



STATE OF ILLINOIS ILLINOIS HUMAN RIGHTS COMMISSION: QUARTERLY NEWSLETTER

APRIL—JUNE

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A Note from the Executive Director Tracey B. Fleming

Dear Friends,

As I sat down to write this letter, I started by looking for a quote about the constant nature of change. Upon further reflection, I decided that I probably didn't need to tell anyone about change at this juncture in our collective lives, as we are all likely experts at this point. However, this remains an excellent opportunity to talk about some recent changes and transitions at the Commission.

First, we are delighted to note that our Chicago office has moved. As of May 2022, the Commission is firmly ensconced in our new space in the Michael A. Bilandic Building at 160 North LaSalle Street, just across the street from our former offices in the James R. Thompson Center.

As anyone who has moved out of a home after more than 30 years can likely attest to, there were challenging moments in the process of our move. This Herculean effort was spearheaded by our Acting General Counsel, Erica Seyburn, and our outstanding Administrative Staff, for whom I am eternally grateful. Now that we are *mostly* unpacked, we are excited to continue to be available to serve the people of Illinois from this new location.

Regular readers of this newsletter are likely aware of the valuable role that our Coles Fellows play each summer at the Commission. This year's program is just getting underway, and over the course of the next several months you are likely to see substantive additions by those Fellows to this newsletter. Their contributions will also include assisting in matters which go before our Commission panels. You'll read more about this year's Fellows inside, but I would like to thank them for their interest in civil rights law and specifically the work of the Commission.

I would like to extend my gratitude and appreciation to our Commissioners both for their continued work to adjudicate the matters which come before them as part of their formal proceedings, but also for their diligent efforts to expand knowledge and information on the Act and the Commission. In recent months, this has included multiple presentations to students in colleges and universities and other visitors to our State.

I will conclude by acknowledging two different transitions from the ranks of former Commissioner ranks. First, we recognize the life and legacy of distinguished service of Merri Dee, who passed away in March of this year. While well known as a trusted member of the media, Ms. Dee was also a member of the Commission from 2013-2014. Her service on the Commission was one of many personal and professional contributions to the State of Illinois and we extend our sympathy and best wishes to her family and friends.

I would also like to thank former Commission Vice Chair LeDeidre S. Turner for her service. Over her nearly three years of service, she was a dedicated and thoughtful member of our Commission, and we wish her well in her future endeavors and service to the legal community in Illinois.

Best wishes to you and yours for a safe and restorative summer.

Brian Weinthal, Chief Administrative Law Judge

ILLINOIS HUMAN RIGHTS COMMISSION

Administrative Law Section Resumes Judicial Settlement Conferences

As of April of 2022, the Illinois Human Rights Commission (the “Commission”) now offers the option for all parties to have their cases mediated by an Administrative Law Judge (“ALJ”). These sessions are known as “Judicial Settlement Conferences,” and they represent incredible opportunities for parties to resolve their cases without the need for protracted litigation.

As the name suggests, the goal of a Judicial Settlement Conference is to settle a pending case. During a Judicial Settlement Conference, an ALJ will hold joint and separate mediation sessions with the parties to attempt to arrive at a negotiated resolution. The ALJ that conducts the Judicial Settlement Conference will have no previous familiarity with the case, and will have no vested interest of any kind in the outcome of the dispute.

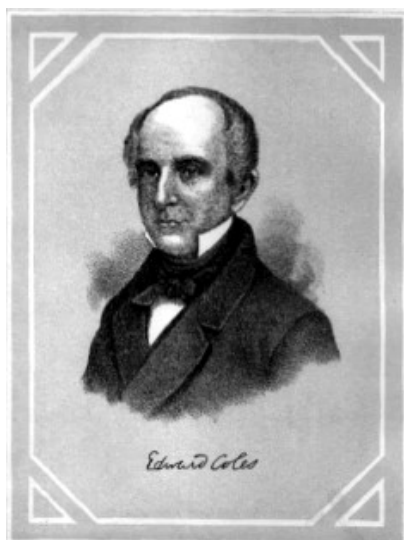
There is no formal record created of these conferences, nor can any party use an offer of compromise made at a Judicial Settlement Conference to later prove liability against another party. This is because the objective of a Judicial Settlement Conference is to enable the parties to freely and openly negotiate a settlement of their case without adversely affecting their position in subsequent litigation (if the case does not settle).

A Judicial Settlement Conference is available to the parties at any time, although two or more parties must agree to attend a Judicial Settlement Conference (and commit to participate in good faith) before any such meeting is scheduled.

Where the parties to a case before the Commission agree that a Judicial Settlement Conference might be beneficial, they should file a joint request in their pending action. From there, the ALJ hearing the case will advise the Chief Administrative Law Judge, who will ensure that a different ALJ is assigned to conduct the Judicial Settlement Conference.

We encourage all readers to visit the Commission’s website for further information on Judicial Settlement Conferences. There, they will find both the new Standing Order for Judicial Settlement Conferences and the Checklist for Judicial Settlement Conferences, both of which may be helpful to parties in evaluating whether a Judicial Settlement Conference may be an appropriate mechanism for resolving their disputes:

<https://www2.illinois.gov/sites/ihrc/about/Proceedings/Pages/default.aspx>



Edward Coles Fellowship

The Commission is proud to welcome our Summer 2022 Coles Fellows:

Kai Hoyer, Northwestern Pritzker School of Law

Jake Marshall, Chicago-Kent College of Law

Gavin R. Scott, University of Michigan Law School

Kevin Scott, Chicago-Kent College of Law

Xinyi (Cherie) Zhang, Northwestern Pritzker School of Law

For more information on our Coles Fellowship program, please visit:

<https://www2.illinois.gov/sites/ihrc/about/Pages/Coles.aspx>

Administrative Law Judge Azeema N. Akram co-moderated a MCLE program for the DuPage County Bar Association's Business Law and Practice Section on April 12, 2022. The program was titled "Is Disability a Part of Diversity? Attorneys With Disabilities Respond," and was co-moderated by **Commissioner Rachel M. Arfa** (City of Chicago, Mayor's Office for People with Disabilities). Panelists included: **Mary Rosenberg** (Senior Attorney, Access Living of Metro Chicago), **Andrés Gallegos** (Shareholder, Robbins Dimonte), and **Andrew Webb** (Staff Attorney, Equip for Equality), who discussed how disability is a part of our nation-wide conversation on diversity, equity and inclusion. The event received positive feedback on how the presenters shared first-hand experience on working in the legal field with a disability and insights on making the practice of law more accessible.



Commissioner Outreach and Special Events

On May 12, 2022, **Commission Chair Mona Noriega** and **Department of Human Rights Director Jim Bennett** introduced **Governor J.B. Pritzker** at Lambda Legal's Bon Foster Civil Rights Celebration in the Old Chicago Main Post Office. Lambda Legal is the oldest and largest national legal organization, whose mission is to achieve full recognition of the civil rights of lesbians, gay men, bisexual and transgender people, and everyone living with HIV through impact litigation, education and public policy. Chair Noriega helped open the Midwest Regional Office of Lambda Legal and both Noriega and later Bennett served as the Midwest Regional Director.



On April 27, 2022, **Commissioners Barbara Barreno-Paschall** and **Janice Glenn** spoke with undergraduates at North Park University who are interested in pre-law about the Illinois Human Rights Act and the role of the Commission.

Lunch and Learn Series in Review

On April 13, 2022, the Commission hosted a Lunch and Learn Continuing Legal Education lecture, “Workplace Bullying 2022: The Legal Impact of #BLM, COVID-19, DEI, Politics, & More.” Attorney Alisa Arnoff led the presentation and discussion on the status of the Illinois Healthy Workplace Bill, and on developing anti-bullying policies and procedures in the workplace. Arnoff introduced emerging issues regarding COVID-19 vaccinations and the ripening claims for discrimination based on an individual’s vaccination status.

On May 3, 2020, the Lunch and Learn topic was “Recent Updates in Employment Law.” Attorney Rachel Bossard introduced basic concepts and updates to the National Labor Relations Act, Equal Pay Act, and the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2021. Additionally, Bossard addressed remote work implications during the pandemic, COVID-19 wage and hour issues, and employment liabilities for remote employees.

On June 14, 2022, the Lunch and Learn topic was “An Update on the Law and Emerging Issues.” Attorney Allison Bethel shared the history of housing discrimination, and led discussion on the status of Civil Rights issues in our nation. Bethel shared concerns for ongoing and current controversies with respect to housing discrimination endured by minority borrowers and renters.

Helpful Links

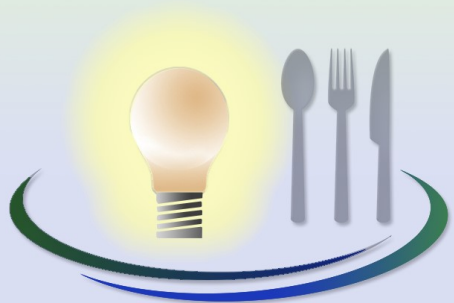
Illinois Human Rights Act <https://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=2266&ChapterID=64>

IHRC Rules and Regulations <https://www.ilga.gov/commission/jcar/admincode/056/05605300sections.html>

IHRC website <https://www.illinois.gov/ihrcc>

IHRC events (including Lunch and Learn) <https://www2.illinois.gov/sites/ihrcc/about/Pages/Events.aspx>

Please visit our website for our
filing procedures
www.illinois.gov/ihrc



LUNCH
—AND—
LEARN
CLE

CLE Credit:

One hour of general CLE
credit for Illinois attorneys

12:00 PM—1:00 PM

Lunch & Learn via WebEx

<https://www2.illinois.gov/sites/ihrc/about/Pages/Events.aspx>

Please visit our website for upcoming Lunch and Learn CLEs

CONTACT US:

Chicago

Michael A. Bilandic Building
160 North LaSalle Street
Suite N-1000
Chicago, Illinois 60601

Tel: 312-814-6269
Fax: 312-814-6517
TDD: 866-832-2298

CONTACT US:

Springfield

Human Rights Commission
1000 E. Converse
Suite 1232N
Springfield, Illinois 62702

Tel: 217-785-4350
Fax: 217-524-4877
TDD: 866-832-2298

Email: HRC.NEWS@illinois.gov

Website: www.illinois.gov/ihrc