



# CRIMINAL JUSTICE

The newsletter of the Illinois State Bar Association's Section on Criminal Justice

## Florida v. Harris & proof of the reliability of the drug-detection canine

By Rob Shumaker

Traffic stops in Illinois oftentimes involve the use of a drug-detection dog to sniff out whether the stopped vehicle contains illegal narcotics. Both the United States Supreme Court and the Illinois Supreme Court have held a canine sniff of the exterior of a vehicle is not a search for Fourth Amendment purposes.<sup>1</sup> However, a positive alert by a police canine can provide officers with probable cause to search the interior of the vehicle.<sup>2</sup>

But how reliable are drug-detection dogs? Pursuant to the recently amended Illinois Po-

lice Training Act, all police dogs used by State and local police agencies for drug-enforcement purposes must meet "certain minimum requirements."<sup>3</sup> Even though a drug-detection dog may be trained and certified, the reliability of the dog for purposes of establishing probable cause has become a more frequent issue in motions to suppress. A recent opinion by the United States Supreme Court sheds light on the evidence the State must put forth to show the dog's reliability

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## Governmental involvement necessary for statement to be considered testimonial hearsay

By Mark Kevin Wykoff, Sr., Springfield, Illinois

On August 24, 2008, defendant shot the mother of his two children in the head, killing her instantly. In the course of the proceedings against Richter, the State sought to include hearsay testimony from the victim's family, friends, and coworkers. The State's motion *in limine* indicated that witnesses would offer hearsay testimony and identified the hearsay statements they sought to elicit from each witness. The State sought to admit the hearsay evidence pursuant to section 115-10.2a of the Code of Criminal Procedure of 1963. According to the State, hearsay evidence from family, friends, and coworkers of the victim were elicited to show that: (1) defendant intended to kill the victim; and, (2) defendant's motive for killing the victim.

The State's motion *in limine* was granted, and certain hearsay statements were entered into evidence at Richter's trial. In granting the motion, the trial court considered numerous factors, to include: the motivation of specific witnesses to testify; whether statements were subject to cross-examination; whether statements were based on the victim's personal knowledge; the spontaneity of the statements; the lack of motive to fabricate statements; the consistent repetition of the statements; whether the victim was under duress or pressure in making statements; whether the victim reaffirmed her statements; whether statements were made in response to leading

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## Florida v. Harris & proof of the reliability of the drug-detection canine

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and thereby establish the officer had probable cause to search the vehicle.

This article addresses case law on drug-detection dogs, the recent United States Supreme Court opinion, and offers insight on how prosecutors, defense counsel and trial judges should consider the issue of a dog's reliability in detecting illegal narcotics.

### A. The Fourth Amendment and Probable Cause To Search a Vehicle

The search and seizure of a person during a lawful traffic stop implicates rights protected under the Fourth Amendment to the United States Constitution<sup>4</sup> and article I, section six of the Illinois Constitution.<sup>5</sup> The Illinois Supreme Court has analyzed the search-and-seizure provision under the Illinois Constitution in a manner consistent with the United States Supreme Court's Fourth Amendment jurisprudence.<sup>6</sup>

Generally, a warrantless search is *per se* unreasonable unless the search falls within a recognized and limited exception.<sup>7</sup> Under the automobile exception, law enforcement officers may undertake a warrantless search of a vehicle if there is probable cause to believe that the automobile contains evidence of criminal activity that the officers are entitled to seize.<sup>8</sup> Probable cause exists where the arresting officer has knowledge of facts and circumstances that are sufficient to justify a reasonable person to believe that the defendant has committed or is committing a crime.<sup>9</sup>

### B. The Use of Drug-Detection Dogs

In *United States v. Place*,<sup>10</sup> the United States Supreme Court stated a canine sniff of personal luggage "by a well-trained narcotics detection dog" does not constitute a search because "the sniff discloses only the presence or absence of narcotics, a contraband item."<sup>11</sup> In *Illinois v. Caballes*,<sup>12</sup> the Supreme Court reiterated that "the use of a well-trained narcotics-detection dog— one that 'does not expose noncontraband items that otherwise remain hidden from public view' \*\*\* during a lawful traffic stop, generally does not implicate legitimate privacy interests." In that case, the respondent argued a drug dog's error rates, "particularly the existence of false positives, call into question the premise that drug detection dogs alert only to contra-

band."<sup>13</sup> The Supreme Court disagreed with the claim, finding no evidence to support the argument.<sup>14</sup>

In dissent, Justice Souter argued the classification that a drug sniff was not a search rested "not only upon the limited nature of the intrusion, but on a further premise that experience has shown to be untenable, the assumption that trained sniffing dogs do not err."<sup>15</sup>

The infallible dog, however, is a creature of legal fiction. Although the Supreme Court of Illinois did not get into the sniffing averages of drug dogs, their supposed infallibility is belied by judicial opinions describing well-trained animals sniffing and alerting with less than perfect accuracy, whether owing to errors by their handlers, the limitation of the dogs themselves, or even pervasive contamination of currency by cocaine.<sup>16</sup>

Recently, the United States Supreme Court considered what evidence is required to prove a drug-detection dog's reliability and thereby establish probable cause to search.

### C. The Reliability of Drug-Detection Dogs

In *Florida v. Harris*,<sup>17</sup> Florida police officer William Wheatley stopped the truck of Clayton Harris for an expired license plate in June 2006. After noticing Harris was "visibly nervous," could not sit still, was shaking and breathing rapidly, and had an open beer can in his cup holder, Officer Wheatley asked Harris for consent to search the truck.<sup>18</sup> After Harris refused, Wheatley walked his drug-detection dog, Aldo, around the truck for a "free air sniff."<sup>19</sup> Aldo, a German shepherd trained to detect methamphetamine, marijuana, cocaine, heroin, and ecstasy, alerted to the driver's-side door handle.<sup>20</sup> Believing Aldo's alert gave him probable cause to search the truck, Wheatley did so but found no drugs that Aldo had been trained to detect. He did, however, find several precursors of methamphetamine, including 200 pseudoephedrine pills, 8,000 matches, a bottle of hydrochloric acid, and a coffee filter full of iodine crystals.<sup>21</sup> Harris was arrested and charged with possessing pseudoephedrine for use in manufacturing methamphetamine.

While out on bail, Harris was pulled over again by Officer Wheatley. Aldo once again

alerted to the driver's-side door handle. Wheatley's search of the truck revealed no contraband. Harris moved to suppress the evidence, arguing Aldo's alert had not provided Wheatley with probable cause to search. At the hearing, Wheatley testified he had completed a 160-hour course in narcotics detection with a different dog and Aldo had completed a 120-hour course with a different handler. Aldo had also been certified by a private company. Wheatley and Aldo partnered up in 2005, took a 40-hour refresher course, and engaged in four hours of training each week to maintain their skills.<sup>22</sup> Wheatley testified to certain exercises where drugs would be hidden in vehicles or buildings and stated Aldo's performance was "really good."<sup>23</sup> The State introduced training logs indicating Aldo "always found hidden drugs" and performed "satisfactorily" during training. In denying the motion to suppress, the trial court found Wheatley had probable cause to search Harris's truck.<sup>24</sup>

The Florida Supreme Court reversed, holding Wheatley lacked probable cause to search the vehicle.<sup>25</sup> The court concluded evidence of a drug dog's training and certification was not enough to establish probable cause. Instead, the State was required to put forth the dog's training and certification records, field performance records (including any unverified alerts), evidence of the handler's experience and training, and any other objective evidence regarding the dog's reliability.<sup>26</sup> The court emphasized the need for evidence of the dog's performance history, including records indicating false alerts, which could expose problems in handler cuing or the "dog's inability to distinguish between residual odors and actual drugs."<sup>27</sup>

On appeal, the United States Supreme Court reversed the Florida Supreme Court stating that requiring "the State in every case to present an exhaustive set of records, including a log of the dog's performance in the field, to establish the dog's reliability.... (is) inconsistent with the 'flexible, common-sense standard' of probable cause." The Court reiterated that "[a] police officer has probable cause to conduct a search when 'the facts available to [him] would warrant a [person] of reasonable caution in the belief' that contraband or evidence of a crime is present."<sup>28</sup> The Court stated the existence of probable

cause is determined by looking at the totality of the circumstances, and the test is not subject to "rigid rules" or "bright-line tests" but takes an "all-things-considered approach."<sup>29</sup>

In analyzing probable cause in the context of drug-detection dogs, the Court took issue with the Florida Supreme Court's creation of a "strict evidentiary checklist," which required the State to put forth documentation of a dog's history of "hits" and "misses" in the field.<sup>30</sup> [A] finding of a drug-detection dog's reliability cannot depend on the State's satisfaction of multiple, independent evidentiary requirements.<sup>31</sup> Moreover, relying on a dog's field performance records "may not capture a dog's false negatives" and could "markedly overstate a dog's real false positives."<sup>32</sup> In contrast, a dog's performance in training is a better indicator of its reliability as the testers know where drugs are hidden or where they are not when conducting tests of the dog's reliability. Accordingly, the Court stated, "[t]he better measure of a dog's reliability thus comes away from the field, in controlled testing environments."<sup>33</sup>

The Court further stated that, "evidence of a dog's satisfactory performance in a certification or training program can itself provide sufficient reason to trust his alert. If a bona fide organization has certified a dog after testing his reliability in a controlled setting, a court can presume (subject to any conflicting evidence offered) that the dog's alert provides probable cause to search. The same is true, even in the absence of formal certification, if the dog has recently and successfully completed a training program that evaluated his proficiency in locating drugs."<sup>34</sup>

The Supreme Court did, however, require that the defendant be given the "opportunity to challenge such evidence of a dog's reliability, whether by cross-examining the testifying officer or by introducing his own fact or expert witnesses."<sup>35</sup> Concerns could be raised as to "the adequacy of a certification or training program" or "how the dog (or handler) performed in the assessments made in those settings."<sup>36</sup> A dog's field history "may sometimes be relevant" and probable cause may be found lacking if there is evidence of handler cuing or if the dog and handler were working in unfamiliar conditions.<sup>37</sup>

The Supreme Court concluded the determination of whether probable cause exists in the context of drug-detection dogs is the same as any other probable-cause analysis stating, "[i]f the State has produced proof from controlled settings that a dog performs

reliably in detecting drugs, and the defendant has not contested that showing, then the court should find probable cause. If, in contrast, the defendant has challenged the State's case (by disputing the reliability of the dog overall or of a particular alert), then the court should weigh the competing evidence."<sup>38</sup>

The Supreme Court went on to find the record supported the trial court's probable-cause determination.<sup>39</sup> The Court noted the evidence of Aldo's training, certification, and proficiency in finding drugs. Further, Officer Wheatley and Aldo completed a training program together and they engaged in weekly training exercises. In reversing the Florida Supreme Court, the unanimous Court found the "training records established Aldo's reliability in detecting drugs and Harris failed to undermine that showing."<sup>40</sup>

#### **D. Training and Certification of Drug-Detection Dogs in Illinois**

The Illinois Law Enforcement Training Standards Board (Board) requires a training course to be conducted by "a competent, qualified narcotics detector canine training agency"<sup>41</sup> and lists numerous entities that meet the "minimum certification requirements" for the initial training.<sup>42</sup> The course must include "training the canine to detect marijuana/hashish, cocaine, heroin/opiate derivatives and methamphetamine."<sup>43</sup> The course must expose the dog to different types of searches and locations and use varying quantities of the illicit substances.<sup>44</sup>

Certification must be based on "a comprehensive assessment" and include testing on the substance odors for which the dog is being trained and will be certified.<sup>45</sup> Further, the test must be "designed to resemble normal operational searches by using vehicles, buildings, parcels, baggage, etc. to conceal substances."<sup>46</sup> The Board lists the types of searches to be tested and the suggested maximum search times.<sup>47</sup> "For successful certification, the canine shall achieve at least a 90% confirmed alert rate for certification, and a false alert rate not to exceed 10%."<sup>48</sup> Annual certification is required.<sup>49</sup>

#### **E. Probable Cause and the Reliability of Drug-Detection Dogs**

In a hearing on a motion to suppress evidence resulting from a search, based on an alert by a drug-detection dog, initial inquiry should be made into the dog's training and certification. The State should provide train-

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ing and certification records to the defense and place them into evidence.<sup>50</sup> Questions of the dog's handler should focus on whether the dog was trained at an approved facility and whether the dog has met its annual certification requirement. Depending on the drugs found in the vehicle, counsel should determine whether the dog had been trained to alert on that particular drug. Questions can also be raised as to whether the dog has been trained to disregard distractions, such as food or noncontraband drugs? Depending on the circumstances of the traffic stop, counsel should inquire as to whether the dog has been trained and is routinely utilized in vehicle searches. Further inquiry can be made into the location of the stop—a busy highway?—and the weather conditions—rain or high wind?—and the dog's experience with those conditions.

An issue might arise, as it did in *Harris*, if the dog alerts on a vehicle but the contraband recovered is not one the dog was trained to detect. In that case, Harris cooked and used methamphetamine on a regular basis. Although Officer Wheatley did not find any methamphetamine in the truck, "Aldo had likely responded to odors that Harris had transferred to the driver's-side door handle of his truck."<sup>51</sup>

A detection dog recognizes an odor, not a drug, and should alert whenever the scent is present, even if the substance is gone (just as a police officer's much inferior nose detects the odor of marijuana for some time after a joint has been smoked). In the usual case, the mere chance that the substance might no longer be at the location does not matter; a well-trained dog's alert establishes a fair probability—that either drugs or evidence of a drug crime (like the precursor chemicals in Harris' truck) will be found.<sup>52</sup>

The training of the dog's handler is also relevant. Questions should be asked regarding the handler's overall training with drug-detection dogs. Has the handler been trained with his current dog? For how long? Has the handler undergone an annual refresher? Do the handler and dog engage in weekly training to keep their skills sharp? Has the handler been trained to interpret the dog's signals? Is the handler familiar with the dog's method of communicating an alert? Has the handler received training to avoid cuing or other errors that could cause a false alert? A review of a dash camera video of the free air sniff might also be appropriate to (1) determine

the length of time it took to conduct the sniff, (2) view the actual alert, and (3) look for signs of handler cuing. As noted by the Supreme Court, the handler can also be questioned about the dog's field performance.<sup>53</sup>

As the Supreme Court stated in *Harris*, probable-cause determinations are evaluated by looking at the totality of the circumstances.<sup>54</sup> Answers to the above questions will help the court make an informed decision on the dog's reliability. In making a decision on a motion to suppress, trial courts should consider the evidence of a drug-detection-dog's training, certification, and reliability in controlled settings and weigh it against any evidence disputing the dog's reliability.<sup>55</sup>

The question—similar to every inquiry into probable cause—is whether all the facts surrounding a dog's alert, viewed through the lens of common sense, would make a reasonably prudent person think that a search would reveal contraband or evidence of a crime. A sniff is up to snuff when it meets that test.<sup>56</sup> ■

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1. *Illinois v. Caballes*, 543 U.S. 405, 409 (2005); *People v. Caballes*, 221 Ill.2d 282, 331-32, 851 N.E.2d 26, 55 (2006).

2. *People v. Canizalez-Cardena*, 2012 IL App (4th) 110720, ¶ 20, 979 N.E.2d 1014.

3. 50 ILCS 705/10.12 ("Beginning July 1, 2012, all police dogs used by State and local law enforcement agencies for drug enforcement purposes pursuant to the Cannabis Control Act (720 ILCS 550/), the Illinois Controlled Substances Act (720 ILCS 570/), and the Methamphetamine Control and Community Protection Act (720 ILCS 646/) shall be trained by programs that meet the minimum certification requirements set by the [Illinois Law Enforcement Training Standards] Board").

4. U.S. Const. amend. IV.

5. Ill. Const. Art. I, § 6.

6. *People v. Moss*, 217 Ill.2d 511, 518, 842 N.E.2d 699, 704-05 (2005).

7. *People v. Stehman*, 203 Ill.2d 26, 34, 783 N.E.2d 1, 5 (2002).

8. *People v. James*, 163 Ill.2d 302, 312, 645 N.E.2d 195, 200 (1994).

9. *People v. Jones*, 215 Ill.2d 261, 273-74, 830 N.E.2d 541, 551 (2005).

10. 462 U.S. 696, 707 (1983).

11. *United States v. Place*, 462 U.S. 696, 707 (1983).

12. 543 U.S. at 409.

13. *Id.* at 409.

14. *Id.*

15. *Id.* at 410 (Souter, J., dissenting).

16. *Id.* at 411-12 (Souter, J., dissenting).

17. 568 U.S. (2013), 133 S. Ct. 1050; 2013 U.S. LEXIS 1121

18. *Id.* at \*3.

19. *Id.*

20. *Id.*

21. *Id.*

22. *Id.*

23. *Id.*

24. *Id.* at \*4.

25. *Id.*

26. *Id.*

27. *Id.* (quoting *Harris v. State*, 71 So.3d 756, 774 (Fla. 2011)).

28. *Harris*, 2013 WL 598440, at \*5 (quoting *Texas v. Brown*, 460 U.S. 730, 742 (1983) (plurality opinion) (quoting *Carroll v. United States*, 267 U.S. 132, 162 (1925)).

29. *Id.* at \*5.

30. *Id.*

31. *Id.*

32. *Id.*

33. *Id.*

34. *Id.* at \*6.

35. *Id.*

36. *Id.*

37. *Id.*

38. *Id.*

39. *Id.* at \*7.

40. *Id.*

41. *Illinois Law Enforcement Training Standards Board, Narcotic Detection Canine, Minimum Certification Requirements*, (03-12) at 1, available at <http://www.ptb.state.il.us/pdf/Canine/Narcotic-DetectionCanineMinCertificationReq2012.pdf>.

42. *Illinois Law Enforcement Training Standards Board, Information related to Narcotic Detection Canines*, (10-2012) at 2, available at <http://www.ptb.state.il.us/pdf/2012/NarcoticDetectionCanineTrainingandCertificationInfo07-12.pdf>.

43. *Illinois Law Enforcement Training Standards Board, Narcotic Detection Canine, Minimum Certification Requirements*, (03-12) at 1, available at <http://www.ptb.state.il.us/pdf/Canine/Narcotic-DetectionCanineMinCertificationReq2012.pdf>.

44. *Id.*

45. *Id.*

46. *Id.* at 2.

47. *Id.* For example, "[m]otor vehicle searches including interiors and exteriors (3-6 vehicles per search using passenger cars and trucks, 3 minutes per vehicle.)"

48. *Id.*

49. *Illinois Law Enforcement Training Standards Board, Information related to Narcotic Detection Canines*, (10-2012) at 5, available at <http://www.ptb.state.il.us/pdf/2012/NarcoticDetectionCanineTrainingandCertificationInfo07-12.pdf>.

50. *United States v. Stubblefield*, 682 F.3d 502, 507 (6th Cir. 2012); see also 20 ILCS 2605/2605-95 (stating a State Police dog's satisfactory completion of drug-enforcement training "shall be evidenced by a certificate issued by the Department").

51. *Harris*, 2013 WL 598440, at \*7.

52. *Id.* at \*5, n.2.

53. *Id.* at \*6.

54. *Id.* at \*5.

55. *Id.* at \*6.

56. *Id.*

## Governmental involvement necessary for statement to be considered testimonial hearsay

Continued from page 1

questions; the time lapse between each incident and the victim's statement about the incident to others; and, the existence of any reliable evidence that refutes the victim's statements. In general, the statements allowed into evidence by the trial court included statements regarding the victim's belief that Richter would try to kill her.

In response to this hearsay testimony, defendant argued that the victim's statements lacked "substantial guarantees of trustworthiness."

After a jury trial, the defendant was convicted of first degree murder. The defendant appealed.

The Illinois Appellate Court, in *People v. Richter*, 2012 IL App (4th) 101025, 977 N.E.2d 1257 (4th Dist. 2012), affirmed the conviction. In its opinion, the appellate court considered two issues: (1) whether the trial court erred by admitting numerous hearsay statements the victim made to friends, family members, and coworkers under section 115-10.2a of the Code; and, (2) whether the trial court's decision to admit numerous hearsay statements violated Defendant's 6th Amendment rights.

The court ultimately held that the victim's hearsay statements to friends, family members, and coworkers did not violate section 115-10.2a of the Code of Criminal Procedure. Furthermore, the court held that there was no violation of the defendant's 6th Amendment rights, pursuant to the Confrontation Clause.

Regarding the first issue, the Court examined the language of the Code of Criminal Procedure. It states in pertinent part:

- (a) In a domestic violence prosecution, a statement, made by an individual identified in Section 201 of the Illinois Domestic Violence Act of 1986 as a person protected by that Act, that is not specifically covered by any other hearsay exception but having equivalent circumstantial guarantees of trustworthiness, is not excluded by the hearsay rule if the declarant is identified as unavailable as defined in subsection (c) and if the court determines that:
- (1) the statement is offered as evidence of a material fact; and

- (2) the statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and

- (3) the general purposes of this Section and the interests of justice will best be served by admission of the statement into evidence."

725 ILCS 5/115-10.2a.

The court held, "the State's motion *in limine*, demonstrating the physical abuse, harassment, and intimidation defendant inflicted upon Dawn, clearly showed that Dawn and defendant were 'family or household members' as defined by the Act, and more important, that Dawn was a 'protected person' under section 201 of the Act." Thus, the hearsay evidence was admissible under the Act, and the trial court did not err.

Next, the court examined the 6th Amendment Confrontation Clause issue. The 6th Amendment Confrontation Clause states, in pertinent part, that "[i]n all criminal prosecutions, the accused shall enjoy the right . . . to be confronted with the witnesses against him." U.S. Const., amend. VI.

The appellate court, in finding no Confrontation Clause violation, cited *Graham's Handbook of Illinois Evidence*. The court concluded, "All statements made to someone *other than a government official* (emphasis added) are always 'nontestimonial'" Michael H. Graham, *Graham's Handbook of Illinois Evidence* § 807.1, at 1013 (10th ed. 2010). Further, the Illinois Appellate Court stated that there needed to be some definitive guidance regarding the admission of the type of hearsay statements involved in *Richter*. The court stated that to not address the issue and avoid enunciating a standard or rule to follow, would be a disservice to the trial bench and bar. The court then held that governmental involvement is required for a statement to be considered testimonial hearsay. Given that defendant's statements were not made to government officials, and that there was no governmental involvement in the creation of the statements, the statements did not constitute testimonial hearsay. Thus, the hearsay evidence was admissible at his trial.

In response, however, Defendant claimed

that the victim had reason to "bear witness" against him. Defendant argued: (1) Dawn and he were involved in a custody dispute; (2) he had filed a petition for a determination of parental rights; and, (3) Dawn intended to file a petition for an order of protection. Thus, Defendant asserted that it was "clear [that] Dawn intended that the State would make use of her statements at trial in the event of her death."

The trial court and the appellate court both rejected this contention, finding that:

Statements regarding Defendant's threats to kill Dawn were made (1) in response to questions primarily by friends, family members, and coworkers who inquired of Dawn for various reasons; or, (2) were volunteered by Dawn to that same audience, undoubtedly for a host of reasons that had nothing to do with ensuring Defendant was incarcerated but, instead, everything to do with her concern that Defendant might kill her.

The trial court's judgment of conviction was affirmed. ■



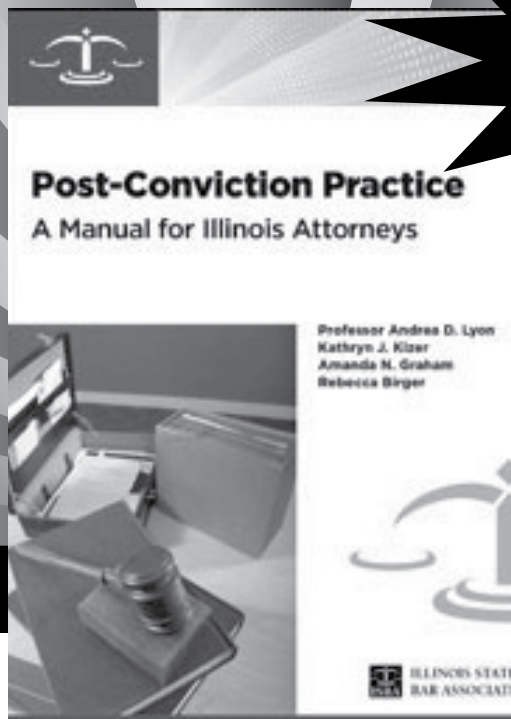
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**Saturday, 5/4/13 - Oak Brook, The Hyatt Lodge at McDonald's Campus**—DUI, Traffic, and Secretary of State Related Issues. Presented by the ISBA Traffic Laws/Courts Section Council. All Day.

**Tuesday, 5/7/13 - Chicago, ISBA Regional Office**—Legal Considerations for Entrepreneurs, Founders and Startups. Presented by the ISBA Intellectual Property Section. 8:30 AM - 4:30 PM.

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**Tuesday, 5/7/13 - Webinar**—Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association - Complimentary to ISBA Members Only. 1:30 - 2:30 p.m. CST.

**Tuesday, 5/7/13- Teleseminar**—Choice of Entity for Service-based and Professional Practice Business. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/8/13 - Chicago, ISBA Regional Office**—Settlement in the Federal Courts. Presented by the ISBA Federal Civil Practice Section. 12:00 Noon - 4:30 PM.

**Wednesday, 5/8/13- Teleseminar**—Ethics and the Use of Metadata in Litigation and Law Practice. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 5/9/13 - Webinar**—Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association - Complimentary to ISBA Members Only. 1:30 - 2:30 p.m. CST.

**Friday, 5/10/13 - Chicago, Bilandic Building**—Ethics Extravaganza - Chicago

Live 2013. Presented by the ISBA Standing Committee on Government Lawyers. 12:45-5pm.

**Friday, 5/10/13 - Lincolnshire, Lincolnshire Marriott**—General Practice Update 2013: Suburban Regional Event. Presented by the ISBA General Practice, Solo & Small Firm Section. 8:45 a.m. - 5:00 p.m. CLE Program. 5:30 p.m. - 7:00 p.m. Complimentary Reception Following (RSVP required).

**Monday 5/13/13 - Chicago, ISBA Regional Office**—Achieving Diversity in Your Law Firm: Business Advantage and Best Practice. Presented by the ISBA Racial and Ethnic Minorities Section; Co-sponsored by the ISBA Sexual Orientation and Gender Identity Section; the ISBA Business and Securities Law Section; the ISBA Diversity Leadership Council; ISBA Standing Committee on Women and the Law Chicago Committee on Minorities in Large Law Firms and the Chinese American Bar Association. 12:30 pm. - 4:30 pm. 4:30 - 6:00 Reception.

**Tuesday, 5/14/13- Teleseminar**—Estate Planning for Education and Gifts to Minors. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/15/13 - Springfield, INB Conference Center**—More Issues for the Local Government Attorney. Presented by the ISBA Local Government Law Section. 8:30-1:00.

**Wednesday, 5/15/13 - Chicago, ISBA Regional Office**—Staying Out of Trouble: Avoiding Sexual Misconduct and Mismanagement of Client Money. Presented by the ISBA Standing Committee on the Attorney Registration and Disciplinary Commission (ARDC). 9:00 - Noon.

**Wednesday, 5/15/13 - Live WEB-CAST**—Staying Out of Trouble: Avoiding Sexual Misconduct and Mismanagement of Client Money. Presented by the ISBA Standing Committee on the Attorney Registration and Disciplinary Commission (ARDC). 9:00 - Noon.

**Thursday, 5/16/13 - Chicago ISBA, Regional Office**—ISBA's Reel MCLE Series - Flight - Ethical Dilemmas. Master Series Presented by the ISBA. 1:00 - 5:15 pm.

**Thursday, 5/16/13- Teleseminar**—Attorney Ethics in Adding Lawyers to a Firm. Presented by the Illinois State Bar Association. 12-1.

**Friday, 5/17/13 - Chicago, ISBA Regional Office**—Mental Health Law- Some Basics and All That's New. Presented by the ISBA Standing Committee on Mental Health Law. 9:00 - 4:00.

**Friday, 5/17/13 - Live Webcast**—Mental Health Law- Some Basics and All That's New. Presented by the ISBA Standing Committee on Mental Health Law. AM Session 9-1; PM Session 1:30- 4:00.

**Tuesday, 5/21/13- Teleseminar**—Real Estate Development Agreements, Part 1. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/22/13- Teleseminar**—Real Estate Development Agreements, Part 2. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/22/13 - Webinar**—Introduction to Boolean (Keyword) Search. Presented by the Illinois State Bar Association - Complimentary to ISBA Members Only. 1:30 - 2:30 p.m. CST.

**Thursday, 5/23/13 - Chicago, ISBA Chicago Regional Office**—More Issues for the Local Government Attorney. Presented by the ISBA Local Government Law Section. 9:00 - 1:30 (half day)

**Friday, 5/24/13- Teleseminar**—Independent Contractor Agreements- Live Replay from 1/11/13. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 5/29/13- Teleseminar**—S Corp & LLC Mergers, Part 1. Presented by the Illinois State Bar Association. 12-1. ■

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