

# Everyday Democracy

Citizen Advocacy Center's Newsletter, Intern Edition, 2011

## INTERN ISSUE

During 2011, the Center hosted a dynamic group of interns who work closely with our community lawyers and volunteers.

Interns help keep open the doors of government while working on public policy projects, client intakes, workshops, brochure writing, government monitoring, and more.

Thank you to all intern supporters, including: Chicago Kent College of Law, Egyptian Association for Community Participation Enhancement, Heartland International, University of Illinois at Urbana-Champaign College of Law,

Vanderbilt University School of Law, Proviso Math and Science Academy, and York High School.

Thank you to the interns: Sherif Abdel Azim, Sarah Bridgewaters, Jack Bentley, Sulushash Dossymkulova, Herbert Houston, Jason Han, Emanuel Marchan, Nick Morales, William Hickey, Stephen Sabel, Sarah Smith, and Christine You.

### Research with Relevance



Throughout my search for a summer internship, I was drawn to the CAC because of its promotion

of an open government and an empowered community. All too often, people believe they are powerless to make a change or simply stand up for themselves in their respective communities. CAC aims to change that by informing citizens and providing them the tools to effectively stand up for their rights.

Upon my arrival, I was excited to gain hands-on and practical experience in research, beyond that of the well thought out scenarios proposed by professors for our writing assignments. Most of all, I looked forward to addressing the everyday concerns of people.

My community lawyering internship exceeded my expectations. In working with citizen groups I learned the hard lesson that there is not always a clear answer. I also gained valuable insight into community issues and received guidance from CAC's committed and experienced community lawyers.

I spent most of my summer working on two research projects.

Sarah Smith,

*Continued on Page Two*

### Corn vs. Flour Tortillas



My CAC summer lived up to expectations, while at the same time not being what I expected. My expectations were to experience lawyering in real life. Law school, especially the first year, is all about theory.

Property, torts, contracts, civil procedure, and constitutional law make up the backbone of almost every civil legal dispute. But they are taught from a generalized and academic stand-point. For example, we still learn about breach-of-contract from a 19th century case about a bad shipment of sorghum.

CAC gave me a small taste of applying that theory. I learned that everyday lawyering is about winning little, incremental steps because the outcome of each step could determine the whole enchilada. A lot of hours were spent crafting arguments over whether flour or corn tortillas should be used, metaphorically speaking.

I was surprised that so much of our work takes place in the suburbs. As a former photojournalist for the Sun-Times, I knew about chronic corruption in Chicago, and that Chicago already has plenty of non-profit groups and public interest law organizations. The "idyllic" suburbs, however, have few groups acting as watchdog despite the issues being no less important. Though Chicago may get most of the attention, substantive issues that occur in the city occur in the suburbs as well: lack of transparency, old-boy networking/nepotism, unfettered TIF districting, and so on. When CAC fights over these issues it sets a legal precedent that other municipalities, including Chicago, will have to follow.

The most interesting project, to me, was a suburban dispute that is local in nature but the symptom of a national problem.

Jason Han,

*Continued on Page Three*

## Honoring Rabble Rousers

The first addressed the Illinois Freedom of Information Act (FOIA) and Open Meetings Act (OMA), specifically looking at what types of entities are subject to the statutes. CAC's specific concern is the multitude of non-profit economic development corporations that are significantly or wholly funded by tax payer dollars, yet not subject to Illinois' transparency laws. Our hypothesis was that Illinois is very narrow in defining what kinds of entities fall under transparency statutes. My nationwide comparative research confirmed that hypothesis. Other states' transparency laws include clear statutory language that pull entities under the purview of the law if they are in receipt of any public funding or perform a traditional function of government. In Illinois, courts have *rejected* the above factors as being good enough reasons to bring an entity under the transparency statutes. Our recommendation is to broaden the definition of what entities come under the purview of transparency statutes based on best practices demonstrated by other states.

My second project involved reviewing DuPage County municipal protest and demonstration permit policies, with a close eye to how many days notice applicants must provide to the public body and insurance costs. CAC is looking at policy content to analyze if they are facially valid as well as how public bodies apply the permit requirements. This project is on-going and has provided me with a great experience in accessing public records and reviewing local laws for nuanced differences.

My projects have lasting relevance. Instead of simply applying the current law to the situation, CAC takes an issue head-on and strategically identifies follow up steps to assess if reform is necessary. The practice lends itself to long-term policy research and in-depth reform proposals, something entirely fulfilling as an intern. I spent the summer knee deep in local and national case law, municipal codes, statutes, and FOIA requests in addition to building general skills such as writing effective and proper memos, meeting with citizens, writing letters to the editor, and public speaking. I have a new confidence in my ability to accurately locate and use the proper sources of information when confronted with an unfamiliar issue.

*Ms. Sarah Smith  
IL, Legal Intern  
Chicago Kent College of Law*



This summer was a great learning experience for me. The projects and issues the CAC has exposed me to have instilled a deep respect and appreciation for the importance of active citizenship. The work of the diligent citizen unfortunately goes unnoticed all too often. Having seen the work of CAC firsthand, I am convinced that our

society does not sufficiently honor its "rabble rousers." Every issue that CAC confronts is brought directly to its doors by an informed, passionate citizen who shows up to public meetings, asks the right questions, and does the work that we all should do to hold our elected leaders accountable. Democracy works because of these "rabble rousers," and CAC's work in providing these individuals with the tools and support they need to strengthen our communities and democracy. Because the number of "rabble rousers" and active participants is much too small, CAC's work is vital.

The most significant project I worked on has reinforced my understanding of how sorely increased public participation is needed. This summer, I drafted and submitted FOIA requests to every municipality in Cook and DuPage County (save for the City of Chicago) to collect all the objections to candidate petitions and subsequent decisions handed down by the local municipal electoral boards. The responses were fascinating. The CAC was looking at a few factors, but to me it was interesting to see that often times the single biggest indicator of whether a challenged candidate would succeed or fail was whether that candidate was an incumbent.

To better assess vast data collected, I created an index of the various types of objections. It was eye opening to see the subtleties of Illinois election law enforced. Sometimes objections were made to how the candidate bound her petitions. Sometimes objections were made to petitions that were missing the date of the election. The sheer number of details that a candidate needs to consider in order to be shielded from an objection seems to be overwhelming.

Jack Bentley,  
*Continued on Page Three*



***From right to left: Jason Han, Sarah Smith, Jack Bentley***



### Summer Legal Interns enjoy day at Six Flags Great America!

*Jack Bentley, Continued from page two*

The project has revealed a serious need for more standardized and less intimidating ballot access processes so more people are encouraged to stand for local election. Another revelation was how few elections are seriously contested. Every two years or so, countless elected officials succeed themselves over and over again. Without any meaningful electoral process, democracy is greatly devalued. Perhaps the data from these electoral board objections and decisions can help substantiate the need for greater candidate education as well as reform of process.

Another project I became involved with helped me realize that the CAC does not exist for exclusively adversarial reasons. A local park district came to the CAC to ask our assistance in conducting a democracy "audit" to help it do what is necessary to be open, transparent, and participative. The goal was to come up with a way to measure "good government" and help the park district, and any other public body, become a "good government" by taking measurable steps forward. I put together an outline based on four categories: transparency, public participation, elections, and ethics. My outline will help jumpstart any public body willing to open more of its doors to the people that put them in office.

I am extremely grateful for the opportunity I had to work with CAC. The greatest lesson I have learned this summer is how true it is that the only thing standing in the way of the community and the government we want is our own apathy. If we want to see our leaders conduct themselves openly and fairly, sometimes all we have to do is say so.

*Mr. Jack Bentley  
2L, Legal Intern  
Chicago Kent College of Law*

*Jason Han, Continued from Page One*

Local government units are trying to find solutions to the bad economy by creating or working with non-profit economic development corporations (EDCs). An EDC can be made up of local business leaders, policy analysts, lobbyists, lawyers, and government officials. Their primary goal is to create more jobs. The problem is that no new net jobs are being created nationally. If anything, job reports reveal a continued decline. Thus, any new jobs that an EDC manages to "create" is usually the result of working with a municipality, county or state to offer subsidies or tax breaks to a private company that already exists somewhere else. When EDCs try to out-do each other, the winner is the first to the bottom. The losers are often the winner's citizens. They are the ones that have to bear the burden of corporate giveaways.

This issue became of interest to me as I investigated the relationship between the municipality of Lisle and the EDC Choose DuPage as it related to the relocation of Navistar to Lisle. Local citizens objected to the relocation and fully utilized the zoning public hearing process by showing up, giving passionate testimony, and seeking to cross examine and subpoena witnesses. Soon after the project was approved, a local state legislator, Darlene Senger, introduced a bill that would allow a public body to limit who can meaningfully participate in zoning public hearings. A citizen from Lisle made a FOIA request to identify to what extent Lisle had a hand in the legislation.

My part in the enchilada-making process involved researching and evaluating Lisle's FOIA response. Lisle claimed a "preliminary draft" exemption. CAC helped appeal to the Illinois Attorney General's Public Access Counselor. The appeal claimed that Lisle waived the exemption based on references to the proposed state legislation and the EDC, Choose DuPage, in public records. The Attorney General's office rejected our appeal, stating that Choose DuPage was acting as a consultant, and therefore, could withhold the documents.

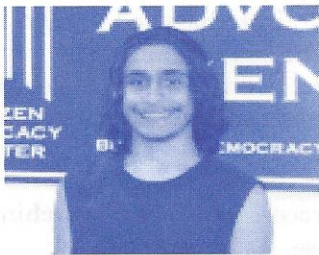
CAC is continuing to pursue this issue and my part is miniscule, but the larger dispute between the citizens and the EDC/suburb is interesting because it is repeating itself in counties and municipalities all over the country. Every EDC is looking to relocate jobs by working with a government entity to offer a pot of honey to a company willing to hop over a municipal, county, or state border. But it also presents the tragedy of the commons, a universal problem. If everyone is looking out for themselves, what is to save us from each other?

This universal problem has a universal solution. And so maybe the most important thing I learned while working at CAC is that this solution can be found in the community, any community. Basically, CAC showed me that not only is it possible to be a community lawyer, but that community lawyering is absolutely necessary in the place you would least expect: the suburbs.

*Mr. Jason Han  
1L, Legal Intern  
University of Illinois at Urbana-Champaign College of Law*

## Building Work Skills with District 205

CAC has begun a working relationship with District 205's Transition Center and Vocational Instructors. The goal is to build the employment capacity of special needs students' who are making the transition from school life to work life. Students who work at CAC are exposed to how we build democracy while learning basic office management skills such as clipping newspapers, making copies, filing, compiling mailings. We even work with students to hone individual talents! Intern Nick Moralis used his drawing skills to sketch an outreach flyer for educators to participate in a CAC facilitated professional development workshop. Thank you to Nick Moralis, William Hickey, and Steven Sabel (not pictured).



## From Kazakhstan to Elmhurst



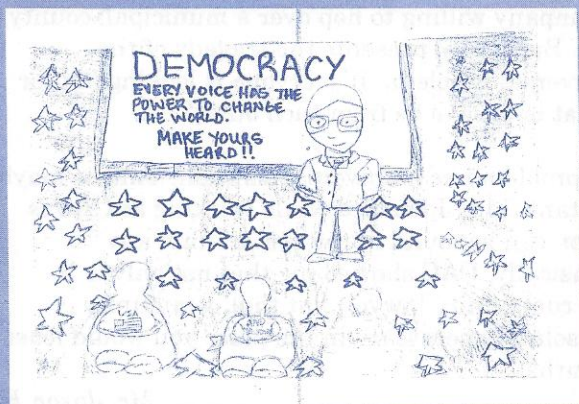
Sulushash Dossymkulova, Candidate of Masters, Political and Justice Studies, Governors State University

Sulushash (Sulu) joined the CAC as an intern interested in learning practical operations of government and how people can affect government. Sulu is from Kazakhstan, where she worked in the Kazakhstan Embassy to Israel and London as well as with the Kazakhstan federal government on finance and human rights issues. As an individual who has spent the last decade working in different capacities in government, her CAC internship offered a different viewpoint to evaluate a democratic system of government and citizen engagement. During her six month internship, she engaged in a variety of projects such as updating CAC's government budget brochure, investigating on-line posting requirements by municipalities in DuPage and Cook County, and gathering research on participatory budgeting.

The participatory budgeting process was of particular interest to Sulu. Participatory budgeting is a process where those eligible to vote in a municipality actually vote to approve or reject parts of a proposed budget or the budget in its entirety. It is a mechanism by which citizens have the power to direct government resources. Sulu extensively researched which communities have used participatory budgeting in the United States, as well as examined in what contexts participatory budgeting is employed. Her research is crucial to helping CAC educate community activists about the benefits of participatory budgeting and how to educate public officials in how to integrate the concept into the current budgeting process.

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"Everyone has the power to change the world. Make yours heard!!" –Nick Moralis

## Engaging the Next Generation

Sarah Bridgewater, Herbert Houston, and Emanuel Marchan, seniors from Proviso Math & Science Academy, interned for a full semester at CAC through an externship program. They wanted to work at CAC because of our community organizing and lawyering methods used to address issues of public concern, such as those affecting social justice issues.

Sarah, Herbert, and Emanuel were charged with investigating the redistricting policies of the counties and municipalities of Lake, DuPage, McHenry, and Kane County. Diving into the project, they had to learn about what redistricting is and how redistricting affects the democratic process. They also had to identify which of the public bodies at hand were required under law to redistrict, and conduct outreach to each public body to track down the methods of procedures. During their outreach in the four county region, Sarah, Herbert, and Emanuel discovered how varied the redistricting process can be and how little government officials knew about their internal procedures. It was not unusual for our interns to make a phone call and talk to a public body representative who had no knowledge if redistricting was required, if the public body intended to have public hearings, or if the public was going to be allowed to view the map prior to it being voted on by the public body.

An important lesson learned by Sara, Herbert, and Emanuel was that more often than not, at the local level, redistricting happens behind closed-doors, with little government accountability for the final map making. At the end of the internship, Sara, Herbert, and Emanuel did a joint presentation before their classmates at PMSA focused on educating their peers about the importance of redistricting in the democratic process and the importance of average citizens being engaged in the process to ensure that government operates in the sunlight.

## Community Lawyering 101

Christine You came to the CAC through a post-graduate program of Vanderbilt University Law School from fall 2010 to the spring of 2011. As a recent member of the Illinois State Bar, Christine began honing the tools of a community lawyer: examining and analyzing government policies, answering public inquiries, and drafting reform recommendations.

During her time Christine spearheaded a large scale public policy project that involved analyzing a little examined area of government: use of private emails and cell phones for public purposes. Christine gathered hundreds of documents related to Illinois State House Representatives and Senators policies on email and cell phone usage and related record retention. She also organized a team of volunteers to contact every member of the General Assembly's office staff to ask a series of basic questions, such as what email system is provided of the use of employees, such as Yahoo or Gmail. Apparently, CAC's activity was noticed because during the survey we received a call from General Assembly staffers asking why we were conducting such a survey!

Christine analyzed policies, documented the process, and wrote a comprehensive report that ultimately recommends many policy changes that are needed to reflect legislators' actual use of emerging technologies for conducting public business, as well as recommending that individual offices of legislators should be subject to FOIA. Find CAC's full report on our website, [www.citizenadvocacycenter.org](http://www.citizenadvocacycenter.org)



**Citizen Advocacy Center's Intern Summer Party**

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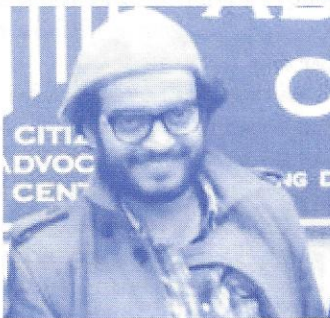
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If you are interested in more information, becoming a volunteer, or making a tax-deductible contribution, please feel free to contact or visit us.

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## Exporting Democracy: Elmhurst, Illinois to Cairo, Egypt



CAC was proud to work with Heartland International and the U.S. Agency of International Development to host a young person who works at a non-governmental organization in Egypt

focused on building democracy. Sherif Abdel Azim, from Cairo's Egyptian Association for Community Participation Enhancement, spent a month at the CAC shadowing our community lawyers. Sherif is a dynamic young man who played a role in organizing revolutionary activity in Cairo, which included leading thousands of pro-democracy protestors in rallies at Tahrir Square, the epicenter of rallies that led to the ouster of President Hosni Mubarak.

Sherif shadowed CAC staff in coalition meetings focused on improving transparency and accountability in redistricting, at redistricting journalism training workshops, and in providing assistance to concerned citizens. Sherif also met with the Executive Director

of the DuPage County Election Commission, observed how poll watching is executed, met with Elmhurst's Chief of Police, and compared organizing strategies with local community organizers.

The new government in Egypt is just beginning its work. There is no Freedom of Information Act or Open Meetings Act, so CAC provided Sherif with multiple policy resources, such as model transparency legislation to be used as a baseline for advocacy of government transparency laws. While we shared much of our hands-on knowledge of building democracy and the barriers we face, Sherif contributed to CAC as well.

Sherif met with more than 3,000 high school students throughout DuPage County to provide first hand testimony of what it means to be part of a real pro-democracy movement in a developing democracy. Sherif visited the following schools under CAC's youth civic education program: Bartlett High School, West Chicago Community High School, Neuqua Valley High School, Downers Grove South High School, and York High School.