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## Arrest leads to legal career

### Treatment after anti-war protest pushes Gilbert to work in the civil rights arena

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March 20, 2003, is a date that Scott N. Gilbert will never forget.

At that time, he worked night shifts as a counselor in an inpatient psychiatric unit and possessed strong feelings about the direction of the U.S. government, which announced its plan to invade Iraq the day before.

Gilbert took the train from Evanston to the city to participate in a demonstration against the Iraq War.

"I had never seen more people in the federal plaza than on that day," Gilbert said of the crowd estimated at about 10,000, many of whom eventually took the protest on foot through the city's streets.

It wasn't Gilbert's first time participating in a rally, but the 2003 demonstration did lead to his first and only arrest, which he said completely changed his life.

"I always had an interest in the law, but the events of my arrest were the impetus or influence that really helped me make up my mind," said Gilbert, who now handles civil rights cases as part of his practice at Katten & Temple LLP.

"You read about horrendous violations of other people's rights and hearing about that can be motivating, but having even a less severe violation of rights happen to you is completely different. Having it happen to me directly was very powerful."

Gilbert, who was 32 in 2003, remembers seeing officers in full riot gear stretched from street corner to street corner before finally coming to the realization that police had blocked in him and his fellow protesters.

Some sat down in civil

disobedience while others purposefully got arrested, Gilbert said. He said he saw "some officers swinging billy clubs" and watched one officer deny an elderly couple's request to leave the area.

"After being in that pen for about an hour, I decided to ask if I could leave, thinking that maybe they'd let me go home or it would at least speed up the process of getting arrested," Gilbert said. "I walked up to an officer and said, 'I'd like to go.' He said 'Come with me' and then he immediately cuffed me."

But like many of the nearly 800 people detained at the 2003 protest, Gilbert's experience didn't come close to an end after authorities slapped those plastic cuffs around his wrists.

Gilbert said police arrested him for reckless conduct at about 9:30 p.m. and drove him in a van with about two dozen others to a local police station, where he stayed until a friend bailed him out at 3 p.m. the next day — roughly 18 hours later.

After his arresting officer's second no-show in court, Gilbert said his charges were stricken with leave and never reinstated. He said he had his 2003 charge expunged a few years later, shortly before he graduated from The John Marshall Law School in 2009.

Janine L. Hoft, a partner at People's Law Office, said attorneys at her office represented Gilbert in his criminal case and in the class-action lawsuit against the city.

The city earlier this month agreed to settle the case for \$6.2 million. Contingent upon city council approval, the preliminary settlement would provide class members between \$500 to \$10,000 each.



Scott N. Gilbert found that his arrest by Chicago police after a 2003 anti-war protest propelled him to become an attorney. Gilbert now practices law at Katten & Temple LLP. *Heather Eidson*

Hoft said Gilbert managed to create "a positive outcome from what could have been a really negative experience."

"It's quite inspirational," Hoft said of Gilbert's decision to leave his career as a counselor to follow his passion for civil rights.

Hoft said Gilbert expressed an interest in becoming a civil rights lawyer when she took him out to lunch after he graduated law school.

"Unfortunately, we didn't have a position for him, but he was dogged in his persistence in finding a place that would support him in doing civil rights," she said.

Mitchell B. Katten of Katten & Temple hired Gilbert in 2009 as an associate at his firm, which focuses on civil litigation and commercial and business disputes, as well as some civil rights, police misconduct and employment discrimination cases.

Katten said Gilbert told him about his involvement in the 2003 war demonstration when the class-action lawsuit was before the 7th U.S. Circuit Court of Appeals.

"It's odd the way fate brings you to one thing or another and for him, it was one arrest by the Chicago Police Department," Katten said.

Both Hoft and Katten said

Gilbert's personal experience with a civil rights violation benefits his law practice.

"He can look at a case from the perspective of a client," Katten said.

Hoft said Gilbert's arrest "gives him great empathy and understanding for what a client goes through."

"In this case, the wheels of justice did grind slow so he really has that experience to translate to clients how the legal system works and the patience required for litigation," Hoft said. "I think that is indispensable for a lawyer to have that kind of experience to draw from to help their clients navigate the legal system."

While he doesn't share the story of his arrest with clients, Gilbert said his experience has made him more sensitive. He said he feels comfortable talking to clients about what they might encounter in their legal battle, including a potentially long wait.

Under the preliminary settlement, which took nearly nine years, Gilbert is in line to receive \$10,000.

And in a perfectly fitting end to his involvement with the matter, Gilbert said he plans to put his settlement award toward his law school student loans.