



City of Chicago  
Eugene Sawyer, Mayor

February 14, 1989

Board of Ethics  
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Executive Director

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Suite 530  
205 West Randolph Street  
Chicago, Illinois 60606  
(312) 744-9660

[REDACTED]

Attn: [REDACTED]

Dear [REDACTED]

Pursuant to the terms of the Governmental Ethics Ordinance all persons lobbying, for compensation, any legislative or administrative action of the City of Chicago are required to register with the Chicago Board of Ethics. Further, the Ordinance states that any person required to register shall file each year, not later than January 20 and July 20, a notarized written Disclosure report of lobbyist activities during the previous six calendar months.

The Board began enforcement of this lobbyist disclosure requirement in January of 1988. Many law firms providing lobbying related services for their clients failed to complete the reporting and disclosure forms. In defense of their refusal to disclose the amounts paid for lobbying-related activities, they cited the attorney-client privilege.

After thorough research and discussion of the issue, the Ethics Board staff recommended to the Corporation Counsel that the amount of fees paid to an attorney for performing lobbying-related activities was not protected by the attorney-client privilege and as such should be disclosed on the Board of Ethics Lobbyist Registration and Disclosure forms. On January 25, 1989, the Corporation Counsel Judson Miner, in a memorandum to the Board, confirmed the staff's position stating "...that amounts received and expended for lobbying activities are not protected from disclosure by the attorney-client privilege, unless the person claiming the privilege can demonstrate that exceptional circumstances require that the information not be disclosed." Further, he states:



Page 2

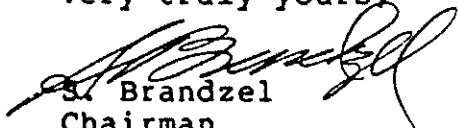
February 14, 1989

"The Code of Professional Responsibility cannot be invoked as a reason for avoiding reporting requirements of the Ethics Ordinance. Even assuming that the information required to be disclosed may contain confidences or secrets of a client, Disciplinary Rule 4-101(d)(2) permits a lawyer to reveal confidences or secrets when required by law or court order. The Ethics Ordinance, which contains penalties for violations, is a law for purposes of the Disciplinary Rule."

██████████ filed a Lobbyist Disclosure Report and Lobbyist Registration Statement on or before January 20, 1989. In violation of the Governmental Ethics Ordinance, Chapter 26.2 Section 25(b), ██████████ failed to complete Section IV, entitled "Compensation Exceeding \$1000" on the Lobbyist Disclosure Report.

The Board of Ethics after reviewing the information received from the Corporation Counsel, hereby finds you in violation of the Governmental Ethics Ordinance. Your failure to complete the above stated information within 10 days shall result in the issuance of a penalty of \$100 for each day thereafter until the date of compliance. If you have any questions or problems, please do not hesitate to contact the Board of Ethics at 744-9660.

Very truly yours,

  
S. Brandzel  
Chairman

CC: Corporation Counsel  
Judson Miner

EC/jh/lobby