



Ankin Law Office LLC

Protecting the Rights of Injured Workers

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Is Chicago's New Policy Regarding Lawsuits Against Police Effective?



The City of Chicago has changed the way that it handles [civil rights lawsuits](#) brought against Chicago police officers, by taking the cases to trial rather than settling them before trial. This new policy has resulted in a large reduction of these types of lawsuits, as explained in a recent Chicago Sun-Times [article](#):

This year, the city anticipates that 50 percent fewer police misconduct cases will be filed than in 2009. The share of cases resolved through settlements has fallen from about 67 percent in 2009 to about 24 percent this year through the end of September, officials said.

However, whether the new policy will result in reduced costs for the City over the long term remains to be seen.

According to Karen Seimetz, the city's first assistant corporation counsel, the new treatment of "small" cases (those valued at less than \$100,000) will be a big money saver for the City:

Small cases have been farmed out to outside lawyers for a bulk fee of \$35,000 a case, plus a \$15,000 bonus in the event of a trial win. That comes out to a little more than \$5 million per year over the next two years to the outside lawyers, plus any bonuses that are paid out to them, Seimetz said. Those legal costs are expected to go down in future years as fewer cases are filed, she said.

However, as explained in the article, according to one local attorney that formula doesn't take into account attorneys' fees that the City may be required to pay in the event it loses a case after trial:

He said he was willing to settle one lawsuit for \$10,000, but the city refused, the case went to trial and a jury awarded his client \$7,500.

"They kept saying 'no settlement, no settlement,'" Jackowiak said. "Instead of paying \$10,000, the city paid outside counsel \$35,000, plus the \$7,500 jury award, plus our attorney's fees of \$153,000. It makes no financial sense whatsoever."

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Certainly the new policy serves the desired function of weeding out frivolous lawsuits. However, the cost-saving effects have yet to be shown. Only time will tell if the policy has its intended effect. And, in the meantime, the new policy may serve the unfortunate side effect of discouraging those with legitimate claims who have suffered injuries at the hands of Chicago police from seeking a remedy.

Howard Ankin of Ankin Law Office LLC (www.ankinlaw.com) handles [workers' compensation](#) and [personal injury cases](#). Mr. Ankin can be reached at (312) 346-8780 and howard@ankinlaw.com.

By [admin](#)

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