

Lawyering Skills I
Prof. Sorkin
Fall 2009

Exercise 6: Statutory Construction
(due November 18, 2009)

In-class exercise:

Look up and read the following cases: *State v. Mikusch*, 562 N.E.2d 168 (Ill. 1990); and *Fair Housing Council 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 Servs., Inc.*, 295 F.3d 522 (6th Cir. 2002), and answer the same questions.
3. Look up and read *Heim v. Zoning Bd. of Appeals*, 960 A.2d 1018 (Conn. 2008), and answer the same questions.