

WHY ILLINOIS MUST PASS PAID FAMILY LEAVE: A TRIAL LAWYER’S PERSPECTIVE

LEGAL DEVELOPMENTS

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A Personal Story from the Courtroom
In the Spring of 2025, I found myself balancing two momentous responsibilities: advocating for justice in a courtroom and preparing to welcome my first child. At nearly eight months pregnant, I served as lead trial counsel in a hard-fought two-week jury trial. The case involved the tragic failure to diagnose a stroke in a middle-aged single mother. The consequences were devastating: severe and permanent disabilities that altered not only her life, but also the lives of her children.

The trial demanded every ounce of preparation, resilience, and advocacy that I could muster. The jury’s verdict—\$6.84 million in favor of my client and her family—brought a measure of justice to a woman whose voice had nearly been silenced. It also reinforced something deeply important: in cases like this, it matters profoundly who is at counsel table. Representation is not an abstraction. Having women trial lawyers present—especially in cases about women’s health and caregiving—changes the conversation, the perspective, and ultimately the outcome.



Just a few weeks after the verdict, I gave birth to my daughter. That moment marked the beginning of another profound journey. And I was fortunate—unlike many women across Illinois. My employer, Clifford Law Offices, provided three months of paid family leave. That time allowed me to recover, bond with my daughter, and

breastfeed her without the impossible pressure of choosing between my newborn and my livelihood. It gave me space to return to the courtroom with energy and focus.

But here’s the truth: I am the exception. Too many Illinois families cannot afford unpaid leave, and too many women lawyers—and women across all professions—are forced to step back from their careers or sacrifice precious family time. Paid family leave should not depend on the generosity of a particular employer. It must be a guarantee.

The Stakes for Women in Law—and Beyond

For women in the legal profession, particularly lawyers, the absence of paid family leave creates a pipeline problem. We cannot increase the number of women trying cases, leading firms, or mentoring the next generation if talented attorneys are forced out at the very moment they should be advancing.

Trial work is demanding. It requires long hours, emotional stamina, and a willingness to push through high-stakes pressure. Women bring perspectives to juries and clients that cannot be replicated. We are often the voices that connect most powerfully with women clients, women witnesses, and juries that reflect the diversity of our communities.

Paid family leave is therefore not just about fairness at home; it is about equality in the workplace. It is about ensuring that women are not penalized for choosing both motherhood and professional excellence. And it is about protecting clients—because families seeking justice deserve to see women, mothers, and diverse perspectives at counsel table.

Why Paid Family Leave Matters for All Families

Illinois is not alone in facing this challenge. The United States remains the only industrialized nation without a mandatory paid family leave program. The result is predictable: families go without income at the very moment

they face the expenses of childbirth, adoption, or caregiving for a sick family member.

- Paid leave is not a luxury. It:
- Improves maternal and infant health outcomes.
 - Reduces employee turnover and the associated costs for employers.
 - Supports economic stability for families and communities.
 - Promotes gender equality by allowing both mothers and fathers to participate in caregiving.

The case I tried illustrates the stakes. My client was a single mother. When her stroke was missed, she lost not only her health but also her ability to care for her children. Her family became caregivers overnight. Paid leave would not have prevented her stroke, but it would have given her children the critical support they needed in the months that followed. It would have allowed them to care for their mother without sacrificing their own financial stability.

The Illinois Paid Family and Medical Leave Insurance Program Act

The Women’s Bar Association of Illinois (WBAI) and the WBAI PAC are advocating strongly for passage of the Paid Family and Medical Leave Insurance Program Act. This legislation recognizes that no family should have to choose between a paycheck and caring for loved ones.

- Here are the key provisions of the bill:
- Creation of a Statewide Program: Establishes the Division of Paid Family and Medical Leave within the Department of Labor.
 - Eligibility: Covers employees and self-employed individuals who opt in.
 - Reasons for Leave: Care for a family member, care for a new child, worker’s own health, domestic or sexual violence, military exigencies.
 - Length of Leave: 12 weeks per year, plus 9 additional weeks for pregnancy/childbirth recovery.
 - Wage Replacement: 90% of average weekly wage, capped at \$1,200/week (adjusted annually).
 - Funding: Combination of employee payroll deductions and employer contributions.
 - Job Protection: Ensures employees return to their positions with health benefits intact.
 - Employer Equivalency Plans: Employers may provide plans that meet or exceed state standards.
 - Anti-Retaliation: Prohibits penalizing workers for taking paid family leave.

The Mission of WBAI and the WBAI PAC

For over a century, the Women’s Bar Association of Illinois has promoted and advanced women lawyers. Today, part of that mission means fighting for policies that strengthen not only our profession but also the families we serve.

The WBAI PAC has championed this legislation because it recognizes that women lawyers cannot thrive in a vacuum. We need systemic support. We need a state program that ensures every attorney—whether at a large firm, a small practice, or as a solo practitioner—can access paid leave. And we need a program that extends those protections to all women in Illinois, regardless of their profession or income.

This is not just about our workplaces. It is about the message we send to young women law students and associates: that their profession values them, supports them, and expects them to thrive both as lawyers and as mothers, daughters, and caregivers.

Looking Forward

When I returned from my own paid family leave, I did so with clarity. I was not simply returning for myself or even for my daughter. I was returning for my clients—for the women who need someone like them at counsel table, for the single mothers navigating health issues, and for the families fighting against powerful institutions.

The fight for paid family leave in Illinois is about building a state where no woman has to choose between her career and her family. It is about ensuring that families weather health crisis without plunging into poverty. And it is about strengthening our legal profession by keeping women in the courtroom.

The WBAI and the WBAI PAC will continue this fight. We urge lawmakers, business leaders, and citizens to support passage of the Paid Family and Medical Leave Insurance Program Act. Paid family leave is not simply an employee benefit—it is an investment in justice, equality, and the future of Illinois.