, have fun with your writing!

*Charles P. Golbert is the Cook County Public Guardian and a member of Decalogue’s Board of Managers.*



Save the Date!  
Wednesday, July 29, 2026  
92nd Annual Installation & Awards Dinner  
The Old Post Office - 433 W Van Buren St, Chicago, IL 60607

# Right to Counsel in Child Custody Cases

*by Judge James A. Shapiro & James J. Herdegen*

Self-represented litigants (“SRLs”), previously referred to as pro se litigants, play a major role in divorce and child custody cases in Cook County. [Every year, the Domestic Relations Division handles approximately 40,000 divorce and child protection cases.](#) Of those, it’s been reported that at least fifty percent to as many as eighty-five percent of cases involve SRLs. Many of these litigants struggle to navigate the court system. On top of the necessary paperwork to fill out and hearing dates they are required to attend, many also struggle paying rent or earning enough to live above the poverty line. Some are intimidated by the language barrier, since they may not speak English.

These challenges put a burden on the court’s ability to administer justice in child custody cases efficiently and fairly. Self-represented litigants often come to court without all the documents required to legally divorce them, causing the court to turn them away and reschedule their hearing for another time. Also, SRLs often make arguments that are not coherent, making it difficult for the court to follow. While courts can provide limited legal resources, they are supposed to hold SRLs to the same standard as family lawyers, some of whom have decades of experience. These complicating factors often leave SRLs wondering if justice has truly been served. From my [Judge Shapiro’s] six and a half years as a judge in the Domestic Relations Division, I’ve concluded we cannot achieve access to justice in family law without access to a lawyer. Self-represented litigants with few resources would be much better served with an objective understanding of the law from legal counsel instead of relying on their own subjective feelings, especially when a child’s welfare is on the line. This can be accomplished through a right to counsel that already exists in criminal law and, in some jurisdictions, child custody cases. It is time for the legal profession to recognize its duty and advocate fiercely for the extension of this right. This article argues for the creation of a limited public defender system for indigent self-represented parties involved in child custody disputes. Alternatively, if Cook County or the State of Illinois decides it cannot afford a limited public defender system, they should implement a mandatory pro bono system in exchange for Mandatory Continuing Legal Education credit. Only then will each litigant have access to justice.

## Motivations of a Self-Represented Litigant

[Unsurprisingly, most people who choose to represent themselves do not have the money to hire a lawyer.](#) A study in 2016 surveyed family courts across the United States and found [more than 90% of SRLs indicated financial considerations were influential, if not determinative, in deciding to represent themselves.](#) Broken down further, 60% of those making under \$20,000 per year said hiring a lawyer was unaffordable, while 50% of those making between \$20,000 to \$40,000 per year reported the same thing. Bringing this data back home, [29% of custodial parents in Illinois’s child support enforcement system live below the poverty line,](#) which in 2026 means an annual income of \$21,640 for a household consisting of one adult and one child. While child support isn’t the only issue I hear, this provides a compelling snapshot of how many people believe it is better to go through the courts alone. As one person reported, “[I]t’s still not optional to go spend \$4,000 or

[\\$5,000 on an attorney—that’s more of a luxury really.”](#) A luxury? It’s an indictment of our judicial system that people believe access to legal representation is only available to those with money.

Even if affordability isn’t a significant problem, some may see hiring a lawyer as inefficient. As one person surveyed said, “I’d much rather put that money toward supporting children than trying to fight to get them.” Unfortunately, some people don’t realize that hiring a lawyer can actually put parents in the best position to support their children. A lawyer has the benefit of not being emotionally linked to a case and can understand when a deal benefits their client and ultimately the child.

Financial constraints are inevitably the most common challenge SRLs face. As a result, many rationalize the decision to forgo hiring a lawyer in divorce or child custody proceedings—an understandable choice that nonetheless reflects an unfortunate reality about the accessibility of our court system. Self-represented litigants often expect the process to be straightforward, yet in practice it’s anything but.

## The Problems of Self-Represented Litigation in Domestic Relations

Going to court without a lawyer is a risky and arduous endeavor, as even minor procedural missteps or misunderstandings of legal terminology can significantly harm a case’s outcome. Yet the challenges are especially acute in family court. First, SRLs need to fill out and submit the necessary paperwork. During my prove-up hearings, it’s not uncommon for a self-represented petitioner to either mishandle service of process—for example, by failing to properly notify the other party or not submitting proof to the court—or give incomplete, vague, or poorly considered answers when asked about the respondent. They often submit all necessary documents except the most important one, the proposed judgment, which is the form that actually divorces them. Unfortunately, I have to turn them away and reschedule them for a later date. This is understandably frustrating for those who took time off work or had a long commute to the Daley Center. In contested divorce hearings, self-represented parties may also ask the court to review a specific issue but fail to submit the appropriate motion. Additionally, their inability to effectively convey an argument in court will only work against them. During a hearing, for example, SRLs might communicate a position that could be misinterpreted by opposing counsel or the court, often leading to unnecessary and time-consuming clarification. These mistakes expose the party to litigative risk, potentially leading to unnecessary court costs or unfavorable decisions.

Second, self-represented litigants in Domestic Relations are personally attached to the outcome, thus clouding their judgment. In child custody cases, where the goal is getting a court-ordered division of parental rights and duties swiftly and [“with minimal amounts of acrimony and hostility,”](#) hurt and embittered parties may detrimentally prolong the litigation process. Representing themselves also leads to a taxing emotional experience when, in addition to preparing their case, they also need to continue their familial and professional obligations. Attorneys can lessen this pressure and serve as a buffer, allowing the parties time and space to deal with the trauma from separation while not also being forced to legally represent themselves.

Finally, the court is in a difficult position when comparing a self-represented litigant to a party represented by counsel. Under the ABA Model Code of Judicial Conduct judges “[shall accord to every person who has a legal interest in a proceeding, or that person’s lawyer, the right to be heard according to the law.](#)” Additionally, Illinois case law provides that [SRLs cannot be held to a lower standard](#) and [are expected to comply with the same rules of procedure as an attorney.](#) It is incredibly hard, if not impossible, for an SRL to operate like a practicing attorney, especially when some of the lawyers have decades of family law experience.

These issues aren’t the only ones self-represented litigation poses in Domestic Relations, but their prevalence makes my job and theirs difficult. I tell SRLs that choosing to represent yourself is like taking out your own appendix—it’s painful and arduous. Many would likely agree and prefer legal representation if given the opportunity. Fortunately, the Illinois Supreme Court and the Circuit Court of Cook County recognize this pressing issue and have provided resources to help SRLs, but more needs to be done.

### **Current Illinois and Cook County Policy on Self-Represented Litigants**

Several initiatives in Illinois and Cook County have made the courts more friendly to SRLs. First, court adjacent resources provide self-represented parties with the necessary paperwork and legal information required to successfully navigate the court system. The Illinois Supreme Court Commission on Access to Justice has approved standardized forms SRLs can use on a range of family law issues, such as changing child support, requesting fee waivers, or filing an order of protection. All Illinois courts must accept these forms.

The Commission also supports [Illinois JusticeCorps](#), an AmeriCorps program where volunteers are trained to give legal information and procedural guidance along with connecting them to legal aid groups. Due to the Trump administration’s dismantling of AmeriCorps, however, [the program is currently in flux.](#)

During my Zoom hearings I also refer self-represented parties to three different “low bono” organizations that represent litigants on a sliding scale, in proportion to how much they earn: Chicago Advocate Legal, the Justice Entrepreneurs Project, and the Greater Chicago Legal Clinic. All three groups have been reliable partners in providing quality legal services at more affordable rates to those who need them. While these initiatives represent progress, self-represented parties may still struggle to locate the necessary resources, and even when they do, there’s no assurance they’ll be able to use them effectively. The legal aid groups only have so much capacity to take in clients too.

In addition to providing court-related resources, staff services have expanded in Domestic Relations to deal with the case volume. The court created the [Hearing Officer Program](#) in 2017 to employ administrative law judges who provide guidance to those who cannot afford a lawyer. Available at the Daley Center and two suburban districts, hearing officers mostly settle financial issues and specify the language in proposed judgments. They also assist in marriage dissolution. By addressing these topics, hearing officers offer guidance by explaining procedural rules, allowing time to resolve simple logistical problems, and performing calculations. Though helpful, the program is only available for certain types of

cases. Situations requiring additional fact finding, such as orders of protection, cannot be brought before hearing officers.

Another resource available for SRLs falls outside the adversarial system through a no-cost mediation service. Located across the street from the Daley Center, [Family Court Services](#) offers mediation to all parent litigants involved in disagreements such as parenting time for minor children. [The Illinois Supreme Court has mandated parties involved in child-related disputes to attend mediation.](#) Once the court orders it, parents have the opportunity to discuss their children’s future after separation with the help of a neutral third party. The goal is for the parents, not the judge, to make decisions about their children’s well-being. The program is valuable and can be well used, but unfortunately mediation can fail. Parents struggle to put their feelings aside and find a resolution, leading them back to my courtroom.

Illinois and Cook County have made Domestic Relations more accessible for self-represented parties, but the problem remains: SRLs, especially those with limited financial resources, struggle to navigate the court system. Juggling your own legal representation on top of your actual job and parenting responsibilities is too much to ask. The most affordable solution is to require all lawyers licensed in the State of Illinois to take at least one pro bono case per year.

### **Solution: A Right to Counsel in Child Custody Cases**

Ultimately, to provide equal access to the courts, parties involved in child custody cases who cannot afford to hire a lawyer deserve a right to counsel. Just as the United States Supreme Court found in [Gideon v. Wainwright](#) a right to counsel for indigent people in criminal cases, we must also recognize a corresponding right in certain civil matters.

It’s critical to understand that *Gideon* did not address why an indigent civil litigant (as opposed to a criminal defendant) [was not entitled to an attorney](#), but rather it was concerned about a party’s difficulty in comprehending the law, their ability to figure out if the charges are legitimate, and their inability to adequately present a defense. In other words, the driving force behind *Gideon* was not a difference between the loss of liberty and loss of other life experiences, but rather that [a fair trial cannot occur unless both parties have access to legal representation.](#) Situations involving child custody disputes therefore cannot be fair unless both parties are able to be represented by attorneys.

The reason why a right to counsel should focus on child custody disputes is simple: parents have a fundamental right to the care, custody, and control of their children, and a fair hearing is necessary to determine each party’s responsibilities when mediation fails. When the parties do not have legal representation to guide them through the litigation process it deprives them of their chance for an impartial hearing, because they may unknowingly forfeit rights, misunderstand procedures, or fail to present critical evidence that the court needs to make a fair decision. The consequences are life changing. Parents may be denied the opportunity to raise their children, while children may be deprived of the chance to strengthen their bond with the absent parent. Therefore, Illinois should adopt the standard set out in New York State, [which provides a categorical civil right to counsel in child custody disputes.](#)

While [Cook County has a right to legal representation for indigent SRLs](#) facing contempt hearings in Domestic Relations, [Illinois currently does not provide for or require the appointment of counsel for parents in cases regarding child custody disputes](#). Six states plus the District of Columbia provide for some right, but New York State is the only one that makes it unconditional. [The right is available not just at the trial level but also on appeal](#). This “mandated representation” is devised by each county under state law, which authorizes every county to choose one or a combination of several options: private legal aid organizations, voluntary groups (such as local bar associations), or [the appointment of private attorneys under an assigned counsel program](#). Local governments are allowed to consider costs in determining which representation model to implement, but they inevitably must adhere to their constitutional obligation of maintaining quality legal representation for those that need it. [The hourly rate for assigned counsel is set by the state legislature](#) and currently stands at \$158/hour. While county governments and New York City bear the initial responsibility for assigned counsel fees, a 2023 rate increase enables the state, via the Office of Indigent Legal Services, to reimburse 50% of eligible expenditures.

Invariably, critics will argue that Illinois cannot afford the New York model under current budget constraints. If that’s true, then Illinois could require all attorneys it licenses to take at least one pro bono case per year in exchange for Mandatory Continuing Legal Education (MCLE) credit. The United States District Court for the Northern District of Illinois has for decades required attorneys admitted to its trial bar to accept pro bono appointments (usually prisoners’ rights, civil rights, or employment discrimination cases). Even though Illinois does not have a separate “trial bar” as the federal court in Chicago does, it could still legally require licensed attorneys to accept pro bono appointments as a condition for admission into and annual registration for the Illinois bar. Doing so in exchange for MCLE credit might make the requirement a little more palatable to Illinois lawyers who do not feel the responsibility to give back to the profession by taking on pro bono cases for its own sake.

In exchange for the privilege of being on the “approved” Guardian ad Litem (GAL)/ Child Representative list in Cook County, GALs and Child Representatives must agree to accept at least one pro bono case per year. Admittedly, it is considered more of a privilege and an honor to represent the best interests of the children, usually the only “good guys” in divorce litigation, than it is to

represent their parents. Yet it is still a privilege, not a right, to practice law in the State of Illinois, even to represent the parents of “the good guys.” Thus, it should not be too much to ask of family law practitioners to accept at least one pro bono family law representation per year in exchange for MCLE credit.

### Conclusion

Self-represented litigation presents serious challenges for both families and the courts, especially in the Domestic Relations Division, where the emotional stakes are highest. Many self-represented litigants struggle to navigate the system not due to a lack of will, but a lack of access to a lawyer. Their inability to file the correct paperwork or meet procedural demands not only undermines their own cases, but also strains court resources and slows the path to resolution for everyone. While local efforts have helped, they are not enough. A right to counsel in child custody cases is not a luxury, but a necessity. As lawyers, we have a professional and moral duty to confront this crisis. We must lead the charge in advocating for publicly funded legal representation. If we decide we cannot afford publicly funded legal representation, then we should require mandatory pro bono legal representation in exchange for MCLE credit. Just as we have acted in other moments when justice demanded it, the time to act is now. Every child and every parent deserves a fair chance. The road may be difficult, but justice begins with a voice at the table.

*James A. Shapiro is a circuit judge in the Circuit Court of Cook County, Domestic Relations Division, and the president of the Chicago Literary Club. James J. Herdegen is a second-year law student at the University of Illinois College of Law in Champaign and a member of the Illinois Law Review.*

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# Illinois Courts Are Altering the Fee Waiver Statute

by *Michael Strauss*

Under Illinois law, individuals who cannot afford court fees are entitled to seek a fee waiver. The fee waiver, if granted, covers all fees that could be incurred by a litigant. The statute governing this process, 735 ILCS 5/5-105, provides that if the court finds a litigant to be indigent, the fees must be waived. The statute uses the word “shall,” which makes the application of the statute mandatory. The statute defines a person as indigent if they receive public aid (such as SNAP, SSI, or other qualifying assistance).

The statute also includes other criteria for indigence, such as very low income relative to the poverty level. “[A] person may be ‘indigent’ if they are ‘in the discretion of the court, unable to proceed in an action without payment of fees, costs, and charges and whose payment of those fees, costs, and charges would result in substantial hardship to the person or [their] family.’” *Alkhwaja v. Alramadan* 2025 IL App (1st) 242469-U.

On its face, the law is clear and straightforward. If a person is receiving public aid (SSI, Aid to the Aged, AABD, TANF, SNAP, General Assistance, Transitional Assistance, or State Children and Family Assistance), then the court is required to issue the fee waiver. There is no additional balancing test or discretionary inquiry written into the statute.

Yet in practice, many Illinois courts are doing something else entirely. Judges are frequently asking about income, expenses, and even whether the litigant has retained counsel. Sometimes, in that inquiry, the court fails to ask if the attorney is working pro bono or at a greatly reduced rate. However, as provided for above, the court absolutely should not even ask these questions because they are irrelevant. Too often, courts deny fee waiver petitions even when the applicant qualifies under the plain statutory definition of indigence.

While there may be some people receiving public aid who do not warrant it, this law states that if a litigant is on public aid, then they are indigent. If they are indigent, then they get a fee waiver. The analysis should end there.

To contravene such practice is troubling for several reasons. First, it contradicts the plain language of the statute. Courts are not free to rewrite the legislature’s definition of indigence. If the legislature has determined that receipt of public aid is sufficient proof of indigence, then the judiciary must follow that directive until such time as the law is changed.

Second, it creates inconsistency across counties and courtrooms. A petitioner in one courthouse may receive a waiver while another petitioner with identical circumstances may be denied elsewhere simply because a judge imposes extra-statutory criteria.

Third and perhaps most importantly, such contravention undermines access to justice. Filing fees can be a barrier for low-income litigants, particularly in family law, housing, and consumer cases where fundamental rights are at stake. By denying waivers improperly, courts risk shutting the courthouse doors to the very people the statute was designed to protect.

As provided above, the fee waivers cover all costs that the court imposes on litigants. In the world of family law, where I practice, this would cover court costs and filing fees, mediator fees, GAL fees, and even experts appointed pursuant to 750 ILCS 5/604.10. “A litigant who qualifies for a fee waiver order is not liable for GAL fees. (The “fees, costs, and charges” subject to waiver are defined in section 5-105(a)(1) as ‘payments imposed on a party in connection with the prosecution or defense of a civil action, including but not limited to: . . . guardian ad litem fees.’)” *Alkhwaja*, 2025 Illinois App (1st) 242469-U ¶39. Thus, substantial amounts of funds are in contention.

However, the law is clear and if the person is found to be indigent, then the court has no discretion and must grant the fee waiver. Ultimately, this is not a question of judicial discretion. It is a matter of statutory compliance. 735 ILCS 5/5-105 establishes a clear rule: if a litigant is receiving public aid, then that litigant is deemed indigent and entitled to a waiver. Courts should follow the law as written. Until they do, countless Illinois residents will continue to face unnecessary barriers to access to justice.

*Michael S. Strauss is Principal of Strauss & Hoyt and a Board member of the Decalogue Society of Lawyers.*

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# Political Speech Rights in Private Employment

by *Gail S. Eisenberg*

In the wake of Charlie Kirk's murder, many employees who dared share their opinions online felt helpless in the face of a coordinated doxxing campaign. People lost their jobs, livelihoods, and a sense of personal safety, but outcomes were uneven. While public employees have strong protections for weighing in on matters of public concern in their personal capacities under the First Amendment, see *Pickering v. Board of Education*, 391 U.S. 563 (1968), private employees must rely on a hodgepodge of laws and legal theories to protect themselves from adverse actions due to their political speech.

## Background

Kirk considered himself a fierce defender of the First Amendment freedom of speech. In fact, on September 10, 2025, when an assassin murdered him on the Utah Valley University campus, Kirk was wearing a t-shirt with one word: "Freedom." In life, Kirk was a right-wing political figure known for his [antisemitic, racist, sexist, and pro-gun](#) views. Opinions, no matter how abhorrent, are protected by the First Amendment. See *Snyder v. Phelps*, 562 U.S. 443, 453 (2011) (the "inappropriate or controversial character of a statement is irrelevant" to the question of whether the statement relates to "any matter of political, social, or other concern to the community"); *R.A.V. v. City of St. Paul*, 505 U.S. 377 (1992) (prohibiting government punishment for disapproved speech or expressive conduct, including hate speech); *Cohen v. California*, 403 U.S. 15 (1971) (First Amendment protected vulgar opinions); *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964) (the First Amendment reflects principle that speech "should be uninhibited, robust, and wide-open"). Political violence is not the answer to such hate; more speech often is.

Yet [over 600 people lost their jobs or were punished](#) because they dared to speak out and condemn Kirk's opinions, often using his own words. Right-wing political figures, politicians, and their followers campaigned to identify, target, and ruin people's livelihoods for posting comments critical of Kirk in a process called "doxxing" or "doxing." Under Illinois criminal law, doxxing occurs when an "individual intentionally publishes another person's personally identifiable information without" their consent but with the intent or reckless disregard that the person likely "suffer death, bodily injury, or stalking" and that publishing actually causes significant economic or emotional harm to the person or their household member, or to cause the person to fear serious injury or death to the person or their household member. 740 ILCS 195/5, 195/10. A now-defunct [website](#), called "Expose Charlie's Murderers," at its height, had 30,000 submissions, filtered by job location and industry of people who said unfavorable comments about Kirk. The website encouraged people to contact the employers of people who spoke out against Kirk. [Nurses, teachers, lawyers, airline employees, public-sector employees, and others](#) lost their jobs. While the speech persecution seen after Kirk's death is perhaps the most salient, over the last few years, employees across industries have faced firings on account of their social media political postings or activities for years.

Because the First Amendment "is a restraint on government action, not that of private persons," *Columbia Broadcasting System v. Democratic National Committee*, 412 U.S. 94, 114 (1973), the First Amendment does not generally protect private employment. See, e.g., *Manson v. Little Rock Newspapers*, 200 F.3d 1172, 1173 (8th Cir. 2000) (affirming summary judgment for the defendant-employer because "the defendant is a private entity, not a governmental entity, and thus is legally incapable of violating anyone's First Amendment rights"); but see *Reuber v. United States*, 750 F.2d 1039, 1054-59 (D.C. Cir. 1985) (private employee has *Bivens*-type cause of action against his employer—a government contractor—for violation of First Amendment rights when disciplinary action taken against plaintiff at behest of and in conjunction with government officials).

But just because the First Amendment is irrelevant to the analysis of private employee speech does not mean that the law is agnostic. Illinois private employees are not without protection.

## Politics or People? Discrimination

While private employers generally may terminate an at-will employee for any reason, a stupid reason, or even no reason, they may not terminate an employee due to their race, color, ethnicity, religion, sex, disability, national origin, or other protected statuses under the applicable federal, state, or local laws. So, while a private employer may terminate an employee due to their speech, they may not use their speech as a proxy for the protected status. For example, the Fifth Circuit affirmed a judgment for a union employee where ostensibly political statements could be construed as proxy for religion over employer's assertion such public and private statements. *Carter v. Local 556, Transport Workers Union of Am.*, 138 F.4th 164 (5th Cir. 2025). In *Carter*, Southwest Airlines terminated a flight attendant after she sent and posted graphic abortion images criticizing her union's actions. *Id.* at 180. A jury initially found that the union and the airline discriminated and retaliated against the flight attendant's political and religious activities. *Id.* at 182. The Court reaffirmed that private employers may face liability when they terminate or punish an employee for seemingly political speech when the speech is tied to a protected status under Title VII of the Civil Rights Act of 1964, in that case religion. *Id.* at 180-82.

Further, an employer's action based on the discriminatory preferences of others, including coworkers or customers, is unlawful. *Rucker v. Higher Educational Aids Board*, 669 F.2d 1179 (7th Cir. 1982) ("it is clearly forbidden by Title VII ... to refuse on racial grounds to hire someone because your customers or clientele do not like his race"). Similarly, an employer may not kowtow to the demands of an internet mob responding to a Jewish employee's seemingly political post when the fervor is antisemitic. The American Jewish Committee's recent [State of Antisemitism in America 2025](#) report shows this is not an academic concern: "73% of American Jews ... say they have experienced antisemitism online." Responses to political posts can quickly become hateful.

Moreover, while employees may enforce neutral social media or other conduct policies, they must do so equally. An employee who can prove that they are being treated less favorably than similarly situated employees outside their protected class may be able to prove discrimination. For example, Jinan Chehade sued Foley & Lardner after her offer of full-time employment was rescinded after the firm learned about controversial social media posts she made seemingly excusing the October 7th terrorist attacks on Israel. The district court recently denied summary judgment because the employee pointed to examples of the firm failing to discipline other employees for controversial social media posts, even those also relating to the ensuing Israel-Gaza war. *See Chehade v. Foley & Lardner*, No. 1:24-cv-04414, [Doc. 83](#) (N.D. Ill. Jan. 26, 2026). Accordingly, a jury will have to decide whether the firm honestly terminated Chehade due to her social media posts or if that explanation was a pretext for discrimination against her as an Arab or Muslim in violation of Title VII and/or the Illinois Human Rights Act.

In contrast, the Third Circuit affirmed a grant of summary judgment for a private employer in a race discrimination claim under Title VII, finding a terminated employee's public posts expressing solidarity with an act of violence incomparable with colleagues' private political Facebook posts. [Ellis v. Bank of N.Y. Mellon Corp.](#), No. 20-2061, 2021 WL 788872 (3d Cir. Mar. 4, 2021). Bank of New York Mellon ("BNY") fired Lisa Ellis, a white employee, after she publicly posted on Facebook advocating violence against protestors, in violation of BNY's social media policy. Ellis claimed her firing was discriminatory because two Black employees, who had similarly posted controversial statements on Facebook, were not terminated. The court, however, determined that Ellis and the other employees were not "similarly situated" because the employees were not "comparator[s] in relevant matters." *Id.* at 20. The material differences included the severity of the posts (Ellis's posts went viral and advocated violence), and the fact that the Black employees had different supervisors, different responsibilities, and different departments. (Note that these differences would not have been determinative under Seventh Circuit jurisprudence if the plaintiff and her comparators were subject to the same policy. *See Coleman v. Donahoe*, 667 F.3d 835, 846 (7th Cir. 2012) (reversing summary judgment where comparators were subject to the same code of conduct despite different supervisors and positions).) Furthermore, Ellis failed to articulate a race-based reason for BNY's termination of Ellis based on the social media policy violation. The virality of Ellis's post forced BNY to publicly defend its company's values. Additionally, Ellis had admitted that her posts expressed poor judgment, and she testified she had never felt discrimination in her years of employment with BNY. [Ellis v. Bank of N.Y. Mellon Corp.](#), Civil A. No. 18-1549 (W.D. Pa. May 20, 2020), at 23.

### **Illinois' Personnel Record Review Act (IPRA)**

Under [Illinois' Personnel Record Review Act \(IPRA\)](#), employers are prohibited from gathering or keeping "a record of an employee's associations, political activities, publications, communications or nonemployment activities" without the employee's consent. 820 ILCS 40/9. However, this Act does not apply to an employee's activities that occur on the employer's premises, interfere with the employee's work responsibilities during business hours, or conduct that may "reasonably be expected" to harm the employer's

business. 820 ILCS 40/9. Thus, the IPRA may protect employees from discipline for most of their off-duty political associations, activities, publications, and communications.

### **Illinois Right to Privacy in the Workplace (IRPW)**

Additionally, Illinois private employees have recourse under the [Illinois Right to Privacy in the Workplace Act \(IPRW\)](#). 820 ILCS 55/17(a). The Act prohibits employers from terminating employees due to their use of lawful products off premises, in their personal capacity, and during nonworking hours. 820 ILCS 55/5. The Act also prohibits employers from demanding access to an employee's or potential employee's personal social media accounts. 820 ILCS 55/10. Furthermore, an employer cannot discipline, terminate, or otherwise retaliate, against an employee for refusing to access their personal online account for their employer, share information regarding their online account, or filing a complaint based on a violation of this Act. 820 ILCS 55/10(b)(1). However, the Act does not prohibit employers from maintaining policies regarding use and monitoring of employers' equipment, obtaining public information about employees, and in limited circumstances requesting employees share specific content from an online account, without requesting a password. 820 ILCS 55/10(b)(2).

An example from Colorado interpreting a similar statute provides some color. [Patterson-Eachus v. United Airlines](#), No. 19-CV-01375-MEH, 2020 WL 7260742 (D. Colo. Dec. 9, 2020). There, the employee made an off-duty Facebook post supporting the "Rebels" mascot at her high school and defending the use of the Confederate flag. *Id.* at 4-5. United Airlines found the posts, investigated, and fired the employee because it determined that her post interfered with the employee's ability to supervise. *Id.* at 9. United feared that based on plaintiff's post, her interactions with subordinates could lead to claims of discrimination against the company. *Id.* The district court denied summary judgment in part because Colorado's analogous laws, Colo. Rev. Stat. §§ 24-34-402.5 and 8-2-108, are meant to protect employees from adverse actions from their employers, when their activities are legal and unrelated to their job. A reasonable jury could infer that United terminated the employee because of her lawful off-duty social media activity in violation of Colorado law. *Id.* at 21.

United's concerns are not unfounded. The Equal Employment Opportunity Commission's recently rescinded [Harassment Guidance](#) warned that "[c]onduct that can affect the terms and conditions of employment, even if it does not occur in a work-related context, includes electronic communications using private phones, computers, or social media accounts, if it impacts the workplace.... However, postings on a social media account generally will not, standing alone, contribute to a hostile work environment if they do not target the employer or its employees." *See, e.g., Strickland v. City of Detroit*, 995 F.3d 495, 506-07 (6th Cir. 2021) (considering social media posts by police department personnel referring to Detroit residents as "garbage" and characterizing Black Lives Matter supporters as "racist terrorists" in assessing whether the plaintiff's work environment was sufficiently racially hostile to be actionable).

## Retaliatory Discharge of Victims

Private employees victimized by criminal doxxing, cyberstalking, harassment, or assault may also seek recourse through common law retaliatory discharge claims. Under Illinois law, retaliatory discharge occurs when an employee is terminated, for engaging in a legally protected activity such that the discharge violates a clear mandate of public policy. *Turner v. Memorial Medical Center*, 233 Ill. 2d 494, 500 (2009).

The Illinois Supreme Court notes that there is “no public policy more basic, nothing more implicit in the concept of ordered liberty ... than the enforcement of a State’s criminal code.” *Palmateer v. International Harvester Co.*, 85 Ill. 2d 124, 132 (1981). And the employee need not have already filed a criminal complaint in order to be protected by common law. For example, in *Lemus v. Color Point, LLC*, App. No. 3-21-0611, 2022 IL App (3d) 210611-U (Sept. 16, 2022), the Illinois Appellate Court reversed the dismissal of a wrongful termination claim where the employee had merely alleged she was a victim of criminal stalking. The appellate court found that Lemus’ termination following her reporting the criminal stalking constituted a retaliatory discharge because her report of criminal stalking implicated public policy.

## Politics as Protected Conduct Under Civil Rights Laws

Employees are also protected from adverse actions caused by engaging in protected conduct under our civil rights laws, including complaining about discrimination, harassment, or retaliation. Some courts have a very broad view of such protected conduct. The District Court of the District of Columbia, for one, determined that protective activity includes “protesting against discrimination by industry or by society in general.” *Williams v. Smithsonian Inst.*, 177 F. Supp. 3d 331, 335 (D.D.C. 2016) (quoting *Sumner v. United States Postal Service*, 899 F.2d 203, 209 (2d Cir. 1990)).

Similarly, the Northern District of Illinois has suggested that being “an outspoken advocate for the rights of women and minorities” can constitute “protected expression.” *Moffett v. Chi. Transit Auth.*, No. 90 C 4657, 1994 WL 127711, at \*5–6 (N.D. Ill. Apr. 6, 1994) (granting summary judgment for failing to demonstrate causation). In that case, the employee relayed information about a sex discrimination case against another employer in the context of asking for a promotion. But not every court agrees, particularly where the political speech does not reference the employer or assert status-based discrimination or harassment. See *Curay-Cramer v. Ursuline Academy*, 450 F.3d 130, 134 (3rd Cir. 2006) (concluding that Catholic school teacher did not engage in protected conduct under Title VII when she signed on to a pro-choice advertisement).

## Conclusion

Private employees may not have a First Amendment right to freedom of speech, but they still have rights. The growing number of state laws, including the IPRA and IRPW are strengthening protections for private sector employees by limiting employer retaliation tied to employee’s personal social media or other off-duty political activities. Furthermore, cases like *Cehade* and *Carter* highlight that private employees may face liability if adverse employment actions based on political expressions function as a proxy for discrimination against employees. These cases highlight the judicial system’s growing willingness to scrutinize employers’ attempts to circumvent civil rights laws under the guise of retaliation for political views. Together, the evolving legal frameworks showcase a shift toward further protections for private employee political speech.

*Gail Schnitzer Eisenberg leads the Employment Law Practice at Loftus & Eisenberg, Ltd. She is currently co-chairperson of the Decalogue Society of Lawyers Legislative Committee.*

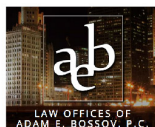


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# Redistricting: An Argument for Gerrymandering

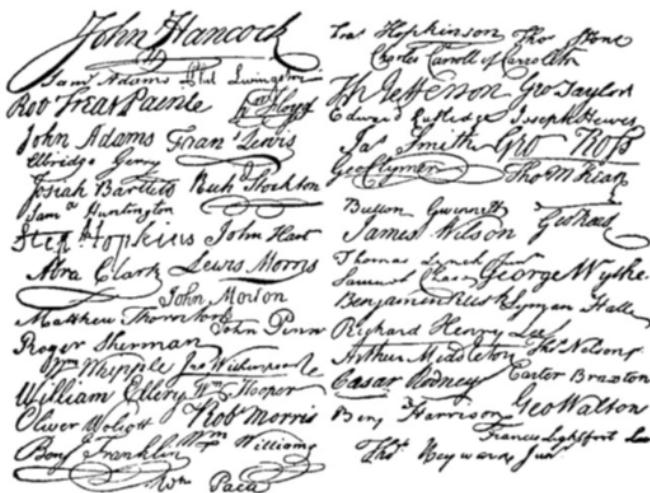
by Michael Kasper

Redistricting – the process of redrawing congressional and legislative districts after each census to ensure equal representation – is full of political consequences. Which citizens are grouped together in a district helps determine the political leanings of representatives elected from that area, which in turn helps determine the partisan balance of Congress, the state legislature, and local municipal councils. That is why the U.S. Supreme Court has called redistricting an “inherently” political process.

Since the very beginnings of our country, detractors have sullied this inherently political process with the term “gerrymander.” The very first gerrymander occurred in 1812, when the Massachusetts legislature, led by Governor Elbridge Gerry, produced a political map with a district that looked, at least according to the editor of the Boston Gazette, like a salamander:



Despite the fact that Elbridge Gerry was indisputably one of our founding fathers – he signed both the Articles of Confederation and the Declaration of Independence (on the left-hand side, right beneath John Adams) -- he refused to sign the Constitution because it originally did not contain a bill of rights protecting ordinary citizens. He was one of our envoys to French foreign minister Talleyrand in the infamous XYZ Affair, and when he died he was Vice-President to President James Madison. Despite all of this, it is the redistricting portmanteau for which he is largely, if not exclusively, remembered.



To this day, detractors shout “gerrymander” whenever anyone produces a political map that is not to their liking. Cries of “political gerrymander” and “racial gerrymander” (there is even something called a “reverse gerrymander”) spring up shortly after each decennial census, which starts the redistricting process.

In practice, the redistricting process is a data driven exercise. The first, and most important, piece of data that must be considered is population as determined by the Census Bureau, which is used to ensure that districts meet the Constitutional obligation of equal population. Racial and ethnic data is used to ensure that minority populations have an equal opportunity to elect their preferred candidates as majority populations. This includes, by necessity, political data as well because of the high, but shifting, correlation between minority status and political affiliation.

After the 1990 census, awareness of racial and political demographics led to the creation of Illinois’ first majority Latinx congressional district – a district that has been represented by a Latinx representative ever since. Similarly, awareness of this information permitted creation of a second majority Latinx congressional district after the 2020 census. Attention to political data has increased Latinx voting power over the past three decades despite population shifts, changing demographics and gentrification.

Since 1980, Chicago has lost approximately 350,000 in Black population. Awareness that much of this population moved to the southern suburbs allowed the State to redraw legislative districts to follow this movement with no reduction in Black representation. Political data permitted the creation of Black and Latinx “influence” districts in the Springfield/Decatur area and in the community near Aurora – the first deliberate minority voting empowerment in these areas.

More locally, the Chicago City Council used political and ethnic data from the 2020 Census to create Chicago’s first ever majority Asian ward in and around the Chinatown neighborhood.

Why not, some might ask, just use the racial and ethnic data but ignore the political data? Well, the answer is that without the corresponding political data, the racial data alone cannot be relied upon to ensure that districts drawn to increase minority representation will actually do so. It would certainly be a pyrrhic victory to fight for Chicago’s first Asian majority ward only to see that it is incapable of electing an Asian candidate.

In recent years, there have been proposals suggesting that the State ought to turn a deliberately blind eye to these political consequences and instead implement a “non-political” system with districts drawn by a so-called independent commission, like Iowa. Keep in mind that Iowa has sufficient minority population to support exactly zero minority districts: no African American districts, no Latinx districts. In fact, the population of all of Iowa’s four congressional districts is greater than 80% white. It’s easy to be color-blind when everyone is the same color. In a state as ethnically and culturally diverse as ours, a color-blind system could do nothing but hurt minority representation.

Others have proposed replacing the current system – in which districts are enacted by our elected representatives – with a system allowing appointed “experts” to draw the districts. That would remove the only real check that we have on our government – the power of the ballot – by putting this function in the hands of people with no accountability to the voters. Be suspicious of anyone who says, “I’m going to empower you by taking away your power.”

In our country today, minority voting rights are being threatened more than at any time since before the civil rights movement in the 1960s. Other states and court decisions have only increased that risk. Just a few weeks ago, the so-called Make Elections Great Again legislation was introduced in Congress that would diminish all of these rights by making it harder to vote (by requiring all voters to produce identification), harder to have votes counted (by requiring all vote by mail ballots to be counted by election day, even if the voter mailed the ballot well in advance of election day), and harder to register to vote (by requiring proof of citizenship to register).

In Illinois, however, the legislature has enacted laws that protect these precious rights. Illinois does not require identification to vote. It permits counting of mail-in ballots received up to 14 days after election day. Illinois citizens need not produce proof of

citizenship in order to register to vote. That is why the Campaign Legal Center ranked Illinois first (tied with Washington state) in its [Voting Rights Scorecard](#).

Illinois protects your right to vote by mail, to vote early, and makes it easy for you to register to vote and then transfer your voter registration to your new address. Illinois also uses all the data available to it to ensure the redistricting process protects, rather than diminishes, minority voting rights. Awareness of these consequences produces political empowerment that ought to be celebrated, not condemned.

Today, redistricting is in the hands of elected officials. If we don’t like their product, we can vote them out of office. The word for that is democracy. And, as Winston Churchill famously said, “Democracy is the worst form of government, except all those other forms that have been tried.”

*Michael Kasper represented the Chicago City Council in redrawing the City’s Ward map following the 2020 census. He also represented the Illinois Senate President and House Speaker in successfully defending the 2021, 2011 and 2001 Illinois legislative and congressional redistricting plans in federal litigation brought under the U.S. Constitution and the Voting Rights Act.*

## Redistricting: An Argument Against Gerrymandering

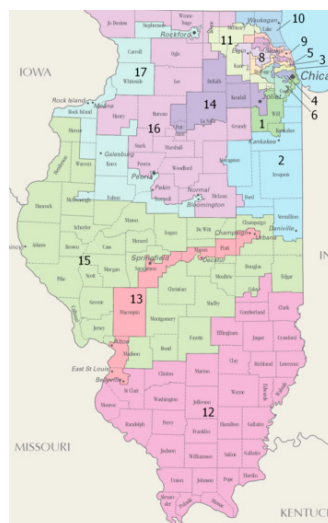
*by Ryan Tolley*

In normal times, halfway through the decade, conversations about gerrymandering are typically limited to a few policy wonks like myself who spend their time trying to find solutions ahead of the next redistricting cycle in an attempt to limit or eliminate partisan and racial gerrymandering. Of course, these are not normal times. Instead, we witnessed some of the most extreme cases of gerrymandering across the nation in 2025, that have propelled gerrymandering to the front of the news cycle.

The renewed effort to gerrymander, suppress voters’ choice, and eliminate competition in elections should be a concern to anyone who wants to ensure their vote matters. For much of United States history, gerrymandering has played a part. The term gerrymandering comes from one of our country’s founding fathers, Elbridge Gerry. During his time as Governor of Massachusetts, he signed a map with winding districts resembling a salamander in an attempt to consolidate control of the state for the Democratic-Republicans over the Federalists in 1812.

The threats of gerrymandering have never been more crystal clear than this past year, when state lawmakers went to war with their own voters to maximize their partisan advantage with the hopes of predetermining the outcome of the 2026 election and ultimately controlling the U.S. House of Representatives. This is gerrymandering taken to the extreme, where we have the potential to see new gerrymanders every two years, as politicians carve up communities and neighborhoods to ensure their party is guaranteed

a victory in each election. It stifles voters’ choice in elections, increases cynicism about our government, and diminishes people’s faith that the government is there to serve them.



And, frankly, after all the gerrymandering and redrawing of districts that has occurred over the past year, most experts agree that any partisan advantage in one state has been washed out by gerrymandering in other states controlled by a different party. So, I don’t blame you if you look around and aren’t clear on who has won. Out of the 435 congressional races in 2026, The Cook Political Report has classified only 18 of those races as toss-ups. Less than 5% of the congressional races will decide which party controls Congress.

One thing is for certain, voters will be on the losing end. Their elections will be less competitive. The results are predetermined, and democracy cannot exist if voters have no way to hold elected officials accountable for their actions.

There are a few more reasons we should be even more concerned about the threats of gerrymandering now than at any other time in our country’s history.

The first is technological advancements over the past few decades. Computer programs for mapping have become increasingly sophisticated, and the amount of data available on voting trends, behaviors, and party preferences has made the job of partisan gerrymandering that much easier. A few decades back, map drawers had to lay out massive maps across entire rooms to determine where district lines should and should not go. Now they can run simulations in programs and spit out thousands and thousands of variations of a map that will deliver on their partisan goals while meeting the minimum legal requirements.

The other challenges of today are the lack of proper legal protections and the potential for a further reduction of the limited legal protections that exist. Prior to the *Rucho v. Common Cause* case in 2019, where the U.S. Supreme Court decided that the federal courts didn't have a role in curbing partisan gerrymandering, elected officials were extremely careful not to even hint that their maps had any partisan intent.

Because the Supreme Court punted that for either Congress to legislate or states to handle on their own, partisan gerrymandering was done more aggressively out in public. Texas lawmakers even went so far as arguing in federal court that their maps were highly partisan to fight off accusations that their maps were a form of racial gerrymandering. As you can imagine, state lawmakers who benefit personally and politically from controlling the remapping process rarely make attempts to stifle gerrymandering. With the exception of Virginia, no state has unilaterally given up control of the remapping. Instead, reforms are limited to states with a binding voter referendum process, such as California or Michigan. Voters had to force those reforms on state legislatures.

And the threats to legal protections don't stop there. This year, SCOTUS has a number of redistricting cases in front of it that will revisit and possibly limit voter protections in Section 2 of the federal Voting Rights Act of 1965. It cannot be overstated what a key role Section 2 has played in being a tool for fighting back against some of the most egregious gerrymandering, particularly racial gerrymandering that has attempted to disenfranchise communities of color. For Illinois voters, Section 2 of the federal Voting Rights

Act protected the state's first Latino-majority district from legal challenges after the remap in 1991. Without that important protection, it could have been decades before Latino communities in Illinois had any representation in Congress. It wasn't until the 2021 remap, that the infamous 4th congressional district, often referred to as the "earmuff" district because of its shape, was split in two because Latino population on Chicago's Southwest side had grown large enough to support a majority district without needing to narrowly loop north to connect to Chicago's predominately Latino community in Chicago's Humboldt Park and Logan Square neighborhoods.

There are countless examples of how successful the federal Voting Rights Act has been at protecting communities of color over the previous six decades. If SCOTUS decides to eliminate protections under Section 2, it is not a stretch to assume that we will only see more and more aggressive racial gerrymandering to consolidate power, resulting in voters losing their ability to influence elections and communities of color losing representation on Capitol Hill.

We saw similar voter discrimination after the court decided to undermine Section 5 of the federal Voting Rights Act in 2013. After the elimination of Section 5, across the country, states began implementing a number of laws to restrict voters' access to the ballot box, including onerous voter ID requirements, reduction in polling locations and hours, and much more.

Often times, if an issue is opposed by the powers that be, regardless of party, it strikes at the heart of corruption and unethical behavior. That is the case with gerrymandering. It is always opposed by the minority party and protected by the party in control. We are at a breaking point to the degree that gerrymandering is weaponized against voters. Whether you're a Republican in Texas or a Democrat in Illinois, now is the time to demand that lawmakers pass voter protections to ensure districts are drawn to serve people, not the political interests.

*Ryan Tolley is the Executive Director at CHANGE Illinois & the CHANGE Illinois Action Fund. In his previous position as Policy Director, he was a leading advocate for people in communities across the state to have a voice during the 2021 redistricting cycle.*

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# Constitutional Contradiction: The Efforts Behind Establishing the First Religious Public School

*by Rebecca S. Markert*

Public education is the bedrock of American democracy. Our secular public schools teach civic values and prepare students to be active, informed citizens. They bring together students from all walks of life and in so doing promote empathy, understanding and community. Thus, “public school has been called by many the supreme achievement of American democracy.”<sup>1</sup>

As the Supreme Court recognized over seventy years ago, our education system is “perhaps the most important function of state and local governments.”<sup>2</sup> They are unquestionably state actors.

This logic extends to public charter schools. Forty-five states and the District of Columbia have laws allowing charter schools as part of their public school systems.<sup>3</sup> Charter schools *are* public schools. Like other public schools, they are funded with local, state and federal taxpayer dollars, must serve all students, may not discriminate on the basis of religion or other protected characteristics, and are subject to public oversight.

Our public schools, including charter schools, are required under state and federal law to remain nonreligious.

But there is a campaign underway by Christian nationalists and their allies to infuse religion into our public schools and to get public tax dollars for private education. Part of these efforts include attempts to create the nation’s first religious public school. This issue went all the way up to the Supreme Court last year through a case out of the state of Oklahoma, but the high court deadlocked at 4-4. In the year since, we’ve seen increased efforts across the country to create a religious public charter school; once again in Oklahoma, and then also in Tennessee and Colorado.

## ***Oklahoma Statewide Charter School Board v. Drummond***

Efforts to create the nation’s first religious public school started almost three years ago, in the state of Oklahoma, despite clear language in its state constitution requiring public schools to be “open to all children of the state and free from sectarian control.”<sup>4</sup> Under Oklahoma law, charter schools are public schools.<sup>5</sup> As such, they are required to abide by the state and federal constitutions.

On June 5, 2023, Oklahoma’s Statewide Virtual Charter School Board voted (3-2) to approve an application to be a charter school by St. Isidore of Seville Catholic Virtual School. St. Isidore, sponsored by the Archdiocese of Oklahoma City and the Diocese of Tulsa, indicated that the school would be operated “as a Catholic school” and that the “Catholic perspective would permeate all subjects” the school planned to teach in addition to the theology classes they’d hold. In addition, the school planned to discriminate in student admissions, student discipline, and employment on the basis of religion, sexual orientation, gender identity, pregnancy outside of marriage, and sexual activity outside of marriage. It would also discriminate against students based on disability.

In July 2023, AU along with its partners (the ACLU, Education Law Center and FFRF) [sued on behalf of the Oklahoma Parent Legislative Advocacy Coalition](#) (OKPLAC) and nine parents, faith leaders, and public school advocates. Our lawsuit challenged the state’s approval of St. Isidore as a violation of the state constitution, state law and regulations. We asked the court to prohibit the charter school board from contracting with St. Isidore and from giving state funds to the school.

Despite this legal challenge, the Statewide Virtual Charter School Board approved a contract with St. Isidore in October 2023, again by a margin of 3-2. The contract omitted the standard provisions that would prohibit a charter school from having a religious curriculum.

Then the Oklahoma Attorney General filed a similar challenge directly in the Oklahoma State Supreme Court. Gentner Drummond, the Republican state attorney general, asked the state supreme court to invalidate the state’s contract with St. Isidore because it violated state law requiring charter schools to be nonreligious.

On June 24, 2024, the Oklahoma Supreme Court ruled in favor of the state attorney general.<sup>6</sup> The supreme court found that the state’s contract with St. Isidore violated the Oklahoma Charter Schools Act, the Oklahoma state constitution, and the Establishment Clause of the U.S. Constitution.

The state supreme court found that charter schools are indeed state actors noting “[t]hey are creatures of state law and may only operate under the authority granted to them by their charters with the State,” and that “St. Isidore will be acting as a surrogate of the State in providing free public education as any other state-sponsored charter school.”<sup>7</sup> The court also found that the contract violated the “plain terms” of the Oklahoma constitution. The court wrote: “The framers’ intent is clear: the State is prohibited from using public money for the ‘use, benefit or support of a sect or system of religion.’”<sup>8</sup> Finally, the court found that the contract would violate the federal constitution. The Establishment Clause of the U.S. Constitution forbids the creation of religious-government institutions. The Oklahoma Supreme Court wrote, “[b]ecause it is a governmental entity and a state actor, St. Isidore cannot ignore the mandates of the Establishment Clause, yet a central component of St. Isidore’s educational philosophy is to establish and operate the school as a Catholic school.”<sup>9</sup>

The state appealed the decision to the U.S. Supreme Court, which heard oral arguments last spring. Notably, however, Justice Amy Barrett did not participate in the case. She recused herself likely due to her connections with the clinic at Notre Dame Law School that represented the school. Barrett taught at Notre Dame for years before becoming a federal judge and then justice. On May 22, 2025, the Supreme Court affirmed the judgment of the Oklahoma Supreme Court.<sup>10</sup> The Court was divided 4-4, with Justice Amy Coney Barrett recusing.

On July 14, 2025, AU and its coalition partners dismissed the OKPLAC lawsuit since the school was barred from opening.

### **Ben Gamla Jewish Charter School**

Despite their loss at the Supreme Court last year, religious extremists have already been trying to get another bite at the proverbial apple. At the end of 2025, the National Ben Gamla Jewish Charter School Foundation submitted an application to open a statewide virtual Jewish school to the Oklahoma Statewide Charter School Board. In its application Ben Gamla indicated it plans to “embed[] Jewish faith[,] culture, values, history, and ethical frameworks into curriculum, enrichment activities, and service opportunities.” All of its academic and co-curricular programs will be “infused with Jewish faith and traditions” and will be “grounded in ... enduring Jewish values.” Students will be required to take religion and theology classes and study Jewish texts. There will also be time set aside for prayer during the school day. Ben Gamla anticipates opening for the 2026-2027 academic year with an estimated enrollment of forty students in grades 9-12.

On February 9, 2026, the Oklahoma Statewide Charter School Board voted unanimously to deny Ben Gamla’s application. This was expected, as is the legal challenge that should be filed in the coming weeks or months. The Christian law firm, Becket Fund for Religious Liberty, has already been retained by the Jewish school, and they have [indicated intent to sue](#). There’s also been [local Jewish opposition](#) to the efforts to have the Jewish charter school.

### **Wilberforce Academy of Knoxville v. Knox County**

These efforts to create a religious public school go beyond Oklahoma. In November of last year, the Wilberforce Academy, a Christian charter religious educational organization, submitted its letter of intent to the Knox County Board of Education in Tennessee indicating its interest in establishing a religious public charter school. Wilberforce also is not hiding its desire to explicitly advance a specific form of Christianity and that it will condition employment decisions on adherence to religious doctrine.

As is true in Oklahoma, Tennessee state law requires charter schools to be nonsectarian and nonreligious.<sup>11</sup> Because of this,

Wilberforce did not ultimately submit an application to the school board, and instead filed a legal challenge to the charter school restrictions in the U.S. District Court for the Eastern District of Tennessee. Wilberforce argues that these restrictions illegally prevent the school from operating and are unlawful. A month after the action was filed, and before defendants had a chance to respond, it filed a motion for summary judgment.

On January 27, 2026, on behalf of five Knox County taxpayers, my organization, Americans United, joined Education Law Center, the American Civil Liberties Union, the American Civil Liberties Union of Tennessee, Freedom From Religion Foundation, the Southern Poverty Law Center, and the law firm Morrison Foerster in filing a motion to intervene as defendants in the case. We represent public-school parents, clergy, and community leaders who object to their tax dollars funding a public charter school that will indoctrinate students into one religion. Our motion to intervene explained that charter schools are part of Knox County’s public education system, and as such, cannot advance religious doctrine. Like all public schools, charter schools must accept and serve all students and may not be run as religious schools. Our motion to intervene was granted by the district court on January 30.

### **Conclusion**

AU and its partner organizations also launched an investigation into a [newly formed school in Colorado](#) that is calling itself a Christian public school. Riverstone Academy in Pueblo, Colorado is less than a year old and is an elementary school with an enrollment of about thirty children.

Religious extremists are trying to undermine our country’s promise of the separation of religion and government by forcing taxpayers to fund religious public schools. The creation of a religious public school is a constitutional contradiction and would be a sea change for our democracy. AU is prepared to do whatever it takes to safeguard public education and ensure true religious freedom for everyone.

*Rebecca S. Markert is the Vice President and Legal Director for [Americans United for Separation of Church and State](#).*

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<sup>1</sup> James E. Wood, Jr., *Religion and the Public Schools*, 1986 BYU L. Rev. 349, 350 (1986). 3-132

<sup>2</sup> *Brown v. Board of Ed. of Topeka*, 347 U.S. 483, 493 (1954).

<sup>3</sup> See Nat’l All. for Pub. Charter Schs., Charter Schools 101: Charter School Quick Facts, <https://tinyurl.com/2r9yms4a> (last accessed February 12, 2026).

<sup>4</sup> Okla. Stat. Art. 1, § 5.

<sup>5</sup> Okla. Stat. § 20-3-132.

<sup>6</sup> *Drummond ex rel. State v. Oklahoma Statewide Virtual Charter Sch. Bd.*, 2024 OK 53, 558 P.3d 1 (Okla. 2024), *aff’d by an equally divided Court, Oklahoma Statewide Charter Sch. Bd. v. Drummond*, 605 U.S. 165 (2025)

<sup>7</sup> *Drummond*, 2024 OK 53 ¶ 26.

<sup>8</sup> *Id.* ¶ 12.

<sup>9</sup> *Id.* ¶ 14.

<sup>10</sup> *Oklahoma Statewide Charter Sch. Bd. v. Drummond*, 605 U.S. 165 (2025).

<sup>11</sup> See Tenn. Code Ann. § 49-13-111(a)(2).

**Want to write for the Tablets?**

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# The Eternal Stranger: When Law Confronts Conscience in Our Own Communities

*by Rep. Bob Morgan*

Judaism is, at its core, a legal tradition. The Torah commands us, *tzedeq, tzedeq tirdof*: justice, justice shall you pursue. The repetition is not a poetic flourish; it is an insistence. Justice is not optional, nor is it passive.

No commandment appears more frequently in the Torah than to welcome the stranger. Time and again, we are reminded that we were once strangers in a strange land. This is moral instruction: our collective memory of vulnerability should sensitize us to others' suffering and shape how we respond when law and power intersect with human need.

I write not as a historian claiming expertise, but as a Jewish lawyer and public servant shaped by lived experience. Growing up, I was harassed for my religion and what I believed. Those experiences did not embitter me; they sharpened my understanding that silence in the face of injustice is complicity. They helped shape the path that led me to serve as student body president at the University of Illinois, to law school, and then to working alongside Illinois Governor Pat Quinn to implement the Affordable Care Act and medical cannabis reform, efforts aimed at expanding dignity and access for those our systems had failed.

Since my election to the Illinois General Assembly in 2019, I have served as Co-Chair of the Illinois Jewish Caucus, working to protect communities at risk of hate-motivated violence and to ensure our legal systems recognize and respond to bias. This work reflects a conviction that law is among the most powerful tools we have to bend the world toward justice.

As we recently observed Dr. Martin Luther King Jr. Day, it bears remembering that Jewish lawyers played an extraordinary role in the civil rights movement: from the founding of the NAACP to the marches in Selma. That legacy calls us to recognize injustice early and understand the cost of silence. It reminds us that law must serve human dignity.

Which brings us to this moment, in our country, and for many, in our own community.

Since September 2025, Illinois has witnessed an unprecedented expansion of immigration enforcement under "Operation Midway Blitz." What began as a stated effort to target those with criminal records has evolved into something far broader, a sweeping operation that has fundamentally altered daily life across Chicago. The numbers are stark. In the first half of the operation, agents detained approximately 1,900 people, with two-thirds having no criminal convictions or pending charges. Illinois saw the sharpest increase in ICE arrests of any U.S. state. By December 2025, the percentage of detained individuals with no criminal record surged from six percent in January to 41 percent.

The raids have not been limited to undocumented immigrants. Federal agents have arrested asylum seekers at courthouses despite a Cook County judge's order barring such arrests. People with

decades of U.S. residence, citizen children, and stable employment have been detained. Individuals selling flowers on the street and workers leaving construction sites have been arrested. A traffic stop for a broken taillight can lead to detention and deportation, separating parents from children who have known no other home.

As lawyers, we are trained to understand that a justice system functions properly only when it operates with transparency, accountability and adherence to constitutional principles. What we are witnessing across the country raises profound due process concerns.

The impact extends beyond those detained. Advocates observe fewer shoppers in busy corridors and decreased school attendance. People are afraid to buy groceries or see their doctor. Enforcement has become unpredictable. Anyone can be detained, just because of the color of their skin.

This is not an abstract policy debate happening elsewhere. This is happening to our neighbors. To people who have lived, worked and raised families in our communities for the last several decades.

The Torah's commandment to welcome the stranger is not conditional. When we read "you shall not oppress the stranger, for you know the heart of the stranger, having been strangers in the land of Egypt," we are reminded that our experience of vulnerability should sensitize us to others' suffering, not harden us against it.

We were once strangers seeking safety. Our grandparents arrived at these shores—some escaping the horrors of the Holocaust, others fleeing different forms of violence—all seeking an opportunity to build new lives. They depended on the law that recognized their humanity. We cannot claim that heritage while turning our backs on today's strangers seeking the same opportunities.

As Jewish lawyers, we must ask: Does detaining people without warrants align with constitutional principles? Does denying bond hearings reflect our commitment to due process? Does a system with minimal oversight and documented abuses honor the rule of law? Most importantly, if the answers are "no" what are we going to do about it?

Dr. King wrote that "injustice anywhere is a threat to justice everywhere." The Jewish tradition teaches the same: we were strangers, we know the heart and the experience of being vulnerable, unwanted and persecuted. Therefore, we carry a particular and heightened obligation to protect the strangers in our midst.

This does not mean we must all become immigration lawyers, but we cannot remain silent. We can use our professional standing to demand that federal law enforcement operate within constitutional bounds. We can insist that our legal system live up to its ideals of fairness and due process.

Moses named his first son Gershom, meaning “a stranger there,” because he understood displacement and vulnerability. Every Jewish person carries that name in some sense. We are descendants of strangers, inheritors of a tradition forged in exile and sustained by a commitment to justice, because we know what injustice feels like.

As we reflect on Dr. King’s legacy and the Jewish tradition’s insistence on justice, we must ask: What does this moment require of us here in the United States, in Chicago, and in our own backyards?

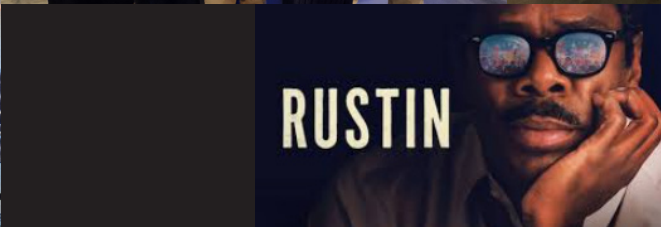
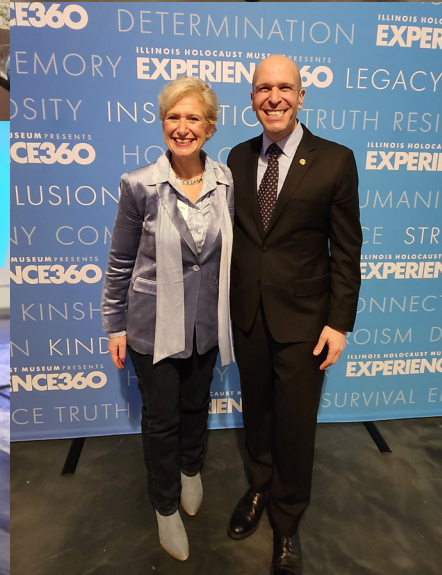
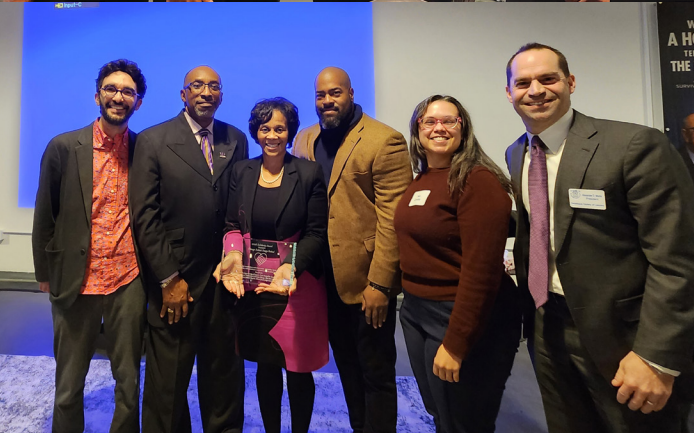
The answer is action grounded in conscience, where our traditions offer no excuse for silence or passivity. Our history offers no justification for indifference. We need not have all the solutions

to recognize that warrantless arrests, family separations, and a detention system without accountability violate our values as lawyers and as Jews.

The strangers among us—our neighbors—offer us the opportunity to honor those who came before us, who knew injustice and chose to fight it. That is what our tradition demands. That is what justice requires. That is what this moment calls forth from us: to do more and to speak out when injustice shows its teeth to us all.

*Bob Morgan represents the 58th district in the Illinois House of Representatives.*

## Photos from the January 11 Solidarity Awards & MLK Day CLE



by *R' Nathan B. Hakimi, Esq.*

The previous two articles in this series (*The Decalogue Tablets*, Fall 2024 and Spring 2025) discussed the comparison of Jewish civil law and secular civil law in various aspects. Here, we will continue to analyze the philosophy of Jewish court as envisioned in the *Choshen Mishpat* (“CM”) section of *Shulchan Aruch* (Yosef Karo, c. 1500), as contrasted with that of the modern American system, particularly in Illinois.

This entry will focus on jurisdiction over claims, summoning defendants, and consequences of refusal to obey summons. It will then continue to develop this series’ ongoing thesis concerning patterns in Jewish civil law, secular law, and the relevance of these comparisons to contemporary practice.

## Suing and Summoning a Defendant

A fair and viable legal system that enables claims between private citizens requires a set of rules for “summoning” a defendant of a claim to participate in court. Generally, this is called “service of process” because it derives from the constitutional guarantee that the government will not seize property without due process of law. The courts, as government entities, thus may not deprive citizens of their property in the context of lawsuits by awarding property without due notice of the claim. U.S. Const., Amends. IV & V; *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (U.S. 1950).

While it can be agreed that it is fair that civil defendants must be notified of claims before their property may be awarded to others, there are multiple ways how this might be carried out. The rules for where a defendant may be sued, what constitutes adequate notice, and what happens if a defendant ignores notice, are complex topics in Illinois law. Further, there does exist variety amongst the United States jurisdictions, not to mention the countries of the world, as to different sets of rules that accomplish this same purpose.

As noted previously in this series, the “Torah law” or the “Jewish legal” system is akin to a foreign country’s legal system in that it accomplishes similar goals via idiosyncratic methods. See Article #1 in this series. This article addresses the topic of summons and jurisdiction from that comparative approach to offer and present a “different” legal system and the depth of insight that is relevant to practice.

## Summonses and Jurisdiction in Illinois Law

In American law, the states’ courts have jurisdiction over defendants who are domiciled within that state, or who have transacted business within the state to such an extent that they have effectively submitted to its jurisdiction. 735 ILCS 5/2-209; *International Shoe Co. v. Washington*, 326 U.S. 310 (1945). When a case is initiated, a “summons” is issued and must be hand-delivered to the defendant by a sheriff or licensed process server. 735 ILCS 5/2-203. The law provides alternative methods, such as service upon companies via secretary of state, posting, mailing, or (even) digital service in special cases, upon motion to the court. Ill. S. Ct. R. 102(f).

If service of process is legally deficient, then the defendant may move to quash or vacate any default judgments. See 735 ILCS 5/2-1301, 1401. On the other hand, if service has been perfected in a legally

acceptable manner and the defendant nevertheless fails to respond after a certain amount of time, then the court may find the defendant liable by default. Then, a judgment may be awarded—and collected upon—even in the defendant’s absence. A default judgment is deemed to satisfy the “due process” requirement not because a defendant couldn’t be found or notified, but rather, they were adequately notified but refused to appear. If a defendant is *intentionally* “avoiding service,” then the Court’s “alternative methods” may be available, but under no circumstances is a default judgment awarded without some legally effective manner of service being effectuated.

## Summons and Jurisdiction in Jewish Law

As in American law, the process of a lawsuit in Jewish Beit Din requires the issuance of a *hazmana* (“summons”) (lit. “invitation”). CM 11:1. However, the onus of the obligation to summon the defendant is upon the Court itself, not the plaintiff. The *Beit Din* envisioned by *Shulchan Aruch* has at its disposal a *Shaliach* (s.) or *Shluchim* (pl.), akin to a deputy or marshal (lit. “messenger”). *Id.* This officer of the court is expected to carry out a minimum of three attempts to locate and deliver summons to a defendant before additional action is taken. *Id.*

Unlike an American court, if service is effectuated but a defendant fails to appear, the Beit Din isn’t entitled to render a “default judgment” authorizing seizure of a defendant’s property without their opportunity to appear. Rather, the consequence for refusal or disobedience is something unique to the Jewish system: *Nidui* (ban/ostracism). *Id.* This means that the *Beit Din* issues a decree within the scope of the community that a certain party is prohibited from participating in communal activities, that community members are forbidden to transact business with the defaulted party, or other consequences. *Id.*; CM 17:5 (compare *B.K. 112b, Bechorot 49a*). *Nidui* is used by the Beit Din in other instances, such as to impose special remedies that it otherwise lacks authority to award directly but may impose by exerting the indirect leverage of *Nidui*. CM 1:6 (and see Article #1). As such, refusal may cause a party to sustain consequences in their livelihood and reputation, thus creating economic force to participate, but the *Beit Din* will not normally seize property as claimed in a suit without the defendant’s opportunity to defend the claim.

The Jewish system does not contemplate separate “jurisdictions” as such, as in American law where each state possesses separate legal authority. Rather, the Jewish system envisions a unified authority spread out amongst communities, where competent scholars may equally execute Torah-binding judgments over disputes. Hence, the relevant distinction is not the *location* of courts, but rather, their “greatness,” meaning, a superior court in a larger city is perceived or thought to have a greater *number or quality* of judges. CM 14:1, 3:4; see also *Yad, Sanhedrin 1:3-6, 6:9*. Nevertheless, a greater or lesser court does not have inherently any different “jurisdiction” *per se* than any other competent *Beit Din*. If the litigants choose to *agree* on a particular *Beit Din* to which they wish to present, then they are at liberty to litigate in any city they mutually choose. CM 14:1. If the litigants cannot agree on the forum, then the defendant’s location takes priority. *Id.* The *Batei Din* must then prioritize matters, given factors regarding the subject matter, identities of litigants, and so on. CM 15:1.

## Conclusion

Summoning defendants is such a common mechanism as to be considered routine; indeed, if it proceeds uneventfully, it should (hopefully) be unnoticeable. However, jurisdictional debates are not infrequently litigated, as are motions to dismiss for lack of personal jurisdiction, forum non conveniens, default judgment, and quashing of service.

Civil defendants in America, and Jewish law, are accorded a certain deference as to their rights in litigation. The existence of a civil jurisprudence system relies on the dignity, ethic, and authority of a ruling system to forcibly extract property from one party and transfer it to another based on the adjudication of rights in claims and disputes. Even accepting the necessity of the adjudicative function, that is still a radical concept. Hence, the rules governing jurisdiction, summons, and defaults exist to protect and secure not only the dignity of civil defendants, but to a certain extent, the validity of the entire civil justice system.

While the Jewish system differs significantly from the secular one (court performs summons; no default judgment; mechanism of ban/ostracism), the essential goals of the Jewish system are the same as those of the secular one. That is, both accept and consider

the realities of the social worlds in which they expect to operate and attain legitimacy, and the logic of their respective systems reflects such.

Legal practitioners in the contemporary system might keep these underpinnings in mind when they confront tangled situations involving service of process, forum litigation, or similar. The rules exist to protect defendants, hence, defense counsels may leverage that for strategic advantage, and plaintiffs counsels too should respect and adhere to this in the context of defending and arguing motions concerning service or default judgment. Judges should be responsive to arguments that are consistent with “traditional notions of fair play and substantial justice.” *International Shoe*, 326 U.S. at 316. Hence, it is helpful and relevant to take note of comparative systems, such as the Jewish system, which emphasizes these notions and provides insights that benefit modern practice, even if the specific rules differ.

*Rabbi Nathan Hakimi, the principal attorney of CorePoint Law LLC, grew up in the Chicagoland area, studied cognitive science at Brandeis University and then earned his law degree at IIT Chicago-Kent College of Law.*

## Israel's Constitutional Crises

*by Adv. A. Amos Fried*

In a country with no constitution, it is difficult to define what exactly is a “constitutional crisis.” Beginning in 1958, a decade after its founding, the State of Israel enacted the first of a series of Basic Laws addressing numerous issues central to the country’s functioning and the framework of its body politic. By 1988, the initial eight of these Basic Laws covered the Knesset, Israeli Lands, the President of the State, the State Economy, the Military, Jerusalem the Capital of Israel, the Judiciary, and the State Comptroller. All the same, a comprehensive constitution has never been adopted, nor does it seem that one will be anytime in the foreseeable future.

Regardless, the term “constitutional crisis,” in conjunction with “the death of democracy” and other such ominous exhortations, continue to enjoy high currency in Israel, in particular by those opposed to Benjamin Netanyahu and his combined 18 years of serving as Israel’s Prime Minister. Rarely a day goes by without some political pundit, leftist academician, or retired Supreme Court justice, publicly bemoaning despoliation of the Israeli nation’s very soul. Even past Supreme Court President (Chief Justice), Aharon Barak, recently declared before an anti-government demonstration that, “Israel is no longer a liberal democracy, but rather under the rule of one man.” It would not be unreasonable to propose therefore, that the cry of “constitutional crisis” is no more than a pretext for unbridled political opposition.

Aharon Barak may as well have been speaking of himself, since no single individual has had such dominating impact on Israel’s legal system -- and by extension on Israeli society as a whole -- than this

past Supreme Court President. Under Barak’s direct tutelage, in 1992 the Knesset enacted the Basic Law: Human Dignity and Liberty, and in short order Barak used his formidable power to declare that Israel now indeed had adopted an actual constitution (see his landmark decision in CA 6821/93 *United Mizrahi Bank v. Migdal Cooperative Village*). The manifest absurdity of such an assertion, however, was clearly demonstrated by the fact this new “constitution” came into existence by virtue of a 2 AM vote by less than half of the members of Knesset in plenum (54 out of 120), with only 32 (barely a quarter!) voting to adopt the Basic Law: Human Dignity and Liberty. The sad truth is that few, if any, of those guileless legislators had any idea, let alone intention, of adopting a constitution by means of such a seemingly innocuous, routine and unceremonious vote!

For a classic, albeit extreme instance of a genuine constitutional crisis we’d be well served turning our attention to the 1860-61 secession by southern states from the Union, and the establishment of the Confederate States of America, essentially triggering the Civil War. Even then however, it wasn’t until *Texas v. White*, 74 U.S. 700 (1868), that the US Supreme Court finally rejected the question of secession as patently unconstitutional.

In comparison, what is a typical “constitutional crisis” in Israeli terms?

The far-left self-styled “Israel Democracy Institute” for example, alleges that the declared refusal by some of the Government’s ministers to comply with Israel’s Attorney General’s legal opinions, is tantamount to a constitutional crisis. What they neglect to mention of course, is that such an obligation to comply is founded solely on judicial fiat, since no law – and certainly no “constitutional” directive – mandates such a duty.

Furthermore, if anyone is defying orders, it's none other than the Attorney General herself, Gali Baharav-Miara (whose official title is Legal Advisor to the Government). In early August 2025, the Cabinet decided to terminate this public official's service, noting "significant and prolonged differences of opinion which create a situation that prevents effective cooperation. The Government has no confidence in Attorney Gali Baharav-Miara as Legal Advisor to the Government, and her continued tenure in the position seriously harms the work of the Government." Not only are those compelling reasons justifying any employer to dismiss an obstructive worker, they are entirely condoned under the very guidelines regulating such matters.

But Baharav-Miara refused to leave her position, and a panel of seven Supreme Court justices ruled unanimously to negate the Cabinet's decision to dismiss, declaring the act null and void. As Supreme Court President Yitzhak Amit wrote in his sole opinion, the Attorney General is a "gatekeeper", entrusted to exercise his powers and duties as an "independent entity who is not subject ... to the authority of the executive branch." Yet Amit might have wished to exhibit a little more discretion before bestowing upon this particular public servant the hallowed status of "gatekeeper." For grave suspicions continue to revolve around Baharav-Miara's implication in one of the biggest scandals involving the very highest echelon of Israel's legal officials. Suffice it to say that on the face of it, she was instrumental in the preparation and filing of grossly fallacious testimony before the Supreme Court by her close friend, the IDF's Military Advocate General, Yifat Tomer-Yerushalmi. Nor is it an unrelated digression to point out that Tomer-Yerushalmi saw fit to close a criminal complaint against Baharav-Miara's son, an IDF officer, for stealing from a reserve soldier an expensive ceramic protective vest; an offense to which the son eventually confessed only after being presented with video footage from a security camera. Despite the egregious severity of the crime, the entire episode was quietly swept aside, as the military prosecutors refused to bring charges and no criminal proceedings were pursued.

For his part, Yitzhak Amit has provided us with an authentic constitutional crisis *par excellence*. During sessions of the Judicial Appointments Committee, Amit refused to recuse himself even though the deliberations centered around whether or not he himself should be appointed next President of the Supreme Court. "I'm sitting here merely as a potted plant," was his proffered pretext. And when Justice Minister Yariv Levin refused to convene the committee in protest of this glaring impropriety, Amit's associates on the Supreme Court simply usurped such ministerial privilege and anointed their colleague with the title of "President." Yet just recently, these same Supreme Court justices ruled to freeze the Cabinet's decision to close Israel's army radio station Galatz, on account of perceived faults in the decision-making process.

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protest of this glaring impropriety, Amit's associates on the Supreme Court simply usurped such ministerial privilege and anointed their colleague with the title of "President." Yet just recently, these same Supreme Court justices ruled to freeze the Cabinet's decision to close Israel's army radio station Galatz, on account of perceived faults in the decision-making process. The central accusation being that on the official advisory panel appointed to review the matter, some of the members were suspected of harboring political affiliations on the right. Evidently, they were unaware that the litmus test for their participation was simply to pronounce that they were sitting there "merely as potted plants."

Nor has Amit disappointed in his tireless efforts to stir up ever more constitutional controversies. Take for example his 2023 ruling that the proposed amendment to Israel's Basic Law: The Judiciary, abolishing the grounds of "unreasonableness" as a means to overrule government decisions, acts and appointments, so fundamentally violates constitutional rights that it must be rejected as an "unconstitutional constitutional amendment." After decades of bestowing constitutional status upon Israel's collection of Basic Laws, the Supreme Court essentially positioned itself above the very "constitution" its own jurisprudence had conceived.

And to be sure, Amit hasn't stopped there. In the eyes of the left, Knesset Member Itamar Ben-Gvir is one of the most reviled politicians ever to be elected to office. The offense was exponentially multiplied upon his being appointed to the Cabinet, and as the Minister of National Security (i.e. the police), at that! As a youth Ben-Gvir had no lack of run-ins with the law, nor does he shy away from what many would consider provocations of a nationalist trope. But under the law, there is absolutely no prohibition against him serving as a Cabinet minister. Nevertheless, immediately upon his appointment in late 2022, a group of "public petitioners" applied to the Supreme Court, in its capacity as the High Court of Justice, to have the nomination annulled on the grounds of its "extreme unreasonableness" (see above). The justices eventually rejected the petition, but not before Yitzhak Amit felt compelled to air his own reservations on the matter, as he wrote: "Although Ben-Gvir's appointment as Minister of National Security is not without difficulties and may even damage public trust to some extent, I did not find the appointment to be extremely unreasonable."

Taking her cue from Amit, Baharav-Miara set out to thwart implementation of Ben-Gvir's policies, wherever possible. Prior to the October 7, 2023 Hamas massacre, Israeli streets were overrun with mass demonstrations by the virulent left, calling for civil rebellion, insubordination, refusal to serve in the military and worse – all as a panicked reaction to the Government's efforts to affect a much-needed judicial reform. Ben-Gvir instructed the police to enforce a policy of no tolerance when it came to insurgency and lawless conduct. But this AG, an adamant opponent to the proposed judicial reform, found no fault in declaring before the Cabinet that "There is no effective protest without disturbing the peace." Quite a *volte-face* from the summary arrests and relentless prosecutions imposed against the myriad demonstrators, from children on up, opposing Ariel Sharon's contemptuous fixation with making the Gaza Strip *Judenrein*.

In 2024, Yitzhak Amit and his compatriots on the bench prohibited Ben-Gvir from issuing operative instructions and directives to the police “regarding the implementation of his policy in all matters relating to the exercise of the right to demonstrate and freedom of protest.” The order went on to proscribe even “referring” to the manner in which force should be used in certain events disturbing public order, “the methods of using force, the means of dispersing demonstrations, the conditions relating to the time, place and manner of holding the event, and the actual granting of permission for the event to take place.” What’s left for a Minister of Police to do all day, except serve as a docile figurehead confined to rubber-stamping appointments and promotions throughout the ranks? Thus here as well, the Supreme Court, with the full consent of the AG, found it necessary to intervene in Ben-Gvir’s decision to remove the police commander of the Tel Aviv District from his position for his abject failure at restoring order to the center of the country. Shaking their heads in exasperated admonition, the justices expressed “serious concerns regarding the legality and correctness of the procedure,” and ordered to freeze the dismissal. Severe apprehensions as to the propriety surrounding “process” and “procedure” of government acts, decisions and appointments, have lately overtaken the High Court’s prior propensity to rule on grounds of “unreasonableness.”

Already in 2024, another round of petitions were submitted to the High Court demanding that Netanyahu fire Ben-Gvir from his post as Minister of National Security. This time the charges alleged unlawful interference in police work and investigations, infringing on the independence of law enforcement agencies, promotion of political appointments, violation of the boundaries of the ministerial position, and so on. Unsurprisingly, this purported “Legal Advisor to the Government” sided with the petitioners and implored the High Court to intervene in the matter. “A show-cause order is needed to compel the Prime Minister to explain why he has not removed National Security Minister MK Itamar Ben-Gvir from office,” Baharav-Miara exhorted. The Supreme Court dutifully complied and issued such an order thereby shifting the burden onto the Prime Minister to justify why Ben-Gvir should *not* be dismissed from his ministerial position.

For the Government and its supporters, a red line had been crossed and it was now their turn to decry an egregious “constitutional crisis,” which they did with a vengeance. As Ben-Gvir’s attorney retorted, not only are the petitions in question “lacking any legal basis or authority,” issuing a judicial order to dismiss a serving minister would constitute “a dangerous and exceptional precedent, which does not exist in recognized democracies. This is a serious violation of representative democracy and voter sovereignty.” Ben-Gvir himself exclaimed, “You have no authority. There will be no coup!”

So too, Justice Minister Yariv Levin expressed his unreserved disdain for the Supreme Court justices, in the most caustic of terms: “The pyromaniacs in the High Court have long

been acting as if they are the Government, they are the Knesset, and now they are also replacing the people. Without even the slightest authority in the law, in complete contradiction to the most basic principles of any democracy, they are creating an unprecedented constitutional crisis with their own hands.”

Reports have since surfaced indicating the Government’s intention to promote legislation, originally introduced in 2023, designed to deprive the High Court of the authority to intervene in appointments and dismissals of Cabinet ministers. Coincidentally, a growing number of politicians on the right have openly called for the Government and Knesset to disregard ultra-vires High Court rulings.

Thus it would seem that even in the absence of an official constitution, Israel is quite vehemently embroiled in a bitter, pernicious constitutional crisis all its own. The American Civil War erupted less than 90 years after the Declaration of Independence, but it was followed by an unprecedented era of Reconstruction, out of which the United States grew to be an unrivaled superpower. As the State of Israel approaches its ninth decade, we can only pray that it too will achieve a similarly lofty stature, yet be spared the calamitous torment of such a deleterious and factional domestic upheaval.

*Adv. A. Amos Fried, a native of Chicago, is a licensed member of both the Israel and New York State Bar Associations and has been practicing law in Jerusalem for over 34 years. He specializes in civil litigation, criminal representation and commercial law. His private law firm is located at 5 Ramban St. in Rehavia, Jerusalem, and he can be reached at 011-972-544-931359, or [aafried@aafriedlaw.com](mailto:aafried@aafriedlaw.com).*



## Ezra-Habonim, The Niles Township Jewish Congregation and The Decalogue Society of Lawyers

### Present a Special Program:

### The Investigation and Prosecution of Holy Land Foundation for Financing Hamas

Wednesday, April 29, 2026, 7:30-8:30pm  
On Zoom, 1 hour CLE credit for attorneys

In 2008, the Holy Land Foundation for Relief and Development and five of its leaders were convicted by a federal jury for providing millions of dollars of support to Hamas.

Barry Jonas, a member of the prosecution team, will tell the story of the investigation and trial of the Holy Land Foundation case, which remains the largest terrorism financing case ever brought by the U.S. Department of Justice.



Register by Tuesday, April 28  
at <https://bit.ly/4694Jr8>

# 3rd Annual All-Bar Salute to Veterans in the Legal Profession

## Keynote Remarks by John M. Geiringer

Thank you so much for the kind introduction and this tremendous honor to salute our veterans tonight. Let's give them another round of applause; thank you all. Special mention to veterans at Barack Ferrazzano, as well as my friend, John Saran, who just became a Coast Guard Reserve Officer.

To all of the veterans, I am in awe of you. The only reason I am standing here tonight is because of heroes like you. Eighty years ago, my father Fred was liberated by American soldiers who risked everything to save humanity. But for their sacrifice, and those of so many others, he would have joined his father, his family, six million other Jews, and countless others who were turned to ash, in the darkest chapter in modern history. It is a debt I can never repay, and my father tried to repay that debt by joining the U.S. Army, even before becoming a citizen. He served honorably, and I cherish his flag to this day.

Having a college roommate, Mark Clingan, who has, in the Marines, risen from private to Major General (and still going), I've seen up close the sacrifices that those who serve (and their families) make, as I watched his career take him to Saudi Arabia, Kuwait, Iraq, Philippines, Afghanistan, Korea, Okinawa, Stuttgart, and around the world. He's now the commanding general of the combat center at 29 Palms and just led his command's celebration of the 250th anniversary of the Marine Corps—of course, in Las Vegas. Which is only appropriate because, after all, the Marines were born in a tavern. Happy birthday, Devil Dogs!

In addition to my father's liberation, eighty years ago also marked the beginning, in Courtroom 600 at the Palace of Justice, of the Nuremberg trials, which brought *some* measure of justice to the perpetrators of the unimaginable. The trials began with the International Military Tribunal (the IMT), which prosecuted the highest-ranking Nazi officials and was powerfully (if not always historically) dramatized in the newly released movie, which I saw last night. And yes, that counts as date night in the Geiringer family.

Those trials lasted another four years, with the end of the twelve Nuremberg Military Tribunals (the NMTs), each focused on a different segment of German society. Tonight, I'd like to honor the service of two veteran lawyers involved in those trials.

The first began his law career shortly before America entered World War I, and then became an infantry officer in the bloody fields of France. For his heroism, he received the *Croix de Guerre*, which he accepted only after a fellow Jewish soldier received it for similar actions, and which was followed with numerous other combat awards, including the Medal of Honor.

During World War II, William (Wild Bill) Donovan used his prodigious skills to lead the Office of Strategic Services, the predecessor of the CIA, and became the Father of American Intelligence. Because the OSS led investigations of German war crimes, IMT lead prosecutor Robert Jackson, then on leave from the Supreme Court, tapped Donovan for his team.

An experienced prosecutor, Donovan contributed significantly but later fell out of favor with Jackson for criticizing his methods,

critiques that were well deserved, but ones you probably should not make about a Supreme Court justice, even one on leave. Returning stateside before the trial concluded, Donovan lived a full life of service, including as Ambassador to Thailand. Eisenhower called him "the last hero," and we certainly need more of those today.

After the ending of the IMT, the beginning of the NMTs, and the start of the Cold War, the U.S. gradually lost interest in prosecuting Nazis and became more focused on fighting Soviets, using its former German foes to that end. The press and the public soon lost interest in Nuremberg, and the well-known leaders of the IMT were replaced, in the NMTs, with many other leaders, whose names have fallen into obscurity.

The NMTs focused on various aspects of German society, including its doctors, its industrialists, and its lawyers. That so-called Judges' Trial is commonly confused with the IMT, and was made famous by the 1961 movie *Judgment at Nuremberg*, featuring big stars of the day, like Spencer Tracy and up-and-comers, like a young William Shatner.

Another NMT trial was the Einsatzgruppen trial, targeting the mobile squads that killed two million people, face-to-face and bullet-by-bullet, most before the death camps for which the Holocaust is famous. It was an unplanned trial, until a 27-year-old research attorney discovered numerous written action Reports from those units, fully admitting their atrocities.

The Reports described, in meticulous German detail, each of their missions, with specific death counts throughout the Pale of Settlement. Although no written *Führerbefehle* (Hitler order) has yet been discovered, anyone disputing the Holocaust's historicity, or even its magnitude (whose numbers continue to grow), must confront these Reports sent from the field to Berlin that were circulated among numerous officials.

The young attorney reviewing these reports convinced his boss, General Telford Taylor, that a trial was necessary for these savages, but, with limited resources, was told that such a trial could only occur if he led it, in addition to his other work.

That young attorney, who had no courtroom experience whatsoever, accepted Taylor's challenge, and soon led the biggest murder trial in history. He prosecuted his case in just two days, with two witnesses, and after deflecting arguments from experienced German counsel for seven months, ultimately secured guilty verdicts for all defendants on at least one count, with fourteen death sentences, two for life, and five for prison. Around Christmastime, when Cold War factors saw many of those sentences reduced, he said "Noel, Noel, what the hell."

That Hungarian immigrant, who, before his trial, landed at Normandy, served in the artillery, and was a war crimes researcher, was, of course, Ben Ferencz. Although only 5'3", he became a giant in the field of atrocity prevention and accountability and gave the closing statement in the first ICC trial, and recently left us too soon at 103 years young.

Donovan and Ferencz epitomize the traits that make you veterans so worthy of praise: patriotism; honor; dedication; and, courage.

When I teach my Holocaust and the Law class, I always add to the title, “Lessons for Today.” Subtlety was never my strong suit. The class is less a study of the past and more a warning for the future.

In the last session, I had our students each “adopt a Nazi” and describe their chosen figure’s life’s arc, from normal to insane. The universal lesson from this exercise is that their stories are *our* stories and reinforces that we are closer to them than we’d like to admit.

They were not evil aliens that beamed down to the world in 1920 and beamed back up in 1945, never to return. They began as ordinary people in a society traumatized by a lost war, a global pandemic, and an economic collapse. They experienced reciprocal radicalism, as political tribes poked each other into more extreme actions, and stochastic terrorism, as hateful speech inspired harmful actions, and ordinary people became extraordinary monsters.

There arose a charismatic leader who claimed to be their savior. He used modern communication, striking imagery, and pithy phrases repeated endlessly, to brainwash them into believing that only he had easy solutions to their hard problems, which were caused by a parasitic minority that he delegitimized, dehumanized, and eventually decimated.

In the process, he lit the flame that incinerated over 60 million souls and caused incalculable suffering, not just for his enemies, but eventually for his own people, whom he rejected in the end, as being unworthy of his greatness.

We in the legal community have a special responsibility because of our unique role as society’s leaders to avoid a repetition of that unimaginable tragedy. The godfather of Holocaust legal studies, my friend Michael Bazylar, is fond of saying, “no law no Holocaust, no lawyers no Holocaust.” So, what does that mean for us in the profession today?

Those of us who write our laws cannot abdicate our responsibilities. Hitler used the Reichstag fire, and the threat of a vast insidious conspiracy to convince legislators to hand him emergency powers. He then unilaterally enacted directives that squeezed Communists, Jews, and other undesirables out of society and eventually into Auschwitz.

Those of us who enforce our laws cannot weaponize those laws. Nazi judges and lawyers, with notable exceptions, created a perverse system of *injustice* that infected the entire German society. You were either with the *Führer*, or were an enemy to be imprisoned, tortured, and killed. As the NMT court said in the Judges’ Trial, “[T]he dagger of the assassin was concealed beneath the robe of the jurist.”

Finally, those of us who defend our laws can never let down our guard. Whether it be Gitmo detainees languishing for decades without trials, immigrants just here to seek a better life, or public servants trying to clear their names, everyone touched by our justice system deserves effective representation by counsel, and fair treatment by our government if we want America to remain the shining city on the hill and a beacon of hope for all mankind, as it was for my parents, and still is for so many.

Although our nation’s official motto is, “In G-d We Trust,” its unofficial motto is, “*E Pluribus Unum*,” “out of many one,” which is why, after the Civil War—hopefully our last one—the name of our country began becoming singular, not plural. The United States *is*, not the United States *are*. As we approach our nation’s 250th anniversary, I worry that we have forgotten that lesson. But my short-term pessimism is tempered by long-term optimism, only if we all do our part.

In the pinnacle Jewish prayer, the *Sh’ma*, taken from Deuteronomy, G-d asks to be served, “with all of your heart, with all of your soul, and with all of your might.” It means that there are many ways for people to serve, some with their time, some with their strength, and some with their resources, and that each one of us is blessed with some combination of these traits that we may not squander.

I’m so proud that veterans at our Center for National Security and Human Rights Law at Chicago-Kent, meet that challenge and demonstrate that service continues long after removing the uniform. They include: former Army intel officer and historian Mark Hull, armed with a JD and 3 PhDs, including one from Nuremberg (showoff), that he wields to fight extremism wherever it’s found; Michael Masters, a Marine officer who now leads Secure Community Network, a national organization keeping Jews safe from harm in this perilous time; Frank Rosenblatt, a former Army JAG who defended Bowe Bergdahl, wrote *the* book on the UCMJ, and now advises servicemembers about navigating illegal orders; Jim Dever, who led Army intel and cyber law and now protects society from malign actors; and, his brother Jack, my co-founder at the Center, who continues Bill Donovan’s legacy and just became the General Counsel of the Office of the Director of National Intelligence. Patriots all, and proof that heroes still exist.

And for my fellow non-veterans, of course you don’t need a uniform to serve. My friend Laurie Pasler launched the Courtroom 600 virtual museum to showcase artifacts from the IMT that her father collected while serving there. She then used that platform to develop an innovative curriculum that, through the lessons of Nuremberg, teaches our youth about the dangers of extremism. I urge you to visit her website and support her efforts.

Although we can never repay the sacrifices (and sometimes the last full measure of devotion) made by our veterans, the best way to honor them is for each of us to use our heart, our soul, and our might to the fullest extent possible, each in our unique way, to ensure that we reclaim our unofficial motto; that ours remains a government of laws; and that we never, ever allow the red, white, and blue to become the red, white, and black.

Thank you, G-d bless you, and G-d bless the *United States of America*.

*John Geiringer is a partner at Barack Ferrazzano and Co-Director of the Center for National Security and Human Rights Law at Chicago-Kent College of Law.*

# Photos from 2025 Salute to Veterans in the Legal Profession



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# New Technology for Old Atrocities: AI Joins the Pursuit of Nazi War Criminals and the Effort to Reclaim Justice for Victims

by Judge Megan Goldish

## 1941, Berdychiv, Ukraine

German *Einsatzgruppen* death squads and their collaborators systematically murdered thousands of Jews, often forcing victims to dig their own graves before being executed. For decades, individual executioners evaded identification or prosecution.

In 2025, historians using artificial intelligence (“AI”) made a major breakthrough. A 1941 photograph long mislabeled as the “Last Jew in Vinnitsa” was re-dated and correctly placed in Berdychiv, Ukraine. AI-assisted facial analysis helped identify the likely executioner as Jakobus Onnen, a former teacher turned SS officer who participated in this massacre. While the finding did not result in formal charges, it represents one of the first credible attributions of a specific individual to a documented wartime killing at Berdychiv.

The search for accountability has since entered a new era. AI, once the stuff of science fiction, is now attempting to identify Nazi war criminals and Holocaust victims and to recover stolen artworks, transforming a process that began at Nuremberg. The pursuit of Nazi war criminals has always been a race against time. AI now accelerates these efforts, uncovering identities and evidence once thought lost to history, and transforming future war crimes investigations and prosecutions.

The Nuremberg Trials (1945-46) established the first international war-crimes tribunals, followed by widespread prosecutions in the 1950s and 60s. From the 1970s through the 1990s, public pressure revived dormant investigations and expanded the use of DNA and other resources. In the 2000s, the last surviving perpetrators were prosecuted using archival records, eyewitness testimony, evolving legal doctrines, and intensive investigative work.

In 2025, investigations of Holocaust-era crimes continued. In Argentina, newly discovered Nazi-era materials and suspected looted artwork prompted renewed efforts to uncover evidence and pursue accountability. AI is increasingly central to analyzing this material and identifying previously unknown perpetrators and victims. Together, previously unseen evidence and advancing technology suggest that international war crimes investigations, prosecutions, and victim identification are on the brink of profound change.

## Nuremberg Era: 1945-49

The Nuremberg Trials set a precedent for modern international law by prosecuting defendants through extensive documentary evidence, recovered records, witness testimony, and cross-examination under a multinational panel of judges. These Allied-led military tribunals were the first major post-war effort to hold high-ranking Nazi officials, military leaders, and others accountable for war crimes, crimes against humanity, and genocide. At the time, international law was not fully established or standardized. The Allied powers essentially created and refined legal standards by applying and defining evolving legal concepts.

The first and most prominent proceeding, the International Military Tribunal, prosecuted 24 senior Nazi officials, including Göring

and Hess, under the authority of Allied judges and prosecutors. Subsequent U.S.-led trials targeted SS officers, *Einsatzgruppen* commanders, industrialists, doctors, and judges who had enabled or carried out the regime’s crimes.

Prosecutors presented meticulously kept Nazi records, weapons, correspondence, personnel files, captured uniforms, photographs, film footage, and eyewitness and survivor testimony. In addition, the prosecutors presented evidence from liberated camps, including gas chamber equipment, crematoria remnants, and victims’ belongings. In some cases, prosecutors reconstructed camps to demonstrate the processes of mass murder. These evidentiary methods proved the systematic nature of the crimes and established investigative and prosecutorial procedures that continue to shape international accountability.

## 1950s-1960s

In the 1950s and 1960s, efforts to hold World War II perpetrators accountable continued, as many high-ranking Nazis remained at large. Holocaust investigations shifted to West German public prosecutors, culminating in the 1958 creation of the *Zentrale Stelle* to coordinate nationwide investigations of Nazi crimes. U.S. immigration authorities also aggressively pursued deportation cases against former Nazis who had concealed their wartime activities.

These efforts faced major political and institutional obstacles, causing some investigations to stall or fade out entirely. Many judiciary officials had served under the Nazi regime, yet were in charge of investigating and bringing to justice Nazi perpetrators. In many of the trials, evidentiary standards were unrealistically high and there was reluctance to pursue “ordinary Germans.”

Investigations relied on statements of survivors, local witnesses, and former SS personnel, as well as concentration camp records, transport lists, SS personnel files, and *Einsatzgruppen* reports. Some countries coordinated efforts to share prosecutorial information. In some cases, investigators opened mass graves or traveled to the camps to reconstruct crime scenes. However, evidence was limited and many perpetrators were already dead or hiding.

The 1960s marked an era of high-profile public trials, driven by strong public demand for accountability. Significant prosecutions included the 1961 trial of Adolf Eichmann, where prosecutors relied on extensive documentary evidence and detailed survivor testimony to establish his central role in organizing deportations. This trial emphasized systemic responsibility rather than proof of specific killings.

Other major cases included the *Einsatzgruppen* Trial, and the Frankfurt Auschwitz Trials (1963–65), where there was less of a focus on direct, irrefutable evidence of individual actions and more on the broader system of guilt. The Frankfurt Auschwitz trials prosecuted 22 defendants, focused on the Auschwitz, Sobibor, and Treblinka camp commandants, doctors, SS guards, bureaucrats, and Nazi judges for their roles in selections, beatings, and mass murder. These trials relied on survivor identifications, hundreds of documents, signed orders, transport lists, camp blueprints, on-site reconstructions, and Allied archives to establish both individual liability and participation in a broader criminal enterprise.

Prosecutions of perpetrators from Sobibor and Treblinka matched guard rosters, *Aktion Reinhard* records, and witness statements to specific acts of killing. *Aktion Reinhard* (1941-43) was the Nazi plan that resulted in the murder of approximately 1.7 million Jews in occupied Poland.

### 1970s-80s

In the 1970s, prosecutions of Nazis declined, as public attention shifted to other global concerns, such as the Cold War, pushing Nazi-hunting further down the priority list. Some prosecutors believed that too much time had passed, and many suspects lived quietly under real names. Survivors, activists, and independent Nazi hunters, like Simon Wiesenthal, pressured authorities to revive investigations. Investigators relied primarily on archival documents, interviews with aging witnesses, and cooperation with foreign archives, though many cases stalled due to evidentiary challenges and fading memories.

The 1980s marked a renewed effort to investigate and prosecute Nazi perpetrators, partially due to the discovery of hidden Nazi communities in South America and former Nazis living in the US. In 1979, the US established the Office of Special Investigations (OSI), which gained international recognition for its sophisticated methods, including forensic document analysis and the ability to locate witnesses. The OSI pursued aggressive deportation trials against former SS personnel and their collaborators. European countries and Israel also intensified their efforts, reopening dormant cases.

A defining case was the decades-long prosecution of John Demjanjuk, a Ukrainian-born American autoworker who was accused of serving as a guard at Treblinka. Initially misidentified as, “Ivan the Terrible,” his case evolved into a multi-country prosecution shaped by conflicting archival records, survivor testimony, photographic analyses, and disputed identity documents. Proceedings included criminal trials in Israel, deportation cases in the US, and ultimately a 2011 conviction in Germany for his role as a Sobibor guard. Evidence presented included camp records, *Einsatzgruppen* reports, immigration files, and testimony from surviving victims and former perpetrators. A Munich court convicted him on 28,060 counts of accessory to murder, corresponding to the number of Jews killed while he served at Sobibor. He was sentenced to five years in prison. This verdict continues to be debated due to conflicting historical documentation.

### 1990s

In the 1990s, the opening of previously inaccessible archives transformed investigations of Nazi crimes. Following the dissolution of the Soviet Union in 1991, researchers gained unprecedented access to Gestapo records, *Einsatzgruppen* files, camp and ghetto documentation, and detailed personnel dossiers. This influx of evidence prompted hundreds of new investigations, as authorities cross-referenced newly uncovered documentation with previously reviewed reports and records. They also resumed interviews with surviving witnesses and coordinated prosecution efforts among multiple countries to develop more robust criminal cases.

Despite obstacles such as the advanced age of suspects, incomplete or disorganized archives, declining witness health, and evidentiary gaps, this renewed effort broadened the scope of Holocaust accountability beyond well-known perpetrators to include collaborators and lesser-known offenders.

A pivotal moment occurred in 1996, when approximately 15,000 pages of Soviet intelligence files were transferred to the US Holocaust Memorial Museum. These documents detailed *Einsatzgruppen* killings and postwar Soviet investigations of German officers and collaborators, enabling new OSI extradition proceedings. Prosecutors also initiated war-crimes proceedings, based on documents that had been inaccessible for decades. That same year, a U.S. court revoked the citizenship of Kazys Gimzauskas, a former Lithuanian *Saugumas* (the Nazi collaborationist security police) official, based on new evidence that he had ordered arrests and deportations. In 1998, Lithuanian authorities indicted Aleksandras Lileikis, the former leader of *Saugumas*, for genocide, the first such prosecution in an independent post-Soviet state.

These renewed prosecutions broadened the geographic and legal scope of accountability and clarified key principles governing wartime crimes. A major example was the case of Vassili Kononov, convicted by a Latvian court in 1999 for wartime killings, but later exonerated by Latvian courts and the European Court of Human Rights (ECHR). The ECHR held that his actions were not clearly defined as war crimes under the laws in force in 1944, reaffirming the doctrine of “*nullum crimen sine lege*,” “no crime without law.” Although Kononov’s conviction was ultimately vacated, the case reinforced the requirement that wartime conduct be judged according to the legal standards applicable at the time, a principle that continues to guide modern prosecutions of historical atrocities.

### 2000s–2020s

In the 21st century, courts focused on high-level leaders and “ordinary perpetrators” such as guards, transport personnel, and administrators. This shift was instigated in part by the 2011 German conviction of Demjanjuk, which established that service in a death camp itself constituted aiding and abetting murder. Prosecutors no longer had to prove the accused committed a specific act of killing. Instead, participation in the camp’s “machinery of destruction” as a guard or support staff was sufficient for a conviction. As a result, German prosecutors reopened hundreds of cases previously considered too indirect to prosecute.

The shift to prosecuting “ordinary perpetrators” meant that justice was no longer reserved for high-level leaders. It acknowledged the structural, bureaucratic nature of the Holocaust, and that thousands of lesser-known individuals contributed to the machinery of mass murder. Still, prosecutions faced major obstacles. Many suspects were elderly, ill, or deceased. Evidence was fragmentary, and proving “willing service” decades later was challenging. Some convictions resulted in light or symbolic sentences, reinforcing public perceptions that these trials emphasized moral accountability over retributive justice.

Crucial evidence used in these prosecutions included SS service records, identity cards, transport logs, camp rosters, personnel files, architectural diagrams, and expert analyses. In Demjanjuk’s case, a Nazi era identity pass (with his name, birth date, photograph, and other identifiers) was a key piece of evidence. As survivors and others aged, eyewitness testimony was increasingly rare.

Subsequent cases applied the same legal standard. In 2015, Oskar Gröning, “the accountant of Auschwitz,” was convicted for aiding murder under the Demjanjuk legal standard, for his work processing and accounting for the belongings of deported Jews. In 2016, former Auschwitz SS guard Reinhold Henning was convicted as an accessory to the murder of 170,000 people, based upon survivors’ testimony and records proving he escorted arriving prisoners to the gas chambers. Between 2019 and 2021, German courts also prosecuted former guards from the Stutthof and Sachsenhausen camps, again holding that serving as a guard, without personally killing someone, constituted complicity in mass murder.

In 2022, a German court convicted a 101-year-old former SS guard from Sachsenhausen of accessory to the murder of more than 3,500 prisoners, sentencing him to five years in prison. In 2023, German prosecutors charged 98-year-old former Sachsenhausen guard Gregor Formanek with aiding the murder of thousands, but he was deemed unfit to stand trial and died in 2025. By the early 2020s, most remaining suspects were extremely old or deceased. Prosecutors continued their work out of both legal duty and moral obligation, and as a message that age is no barrier to accountability, reinforcing the principle that complicity in genocide does not expire with time.

### **Modern War Crimes Investigations and Prosecutions**

The prosecutions of Nazi officials in the 1950s and 1960s, especially in cases like Eichmann’s, relied heavily on documentary evidence, witness testimony, and the broad legal principle of responsibility by association. While the rules of evidence were not as well established as they are today, and the burden of proof was sometimes less stringent, the proceedings were nonetheless groundbreaking for their time.

Today, the standards of evidence in international criminal law are much more codified, and while the burden of proof remains high, modern courts benefit from advances in forensic science, digital technologies, and a more refined understanding of international law. Still, the challenges of proving guilt in cases involving large-scale atrocities remain formidable, and the passage of time always complicates the quest for justice. Direct evidence has often deteriorated or disappeared over time, forcing investigations to rely on circumstantial materials and focus on an accused individual’s role within broader systems of organized violence. Moreover, the complexity of modern international law and evidentiary rules routinely results in lengthy trials, often requiring years of investigation and litigation.

Comparing these modern practices with earlier war crimes prosecutions highlights several differences. In the 1950s and 1960s, as in Eichmann’s trial, the burden of proof was generally more attainable. Tribunals could more readily infer guilt from an individual’s position within the Nazi hierarchy or their participation in a system of murder. Today’s courts require far more exacting proof, supported by clear documentation and reliable witness testimony that ties the accused directly to specific crimes. Although survivor and eyewitness testimony remain important in both periods, contemporary courts treat such accounts with greater

caution and routinely require corroboration via independent evidence such as satellite imagery, DNA evidence, and digital data to mitigate the risks of memory gaps or bias.

Modern war crimes prosecutions also operate under a more rigorous evidentiary framework. International courts now adhere to strict rules governing the admissibility and preservation of evidence. Chain-of-custody protocols are required to ensure that documents, forensic samples, and recorded testimony are properly authenticated. Robust witness protection measures, including anonymous video testimony, safeguard individuals who fear retaliation. Expert testimony has also become central to contemporary trials, with historians, forensic specialists, and psychologists providing critical context and authenticating evidence that may be decades or even centuries old. Today’s prosecutions further rely heavily on digital evidence, such as emails, social media records, and other electronic communications, allowing investigators to reconstruct events with far greater precision than was possible in earlier eras.

Additionally, modern international criminal law is more developed, with established institutions like the International Criminal Court (ICC) and International Criminal Tribunals (for example, for the former Yugoslavia and Rwanda). The standards for presenting evidence in such courts are more advanced and codified than in the post-World War II era. International law now incorporates the 1998 Rome Statute, providing clearer guidelines for prosecuting war crimes, crimes against humanity, and genocide. Modern tribunals have developed a body of legal precedents that can be referenced such that the rules governing evidence collection, admissibility, and presentation are far more structured and standardized.

### **2025-present: AI and Modern War Crimes Justice**

In 1941, the “Holocaust by bullets” unfolded across Eastern Europe. These mass shootings of Jews and other targeted groups were carried out primarily by the *Einsatzgruppen*. Almost none of the perpetrators were ever prosecuted. The anonymity of the killing units, the destruction or absence of records, and the passage of time made it extraordinarily difficult to identify individual perpetrators of specific atrocities.

Beginning in the mid-2020s, technological advances began to alter this historical impasse. In 2025, historian Jürgen Matthäus used AI-assisted image analysis alongside extensive research to identify the likely perpetrator in a photo taken during the 1941 Berdychiv massacre in Ukraine. AI did not “name the Nazi” on its own. Instead, AI was used to enhance images to clarify facial features and to analyze insignia, medals, and uniform details. Additionally, AI was able to incorporate measurements of body proportions and posture. This information was cross-referenced with uniform details of known units operating in that region. Historians then compared service records, deployment rosters, photos and previous testimonies. After this human research, aided by AI, a likely identity emerged. Nonetheless, this new information did not lead to a prosecution. First and foremost, the suspected perpetrator had long since died. Moreover, it’s likely that the AI’s output alone is not legally admissible. The final identification is considered “historical clarification,” not legal action. However, it is still very meaningful.

Since then, AI has increasingly been used to reconstruct chains of command, attribute responsibility for mass violence, and corroborate fragmented or contested evidence. While AI tools do not replace legal standards of proof, they have reshaped how historians, investigators, and prosecutors approach long-unresolved crimes. AI not only assists in research, but is also aiding in the pursuit of justice by extending the possibility of accountability even decades after the crimes occurred. For decades, the hunt for Nazi war criminals relied on fading memories, fragile documents, and human persistence. Now, as artificial intelligence begins to illuminate faces and facts long buried by time, a new chapter in the quest for justice is unfolding.

This technology is not just being used to identify long-hidden Nazi perpetrators, but also to restore the names of Holocaust victims. Researchers have used AI facial recognition technology on Holocaust-era photos to match multiple photos of the same person within a museum collection, group photos from the same transport, ghetto, or event, and assist family members in identifying lost relatives. However, facial recognition has not been used to formally accuse someone of crimes, identify living people as perpetrators, or generate suspect lists. There is a genuine concern that misuse would risk false positives and create serious harm.

This technology has led to the creation of projects such as the “177,000 Faces Project,” which uses a system to match old faces across photo archives, helping families find long-lost pictures of relatives. There is also the #LastSeen Project, a German–U.S. research and education initiative, in partnership with the USC Shoah Foundation that collects, analyzes, and publishes photographs of Nazi mass deportations to document the last known images of victims and preserve their histories.

### **Modern day investigations of other types of World War II crimes**

With advances in technology and increasing access to information, new evidence continues to emerge that might result in further investigations, albeit most will not result in future prosecutions. Beyond war crimes prosecutions, the 2020s have seen renewed activity in investigations related to Nazi era theft, art looting, and document recovery, broadening the scope of Holocaust era justice. AI is expected to play an increasingly important role by enabling large scale analysis of archival materials and linking individuals, artworks, and transactions that were previously difficult to trace using traditional research methods.

In 2025, Argentinian authorities opened a criminal investigation into Patricia Kadgien, daughter of former Nazi official Friedrich Kadgien, and her husband. The investigation arose after a long-lost painting, “Portrait of a Lady (Contessa Colleoni)” by Giuseppe Ghislandi, which had been looted from a Jewish art dealer during WWII, appeared in a real estate listing for their house. The case led to multiple raids on Kadgien family properties, where investigators recovered additional engravings, drawings, and paintings potentially dating to the 19th century. These artworks are now under analysis to determine whether Nazis had stolen them. AI tools are likely to support that analysis by comparing images against international databases of looted art, analyzing provenance records, and detecting inconsistencies or gaps in ownership histories. Argentinian prosecutors charged the couple with “concealment” and “theft in the context of genocide,”

contending that their possession and attempted concealment of looted art constitute ongoing crimes tied to the Holocaust. This case reflects a broader shift in Holocaust-era justice beyond mass murder to include art restitution, recovery of looted property, archival research, and accountability for cultural crimes, thefts, and erasure of memory.

Moreover, advances in voice and language analysis may allow AI to assess whether multiple recordings involve the same speaker, translate battlefield communications in real time, and identify linguistic indicators about where someone was trained or deployed. Enhanced ability to evaluate uniforms, tactical formations, insignia, and vehicle markings may also establish whether a unit was present at multiple war crime scenes, strengthening cases against organizations as well as individuals.

Additionally, AI might be able to create a global, ethically governed, intelligence database, linking crimes across countries, detecting repeated tactics or perpetrators, predicting troop movements, tracking the use of banned weapons, and reconstructing likely timelines when evidence is partial or destroyed. With human oversight, AI may also verify livestreamed civilian footage in real time, alerting journalists or human rights monitors to ongoing atrocities, potentially saving lives. AI can be used for more than surveilling suspects. AI could also improve justice for victims by translating or anonymizing testimony, detecting coerced or fabricated statements, and supporting trauma-informed interviewing procedures of victims.

Finally, robust safeguards are essential. AI has clear limits in war crimes investigations and prosecutions: it cannot determine guilt, independently identify perpetrators, replace legal burdens of proof, or serve as the sole basis for arrest or charges. International courts require lawfully obtained, human-verified, and corroborated evidence. AI must function only as a supporting tool. There is also a risk that authoritarian governments, propagandists, extremists, or vigilantes could misuse the same technologies aiding investigators of war crimes. AI therefore must incorporate transparency, strict data-sharing controls, auditable systems, international oversight, and meaningful human involvement at every stage. Used responsibly, AI can strengthen accountability and protect human rights—but it will never replace law enforcement, prosecutors, courts, testimony, or due process. International justice depends on human judgment. AI remains a tool, never a judge.

*Megan Goldish is a Cook County judge and past president of the Decalogue Society of Lawyers.*



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# From Nuremberg to Now: We Must Not Lose Hope

by *Justice Michael B. Hyman*

I have not seen *Nuremberg*, the new movie on the Nazi war crime trials, starring Russell Crowe and Rami Malek. The subject matter, the first of 13 trials between 1945 and 1949, comes at an opportune time, however. It serves to remind the world of the terrible cost of replacing the rule of law with the law of the ruler. The Nuremberg Trials call on us to insist on justice and to reject indifference as a moral obligation, especially today, given that injustice and inequality, fear and unrest, treachery and violence have become perilously commonplace.

To grasp the legacy of Nuremberg, we should reflect on the three questions posed by Rabbi Abraham Joshua Heschel, the theologian who fled to America to escape Hitler's inferno: "What shall come after the holocaust? Has the world lost its soul? Have civilization and humanity nothing in common?"

Tough questions

"What shall come after the Holocaust?" We know the answer all too well—continued inhumanity, brutality, misery, pain, and suffering: killing fields and ethnic cleansing, Darfur and Rwanda, suicide bombings and October 7th. Justice Robert Jackson envisioned the Nuremberg trials as a powerful deterrent, intended to rid the world of tyrants and prevent future mass atrocities.

I am the child of a member of "The Greatest Generation," those who came of age during the Depression and World War II. My father served in the war, landing at Normandy Beach shortly after the invasion. He witnessed Dachau soon after its liberation. For decades, he did not talk of it and when he finally did, his eyes always welled up. What he saw was unfathomable, unspeakable. Like many, he believed that after Nuremberg, horrors like Dachau would never reoccur.

But Nuremberg did not eradicate hatred and diabolical evil. Far from it. In the years since, human suffering, violations of human rights, and assaults on human dignity have persisted across continents and generations.

"Has the world lost its soul?" This question is difficult to answer. How I wish I could say, "No." But I cannot. History says otherwise. Dates and places change yet the pattern remains. On some unknown day in 1941, when my grandfather's relatives in Lithuania were marched to a pit, the world lost its soul. On August 6, 1945, with the bombing of Hiroshima, the world lost its soul. So too on January 30, 1948, when Mahatma Gandhi was assassinated; April 4, 1968, when Dr. Martin Luther King, Jr. was assassinated; April 17, 1975, when Pol Pot took over Cambodia; September 11, 2001, and October 7, 2023.

The world loses its soul, regains it briefly, and then absorbs another profound tragedy marked by loss of innocent lives. This cycle has repeated since the dawn of civilization.

Heschel's third question, "Have civilization and humanity nothing in common?" addresses what nations stand for. Civilization and

humanity are interdependent. Civilization without humanity can enable wickedness. Humanity without civilization leaves people vulnerable to the powerful. The rule of law represents the intersection of the two. As long as the law honors human dignity, civilization retains its moral legitimacy. Without this, civilization becomes little more than a façade.

Above all, modern democracy provides a foundation for the rule of law and safeguards for the people. Once democracy's essential commitments to equality, checks on power, and accountability are abandoned, this foundation erodes. Protection gives way to dominance, and both civilization and humanity teeter on the brink.

Where does this leave us?

Leaders must do more than denounce heinous acts. The legacy of the Holocaust and the Nuremberg trials stands as a lasting warning of the consequences when cruelty is met with rhetoric rather than accountability.

Lawyers must do more than assume the rule of law is self-sustaining. When lawyers withdraw instead of defending the rule of law, history repeats itself.

The public must do more than display momentary outrage in response to collective brutality. Freedom, community, and shared humanity endure through vigilance grounded in historical awareness and strengthened by moral determination.

Conclusion

Of the 15,000 children who entered the Terezin concentration camp, fewer than 100 survived. Among them, Alena Synkovd, who composed this untitled poem during internment:

"I've met enough people,  
Seldom a human being.  
Therefore, I will wait—  
until my life's purpose  
is fulfilled  
and you will come.

Though there is anguish  
deep in my soul—  
what if I must search for you forever?—  
I must not lose faith.  
I must not lose hope."

Eighty years after Nuremberg, Rabbi Heschel's three questions still challenge us, as the world still looks away in the face of evil. Perhaps Alena's words offer the most fitting response: "I must not lose faith. I must not lose hope."

*Justice Michael B. Hyman, who sits on the First Appellate Court, is a past president of the Decalogue Society and a student of the Nuremberg trials.*

# The Holocaust Studies Patch: A New Milestone for Girl Scouts

by Judge Megan Goldish

Since 1912, the Girl Scouts of the USA has prided itself on providing young girls with opportunities to develop leadership, confidence, and compassion. Today, the organization serves approximately two million members, including girls from kindergarten through high school, as well as adult volunteers. Girl Scouts may earn badges across a wide range of subjects, including robotics, first aid, drawing, cooking, citizenship, coding, money management, outdoor skills, babysitting, nutrition, entrepreneurship, democracy, music, archery, cybersecurity, environmental sciences, photography, and car care.

To earn a badge, Girl Scouts typically complete a series of specific steps and requirements, which may include participating in hands-on activities, completing challenges, researching a topic, and reflecting on their experiences. Through this process, Scouts gain both practical skills and a deeper understanding of each subject area.

The Girl Scouts have long upheld a tradition of engaging girls in a wide range of educational subjects. In a powerful extension of that tradition, the Girl Scouts have introduced the Holocaust Studies Patch, a new badge that allows girls to learn about one of history's most meaningful and painful chapters while fostering empathy and resilience. The Holocaust Studies Patch was developed by the Girl Scouts in collaboration with organizations dedicated to Holocaust education, including the United States Holocaust Memorial Museum.

Through this badge, Girl Scouts explore the history and atrocities of the Holocaust and examine its lasting impact on the world, building awareness, empathy, and an understanding of the importance of standing up against hatred and injustice. The Holocaust Education Patch specifically focuses on learning about the Holocaust and antisemitism, exploring the role of Girl Scouts and Girl Guides during World War II, and encouraging upstander behavior.

To earn the Holocaust Studies Patch, Girl Scouts are required to complete a series of educational activities and reflection exercises. Scouts learn the history of the Holocaust, including the events leading to the systematic persecution and murder of six million Jews, as well as the impact on other targeted groups, including Romani people, individuals with disabilities, and political dissenters. They study significant historical figures, events, and locations associated with the Holocaust, such as resistance movements and concentration camps. A key component of the Holocaust Studies Patch is the opportunity to hear directly from Holocaust survivors, whose personal testimonies bring history to life and foster deep compassion and awareness.

While earning the badge, discussions focus on the moral lessons of the Holocaust, including the dangers of indifference, prejudice, and hatred. Activities may also involve examining contemporary instances of genocide, intolerance, or discrimination, underscoring the need for continued vigilance against injustice. Scouts are encouraged to reflect on how they can take meaningful action within their own communities to promote tolerance, respect, and kindness. Such actions may include organizing events, writing letters, or participating in community service projects that advance understanding and human dignity. Although the badge emphasizes historical learning, it is

equally dedicated to shaping values, encouraging young people to become advocates for peace, justice, and human rights.

The introduction of the Holocaust Studies Patch is significant for several reasons. It provides Girl Scouts with a structured opportunity to learn about a difficult chapter in world history. The Holocaust represents one of the darkest periods of human history, and confronting its complexities can be uncomfortable. However, it is also a necessary component of education. By offering this badge, the Girl Scouts address this complex subject in an age-appropriate and meaningful manner, helping to ensure that future generations understand both the history and the critical importance of preventing such atrocities from ever happening again.

The Holocaust Studies Patch also seeks to promote social justice by encouraging girls to think critically about the world around them and to recognize the importance of standing up for others. It aligns with broader Girl Scout values of leadership, responsibility, and making a positive difference in society. By empowering young women to become socially conscious leaders, the badge emphasizes a commitment to confronting discrimination, prejudice, and hatred. Understanding the Holocaust is not solely about remembering the past but about imparting its lessons to the present and future. The badge reinforces the idea that history is not a static lesson but one that actively shapes contemporary discussions on human rights, racism, and discrimination. As the world changes, so too does the context in which these issues are examined, and the Holocaust Studies Patch provides a timely and necessary framework for those conversations.

Moreover, Holocaust education plays a vital role in fostering empathy. By learning about the experiences of survivors and the immense suffering they endured, Scouts are better prepared to see the world through others' perspectives. This ability to empathize is essential to developing emotionally intelligent leaders who value justice, equality, and human dignity.

The creation of the Holocaust Studies Patch was years in the making. Although the idea emerged from a broader desire to ensure that young people receive meaningful education about the Holocaust, the patch was formally developed by Lily Sassani, a Jewish-American Girl Scout from Pittsburgh, as part of her Gold Award project. This badge was officially unveiled on December 7, 2025, at an event at Chatham University in Pittsburgh.

Sassani began developing the patch and its curriculum in 2024, collaborating with the Holocaust Center of Pittsburgh. Her personal commitment to preserving the memory of the Holocaust, especially in a time when survivors are increasingly passing away, served as a central motivation behind the badge's creation. Recognizing the urgency of educating younger generations about this critical chapter of history, Sassani worked closely with the Girl Scouts to bring the concept to fruition. These efforts led to a partnership with the U.S. Holocaust Memorial Museum, resulting in the development of a comprehensive curriculum for the badge. This collaboration ensured that the badge was more than a symbolic activity, but rather a meaningful educational experience grounded in historical accuracy, reflection, and empathy.

Sassani grew up attending Holocaust remembrance events and has family members who were affected by the atrocities, motivating her to ensure that the lessons of the Holocaust continue to resonate with her generation. Her personal connection to the cause, combined with her leadership and determination, played a critical role in the establishment of the Holocaust Studies Patch. She not only advocated for the creation of the badge, but also collaborated with educators, historians, and survivors to ensure that the material was accurate, respectful, and impactful for Girl Scouts.

While the Holocaust Education Patch is a newer and very specific program, the Girl Scouts also offer a variety of other patch programs that address themes of history, social justice, inclusion, empathy, and standing up for others. For example, the Girl Scouts' Diversity Patch Program is designed to help Scouts learn about and honor different cultures, histories, and identities. This includes patches for Black History Month, Native American Heritage, Hispanic Heritage, Asian American and Pacific Islander Heritage, and LGBTQ+ Pride Celebrations. These patches encourage girls to explore cultural awareness, inclusion, and respect for others.

Girl Scouts may also earn an Anti-Racism Patch, which promotes thoughtful discussions and activities focused on fairness, justice, and inclusion. This patch is designed to deepen Girl Scouts' understanding of racial inequity, while empowering them to actively stand up against discrimination.

Additionally, patches such as Allies for All, provide opportunities for Girl Scouts to learn about differences, respect, and allyship, emphasizing the importance of recognizing and supporting others in their community. These patches focus on celebrating individuality and building understanding across cultures and perspectives in today's diverse world.

For many people, the Holocaust may feel distant—an event that occurred long ago in a different time and place. Yet the lessons it offers remain profoundly relevant. The Girl Scouts' Holocaust Studies Patch helps ensure that future generations will remember, learn, and take action, reinforcing the importance of never forgetting the horrors of the Holocaust, and never allowing such injustice to happen again.

More than a badge, the Holocaust Studies Patch stands as a symbol of the Girl Scouts' commitment to teaching young girls about the importance of understanding history, fostering empathy, and advocating for human rights. In an increasingly polarized world, teaching the lessons of the Holocaust is crucial to countering the spread of hate and intolerance. By introducing this patch, the Girl Scouts are not only honoring the past and educating young people about an important historical event but also inspiring them to become future leaders dedicated to building a more just, compassionate, and empathetic world.



*Judge Megan Goldish was a Brownie for about five minutes before quitting, leaving her mother behind to complete a full tour of duty as the Brownie troop leader—a fact her mother never let her forget. Megan is a past president of the Decalogue Society of Lawyers.*



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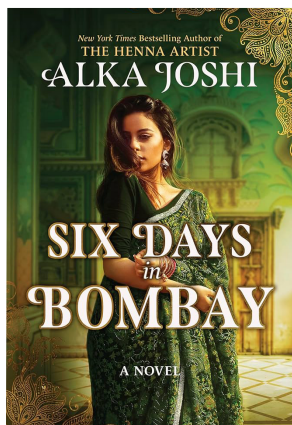


# Book Review: *Six Days in Bombay*

by *Hon. Michael S. Jordan*

*Six Days in Bombay*, a novel, by Alka Joshi, Mira Books Harlequin Enterprises ULC, 2025; 335 pages.

The author of *Six Days in Bombay*, Alka Joshi, was born in India and raised in the United States since the age of nine.



Read this book if you wish to take an introspective trip while examining life in 1937 India and traveling from Bombay to Prague, to Paris, to Florence, to London, and back to Bombay seen through the eyes of a young nurse growing up with her single mother. The protagonist leaves all she knows when her mother dies to take a trip to discover herself as she learns the mysteries of another young woman who dies under her care.

She enters the world of art via her patient, who is herself a very talented artist. We enter the world of famous artists and authors, whom even I have heard about, who emerged in the 1930s. We see the political turmoil of the times with India's activists pushing to separate from the dominance of England. She knows her mother was Indian from the south of the country in Bombay and her father who deserted them when she was a young child was English, affording her English citizenship. She was therefore mixed race burdened with pressures from bullies in school to discrimination as a young adult. She was faced with the choice of deciding if she was more English or more Indian. Her great challenge was to emerge from the cocoon she created for herself and find her path to a vibrant life.

The novel connects us to persons who are affected by the fascist forces under Mussolini and the emerging Hitler. She has Jewish acquaintances. Their religion and origins are not of great interest to her until she sees how the new order will be treating them and others in the art community.

The reader wonders to what extent the Jewish issues and personalities will be probed or explored. Perhaps like the canaries in the coal mine, it is the treatment of all who are different in any way that is observed. Every person encountered has their own set of circumstances with a story to study, but the focus is always on the protagonist. The nurse looks for answers: who is she; what is life and love; and how does she navigate life.

I found this very interesting novel to be an excellent means to examine the history, culture, language, and politics of a turbulent time – 1937. The author provides a glossary so that the language of each place can be understood and the reader can easily follow the story line. Letters the protagonist sends to others or thoughts directed to her mother, after her mother has died, are easy to follow. While the book, like all others, is in print; the language of her letters and thoughts is in easy-to-read cursive. Young children may not be able to read this book since they may be unable to read cursive. For those of us with a more basic education including cursive, civics, geography, and other basics, the book is enriched by the methods chosen by the author. While I have not revealed much of the story line, that is intentional so that you will not learn of events before the author's designs for you to learn them. Read the book and find the answers, as appropriate. Enjoy!

*Hon. Michael S. Jordan, Mediation & Arbitration Services, Glenview, Illinois (847-724-3502), served as a judge in the Circuit Court of Cook County from 1974 to 1999 and then began a private mediation and arbitration practice from 1999 to the present. Jordan is the author of an autobiography: Becoming a Judge: An Inside Story, available from Amazon.com which includes his role in the rise*

<p><b>APR 19</b></p> <p>PHILIP L. AND ELLEN V. GLASS HOLOCAUST COMMEMORATIVE SERIE</p> <p>APRIL 19 2026</p> <p><b>PLUNDERER</b></p>	<p><b>APR 30</b></p> <p>THE GIRL BANDITS OF THE WARSAW GHETTO</p> <p>ELIZABETH R. HYMAN</p>	<p><b>MAY 7</b></p> <p>NUREMBERG'S Citizen Prosecutor</p>
<p><b>Yom HaShoah Commemoration: The Unfinished History of Nazi Plunder</b></p> <p>Join us for a screening of <i>Plunderer – The Life &amp; times of a Nazi Art Thief</i> followed by an exclusive Q&amp;A with ...</p> <p><a href="#">Read More</a></p>	<p><b>Book &amp; Author: The Girl Bandits of the Warsaw Ghetto — The True Story of Five Courageous Young Women Who Sparked an Uprising</b></p> <p>The Warsaw Ghetto Uprising is one of the most storied acts of resistance in Holocaust history. Yet for decades, nearly every accou...</p> <p><a href="#">Read More</a></p>	<p><b>Book &amp; Author: Nuremberg's Citizen Prosecutor — Benjamin Ferencz and the Birth of International Justice</b></p> <p>He was twenty-seven years old. He had never tried a case. And he was about to prosecute the biggest murder trial in history. In this I...</p> <p><a href="#">Read More</a></p>
<p>Am Shalom, 840 Vernon Avenue, Glencoe, IL 60022</p> <p>2:00pm CDT</p>	<p>Wayfarer Theaters, 1850 2nd St, Highland Park, IL 60035</p> <p>6:30pm CDT</p>	<p>Chicago Regional Office, 20 S. Clark Street, Chicago IL 60603</p> <p>11:00am CDT</p>
<p>Non-Members: Free</p> <p>Members: Free</p>	<p>Non-Members: Free</p> <p>Members: Free</p>	<p>Non-Members: Free</p> <p>Members: Free</p>

<https://www.ilholocaustmuseum.org/programs-events/>

Decalogue former president **Judge Megan Goldish** was published in February's edition of The Catalyst, the newsletter of the Illinois State Bar Association's Standing Committee on Women and the Law. Read her compelling and thoughtful article, "Safety, Stigma, and the State: Savanna's Law and Domestic Violence Registries" at [bit.ly/4ldGhLt](http://bit.ly/4ldGhLt).

**Karyn Bass-Ehler** is excited to share the news that she has been selected as the next Magistrate Judge for the Northern District of Illinois. Please see this announcement for more information: <https://www.ilnd.uscourts.gov/assets/news/magistratejudgeBassEhlerselected.pdf>

**Mark Karno** was elected Vice Chair of the Alpha Epsilon Pi Foundation. AEPi is the largest Jewish fraternity in the world with chapters at college campuses across the U.S., Canada and Israel. Mark had previously served as its Treasurer for two years.

In January, Decalogue Board member **Chuck Krugel** was elected the board chair for the Lakeside Community Committee, <https://www.lakesideecc.org/>. Lakeside is a 60+ year old child and family advocacy social services agency based in Chicago's Greater Grand Crossing neighborhood. He's been on their board of directors since 2010. Also, Chuck was quoted in People Managing People's 1/16/26 article "Can You Build AI Compliance into a Competitive Advantage?" Finally, Chuck was quoted in the National Law Review's 2/2/26 article "Recruiting and Hiring Without Stepping on Legal Landmines. On 2/3/26, Chuck was interviewed on the "Chromatic Counsel" podcast. He discussed his background and favorite colors (no joke). The episode will be released soon.

Mazel Tov to **Steven Elrod** as the Village of Skokie Board of Trustees voted unanimously to appoint Elrod Friedman as the Village's Corporation Counsel. Skokie Mayor Ann Tennes remarked that "Elrod Friedman is a leading municipal law firm, bringing extensive legal experience and an impressive team of attorneys specializing in a wide range of issues that impact the Village of Skokie."

Decalogue Board member **Michael Rothmann**, from Rothmann Law, recently settled a \$2,250,000 lawsuit on behalf of an eight-year-old girl against a school after a defective piece of furniture tipped over and hit her head, resulting in a serious concussion. One year later, still while on post-concussion restrictions including no ball games, a gym teacher allowed her to play a ball game resulting in a second concussion. The repeated concussions caused long lasting post-concussion syndrome, headaches, dizziness and vision difficulties, which impacted her socially and scholastically.

**Gail Schnitzer Eisenberg** was named to the 40 Under Forty 2025 Illinois Attorneys to Watch by the Chicago Daily Law Bulletin and Law Bulletin Media Magazine, Rising Star by Super Lawyers for the 10th year in a row, and as Leading Lawyer In Employment Law: Employee by Law Bulletin Media.

**Helen Bloch** had a lovely time speaking at the University of Chicago Wednesday, February 4th, as part of a Black History Month panel hosted by the Women+ in Law undergraduate group at the University of Chicago. Helen and fellow panelists Justice Bertina Lampkin, Joselynn Gardner, and Professor Uzoamaka Nzelibe had a meaningful conversation on their diverse experiences within the legal profession. Helen shared the challenges she faced in certain job or potential job opportunities with keeping Shabbat, especially in the winter and found it very rewarding to share stories and offer advice to students interested in exploring careers in the legal field.





Mazel Tov to Decalogue Recording Secretary **Kim Pressling** and husband Joe Curtis as they welcomed baby Noah in January. Siblings Eden, Hannah and Judah are delighted.

*And that's all there is for now! Watch your email in August for the next call for Chai-Lites for the Fall Tablets.*


Continuing Legal Education (CLE) | HYBRID EVENT via Zoom or In-Person

## When Biology Meets the Bar: Genetic Testing, Reproductive Health, & Policy

<p><b>EVENT DETAILS:</b> Attend in person or via Zoom</p> <p>Date: Tuesday, Apr. 14, 2026</p> <p>Time: Lunch: 11:45 AM - 12:15 PM Program: 12:15 PM - 1:15 PM</p> <p>In Person Location: Jewish United Fund 30 S. Wells Street, 8th Floor Chicago, IL 60606</p>	<p><b>TICKETS:</b> \$20 - In-Person, Lunch Provided \$10 - Zoom Only</p> <p>1.0 hour of CLE credit pending</p> <p><b>PRESENTERS:</b></p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">               Dr. Kara Goldman         </div> <div style="text-align: center;">               Scott M. Weissman         </div> </div>
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Continuing Legal Education (CLE) NEW DATE!

## The Silent Shift: Supporting Mental Health During Perimenopause CLE

<p><b>EVENT DETAILS:</b></p> <p>Date: Wednesday, Apr. 22, 2026 Time: 5:30 PM</p> <p>Location: ISBA Regional Office 20 S. Clark Street, Suite 820 Chicago, IL 60603</p> <p>Tickets: \$20 1 hour of CLE mental health credit pending</p>	<p><b>PRESENTER</b></p>  <b>Dr. Jennifer Litner</b> Founder Embrace Sexual Wellness
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Thank you **SPONSORS**

<p>PREMIERE SUSTAINING PARTNER</p> 	<p>PRESTIGE SUSTAINING PARTNERS</p>  
<p>EVENT SPONSORS</p>  	

The Norton and Elaine Sarnoff Center for Jewish Genetics is a supporting foundation of the Jewish United Fund, and is supported in part by the Michael Reese Health Trust.

Thank you **SPONSORS**

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# Young Lawyer & Students

## Boozin' And Shmoozin' In The Sukkah - October 9, 2025



## Booze Shmooze and Don't Lose - March 4, 2026



### Law Student Chapter Contacts

**DePaul** [JLSA@depaul.edu](mailto:JLSA@depaul.edu)  
Co-President: Emily Fridland: 847-542-4005 [efridlan@depaul.edu](mailto:efridlan@depaul.edu)  
Co-President: Zach Foster: 786- 879- 9414 [zfoster1@depaul.edu](mailto:zfoster1@depaul.edu)

**Loyola**  
President: Olivia Bartel: 847-903-9542

**Kent** [Jlsa@illinoistech.edu](mailto:Jlsa@illinoistech.edu)  
Co-President: Mateo Hearst: 314- 745-4026  
[Mhearst@hawk.illinoistech.edu](mailto:Mhearst@hawk.illinoistech.edu)  
Co-President: Hannah Cohen 847-708- 3027

**Northwestern**  
Co-President: Yehuda Davis: 973-234-3345  
[Yehuda.davis@law.northwestern.edu](mailto:Yehuda.davis@law.northwestern.edu)  
Co-President: Trevor Lyons 858-922-3740

**UChicago**  
President: Leah Losevich: 708-205-5324

**UIC**  
President: Danny Siegel: 847-208-6808 [Dsiege3@uic.edu](mailto:Dsiege3@uic.edu)



# Upcoming CLEs - by Zoom unless otherwise noted

Thursday, April 23, 12:00-1:00pm

## Hot Topics in Family Law

Speakers: Judge Bernadette Barrett, Judge Brad Trowbridge and Judge Scott Tzinberg  
Register at <https://bit.ly/4sxbUTf>

Wednesday, April 29, 7:30-8:30pm

## The Investigation and Prosecution of The Holy Land Foundation for Financing Hamas

Speaker: Barry Jonas  
*Cosponsored with Congregation Ezra Habonim, The Niles Township Jewish Congregation*  
Register at <https://bit.ly/4bwbeHx>

Thursday, April 30, 12:15-1:15pm

## Jury Trial vs. Bench Trial vs. Court Annexed Arbitration

Speakers: Judge Alon Stein, Judge Kerry Maloney Laytin, Judge Perla Tirado, Judge Maria Barlow, Judge Aileen Bhandari  
Register at <https://bit.ly/4d9vmjX>

Thursday, May 7, 12:15-1:15pm

## Criminal Law: Tips for Filing an Appeal

Speaker: Judge Lester Finkle  
Register at <https://bit.ly/4uVUfWY>

Thursday, May 14, 12:15-1:15pm

## Compassion Fatigue: Sustaining the Professional Self

Speaker: Diana Uchiyama, *Executive Director, Illinois Lawyers' Assistance Program*  
1 hour Mental Health credits  
Register at <https://bit.ly/4lVY0HS>

Tuesday, May 26, 12:15-1:15pm

## Election Administration Under Pressure: Recent Legal Developments

Speaker: Ross Secler, *Partner, Odelson, Murphey, Frazier & McGrath Ltd.*  
Register at <https://bit.ly/4c6AB2M>

Thursday, May 28, 12:15-1:15pm

## Professor Wendy Muchman Professional Responsibility Lecture Series

Topic TBA  
Speaker: Prof. Wendy Muchman  
1 hour Ethics credit  
Register at <https://bit.ly/4uVqzsY>

Thursday, June 4, 12:15-1:15pm

## History of the Death Penalty in Illinois

Speaker: Charles Hoffman  
Registration opening soon

Thursday, June 11, 12:15-1:15pm

## The Scope/Exceptions to Social Media/Search Engine Immunity Under Section 230 of the Communications Decency Act

Speaker: David Levitt, *Of Counsel, Hinshaw*  
Registration opening soon

Thursday, June 18, 12:15-1:15pm

## Civil Procedure

Speaker: Judge Diann Marsalek  
Registration opening soon

### Special Class - In-person only - Free for all attorneys

Tuesday, May 19, 11:30am-1:30pm

#### It's Never Too Late For A Pretrial Settlement Conference

50 W Washington, Courtroom 1501

Speakers: Judge Frank Andreou, Judge Brendan O'Brien, and Judge Marie Dempsey  
Moderator: Judge Alon Stein

Register at <https://bit.ly/4d92dWi>

Decalogue provides 20+ hours of CLE every year including Diversity/Inclusion, Mental Health/ Substance Abuse, and Ethics credits. Classes are free for members and \$25 for non-members. Some special classes are free for everyone.

Join Decalogue and receive free CLEs and discounted tickets to events.  
Join in April and get 3 free months of membership through June 30, 2027

<https://decalogue.org/membership/>

# Welcome New Members

**Rachel Ablin**  
**Jacob Ashby**  
**Leah Tamar Basch**  
**Miriam Isabelle Berne**  
**Mitchell Wald Bild**  
**Yaakov Calamaro**  
**Chloe May Carroll**  
**Irene Castaneda**  
**Benjamin Cohen**  
**Marshall Patrick Combs**  
**Colleen Reardon Daly**  
**Meredith Dworsky**  
**Rosie Ezgur**  
**Nicole Renee Fagin**  
**Alyssa Paige Fleischman Shulman**  
**Natalie Eva Freeman**  
**Bette Georgia**  
**Brian Jacob Gilbert**  
**Barbara Lynn Greenspan**  
**Gabrielle Anna Grishko**  
**Ali Isroff**  
**Sharon Jefferson**  
**Alyease Jones**  
**Morgan Ashley Kasmer**  
**Daniel S. Kirschner**  
**Mckenna Kohlenberg**

**Nathaniel Lawrence**  
**Amelia Paige Lewin**  
**Mason Mandell**  
**Terrence J. McGuire**  
**Jonathan Merel**  
**Cary J. Mogerma**  
**Meryl Daskal Paniak**  
**Sarah Pechenik**  
**Benjamin J. Pekay**  
**Flavie Esther Phitoussi**  
**Julia Ramirez**  
**Leslie Rogoff**  
**Samantha Steinfeld Rozell**  
**David Sanders**  
**David Schwartz**  
**Matt Schwarz**  
**Beth Solomon**  
**Melissa Spero**  
**Howard Steven Suskin**  
**Oleksandra Taratunsk**  
**Evelyn Tarnovsky**  
**Ariel Tesh**  
**Mollie Elisabeth Thiriot**  
**Margo Brooke Weissman**  
**Barbara Devon Young**

# Thank You to Our Members Who Gave Above and Beyond

## Life Members:

Howard H. Ankin, Adam E. Bossov, Charles P. Golbert, Jackie Taylor Holsten,  
David W. Lipschutz, David S. Olshansky, Adeena Weiss-Ortiz

## Firm Members:

Coleman Law PC, Rubin & Machado Ltd., TR Law Offices LLC

## Sustaining Members

Sheldon Aberman  
Maryam Ahmad  
Alison Anixter  
Kenneth Anspach  
Sharon Arnold Kanter  
Jacob Ashby  
Stephen Baime  
Theodore Banks  
Jonathan Barrish  
Nathan Benditzson  
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David Leibowitz  
Ellis Levin  
Ken Levinson  
Stuart Lubin  
Emilio Machado  
Benjamin Mackoff  
Sylvie Manaster  
Alexis Mansfield  
Jordan Matyas  
Tene McCoy Cummings

Dennie Mogensen  
Cary J. Mogergerman  
Ira Moltz  
David Adam Neiman  
Norman Padnos  
Gerald Parker  
Deborah Pergament  
Jill Quinn  
Julia Ramirez  
Berton Ring  
Jody Rosenbaum  
Michael Rothmann  
Ilana Rovner  
Robert Schwartz  
Ross Secler  
Keith Shindler  
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Madeleine Tick  
Perla Tirado  
Steven Wagner  
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