

J. DAMIAN ORTIZ, J.D., L.L.M.

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EDUCATION

THE JOHN MARSHALL LAW SCHOOL, 300 S. State St., Chicago, IL 60604

Master of Laws in Real Estate

January 2003

Juris Doctor

June 1997

Law School Honors:

- **Advanced Trial Advocacy Program,** 2002
Participated in the John Marshal Law School Fair Housing Center, Advanced Trial Advocacy Program and successfully tried and argued a fair housing steering case.
- **Trial Advocacy Program,** 1998
Participated in the John Marshal Law School Fair Housing Center, Trial Advocacy Program and successfully tried and argued a fair housing case.
- **Dean's list** 1995-97
- **Recipient of the Illinois Judicial Council's Scholarship** 1996

LOYOLA UNIVERSITY OF CHICAGO, 6525 N. Sheridan Rd., Chicago, IL 60626

B.S. in Criminal Justice with minor in Spanish,

January 1990

TEACHING EXPERIENCE

UIC Chicago Law School, 300 S. State St., Chicago, IL 60604

1998-Present

Clinical Professor of Law & Director of the Pro Bono Litigation Clinic

Courses taught: Pro Bono Practicum, Civil Rights, Fair Housing Law/Lending Law, Clinical Practicum, Legal Writing, and Illinois Civil Procedure.

PUBLICATIONS

Publications:

Condemnation: It's Application to Residential Real Estate, Residential Real Estate, Illinois Institute for Continuing Legal Education (IICLE)(Chapter), April 2011

Translated the Fair Housing Clinic and Center's material into Spanish, *i.e.* "A Layperson's Guide to Fair Housing Law" and others. April 2011

Blog: *Fair Housing / Lending Law*, (<http://fairhousingnews.blogspot.com/>). It provides case and law updates. It also provides information on settlements, case reference by topic and visitors' commentary. The purpose of this blog is to update the fair housing legal community and consumers on current issues dealing with fair housing and lending discrimination issues.

ABA, CBA Young Lawyers Section: "How to Deal with Foreclosures" (a guide in English & Spanish), 2005 & 2008

JMLS Fair Housing Center & Clinic: "The Foreclosure Process" (a guide in English & Spanish), 2004

Articles:

Pro Bono opportunities: Plan on serving in 2017; ISBA's Standing Committee on Racial and Ethnic Minorities and the Law, ISBA, June 2017, vol. 27, no. 3

LECTURES AND PRESENTATIONS

ABA Commission on Hispanic Legal Rights Conference

Presenter: Ethical Considerations and the Professional Responsibility of Lawyers when Marketing to Limited English Proficiency Clients
Chicago, IL
May 31, 2018

National Conference of Law Reviews (2018)

Presenter: The Importance of Diversity, Inclusion, and Equity on Law Review Boards
Chicago, IL
March 16, 2018

WVON Radio Broadcast, guest to discuss the process of reinstating driving privileges with the Illinois Secretary of State and services offered by the Pro Bono Clinic

Chicago, IL
October 30, 2018

Society of American Law Teachers (SALT) Conference Presenter:

Translations, Legal writing Skills and Clinical Teaching Chicago, IL
October 1, 2016

St. Paul Church of God in Christ Community Development Ministries, Inc. (SPCDM), co-planned the workshop on the process of reinstating driving privileges with the Illinois Secretary of State.

Chicago, IL
(yearly event)

American Bar Association (ABA) Commission on Hispanic Legal Rights and Responsibilities guest on Univision Television Network, to discuss the Pro Bono Clinic's services to the community.

Chicago, IL, October 2016

Chicago Area Fair Housing Alliance Conference,

Presenter, "Disparate Impact" Its history, function and meaning and under the FFHA,
Chicago, IL
August 5, 2015

The Illinois Minority Bar Associations 2nd Annual CLE Conference,

Presenter, "Changing Landscape of the Dodd Frank Wall Street Reform & Consumer Protection Act"
Chicago, IL
June 14, 2014

The John Marshall Law School's Fair Housing Center's Training Program

Presenter, Training Administrative Officers and Commissioner, "How to Conduct a Hearing & Mock Trial"
May 7, 2014

Fair Housing Commission, Lincoln, NE,

Speaker: "Veterans and Housing Challenges Affecting Veterans Today" April
24, 2013

Illinois State Bar Association CLE Program,

Speaker: "What are the Tenants' Rights in Subsidized Housing?"

February 2013

The John Marshall Law School's Fair Housing Center's Conference

Speaker: "From Foreclosure to Fair Lending: Advocacy & the Pursuit of Access to Credit,"

Chicago, IL

September 2012

Northern Illinois University School of Law, DeKalb, IL

Speaker: The Foreclosure and Fraud Annual Conference, "Lender and Servicer Comparative Disparate Treatment in Loan Services and Modifications,"

April 2012

The Illinois Institute for Continuing Legal Education, IICLE

Speaker: "An Overview of the Fair Housing Act, Recent Trends and Emerging Issues," Chicago, IL

April 2012

The John Marshall Law School's Fair Housing Center's Conference

Investigating and Resolving Fair Housing Cases, "Setting Up and Executing an Effective Investigative Plan",

Chicago, IL

April 8, 2011

Chicago Bar Association / Justice Corps

Presented to volunteers at the "How to Deal with Difficult Clients and What to Do", at the Justice Corp's Pro Bono Program Mortgage Foreclosure Mediation Training

January 14, 2011

The John Marshall Law School's Fair Housing Center's Conference

Speaker: Fair Housing / Fair Lending: New Developments in American and International Law

October 1, 2010

West Palm Beach County Civil Rights Conference, West Palm, FL Speaker:

Fair Housing Law and Enforcement

April 20-21, 2010

The State Department Midwest Hearings on Human Rights, Chicago, IL

Testimony before the: Civil Society Consultation -Universal Periodic Review for the United Nations Human Rights Council

April 13, 2010

The John Marshall Law School's Fair Housing Center's Conference

Speaker: Fair Housing Law & Enforcement: A Basic Survey of the Law and Practice

April 16, 2010

Illinois Department of Human Rights Housing Conference: Battle for Home

Speaker: Housing Challenges Affecting Veterans Today

April 16, 2010

University of Valparaiso Law School, Valparaiso, IN

Speaker: American Bar Association Law Student Division's Conference

February 27, 2010.

The John Marshall Law School Fair Housing Legal Support Center, Chicago, IL
Speaker: Fair Housing Law and Enforcement: A Survey of the Law and Practice
April 2009

Illinois State Bar Association, Midyear Meeting & the Illinois Judges Association Annual Convention
Presented on Housing & Mortgage Law Updates
December 2008

Women's Bar Association of Illinois: Presented in the 3rd Annual Forum on Quality of Life Issues for Women. This year's forum was on "Challenges Faced by Single Women and Mothers in Search of Affordable & Quality Housing".
October 2008

Chicago Bar Association, "Breaking Barriers Building Bridges" Conference
Speaker: Sub-Prime Lending Meltdown: Have We Reached Bottom Yet?
June 6, 2008

Athens Institute for Education & Research, Athens, Greece
Presented my article: "From Apprenticeship to Clinical Education: Preparing Students for the Practice of Law"
July 17, 2008

ESPN Radio, National Broadcast
Speaker: Discussed current national fair housing issues
April 27, 2008

CNN
Featured in a nationally televised segment regarding the 40th Anniversary of the Fair Housing Act
April 11 & 12, 2008

Chicago City Hall, Chicago, IL
Testimony before the Finance and Housing Committees in favor of the proposed amendment to Municipal Code § 5-8-030, preventing condominium associations from passing rules against parents with children from using strollers in the common areas and elevators.
November 2007

The John Marshall Law School Fair Housing Legal Support Center, Chicago, IL
Moderated: Fair Housing for Persons with Disabilities: New Challenges Presented by Our Returning Veterans Modifications & Accommodations-How the Law is Developing (Panel Discussion).
September 2007

The John Marshall Law School Fair Housing Legal Support Center, Chicago, IL
Speaker: Conducting Fair Housing Administrative Hearings for Commissioners and Hearing Officers.
April 2007

Providing Katrina Relief through Legal Assistance, New Orleans, LA
Co-organized a trip to New Orleans with JMLS law students to assist local housing organizations, conducted legal trainings on housing issues, assisted Loyola and Tulane's legal clinics in cases pending in state and federal courts.
March 2007

Katrina Relief Project, New Orleans, LA

Speaker and Trainer for “Common Ground” volunteers in how to conduct housing investigations and testing. Trained social workers, city investigators, and Section 8 program administrators.
March 2007

Public Radio Engagements, Illinois, California, Washington, Arizona, and Texas

Speaker: On current national fair housing issues in Spanish
January 2007-2012

Television Appearances on Telemundo & Public Television Network Station, Chicago, IL

Featured in television interviews dealing with current fair housing issues in our communities
April 2007

The John Marshall Law School, Chicago, IL

Moderator & Organizer: “Celebrating Fair Housing Month at” a conference presented by the Fair Housing Organization and clinical students for faculty, students, staff, and friends. The conference explained the fair housing laws and discussed current housing cases handled by the clinical students.
April 2006

The John Marshall Law School, Fair Housing Conference, Chicago, IL

Moderator: “What King Wrought”, moderated a panel on the “Future of the Disability Rights Movement in Housing --What Are the Up-Coming Issues and How Should They Be Resolved?”
September 2006

The John Marshall Law School, Chicago, IL

Speaker: Career Services Office & the Student Organization Employment Conference
A lawyer’s perspective on Civil Rights practice and public interest organizations in Chicago land area
September 2006

Celebrating Fair Housing Month Conference, Reading, PA

Keynote speaker and presenter regarding updates on Fair Housing Laws and Procedures
April 2006

The Mayor’s Office & the Spanish Coalition’s Fair Housing Month Conference, Chicago, IL

Speaker: On fair housing protections and how to avoid predatory loans
April 2007-2015

The John Marshall Law School Fair Housing Legal Support Center, Chicago, IL

Speaker: Housing Our Senior Population: “Guardianship for an Incompetent Adult”
April 2004

Public Interest Access Cable-Channel 19, Chicago IL

Guest Commentator: On current housing issues in the Hispanic community and discussion of the Clinic services to the community
June 20, 2004

The John Marshall Law School, Chicago, IL

Speaker: Celebrating *Brown v. Board of Education*’s 50th anniversary, a discussion and overview
October 2003

The John Marshall Law School Fair Housing Legal Support Center, Chicago, IL
Speaker: A Fresh Perspective; “Educating New Immigrants about Fair Housing Rights”
April 2001

U.S. Dept. of Housing & Urban Development, Atlanta, GA
Basics of Fair Housing presented an update on protective classes and damages
March 2000

Human Relations Commission Housing Conference, City of Elkhart, IN
Speaker: The right to accommodate persons with the disabilities under the Fair Housing Act
March 1999

The John Marshall Law School Fair Housing Legal Support Center, Chicago, IL
Moderator: The Rights of person with disabilities under the federal, state, and local laws
September 1999

U.S. Dept. of Housing & Urban Development, Boston, MA
Speaker: The Basics of Fair Housing Law: burdens of proof, attorney’s fees, and testing
August 1999

The John Marshall Law School Fair Housing Legal Support Center, Chicago, IL
Moderator: The Persistence of Racial Discrimination in the Housing Market
April 1999

Commission of Human Relations Housing Conference, City of Elkhart, IN
Speaker: How to promote fair housing rights
March 1999

U.S. Dept. of Housing & Urban Development, Kansas, MO
Speaker: Trained participants on how to conduct client interviews and investigation
February 1999

Missouri Commission on Human Rights, Jefferson City, MO
Speaker: Celebrating its 40th Anniversary, presented a historical aspect of fair housing
January 1999

The John Marshall Law School Fair Housing Legal Support Center, Chicago, IL
Speaker on fair housing enforcement: Celebrating Thirty Years of Fair Housing
September 1998

U.S. Dept. of Housing & Urban Development, Atlanta, GA
Speaker: “HUD Regional Training for Investigators”, trained managers and investigator on new investigation procedures
June 1998

EXPERIENCE

General Litigation: I have litigated, investigated, researched, and successfully resolved a variety of cases for over twenty five-years, including but not limited to housing discrimination and prisoner rights civil rights cases in federal, state, appellate and local administrative jurisdictions. I serve as the director and mentor to clinical supervising attorneys and law students in all aspects of civil litigation and criminal matters. Additionally, I teach, lecture, and educate conference participants on civil rights laws and appellate procedure, including advanced training for lawyers. I organize seminars in Illinois

communities and educate community members of their legal rights, legal procedures, and federal and local laws. I draft proposals apply for and receive funding from federal, state, and local governmental agencies. I also teach civil rights, Illinois Civil Procedure, legal writing, and other school courses. I currently serve as the Director of the Pro Bono Litigation Clinic, which engages in all aspects of civil and criminal matters.

SIGNIFICANT CASES

In *Lackey v. Godinez*, 352 Ill. App. 3d 87, 815 N.E.2d 822 (1st Dist. 2004), I file suit alleging “source of income” discrimination under the Chicago Housing Ordinance on behalf of Ms. Lackey. Ms. Lackey was denied a rental unit solely because she intended to pay her rent with her Section 8 voucher. I briefed and argued that Section 8 is a legal “source of income” as defined by the Chicago Housing Ordinance. The case clarified the Chicago Ordinance and provides housing to Section 8 participants without discrimination solely because of their “source of income”. This opinion has been relied upon in other similar housing discrimination cases thorough the country.

Co-authored the *amicus curiae* brief accepted by the Seventh Circuit in *Wisconsin Community Services v. City of Milwaukee*, 465 F.3d 737 (7th Cir. 2006). I argued that the Fair Housing Act establishes a duty to make a reasonable accommodation for a person with a disability, absent of proof that the rule, policy, practice, or service is itself illegal because of intentional discrimination or disparate impact. The Seventh Circuit in *en banc* review agreed with our position and reversed the panels finding.

In *Ho v. HUD*, 569 F.3d 677 (7th Cir. 2009), on petition for review, Ho argued that the ALJ’s default judgment of liability and assessment of damages against her deprived her of due process. The co-defendant argued that the ALJ’s default judgment of liability and assessment of damages arbitrarily departed from HUD and Circuit precedent. The government and I responded to these claims and cross-petition for enforcement of HUD’s final order. The Seventh Circuit affirmed the ALJ’s decision in our favor.

Other appeals:

- *Scoggins v. Lee’s Crossing Homeowners Association, et al.*, 718 F.3d 262 (4th Cir. 2013);
- *Dussault v. RRE Coach Lantern Holdings, LLC*, 2014 ME 8, 86 A.3d 52 (2014) (S.C. of Maine);
- *Darnesha Grays v. CCHR*, 2017 IL App (1st) 161808-U;
- *People v. Encalado*, 2018 IL 122059, 2017 WL 6813211;
- *People v. Buffer*, 2019 IL 122327 (Ill. Supreme Court);
- *People v. Dunn*, 2020 IL App (1st) 150198;
- *People v. Griffin*, 18-2175 (1st Dist. 2020), and
- *Polelle v. Byrd*, 22-14031-DD (11th Cir. 2023).

COMMUNITY, LEGAL ACTIVITIES & AFFILIATIONS

Volunteer: Coordinated Advice & Referral Program for Legal Services Volunteer Program; Minority Legal Education Resources Professor Volunteer; Chicago Public Schools Truancy Intervention Program; Chicago Area Law Schools J.D. Mentor Volunteer Program; Faculty Coach of the Hispanic National Moot Court Competition; Thresholds Volunteer, Chicago Bar Association, and the Chicago Public Schools Truancy Program. Raise the Roof Expungement Program

Memberships & Committees: Illinois State Bar Association-Appointed Member of the Judicial Evaluations Committee; Racial and Ethnic Minorities & the Law Committee, Chicago Bar Association-Member of the Judicial Evaluations Committee; Member, Spanish Coalition for Better Housing, Clinical Legal Education Association, and IARDC Hearing Board.

Selected Faculty Services:

Dean Mell’s Inauguration Committee (2003); *Brown v. The Board of Education* 50th Year Celebration Committee (2004); JMLS Student Diversity Committee after Grutter (2003-04); Chair of the JMLS Adjunct Faculty Committee (2004-2005); Secretary of the JMLS Executive Committee (2005-2007); Katrina Relief Program Co-Administrator (2006-07); JMLS Faculty Member of the Student Diversity Committee (2006-present); Academic Affairs Committee (2007-2009); Curriculum Committee (2010-2012), Adjunct Committee (2010-2011), Student Orientation (2016-2017), Faculty Affairs Committee (2011, 2013, 2016-2017) Bar Passage, SCALES Ad Hoc program & design Committee (2017) and Selections & Appointments Committee (2007, 2009 & 2017) Honor Council 2018-present; Admissions Committee 2020-present.

Board of Trustees: Public Interest Law Initiative (“PILI”), Metropolitan Housing Development Corporation (“MHDC”); formerly: Hispanic Lawyers Association of Illinois (“HLAI”) St. Augustine College (“SAC”) and Set up for Success (“SUFUS”); PILI Appointment the Justice, Equity, Diversity, and Inclusion Committee 2023.

COMMUNITY HONORS

- The John Marshall Law School Service to the School Award 2016
- Recipient of the Hispanic Lawyers Association of IL’ Service to the Community Award 2013
- Nominated for the ISBA Joseph R. Bartylak Memorial Legal Services Award 2013
- The John Marshall Law School Latino Law Student Association, Honors Recipient 2006
- City of Elkhart, Indiana, Promoting Fair Housing Service Award 2002
- Nominated Young Attorney of the Year, Illinois State Bar Association 2001
- City of Elkhart, Indiana, Promoting Fair Housing through Education Service Award 1999

COMMUNITY AFFILIATIONS & LEGAL ACTIVITIES

Chicago Chamber of Commerce Youth Motivation Program; Cook County Hospital Volunteer Program; First Defense Legal Aid Program; Coordinated Advice & Referral Program for Legal Services; Hispanic National Bar Association Moot Court Law Student Team Advisor; Illinois State Bar Association Judicial Evaluations Committee (2004-present); Latin United Community Housing Association; Minority Legal Education Resources, Inc., Instructor; Spanish Coalition for Better Housing; Chair of The John Marshall Law School Adjunct Faculty Committee (2004-2005); Secretary of The John Marshall Law School’s Executive Committee (2005-2007).

ADMITTED TO PRACTICE

State of Illinois ▪ State of Florida ▪ U.S. Northern & Central Districts of Illinois ▪ 4th, 7th & 11th Circuit Ct. of App.

BAR ASSOCIATIONS

American Bar Association (Section of Litigation); State of Illinois Bar Association; American Association for Justice (Fair Housing Litigation Group); Chicago Bar Association; Northern District of Illinois Federal Bar & Trial Bar Associations; Hispanic Lawyers Association of Illinois, Hispanic National Bar Association, and Clinical Legal Education Association.

SELECTED CONTINUING LEGAL EDUCATION

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- Section 1983 Civil Rights Litigation Conference, Kent Law School 2018-19

- Immigration Practice and Law Update 2021
- Federal Civil Practice: An Update 2013
- Federal Laws Protecting Religious Freedom: A First Freedom Project Seminar by the DOJ 2007
- Case Conference on Novel Bioscience in the Courtroom: Evidence, Experts and Causation 2006
- ABA Section of Litigation: "Using Fundamentals and Skills Enhancement at Trial" 2005
- The Keys to Trial Advocacy Training, by Jim McElhaney 2004
- Chicago Bar Association Court Room Cross Examination Skills 2004
- LSAC Conference "Dream keeping: Empowering Minority Faculty--A Dialogue" 2003
- Advanced Counseling and Negotiations Training 2001
- Advanced Trial Advocacy for Fair Housing Trial Lawyers 2000
- Trial Advocacy for New Fair Housing Lawyers 1998

OTHER LEGAL EXPERIENCE

United States District Court, Northern District of Illinois

The Honorable Ronald A. Guzmán, 219 S. Dearborn St., #1278, Chicago, IL 60604 1997

Judicial Clerk

Researched and prepared drafts of judicial opinions on summary judgment motions for employment discrimination among other civil matters. Researched and prepared memoranda on various issues in civil cases. Observed all aspects of civil and criminal court proceedings.

Federal Defender Program, 55 E. Monroe, #2800, Chicago, IL 60603 1990-1996

Federal Investigator

Assisted attorneys in all aspects of representation of indigent criminal defendants in federal court. Assisted in developing case strategy, interviewed witnesses, investigated alleged crime scenes, and prepared cases for trial. Prepared memoranda performed legal research, translations, and interpretations for Spanish speaking clients. Prepared investigative reports and testified at trial.