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Donation aims to right some wrongs

Attorney, law firm six-figure offering intends to open court system to consumers, needy

BY LAURAANN WOOD

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A Chicago attorney whose firm focuses on protecting consumer's rights from major technology companies has gifted \$345,000 to legal aid causes across the state.

Jay Edelson, owner Edelson P.C., said he believes consumers are finding it more difficult over time to pursue their rights in court.

As part of an effort to level the legal playing field, Edelson and his firm made the donation to the Illinois Bar Foundation, the fundraising arm of the Illinois State Bar Association.

This month, the IBF announced the funds would go to 28 non-profit organizations across the state through Access to Justice grants.

It will also provide a three-year special project grant to Illinois Legal Aid Online to fund a part-time attorney position.

And the gift will support a two-year grant for Illinois JusticeCorps — an IBF-administered AmeriCorps program through which volunteers are placed in 10 courthouses across the state to help people without lawyers navigate the courthouse and become acquainted with available legal resources.

During a time when state funding and charitable giving is down, a lot of people are fighting for legal access without having the money they need to do so, IBF President Shawn S. Kasserman said.

"Jay's money goes a long way toward opening up the courthouse doors for people who couldn't even imagine that these services would be available for



Jay Edelson kicks back at his downtown Edelson P.C. office during a March interview with Chicago Lawyer magazine. Edelson, whose firm concentrates on consumer rights, donated \$345,000 to the Illinois Bar Foundation to work on consumer issues and to help those statewide who can't afford legal assistance. *Michael R. Schmidt*

them," he said.

Edelson said the system has barriers that make it harder for litigants with important needs and limited resources.

"I think that access to justice is one of the key consumer issues of the day and it's really been overlooked," Edelson said.

Edelson attributes some of the difficulty consumers experience in pursuing their complaints in court to the Supreme Court's 5-4 decision in 2011 in *AT&T Mobility v. Concepcion*, 563 U.S. 333.

In that case, the court held that a company's arbitration clause can override a person's expectation of a constitutional right to a jury trial.

As a result, many consumers have to bring private arbitration claims against companies that may have harmed them but have

implemented such a contract clause with the hopes of discouraging legal action and cutting potentially high legal expenses.

Studies have consistently shown, however, that "very few, if any" consumers actually file arbitrations on their matters, Edelson said.

"The companies, though, they use the court system all the time to litigate their most important matter," he said. "Private arbitration is bought and paid for by corporate America, and it serves as a major barrier for consumers to vindicate their rights."

But people are also getting shut out of the court system in other ways, he said, highlighting inadequate funding for pro bono services and public defender's offices as examples.

And while money and dona-

tions certainly help advance the mission for widespread court access, both Edelson and Kasserman agree that the legal community can help achieve that goal in other ways.

"Even more important than money is time and commitment," Kasserman said. "We all need to take a step back and look around and see what we can do to provide access to justice because as lawyers, I believe we should do everything we can to make access to justice possible."

Edelson said he believes lawyers have a duty to find ways to promote access to justice.

"The legal profession has shifted to more of a business profession," he said. "That issue of pro bono has really fallen by the wayside, and it's something that lawyers should catch up to."