

David E.B. Smith
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EXPERIENCE

1998-present

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

I currently 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 and shared housing registrants for misconduct including felonies, misdemeanors, ordinance violations, and public nuisance, and defend license denials and denials of shared housing registration. 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 department and other City Departments such as Police and the Mayor's Office. I am the front-line supervisor of all aspects of this group's practice, which includes legal research, discovery practice, brief writing, arguing motions, and case management.

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 provide advice and counsel to many City departments in wide-ranging 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 general areas of experience 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.

I helped draft and implement the Shared Housing ordinance governing home sharing platforms such as Airbnb and HomeAway; the Ride Sharing ordinance governing platforms such as Uber and Lyft; the Party Bus ordinance; the Summary Closure ordinance; the Emerging Business Permit ordinance and EBPs for novel businesses such as mobile boutiques and e-scooters; and various tobacco enforcement ordinances.

I've also served as a divisional facilitator for the selection, design and implementation of the Law Department's case management system, as divisional trainer for the rollout of the system, and have worked on the design of an interface between the Law Department's system and the matter management systems of other City Departments.

Previously, I supervised groups of attorneys who prosecuted violations of the Chicago Zoning Ordinance, and before that, Demolition cases. I managed all facets of a high-volume litigation practice in Circuit Court and Administrative Hearings, including assigning cases, developing litigation strategy, reviewing and editing pleadings and motions, monitoring of settlement negotiations, supervising court appearances by staff attorneys, and conducting performance reviews. I provided legal advice and support to City departments including Buildings, Planning and Development, Family and Support Services, Streets and Sanitation, Fire, the Mayor's Office, and aldermen.

1994-1998

Assistant Corporation Counsel, Municipal Prosecutions & Special Municipal Prosecutions Divisions

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, and providing legal advice to client departments.

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. During the convention I served as a team leader, supplying legal advice to the Police Department at designated and spontaneous protest areas.

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
Class Rank 3 / 319; G.P.A. 3.859 / 4.0
Order of the Coif
Kent Legal Scholar

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

Building Inspectors Professional Development Program, 2006-2007

Chicago Police Department Problem Solving Award, 2016

LEGAL 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).