

Lawyering Skills I
Prof. Sorkin
Fall 2008

Exercise 6: Statutory Construction
(due November 13, 2008)

In-class exercise:

Read the attached cases, *State v. Mikusch*, 562 N.E.2d 168 (Ill. 1990), and *Fair Housing Council of San Fernando Valley v. Roommate.com*, 33 Media L. Rep. (BNA) 1636 (C.D. Cal. Sept. 30, 2004). For each of these cases, be prepared to discuss the following questions in class:

Identify the statutes that are at issue in the case. What is the underlying problem that gives rise to the need for statutory construction (e.g., ambiguous statutory language, or an apparent contradiction between two statutes)? What techniques of statutory construction does the court use? How might the court have supported a different result?

To complete and turn in:

1. Look up and read *In re County Collector*, 826 N.E.2d 951 (Ill. App. 1st Dist. 2005), and answer the questions that appear above.
2. Look up and read *Pfennig v. Household Credit Services, Inc.*, 295 F.3d 522 (6th Cir. 2002), and answer the questions that appear above.