



# Mallory A. Milluzzi

## Partner

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## Overview

Mallory Milluzzi is a partner with Klein, Thorpe, & Jenkins. She counsels school districts, municipalities and public bodies on the Freedom of Information Act, Open Meetings Act, social medial issues, zoning, telecommunications, PSEBA and general municipal and school law issues.

Mallory has litigated a range of claims on behalf of her clients including claims involving PSEBA, the First Amendment, civil rights and Section 1983, ordinance violations, breach of contract, property damage, the Freedom of Information Act and defending administrative review appeals. She additionally represents public bodies in property tax matters before county Boards of Review, PTAB and the circuit court.

Mallory frequently presents on FOIA, OMA, ethics, zoning, social media and most recently the placement of wireless telecommunication facilities, including small cell and distributed antenna systems. Additionally, she regularly provides clients with training for newly elected officials and is approved to provide statutory required school board member training to districts across the state. She also provides staff with training on FOIA and social media issues.

Mallory and her husband, a Cook County State's Attorney, reside in Chicago with their daughter and dog.

Mallory received a Bachelor of Arts in English from Ohio University in 2008 and her Juris Doctorate from Chicago-Kent College of Law in 2011. Mallory also received a Litigation and Alternative Dispute Resolution certification from

Chicago-Kent. Mallory is admitted to practice in Illinois and the United States District Court for the Northern District of Illinois.

## Professional Affiliations

- Mallory is a member of the Legacy Project, an organization advancing women in local government, and serves on the Annual Conference Committee and Professional Development Committee.
- Mallory is an active member of the Illinois Local Government Lawyers Association and Chicago Bar Association, Illinois State Bar Association and served as the 2019-2020 co-chair of the CBA's Local Government Law Committee.
- Mallory is also a member of the Illinois Council of School Attorneys and serves on the Special Education Committee, as well as the Illinois Local Government Lawyers Association.

## Awards and Recognition

- Mallory has been included on the Illinois Super Lawyer Rising Star list since 2019. Only 2.5% of the total attorneys under the age of 40 in Illinois earn this designation.
- Mallory has been named an Emerging Lawyer by Leading Lawyers, a division of Law Bulletin Media. This distinction is conferred on less than 2% of attorneys in each state.

## Publications

### **Illinois Association of School Boards**

- Illinois Association of School Boards – “Letting the Sunshine In: School Board Meetings and Records” 2021 (update pending)
- Illinois Association of School Boards “Breaking up with your Smart Phone” 2021
- Service Animals Factsheet Q & A, 2019
- “Letting the Sunshine In: School Board Meetings and Records,” 2017

### **Illinois Municipal League**

- The Sunshine Laws, Open Meetings Act and Freedom of Information Act, 2016
- Manual on Municipal Forms of Government, 2014
- Financing Municipal Improvements, 2016
- Conflicts of Interests & Liability, 2019

### **Illinois Institute for Continuing Legal Education Practice (IICLE)**

- School Law: Personnel and Student Issues, Chapter 8 “Student Discipline and Hazing,” 2021

- School Law: Personnel and Student Issues, Chapter 10 “The Every Student Succeeds Act,” 2021
- Land Use Law: Special Topics, Chapter 1 “Building Regulations” 2021
- School Law: Organization, Finance, and Property, Chapter 6 “Contracts and Intergovernmental Cooperation” 2021
- School Law: Organization, Finance, and Property, Chapter 10 “Tort Liability of School Districts” 2021
- Land Use Law: Special Topics, Chapter 1 “Building Regulations,” 2016

### **Journal of the Illinois Institute for Local Government Law**

- Recent Recurrent Requestor Amendment to the Freedom of Information Act, December 2011

### **KTJ E-Notes**

- Transparency Reporter – Recent OMA and FOIA decisions – September 2021
- New Executive Orders, Emergency Rules and Guidance Issued by Governor, IDPH and ISBE Related to COVID-19 and Schools, September 2021
- PTELL Legislation Signed into Law which Automatically Captures Lost Refunds Effective 2021 Levy Year, September 2021
- Supreme Court Finds that School District Improperly Regulated Off-Campus Speech, June 2021
- Transparency Reporter – Recent OMA and FOIA decisions – June 2021
- Illinois Supreme Court Finds Paid Sick Leave for Childbirth Must be Taken Immediately Following the Birth, April 2020
- Court Denies Temporary Injunction Order and Finds City of Joliet did not Violate the Open Meetings Act, April 2020
- Updated PAC OMA and FOIA Guidance, April 2020
- Public Access Counselor Finds that Entirely Remote Meeting and Submittal of Public Comment Two Hours Before Meeting did not Violate the Open Meetings Act in Light of the Governor's Executive Order, April 2020
- Guidance on Remote Learning Days and the School Year, May 2020
- Executive Order 2020-15 Suspends Additional Provisions of the School Code and Initiates Start of Remote Learning Days, May 2020
- Updated Guidance from Illinois State Board of Education on School Closures, May 2020
- Guidance on School Calendars, May 2020
- ISBE Issued Notice of Emergency Rules for Non-Public Special Education Program Funding, May 2020
- ISBE Guidance on Special Education Services, May 2020
- Joint Statement re School Closures, May 2020
- Appellate Court Finds Police Officer Who Slipped on Ice During Training Exercise Was Not Entitled to PSEBA Benefits, April 2019
- Disciplinary Records Over (4) Years Old Not Subject to Release Under FOIA, September 2018
- Public Act 100-0585 – The Small Wireless Facilities Deployment Act, April 2018

# Presentations

- Carousel of Panels – When to Call Your Lawyer, November 19, 2022
- “Safety Less Liability” Illinois Annual School Conference, November 2021
- “Mock Board Meeting” Illinois Library Association, October 2021
- “School Law Update” Illinois Association of School Business Officials, WILCO, September 2021
- “FOIA Training” Northwest Police Academy, April 2021
- “IASA Legal Panel” Illinois Association of School Administrators, December 2020
- “School Law Update 2021” NBI, December 2020
- “Weathering the Scorn” – Legacy Project, 2019
- “Newly Elected Officials Training” - Lake County Municipal League, 2019
- “Weathering the Scorn” – APA-IL, Fall 2019
- “Courageous Conversations – Getting the Information You Need to Get the Job Done” – NEPELRA, Spring 2019
- “FOIA, OMA and Ethics” – ATLAS, Spring 2019
- “Open Meetings Act Update” – Illinois Council of School Attorneys In House Counsel, Spring 2019
- “How to Properly Investigate and Address Sexual Harassment Allegations within your Library” – Illinois Library Association Annual Conference, Fall 2018
- “I’ve Fallen and....I’m Going to Sue! Liability for Injuries on Library Property” – Illinois Library Association Annual Conference, Fall 2018
- “Small Cell & Senate Bill 1451” – DuPage County Bar Association, Spring 2018
- “Executing and implementing 504 Plans” - National Business Institute, 2018
- “Ensuring best practices for Functional Behavioral Assessments (FBAs), and Behavior Intervention Plans (BIPs)” - National Business Institute, 2018
- “3...2...1 Lift Off: A Discussion on Municipal Use & Regulation of Drones” – Illinois Municipal League, 2018
- “Dealing with Difficult Residents” - Joint Annual Conference of IASB/IASA/Illinois ASBO, Fall 2018
- “The 504 You Don’t Expect” – Illinois Alliance of Administrators of Special Education, 2017, 2018 & 2019

# Representative Cases

- Brousseau v. Village of Mount Prospect, 2018 IL App (1st) 180237-U (denial of PSEBA benefits upheld on appeal, finding that firefighter was not responding to an emergency when removing a cat from a residents roof)
- Sanchez v. Village of Wheeling, 2017 IL App (1st) 170456-U (Administrative Hearing Officer’s determination that the Plaintiff’s business was an illegal non-conforming use and that the Village was entitled to enforce their zoning code was upheld on appeal)
- Klees v. Village of Mount Prospect, 2017 IL App (1st) 152049-U (denial of PSEBA benefits upheld on appeal, finding that firefighter did not show causation under PSEBA)

# Related Practices

- Municipal Law
- School Law
- Library Law
- Election Law