



City of Chicago



R2017-1020

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 11/15/2017

Sponsor(s): Arena (45)
Waguespack (32)
Foulkes (16)
Scott, Jr. (24)
Lopez (15)
Pawar (47)
Mell (33)
Sadlowski Garza (10)
Silverstein (50)
Moore (17)
Sawyer (6)
Osterman (48)
Mitchell (7)

Type: Resolution

Title: Call for Illinois Supreme Court to adopt rules allowing corporations to be represented by non-attorney in municipal administrative hearings

Committee(s) Assignment: Committee on Finance

Finance

**RESOLUTION REQUESTING THE ILLINOIS SUPREME COURT ALLOW
NON-ATTORNEYS TO REPRESENT CORPORATIONS
IN MUNICIPAL ADMINISTRATIVE HEARINGS**

WHEREAS, in 2014, the Illinois Appellate Court ruled in *Stone Street Partners, LLC, v. The City of Chicago Department of Administrative Hearings* that corporations must be represented by attorneys in municipal administrative hearings; and

WHEREAS, in 2017, the Illinois Supreme Court majority opinion in the same case declined to address the issue of whether a non-attorney can represent a corporation before a municipal administrative hearing; and

WHEREAS, in Chicago, there exists many small corporations, S-Corporations, and limited liability companies, among other business entities; and

WHEREAS, many alleged violations of City of Chicago Municipal Code require an appearance at an administrative hearing; and

WHEREAS, hiring an attorney is often a significant expense for a small business, forcing these businesses to spend more money than can, or is likely to be, assessed as a fine for violations of the Code; and

WHEREAS, the Illinois Supreme Court has the power to and responsibility for regulating the practice of law in Illinois; and

WHEREAS, Illinois Supreme Court Rules, Article II, Rules on Civil Proceedings, Rule 282(b) allows corporations to be represented "through any officer, director, manager, department manager or supervisor of the corporation, as though such corporation were appearing in its proper person" while defending itself on any small claims complaint; and

WHEREAS, Illinois Supreme Court Rules do not address if a corporation must be represented by an attorney before an administrative hearing alleging an ordinance violation; therefore

BE IT RESOLVED, The City Council of the City of Chicago urges the Illinois Supreme Court to adopt a rule similar to Rule 282(b) allowing corporations to be represented by a non-attorney in any municipal administrative hearing; and

BE IT FURTHER RESOLVED, City Clerk of the City of Chicago shall deliver a copy of this resolution to the Illinois Supreme Court Rules Committee, as well as the Chief Justice of the Illinois Supreme Court.


Alderman John Arena, 45th Ward

Scott Wigney 32
Am... 24

Chris... 16
Ray... 12

Bill Melly

(33 Ward)

Richard P

(50 Ward)

Susan Anderson

(10 Ward)

John

(17 Ward)

Robert

(6 Ward)

(_____ Ward)

John

(3 Ward)

(_____ Ward)

Bob

(48 Ward)

(_____ Ward)

John

(47 Ward)

(_____ Ward)