

David E.B. Smith
Chicago, Illinois
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EXPERIENCE

1998-present

CITY OF CHICAGO DEPARTMENT OF LAW, CHICAGO, ILLINOIS
Senior Counsel, Building & License Enforcement Division

I supervise a group of attorneys who represent the City's Department of Business Affairs and Consumer Protection and the Local Liquor Control Commissioner in license-related litigation. We prosecute disciplinary actions against liquor and non-liquor licensees for misconduct including felonies, misdemeanors and ordinance violations. We defend license disciplinary cases and license denial cases at the License Appeal Commission, and represent the City on administrative review in Circuit Court. We also provide advice and counsel to our client and other City Departments. I supervise all aspects of this group's practice, which includes legal research, brief writing, arguing motions, and case management.

Previously, I supervised a group of attorneys who prosecuted violations of City Building and Zoning Codes. I was responsible for all facets of the management of a high-volume litigation practice in Circuit Court and Administrative Hearings, including assignment of cases, development of litigation strategy, review and editing of pleadings and motions, monitoring of settlement negotiations, supervision of court appearances by staff attorneys, and conducting performance reviews of staff attorneys. I provided legal advice and support to City departments including Buildings, Construction and Permits, Zoning, Planning and Development, Housing, Streets and Sanitation, Fire, Mayor's Office, and aldermen.

In addition to my supervisory duties, I regularly appear in court on behalf of the City in First Municipal, Law, Chancery and Federal Court in unusual litigation such as mandamus actions arising out of the refusal to issue building permits and business licenses. I also provide advice and counsel to many City departments in wide-ranging non-litigation areas such as ordinance and rule drafting, development of departmental initiatives, and implementation of departmental policies and practices. I serve as legal counsel to the Building Board of Appeals and the Committee on Standards and Tests.

My areas of expertise are liquor and non-liquor licensing, trade licensing, zoning, billboards and signs, building code enforcement, mandamus, TROs and injunctive remedies, real estate law, local government law, criminal law, first amendment law, appellate law and legal writing.

Less traditionally, I've served as a divisional facilitator for the selection, design and implementation of the Law Department's case management system, and am working on the design of an interface between the Law Department's system and the management systems of other City Departments.

1994-1998

***Assistant Corporation Counsel, Municipal Prosecutions /
Special Municipal Prosecutions Division***

I represented the local liquor control commissioner and Mayor's License Commission in license-related litigation. My responsibilities included prosecuting liquor and other business license revocations at administrative hearings; defending liquor license revocations and denial of license applications before the License Appeal Commission; representing the City in administrative review cases in circuit court; providing legal advice to Revenue and Police Departments. My duties included drafting pleadings and briefs; drafting and arguing motions; answering discovery; training Law and Police Departments in liquor licensing law and investigative techniques; reviewing and editing pleadings and briefs. I wrote an appellate brief successfully defending liquor licensing ordinance against constitutional challenge.

Before that, I prosecuted ordinance violation and misdemeanor criminal cases in municipal branch courts. I drafted and argued motions, negotiated pre-trial settlements, answered discovery, and prosecuted criminal and quasi-criminal bench and jury trials.

I edited the training manual on First Amendment issues that was used by the Chicago Police Department and the Corporation Counsel's office for 1996 Democratic National Convention. I served as a team leader, supplying legal advice to the Police Department, at designated and spontaneous protest areas during the convention.

1991-94

Illinois State Medical Society, Chicago, Illinois
Senior Programmer for state medical society and malpractice insurer.

1984-91

Analysts International Corporation, Schaumburg, Illinois
Consultant for a national software consulting firm.

1981-84

MCC Powers, Northbrook, Illinois
Software Quality Engineer for a building control system manufacturer.

1980-81

Northwestern University, Evanston, Illinois
Research Assistant for a group conducting research in medium-energy nuclear physics.

EDUCATION

Chicago-Kent College of Law, Illinois Institute of Technology
Juris Doctor with High Honors, June, 1994
Order of the Coif
Kent Legal Scholar
Class Rank 3 / 319; G.P.A. 3.859 / 4.0

Law Review

Executive Articles Editor & Survey Editor, 1992-93
Staff Member, 1991-92

Honors

Dean's List; West Publishing Award for Outstanding Academic Achievement, 1992, 1993, 1994; Chicago-Kent Class Awards in Justice & The

Legal System, Property, Legal Drafting, Professional Responsibility, Commercial Law 2 (Commercial Paper); Recipient of Honor Scholarship, 1990-94.

Northwestern University, Evanston, Illinois
Bachelor of Arts, Physics and Astronomy, August 1979
Graduate work in Physics, 1979-80

PUBLICATIONS

Editor, *City of Chicago Municipal Law Enforcement Guide to Demonstrations, Protests and First Amendment Issues* (1996)

Note, Clean Sweep or Witch Hunt? Constitutional Issues in Chicago's Public Housing Sweeps, 69 CHI.-KENT L. REV. 505 (1993-94)

Book Review, Just When You Thought It Was Safe To Go Back Into the Bluebook: Notes on the Fifteenth Edition, 67 CHI.-KENT L. REV. 275 (1992)

LICENSURE

Illinois Bar; Northern District of Illinois (Trial Bar).