

LOYOLA UNIVERSITY CHICAGO
SCHOOL of LAW



LOYOLA UNIVERSITY CHICAGO LAW JOURNAL PRESENTS:

The Scandal of Political Corruption and The Law's Response

PHILIP H. CORBOY LAW CENTER • POWER ROGERS & SMITH CEREMONIAL COURTROOM

25 EAST PEARSON STREET, CHICAGO • FRIDAY, APRIL 9, 2010

ABOUT THE CONFERENCE • The Loyola University Chicago Law Journal proudly announces “The Scandal of Political Corruption and the Law’s Response” to be held April 9, 2010. This one-day conference will provide a forum for nationally recognized scholars and judges to come together with practitioners, academics, and students to discuss political corruption in today’s world. More specifically, the conference will explore the prosecution of public officials, the effect of political corruption on elections, and corruption issues unique to the Chicago area.

CONFERENCE LOCATION • The conference will be held in the Philip H. Corboy Law Center, Power Rogers & Smith Ceremonial Courtroom, on the 10th floor of 25 E. Pearson Street on Loyola University Chicago’s Water Tower Campus. Validated parking is available in a number of locations adjacent to the School of Law.

CONFERENCE COST • This program has been approved by the Illinois MCLE Board for 6.25 hours of credit.

- *Loyola students, faculty, and individuals who do not wish to receive CLE credits, **NO CHARGE***
- *CLE credit: advance registration, **\$218**; walk-up registration, **\$250**.*
- *Loyola Alumni and CLE credit: advance registration, **\$175**; walk-up registration, **\$200**.*

ABOUT THE LAW JOURNAL • The *Loyola University Chicago Law Journal* is a student-edited and managed legal periodical that publishes scholarly articles and student-authored pieces. The *Law Journal* began publishing in the fall semester of 1970 and is committed to examining and analyzing current legal issues and contributing to future development of the law.

The *Law Journal* publishes four issues per year. Two issues cover general legal topics. The third issue is devoted to the previous year’s conference topics, which vary from year to year. The *Law Journal*’s fourth issue, the *Illinois Judicial Symposium*, is traditionally dedicated to issues affecting Illinois attorneys and to recent developments in Illinois law.



SCHOOL of LAW

CONFERENCE AGENDA

FRIDAY, APRIL 9, 2010

8 AM • *Registration and Refreshments*
Outside the Ceremonial Courtroom, 10th floor

8:45 AM • *Opening Remarks*
Ceremonial Courtroom, 10th floor

• **Professor John Breen**
Faculty Advisor to the Law Journal
Loyola University Chicago School of Law

9:15-11 AM • *Panel #1*

What Makes America's Politicians Corrupt and How Can We Change It For The Future?

Ceremonial Courtroom, 10th floor

• **Professor John Bronsteen** *Panel Moderator*
Associate Professor of Law
Loyola University Chicago School of Law

• **Professor Norman Abrams**
University of California, Los Angeles
School of Law

• **Robert Cummins**
The Cummins Law Firm PC

• **Professor Michael Gerhardt**
University of North Carolina School of Law

• **Judge William Bauer**
United States Court of Appeals for the
Seventh Circuit

• **Professor Jonathan Entin**
Case Western Reserve University School of Law

11-11:15 AM • *Break*

11:15 - 12:30 PM • *Panel #2*

Corruption's Role in Party Competition and Elections

Ceremonial Courtroom, 10th floor

• **Professor Michael Kasper** *Panel Moderator*
Part-Time Professor of Law
Loyola University Chicago School of Law
and Of Counsel, Hinshaw & Culbertson

• **Professor Zephyr Teachout**
Fordham University School of Law

• **Professor David Schleicher**
George Mason University School of Law

12:30-2 PM • *Lunch: Kasbeer Hall, 15th Floor*

• **Dan Webb**
Winston & Strawn

2-4 PM • *Panel #3*

Corruption in Chicago – From Greylord to the Present

Ceremonial Courtroom, 10th floor

• **Professor James Carey** *Panel Moderator*
Professor and Director, Center for Advocacy
Loyola University Chicago School of Law

• **Abdon Pallasch**
Chicago Sun-Times Writer

• **Bernie Judge**
Former Chicago Daily Law Bulletin Editor

• **Michael Monico**
Monico, Pavich & Spevack

• **Thomas Breen**
Breen Pugh & Associates

• **Thomas Sullivan**
Jenner & Block

• **Daniel Reidy**
Jones Day

REGISTRATION INFORMATION

For advance registration and information, please contact Conference Editor Megan Ferkel: e-mail mferkel@luc.edu; phone 312.915.7183; fax 312.915.7201, attn: Law Journal

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The Loyola University Chicago Law Journal gratefully acknowledges the Morris I. Leibman Endowment for its generous support of this conference.

PANELISTS

NORMAN ABRAMS Professor Abrams has been a member of the UCLA Law School faculty since 1959. In addition, he has served as an associate dean of the Law School, vice chancellor of academic personnel in the campus administration, interim dean of the Law School, and acting chancellor. He is the coauthor (along with S. Beale and S. Klein) of the fifth edition of *Federal Criminal Law and Its Enforcement*, 2009. A native of Chicago, he holds a JD degree from the University of Chicago. Professor Abrams has been a consultant to numerous state and federal commissions and professional committees, and while on leave from UCLA, he served as special assistant to the attorney general of the United States in the Criminal Division of the U.S. Department of Justice from 1966-67.

HON. WILLIAM J. BAUER Judge Bauer is a senior circuit judge for the U.S. Court of Appeals for the Seventh Circuit, where he was designated chief judge from 1986-93. Judge Bauer received his JD degree from DePaul University. Prior to his appointment on the Seventh Circuit Court of Appeals, Judge Bauer was elected state's attorney for DuPage County in 1959 and re-elected in 1960. In 1964, he was elected judge of the Circuit Court for the Eighteenth Judicial Circuit of DuPage County. From 1971-75, he was appointed judge of the U.S. District Court for the Northern District of Illinois and in 1975, he was appointed judge of the U.S. Court of Appeals for the Seventh Circuit.

THOMAS BREEN Mr. Breen received his JD degree from Loyola University Chicago School of Law and then began his career as an assistant state's attorney for Cook County. Since 1979, he has been in private practice concentrating on criminal defense in both federal and state courts. He has defended complex white-collar cases, political corruption cases, and the full array of state criminal indictments. He has received many prestigious awards for his pro bono work representing the indigent and wrongfully convicted. He has been appointed by the Illinois Supreme Court to serve on its Committee on Pattern Jury Instructions and was recently appointed by the governor of Illinois to be chairman of the State Appellate Defender Commission. His happiest days in the ring were

in 1968-69 when he was boxing champion in the Bengal Bouts at Notre Dame.

ROBERT CUMMINS Mr. Cummins has pursued a civil and criminal trial practice and has lectured on professional conduct and ethics at DePaul, John Marshall, and Loyola. He received his JD degree from DePaul University Law School. He has served as chairman of the Illinois Judicial Inquiry Board and a member of the Review Board of the Attorney Registration and Disciplinary Commission of the Illinois Supreme Court. The governor appointed him to the Judicial Inquiry Board in 1979. Mr. Cummins was also appointed by Chief Judge Aspen to serve as co-chairman of the Trial Bar Advisory Committee of the Northern District of Illinois. He currently serves on behalf of the American Bar Association's Joint Commission to Evaluate the Model Code of Judicial Conduct.

JONATHAN L. ENTIN Professor Entin is associate dean of academic affairs in the School of Law and professor of law and political science at Case Western Reserve University. Recipient of the Distinguished Teacher Award from the CWRU Law Alumni Association in 2008, he has been honored four times as teacher of the year by law school graduating classes. He has been a judicial fellow at the Federal Judicial Center and a visiting professor at the University of Nebraska. He received his AB degree from Brown University and his JD degree from Northwestern University. Before embarking on his academic career, Professor Entin clerked for then-Judge Ruth Bader Ginsburg on the U.S. Court of Appeals for the District of Columbia Circuit and practiced with Steptoe & Johnson in Washington, D.C.

MICHAEL GERHARDT Professor Gerhardt, who received his JD degree from the University of Chicago, taught for more than a decade at William & Mary Law School before joining the University of North Carolina Law School faculty in the summer of 2005. He testified before Congress as the only joint witness in the House Judiciary Committee's special hearing on the history of the federal impeachment process held in conjunction with its consideration of the impeachment of President Clinton. In addition, he served as a special consultant to the National

Commission on Judicial Discipline and Removal, to the Presidential Transition in 1992-93, and to the White House on the nomination of Stephen Breyer to the U.S. Supreme Court. In January 2006, Professor Gerhardt testified before the Senate Judiciary Committee on the nomination of Samuel Alito Jr. as an associate justice of the U.S. Supreme Court. In the summer of 2009, Professor Gerhardt served as special counsel to Senator Patrick Leahy (D-Vt.) and the Senate Judiciary Committee for the nomination of Sonia Sotomayor as an associate justice of the U.S. Supreme Court.

BERNARD JUDGE Bernard Judge is the retired editor and publisher of the *Chicago Daily Law Bulletin* and has 44 years of experience as a newspaper executive in Chicago. He is chairman of the Illinois First Amendment Center in Springfield. During his career, he was a senior editor at the *Chicago Tribune* and *Chicago Sun-Times*, and was editor and general manager of the *City News Bureau*. He has edited projects that won the Pulitzer Prize and served as a Pulitzer juror. He is a member of the Chicago Journalism Hall of Fame and received the lifetime achievement award from the Chicago Press Club. Recently, he served as an Illinois commissioner investigating unwarranted clout in the admission process at the University of Illinois.

MICHAEL D. MONICO Mr. Monico received his JD degree from Northwestern University School of Law and then began his career as an assistant U.S. attorney for the Northern District of Illinois, where he worked from 1973-77. Now recognized as one of the premier criminal defense attorneys in the country, Mr. Monico represents individuals and corporations in federal criminal and regulatory cases. Over the last 32 years, he has represented clients in hundreds of white-collar, Medicare fraud, antitrust, public corruption, and securities fraud investigations throughout the U.S. He now serves as president of the Seventh Circuit Bar Association and, with Barry Spevack, authors the only treatise on federal criminal law in the Seventh Circuit, titled *Federal Criminal Practice: A Seventh Circuit Handbook*, now in its ninth edition. In November 2008, he received a "Lifetime Achievement Award" from the Illinois Association of Criminal Defense Lawyers.

ABDON M. PALLASCH Mr. Pallasch covers politics and law for the *Chicago Sun-Times*. In his 10 years at the *Sun-Times*, he has followed Barack

Obama around the country during Obama's presidential campaign and has listened to oral arguments in the Seventh Circuit Court of Appeals. Pallasch has also written for the *Chicago Tribune*, the *Tampa Tribune* in Florida, *Chicago Lawyer* magazine, and *United Press International*. He is a graduate of Northwestern University's Medill School of Journalism. He has twice won the Chicago Bar Association's Herman Kogan award for legal journalism.

DANIEL REIDY Mr. Reidy is partner-in-charge of the Chicago Office of Jones Day. He divides his time approximately evenly between criminal and civil litigation. While he was a prosecutor in the U.S. Attorney's Office, he specialized in political and judicial corruption cases and in matters involving allegations of complex financial crimes. He was the lead prosecutor in the Greylord judicial corruption project and personally prosecuted a number of judges, lawyers, and court personnel. He also handled numerous cases of public corruption outside the judicial sphere, including the conviction of a Chicago alderman. Mr. Reidy is a fellow of the American College of Trial Lawyers and the International Academy of Trial Lawyers. He has taught trial practice to law students and practicing lawyers and has spoken on criminal defense and civil litigation issues at various seminars. Mr. Reidy received his JD degree from the University of Michigan, where he graduated cum laude.

DAVID SCHLEICHER Professor Schleicher is an assistant professor at George Mason University School of Law. He graduated magna cum laude from Harvard Law School. Professor Schleicher's research examines issues in election law and local government law, focusing on the effect of election laws on voter ignorance and political party competition, problems in urban elections, and the law and economics of urban agglomeration. His work has appeared in a number of law journals, including the *University of Chicago Law Review*, the *University of Illinois Law Review*, the *Supreme Court Economic Review*, the *Election Law Journal*, and the *Journal of Law and Politics*.

TOM SULLIVAN Mr. Sullivan is a senior partner at Jenner & Block LLP and a former U.S. attorney for the Northern District of Illinois. He was co-chair of Illinois Governor George H. Ryan's Commission on Capital Punishment from 2000 until its completion in 2002. After graduating from Loyola University

Chicago School of Law in 1952, Mr. Sullivan joined Jenner & Block, where he has continuously practiced since 1954 (except for 1977-81 when he was U.S. attorney). He specializes in civil and criminal trial and appellate litigation. He has received numerous honors and awards, including being named one of the "Best Lawyers in America" for white-collar criminal defense, commercial litigation, and bet-the-company litigation from 2008-10.

ZEPHYR TEACHOUT Professor Teachout is an associate professor of law at Fordham University School of Law. She received her JD degree from Duke Law School, where she graduated *summa cum laude*. Professor Teachout's experience includes visiting assistant professor of law at Duke University; national director of the Sunlight Foundation; lecturer at the University of Vermont; political consultant for non-profits, including political campaigns and citizen journalism organizations; and non-resident fellow for the Berkman Center for Internet and Society at Harvard Law School. In addition, Professor Teachout was the director of internet organizing for Howard Dean's presidential campaign, cofounding executive director of The Fair Trial Initiative, and a staff attorney for the Center for Death Penalty Litigation.

DAN WEBB Mr. Webb is a partner in the litigation department at Winston & Strawn and serves as firm chairman. He received his JD from Loyola University Chicago School of Law in 1970. His trial practice concentrates in the areas of major commercial, civil, regulatory, and white-collar criminal cases. Mr. Webb has tried more than 100 jury cases, including numerous successful commercial and white-collar criminal cases. Mr. Webb joined Winston & Strawn in 1985 as a partner, after serving as the U.S. Attorney for the Northern District of Illinois. He received international attention for his successful prosecution of retired Admiral John Poindexter in the Iran-Contra affair. As the U.S. Attorney in Chicago, he spearheaded the "Operation Greylord" investigations into judicial corruption in Cook County. He worked as lead trial counsel for General Electric, successfully defending it against criminal price-fixing allegations, as well as for Microsoft Corporation in its antitrust litigation and Philip Morris in its tobacco-related litigation. He also served as lead counsel in the six-month jury trial of former Illinois Gov. George H. Ryan on

public corruption charges. Mr. Webb has received numerous awards and honors, including being named as the top litigation expert in the United States and one of the top 25 litigation experts in the world in 2008 by the *Guide to the World's Leading Lawyers*. He was also the *Chicago Lawyer* "Person of the Year" for 2008. Earlier this year, Loyola University Chicago named its nationally recognized Center for Advocacy the Dan K. Webb Center for Advocacy to honor his distinguished career and to recognize his significant contributions to the School of Law.

Moderators

JOHN BRONSTEEN Professor Bronsteen joined the Loyola faculty in 2005. He came to Loyola from the University of Chicago Law School, where he had spent two years as a Bigelow Teaching Fellow and lecturer in law. Before that, he was an associate at Goldstein & Howe in Washington, D.C., and a law clerk for Chief Judge Douglas Ginsburg of the U.S. Court of Appeals for the District of Columbia Circuit. He received his JD degree from Yale in 2001.

JAMES CAREY Professor Carey began his law practice with the Cook County Public Defender's Office, where he worked in Juvenile Court, Narcotics Court, and Felony Trial Court after completing military service in 1970. He received his JD degree from the University of Chicago in 1968. He has been a member of the teaching faculty of the National Institute for Trial Advocacy since 1978. He is director of Loyola's trial practice program. Since coming to Loyola he has been a reporter for the Illinois Judicial Conference Criminal Law Committee. He currently teaches courses in criminal law, evidence, and trial practice.

MICHAEL KASPER Professor Kasper's trial and appellate litigation practice focuses on areas of constitutional law, voting rights, elections, and issues related to the legislative process. He received his JD degree from Northwestern University School of Law in 1989. In January 2007, *Law & Politics*, in conjunction with *Chicago Magazine*, named Mr. Kasper one of Illinois' "Super Lawyers," making him one of only four attorneys statewide given that designation in the field of political law. He is currently of counsel at Hinshaw & Culbertson and teaches election law at Loyola.