

Chicago Daily Law Bulletin

Volume 158, No. 43

Law school helps out seniors

John Marshall teams up with others to help elderly people handle property taxes

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SPRINGFIELD — As a part-time evening student at The John Marshall Law School with a demanding day job, Heather Daniel figured she might miss out on some aspects of the academic experience.

That all changed in a legislative drafting class she took last year where she joined a unique collaborative effort between students, a professor, a nonprofit organization, two lawyer-lobbyists and an appellate court justice.

"I just kind of accepted that I'd never be able to participate in one of the clinics we had," said Daniel, a Chicago police sergeant. "This was basically a legislative clinic."

The project resulted in a bill introduced in the Illinois Senate last month. It aims to help prevent senior citizens from losing their homes due to unpaid property taxes by requiring counties to mail notices detailing tax benefits and assistance they can receive.

Kevin M. Hull, a John Marshall adjunct law professor, began teaching the legislative drafting class five years ago. Students often tackle criminal procedure or legal aid projects, he said, but the property tax work in his fall semester class required more complicated research.

"This was no dusted-off cases book," said Hull, a former assistant counsel to Illinois House Speaker Michael J. Madigan. "This was teaching through a real life, hot-button issue."

The legislative effort grew out of a program run by the Center for Disability and Elder Law (CDEL), an organization that offers legal services to low-income Cook County residents.

Over the last few years, CDEL

volunteers called thousands of seniors, informing them that they risked losing their homes due to unpaid taxes. They also helped them apply for special tax exemptions.

Thomas C. Wendt, CDEL's chief legal officer, said staff members soon realized that small improvements in the tax process could resolve seniors' confusion.

"If people are made aware of things in advance, maybe they won't let it get to the point where they run the risk of their homes being sold," Wendt said.

To devise a legislative solution, CDEL gathered a group that included Hull and his class; Benjamin M. Whipple and Anthony J.G. O'Neill, members of the government relations practice at Williams, Montgomery & John Ltd. and 1st District Appellate Justice Aurelia Pucinski, who dealt with senior citizen foreclosures during her time in property tax court.

Hull's students began pulling apart the property tax code, examining where counties currently send notifications, where seniors could get lost in the process and where additional notices could be mailed to best help them.

The class used a large spreadsheet file to log their findings and detail possible options for improvement, Hull said. Ultimately, they recommended including a notice

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Kevin M. Hull, an adjunct professor at The John Marshall Law School, teaches a legislative drafting class at the school. Hull and his legislative drafting class helped develop a bill that would amend the state property tax code. *Heather Eidson*

on senior citizen benefits in every property tax bill and sending an additional reminder to anyone who previously applied for those breaks yet did not pay their current bill.

Recognizing the cost created by the additional notices, Hull said he pushed his students to include a funding source. They decided to insert language allowing counties to collect up to an additional \$10 fee on properties bought at tax sales.

"My students were able to hands-on dive into an issue that most had never been around before," Hull said. "And in a short turnaround, they were not only able to understand it, but write a memorandum addressing it."

Daniel, a third-year law student, said she learned a lot from the project, including how to write for a specific audience.

"A busy legislator doesn't want a six-page history of property tax law," she said. "They want something concise and clear, that doesn't take a lot of their time and hits the high points."

Whipple said he, O'Neill and Hull then drafted the recommendations into proper

form, but didn't make many alterations.

"The students were spectacular," he said. "The lion's share of the language that is in the bill came from them."

State Sen. John G. Mulroe, a Chicago Democrat, introduced the legislation as Senate Bill 3381, though no action will be taken on it this session.

Whipple said the bill needs changes based on suggestions from the Cook County treasurer's office.

"We'll drum up some broader support from the actual entities that will be doing what we're legislating," Whipple said. "And the hope is to come back next year with an agreed-upon bill."

The effort already earned the bill development team CDEL's "Impact Award," presented at an event last week.

Daniel, though, said she hopes to see the project soon benefit the people it really aimed to help.

"I think it can help seniors not get into that situation where they're going to lose their home," she said. "And there's nothing better than feeling you had a hand in that, however small."