

EVERYDAY DEMOCRACY

SEASONAL NEWSLETTER FROM THE CITIZEN ADVOCACY CENTER
SUMMER 2000

All year long, but especially in the summer, student interns invade the Citizen Advocacy Center! With their assistance, the Center prints more brochures, hosts more workshops, and holds open the doors of government to more people. Interns come to the Center from schools across the country, including: The Public Interest Law Initiative, NAPIL, IIT-Chicago Kent College of Law, Loyola University Law School -Chicago, University of Toledo College of Law, Benedictine University, Northern Illinois University-College of Law, John Marshall Law School, and York High School. Special thanks to the interns and our fellow: Keith Allen, Navreet Basati, Will Conrad, Susan Danial, Ellen Grachek, Beth LaFave, Adam Levy, Amy Naik, Matt Richards, Tara Teesch, and Alex Wilson.

—The Center

Tips on TIFs

I participated in several projects at the Center which improved my skills and civic awareness. First, I participated in the development and organization of the Suburban Civic Fair. I took an active role in developing awareness within the community by speaking with many organizations and working with citizen groups to enhance attendance at the Fair.

Next I improved my research and writing skills by reading, analyzing, and summarizing various statutes within the Illinois Procurement and Tax Code. My efforts aided community lawyers in preparing for litigation and helped me better facilitate my main project.

I focused on investigating TIFs (Tax Increment Financing) in DuPage County. A TIF is a program which allows a municipality the discretion to freeze property tax revenues to taxing bodies outside the TIF district so that the municipality can develop unproductive areas with declining or stagnant property values. The goal of a TIF is to increase the tax value for the whole community.

A properly used TIF can have a positive effect on the community. TIFs can increase property values within an area that would otherwise not increase, thereby creating an influx of development and tax revenue generation. An improperly used TIF can have a devastating effect on the surrounding area because of the lost taxes to schools, parks, libraries, and other taxing bodies. For the term of the TIF, possibly 23 years, taxing

bodies outside the TIF district are denied the tax revenue, and eventually the tax burden could be the responsibility of the taxpayer if the TIF district does not materialize enough to pay off the existing debt.

Working on this project, I contacted municipalities to obtain reports, budgets and other financial data. I analyzed two points; first, I compared how much money was initially budgeted to TIFs how much was spent. Second, I compared how much money was promised and whether those promises were actually met. By analyzing these elements, I hope to determine whether the TIF was properly implemented. This project allowed me to expand my own knowledge of the workings of local government.

Citizen Training

The Citizen Training Corps begins September 13th, 2000. The program received local and national attention from news organizations, such as Nation's Cities Weekly, radio stations in Washington and Massachusetts and municipalities nationwide, who cited the Citizen Training Corps program as an example of how to effectively teach civic activism.

Sept. 13: Who Represents You
Sept. 27: Request Public Info.
Oct. 11: Basic Research Tools
Oct. 27: Open Meeting Act
Nov. 15: Government Budgets
Nov. 29: Discuss all sides of an issue.

Register Today!

Call Terry Pastika at CAC.
(630) 833-4080.

Legal Intern- Alex Wilson,
John Marshall Law School

Why is Civic Education Failing our Youth?

This summer I researched how the current standards of the Illinois State Board of Education can be altered to propose a hands-on civic curriculum in Illinois schools. My goal was to discover why schools are not teaching our youth the key principles behind our democratic government: the importance of our right to vote for a representative government and the importance of participatory citizenship.

While I researched the current educational standards, I discovered the only descriptive words for student achievement in civic education were: "explain," "identify," and "analyze." The standards never mentioned, "active participation" or "the ability to demonstrate," which are the basis of participatory citizenship.

In elementary math classes students are not asked to explain addition

and in geometry classes students are not asked to identify a triangle. Students are required to add and calculate the area of a triangle satisfactorily. Why do we not require that much in our civic education courses? It should not be enough to just identify and explain a representative government, students must be able to demonstrate active participation in a representative government. What better way to learn the importance of a democratic government than by actually participating?

I have asked other public interest organizations concerned with the quality of students' civic education to pool their resources of activities and curriculums. This information will be analyzed to learn how organizations in the Chicago area are proposing different civic opportunities to give students the tools they need to actively participate in government.

*Legal Intern- Beth LaFave
Loyola University Law School*

Internet & FOIA

In 1996, Congress passed an amendment to the Freedom of Information Act known as EFOIA (Electronic Freedom of Information Act). Under the EFOIA Act, the U. S. Congress recognized that government agencies increasingly used computers to conduct agency business and to store publicly valuable agency records and information. The Act focuses on government agencies using computer technology to enhance public access to government records. The EFOIA Act requires public agencies to post information on their website in what are called "reading rooms".

Currently, only Federal agencies are required to have reading rooms online but some state and local agencies also post information. The trend seems to be that more agencies are making documents available on the Internet because of the ease and cost efficiency of maintaining such a site. Illinois however, has yet to adopt posting information online.

In reading rooms, one can access public information without having to make a formal FOIA request. Additionally, the cost of reproduction is eliminated because of information now available on government agency websites. Reading rooms contain records that the public agency determines most likely to be the subject of requests for records. The agency determines what new materials will be added to a reading room category based upon previous requests. Even if a government agency places a record in its reading room, a FOIA request for agency documents through the traditional method (i.e. hardcopy), must still be processed. In other words, an

information over the Internet. This would penalize those without access to computers. Government agencies are not relieved of their duty to produce the documents in a "hardcopy." Although there is currently no requirement to accept a request via the Internet, reading rooms are a good, inexpensive place to search and request government held information.

Many federal agency websites provide specific examples of how to request information from a specific department. Although a general FOIA request may be sufficient, the agency's website example may provide the exact format to meet your needs. Citizens and other news-gathering organizations who find it difficult to obtain public government documents may find the following list of websites helpful when starting a search of FOIA related items as well as changes or updates to the Freedom Of Information Act.

www.ag.state.il.us/foiachange.htm (Illinois FOIA)
www.usdoj.gov/oip/foi-upd.htm (U.S. fed. FOIA)

www.foia.com (FOIA requests help site)
efoia.com (EFOIA issues)

*High School Intern- Will Conrad
Elmhurst High School*

...With Fee Waiver & Justice For All.

After my first year of law school, I was eager to put the skills I had learned into practical application while helping to make a difference. As a Public Interest Law Initiative Intern at the CAC, I encountered numerous opportunities to do just that and then some.

The CAC is studying the DuPage County Procurement process, which is the government's method of purchasing goods and services from the private sector. Procurement can be a political tool and cause for public concern, because it provides politicians with a potential opportunity to award lucrative government contracts to their campaign supporters. My work focused on research in preparation for a lawsuit against DuPage County and will aid CAC attorneys in their upcoming litigation.

I researched grounds for Federal and Illinois Freedom of Information Act (FOIA) fee waivers based on the "public interest" exception. I also researched electronic formatting of records requested via the Illinois FOIA. I exercised my own civic muscle when I filed several FOIA requests with various local governments on behalf of the CAC. I began to develop my statutory interpretation skills through digesting and summarizing the Illinois Local Records Act, the Illinois Local Government Professional Services Selection Act, and sections of Chapter 44 of the Illinois Administrative Code.

In addition to these legal research and writing projects, I had the unique opportunity to witness community organizing in action as the CAC prepared for its Second Annual Suburban Civic Fair. From recruiting exhibitors to appearing on cable television to promote the event, my efforts contributed to making the Fair a reality. Community organizing is not a class taught in law school, so my summer at the CAC was a truly unique learning experience.

As I continue my legal education and begin to practice law, the mission and principles I learned this summer will stay with me. Hopefully I can and will be able to incorporate the lessons learned and begin to replicate and expand the work of the Citizen Advocacy Center throughout my legal career.

*Legal Intern- Ellen Grachek
University of Toledo College of Law*

Intern Turned Fellow

This summer marks the third time I have volunteered at the Citizen Advocacy Center. Every time I have worked at the Center, I have found it encouraging that so many people are concerned with the government and are willing to give up their time to make sure the government is running efficiently.

As a fellow this summer, I have been working with community lawyer, Laurel O'Sullivan in connection with the Center's Freedom of Information Act (FOIA) lawsuit against the DuPage County government. The Center believes that the County wrongfully withheld information that was requested through appropriate FOIA procedures. Therefore, the Center brought a lawsuit in District Court to decide the issue. As a part of this project, I have researched several legal theories that have helped the Center respond to the County's arguments.

In my opinion, the FOIA lawsuit represents the essence of what the Center is about. One of our main goals is to help make the government accountable to the people. This goal is impossible to achieve if citizens are denied access to information about their government. I am glad to have had the opportunity to help the Center with this lawsuit. My summer has been an enriching experience and I look forward to the next time I am able to volunteer at the Center.

*Fellow- Keith Allen
Alzheimer & Gray*

My summer project involved researching the high

gasoline prices throughout the country, specifically the Midwest, and then presenting this subject at a Brown Bag Lunch.

I chose this topic because I was interested in learning about what had caused the gas prices to rapidly rise, and what action was being taken to provide consumer relief. I quickly discovered that high gasoline prices were a result of a variety of poorly planned occurrences, including an OPEC agreement to decrease the output of crude oil, oil company officials failure to plan ahead to comply with EPA regulations, and a number of pipeline problems in the Midwest.

I realized that all proposed consumer relief action, such as temporarily stripping the gas tax, OPEC's decision to increase the output of crude oil, and the desire to drill in the United States' own oil reserves like the Arctic National Wildlife Reserve, were only short-term solutions to this gasoline problem. No effort to concentrate on long-term solutions like funding cars that require less gasoline, finding an alternate fuel source, and working to decrease dependency on gasoline by creating better public transportation systems were proposed. My next project is to create an educational brochure that focuses on contract law, including buyer's rights, canceling contracts, warranties, and charitable gifts.

My summer has improved my research and organizational skills and has also provided me the opportunity to become more involved in my community.

*High School Intern- Amy Naik
York High School*

Gassed out?

Efficiency or Excess?

Illinois has more layers of government than any other state. CAC has begun to analyze the many levels of government in DuPage County, specifically counties, townships and municipalities. My goal was to begin to learn whether taxpayer dollars are used for efficiency or excess.

As part of my project, I visited all nine townships, six municipalities, the county office in Wheaton, and conducted interviews with officials on all three levels of government.

Though the three levels of government perform specific tasks, it is difficult to assess if duplication occurs. Illinois is unique because many states do not have township government. In addition to the counties, townships and municipalities there are park districts and local organizations that also provide a variety of services. Are all these levels of government really necessary? If so, how do they maintain efficiency and avoid duplication of services?

Municipalities are divided into several different departments such as code enforcement, finance, cable T.V., engineering, and public works. Municipalities also have several commissions, such as liquor, police and fire which make suggestions to the city council.

Townships have three

purposes: general assistance services, property assessment, and road and bridge maintenance. I have found that in unincorporated areas, the road division in township government duplicates the services of the city. For example, leaf and brush pick up is provided by the township rather than the city in unincorporated areas.

The county is divided into several departments and possesses a broad range of powers. The county provides social services, county road maintenance, police protection, and animal control.

A debate is brewing in DuPage County as to the responsibilities of each level of government. For example, some citizens disagree as to which governmental entity should provide road maintenance. Some share the opinion that public works should be centralized, and the county should control road maintenance. Other areas of debate concern social services. The county and townships have social services, and municipalities sometimes offer counseling by professional caseworkers. This question of excess or efficiency is one future interns will continue to investigate in the coming year.

*College Intern - Adam Levy
Benedictine University*

Illinois Health Care

The US health care system is often represented as the best in the world because it provides the most advanced medical care. Despite this, it still faces serious challenges with respect to cost, access to care, and quality of care. For these reasons, I decided to focus my work in this area, particularly in the area of managed care reform.

Managed care attempts to provide quality health care in a cost-efficient manner. It changes the traditional fee-for-service system, by inserting a middleman, the managed care organization, between the physician and patient. It is estimated that seventy-three percent of Americans who receive their health insurance through their employers are enrolled in a managed care organization. These organizations reduce costs by using methods such as: capitation, risk-sharing, and payment incentives.

Illinois has enacted a Managed Care Reform and Patients' Rights Act that provides, among other things, the right to receive detailed information about the health care coverage an organization provides, the right to receive emergency services when a condition is serious enough, and the right to appeal decisions made by a managed care organization.

My project will entail comparing Illinois' act with the current practices of managed care organizations that provide health care coverage in the state. Additionally, avenues for future health care reform will be evaluated by looking at the national level and at what other states are doing to ensure that citizens receive the best possible health care.

*Legal Intern- Susan Danial
Loyola University Chicago*

CAC's 1st RUMMAGE SALE !!!!!

- ◆ **Saturday, October 7, from 9-5 CAC will hold its first rummage sale.** Proceeds will go to the Third Annual Suburban Civic Fair speaker's fund.
- ◆ Please donate clean, usable items to the CAC. Drop off items during regular business hours.
- ◆ Sept. 20 and Sept. 22 the Center will be open until 9 PM. Saturday 23rd drop off from 9-5.

Power to the People

My work at the Center involved researching provisions of the Illinois Election Code. Specifically, my main project led to researching the extent of an Illinois citizen's initiative power. This involved doing a state to state comparison of citizen initiative power, reading transcripts of the 1970 Illinois Constitutional Convention debates, and researching and interpreting Illinois case law. Initiative power involves the ability of citizens to propose questions to their fellow voters. Depending upon the nature of the question and the extent of the initiative power, the question proposed may become legally binding upon voter majority approval.

My research concluded that Illinois, as compared to its sister states, has one of the most restrictive initiative powers reserved for its citizens. Illinois citizens cannot propose state laws by initiative and their ability to propose amendments to the Illinois Constitution is strictly limited. A citizen initiative in Illinois may only amend structural and procedural aspects of the Legislative Article. Numerous amendments have failed because of the way in which these restrictions have been applied. Only one amendment has been placed on the Illinois ballot. Voters approved the measure. At the local level, initiative power is less restricted. Citizens can accomplish substantive changes, such as changing county boundaries, creating or eliminating county offices, and consolidating, merging, or dissolving townships.

State law strictly prescribes the technical requirements relating to form and content of petitions. The requirements vary depending upon the subject matter of the question and are not contained in one source. With varying sources, it can be difficult to determine what requirements apply and when. My goals were to assist citizens in navigating through legal petition requirements by compiling a guide to place initiatives on the ballot. The materials will not only address what substantive changes can be accomplished through initiatives, but will also delineate the various petition requirements for proposing questions by initiative.

I also analyzed various problems associated with the current Illinois Supreme Court's interpretation of the scope of initiative power. In addition, developed training materials for the Citizen Training Corps by compiling a citizen guide for a session entitled "Discussing All Sides of an Issue". Finally, I updated the Center's educational brochure on Voter Initiatives.

Through my work at the Center, I have gained a greater appreciation for what it means to be a proactive citizen. I have also gained experiences and perspectives that law school could not impart. Working at the Center has helped me focus on what I hope to accomplish in my legal career, and has renewed my spirit for legal work in general.

*Legal Intern – Tara Teesch
Northern Illinois University College of Law*

Social Security

As an intern, I was responsible for facilitating evening community programs on the privatization of Social Security and the WTO. I researched these topics and presented a non-partisan presentation that introduced me to the fundamental tenets of activism and public interest law. In my study of the Social Security system, I found that both Al Gore and George W. Bush had politicized social security to such an extreme extent that basic concerns of prospective insolvency were nearly indecipherable.

I discovered that fixing the social security system boils down to priorities. Some people want to privatize the system and let social security rest in fund managers with varying abilities, while some would rather increase the earnings cap subject to payroll taxes and use general revenue to shore up the current system. In this highly technological era, I

found it difficult to find unfiltered information. It seemed that every source of information was part of a conglomerate that had a political agenda or a corporate interest to protect. Through my research, I realized how difficult it was to decipher fact from rhetoric and truth from manipulation.

Citizens must be vigilant in finding information that is non-partisan. Democracy depends upon participation and an informed citizenry. My research brought to light the apathy among individuals who will be affected by changes in social security.

As citizens we cannot control how many people engage themselves in the political process, but we can set the precedent that our doors will always be open to those who want to become better participants in our democracy. As long as Americans take their role as citizens lightly, corruption and exploitation will exist. It is only when we are capable of speaking truth to power and demanding change that our democracy will truly be an avenue for the people, rather than one that rails against the interests of the people.

*High School Student Intern- Matt Richards
Elmhurst High School*

Everyday Democracy is a publication of the *Citizen Advocacy Center*, a non-profit, nonpartisan, 501(c)(3) corporation. Submissions from citizen advocates in the western suburbs of Chicago are encouraged.

The *Center* is an educational and charitable organization dedicated to building democracy for the 21st century by strengthening the public's capacities, resources, and institutions for self-governance.

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

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Brown Bag Lunches

My first contact with the Citizen Advocacy Center began in the summer of 1999, when a friend from law school was an intern with the Center. She explained the goals and objectives of the Center and I decided to volunteer during the school year. As an intern, I have worked on the Brown Bag Lunch series which are held once a month for an hour at the Center, and the community is invited to bring a lunch and express their views on the latest topic.

My first, entitled, "Children and Ritalin", presented information on the effects of psychotropic medications on children, with an emphasis on children with Attention Deficit Hyperactive Disorder (ADHD). I gathered information by doing research on the Internet, finding articles in the newspaper, and giving a survey to children's psychiatric doctors. Some of the concerns shared by those who completed the survey were that for various reasons, no studies have focused on the long-term effects of psychiatric medications on children. The doctors and authors of the articles also found that behavior modification plus medication was the most effective treatment for children with ADHD.

The second lunch was entitled, "Gun Control: Are you for gun control or against it?" After I gave a presentation on guns and various points of controversy, the debate heated up. Among those who were present were an ex-marine, a doctor, parents, the interns, and the community lawyers. A majority of people clearly had a strong opinion on the topic, but there were also people who were undecided. The people who advocated no new gun control argued their viewpoints, including that it was their right to own guns. The people who advocated against guns argued that guns are unsafe and for safety reasons, guns should not be allowed. The major concern of everyone present regarded children killed by guns. This diverse group did agree that it was the parents' responsibility to teach their children about guns and how to protect themselves around guns.

The Center continues to do Brown Bag Lunches every month on hot topics. It is a great way for citizens of the community to get together and discuss their views in an open forum and learn something new. I will continue volunteering here during my third year at law school by working on the ongoing TIF project, Center brochures, and legal intake calls.

*Legal Intern – Navreet Kaur Basati
IIT-Chicago Kent College of Law*