



# Illinois Supreme Court to Hear Oral Arguments at Lewis and Clark Community College

August 22 2019 8:47 AM

**GODFREY, IL** – The Illinois Supreme Court will leave the Illinois Supreme Court Building in Springfield behind for a day to hear oral arguments at Lewis and Clark Community College in Godfrey.

The Supreme Court will hear arguments in two cases starting at 10:30 a.m., on Wednesday, September 18, 2019, in the Hatheway Cultural Center, located at 5800 Godfrey Rd, Godfrey, IL.

“Moving beyond the courthouse to hear arguments at other locations throughout the state has become an integral part of the Court’s ongoing efforts to educate the public on the critical work we do. At a time when so much of government seems so erratic, it is especially important for citizens to understand the vital role played by the judicial system in protecting the foundations of our democracy and affirming individual rights and responsibilities,” Illinois Supreme Court Chief Justice Lloyd A. Karmeier said.

“Few things bring that lesson home as powerfully as witnessing an actual court hearing. We recognize how hard it is for most people to make it to Springfield to attend a regular session of the Supreme Court, so we have resolved to bring the Court to the people on a regular basis through proceedings like this one. It seems to be catching on. In fact, the Lewis and Clark proceedings promise to be our most popular so far. We are expecting more than 900 attendees, including an especially high number of local students. My colleagues and I are looking forward to welcoming them in Godfrey next month.”

The upcoming arguments at Lewis and Clark Community College will be the Court’s first road trip since March 15, 2018, when arguments were heard at the University of Illinois at Urbana–Champaign.

Students and teachers from local schools have been invited to participate in the September 18 program either by attending the arguments live, or watching via a live stream at <https://livestream.com/blueroomstream/events/8787968>.

“By bringing the live court cases to Lewis and Clark Community College, the Illinois State Supreme Court is modeling democracy and the rule of law in action for students and the community to witness,” Lewis and Clark President Dale Chapman said. “This is a very unique and powerful lesson to witness, and we are thrilled to be partnering with the Supreme Court to provide this opportunity for our area residents.”

A limited number of public tickets for the event are available. Please contact John Lupton at [john.lupton@illinoiscourthistory.org](mailto:john.lupton@illinoiscourthistory.org) to request tickets. Those who have reserved tickets are asked to arrive early as doors will open at 8:30 a.m. and all guests must be seated by 10 a.m. A question and answer session will follow the oral arguments.

The Supreme Court on September 18 will hear arguments in the cases of *People v. Morger* and *Dew-Becker v. Andrew Wu*. Legal briefs in both cases have been posted to the Court's website at <http://www.illinoiscourts.gov/SupremeCourt/Docket/default.asp>.

In *People v. Morger*, the defendant was convicted of criminal sexual abuse and aggravated criminal sexual abuse and sentenced to a term of probation. A condition of the defendant's probation is that he cannot access “social networking websites,” as defined in the Illinois Criminal Code of 2012. The issue, in this case, is whether this condition of probation violates the free speech clause of the first amendment.

The defendant is arguing that this condition of probation violates the first amendment in light of a recent U.S. Supreme Court decision, *Packingham v. North Carolina*. In *Packingham*, the U.S. Supreme Court struck down a North Carolina statute that banned registered sex offenders from accessing commercial social networking websites, concluding that the statute “enacts a prohibition unprecedented in the scope of First Amendment speech it burdens” and “bars access to what for many are the principal sources for knowing current events, checking ads for employment, speaking and listening in the modern public square, and otherwise exploring the vast realms of human thought and knowledge.”

The State is arguing that the *Packingham* case did not involve probationers and that because probationers may be subject to restrictions on their constitutional rights, this condition of probation does not violate the first amendment.

The *Dew-Becker v. Wu* case involves a bet placed between the plaintiff and defendant through the fantasy sports website FanDuel. The plaintiff filed a small claims action against the defendant seeking to recover \$100 that the plaintiff lost as a result of the bet.

Plaintiff's claim is based on the Illinois Loss Recovery Act (Act), which allows "ny person who by gambling shall lose to any other person, any sum of money or thing of value, amounting to the sum of \$50 or more" to "sue for and recover the money or other thing of value in a civil action against the winner thereof."

The trial court ruled that the Act does not allow recovery when the bet is conducted through a third-party website, such as FanDuel, rather than a wager directly between two people. The appellate court affirmed the trial court's ruling.

The plaintiff is arguing that the plain language of the Act does not contain any exclusion in a case where the wager is facilitated by a third party such as FanDuel.

The program is sponsored by the Illinois Supreme Court, the Administrative Office of the Illinois Courts, the Supreme Court Historic Preservation Commission, Lewis & Clark Community College, and the Illinois State Bar Association. Attorneys and judges from the Madison and St. Clair County Bar Associations are providing instruction to local students on the cases.