



BRITTANY FLAHERTY THEIS



PROFESSIONAL EXPERIENCE:

Brittany Flaherty Theis is a Partner focusing her practice on the representation of school districts and other taxing bodies in property tax disputes and regarding such topics as board governance, Freedom of Information Act requests, Open Meetings Act requirements, administrative law and procedure, personnel and employment matters, intergovernmental agreements, land acquisition and disposition, special education, media, bond issuances, business operations, risk management, and school finance. Ms. Theis actively monitors legislation and other legal developments impacting school districts throughout Illinois.

She regularly advises on issues impacting the valuation of property throughout Illinois and has participated in the representation of public bodies before circuit courts, mediators, county boards of review, the Illinois Pollution Control Board, Illinois Department of Revenue, Illinois Property Tax Appeal Board, and Illinois Appellate Court. Ms. Theis' work includes the preparation of pleadings, memoranda, and briefs, as well as arguments, in cases before those tribunals. She has also presented at seminars to school district administrators throughout Illinois on this topic.

Ms. Theis recently participated in the mediation of a billion-dollar property tax assessment dispute, representing numerous public bodies. She has assisted in successfully litigating and negotiating both short- and long-term settlement agreements regarding the assessment and taxation of numerous properties, including nuclear power plants, oil refineries, pollution control facilities, and other high value commercial and industrial properties. In related litigation, Ms. Theis served on the team that successfully defended, on appeal in the Fourth District, a trial court's findings of several violations of the Freedom of Information Act and the Open Meetings Act by a State agency. As a part of that team, in the Illinois Supreme Court, she also challenged the Pollution Control Board's refusal to allow taxing bodies to intervene in pollution control facility certification proceedings in which property owners seek preferential tax treatment.

In addition to property tax litigation, Ms. Theis regularly advises clients in matters regarding school finance including property tax levies, interfund transfers, borrowing, and contract preparation and review. She serves as local counsel and disclosure counsel on bond financings – assisting school district clients from the early planning stages through closing and post-issuance matters. She actively presents on these topics throughout Illinois to both small and large groups of administrators. Ms. Theis also advises clients on personnel matters, including contract preparation and review, disciplinary matters, and state and federal accommodation laws. Her experience and interests also include student matters such as student rights and responsibilities and special education. Ms. Theis serves as a hearing officer in student disciplinary hearings. These interests flow naturally into her passion for navigating policy matters on behalf of school district clients. Recent policy questions that continue to evolve include accommodations involving students who are transgender, constitutional questions, issues of school safety, and internet safety and social media.



AREAS OF PRACTICE:

Education Law
Property Taxation

BAR ADMISSIONS:

Illinois, 2010

EDUCATION:

The John Marshall Law School
Chicago, Illinois, J.D., cum laude

Bradley University, B.S.,
summa cum laude

PROFESSIONAL ASSOCIATIONS:

American Bar Association
Illinois State Bar Association
Kane County Bar Association
Dupage County Bar Association
National Council of
School Attorneys
Illinois Council of School Attorneys
Illinois Association of School
Business Officials

PRESENTATION & PUBLICATION TOPICS

FLSA: Overtime Regulations
Hot Topics in School Law
Employee Discipline and Dismissal
Borrowing Basics
Investment Basics
Property Tax Objections, Appeals
and Refunds
Intergovernmental Cooperation
and Agreements
Gender Identity
FOIA and OMA Requirements
Interfund Transfers
TRS Regulations
Social Media and News Media

E-MAIL:

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PROFESSIONAL EXPERIENCE, Continued:

In 2022, Ms. Theis was named as an “Emerging Lawyer” in the areas of School Law; Real Estate Law: Tax; and Government, Municipal, Lobbying & Administrative Law by Law Bulletin Media’s “Leading Lawyers” division. Attorneys selected for this honor are recognized as being leaders in the legal profession.

Ms. Theis joined Whitt Law LLC in 2011 following a Research Fellowship at the John Marshall Law School, where she assisted in drafting an Illinois Rules of Evidence casebook and participated in Cook County’s Elder Court Subcommittee. She graduated cum laude from John Marshall where she served as a Staff Editor for the John Marshall Law Review, was a Council Member of the Trial Advocacy & Dispute Resolution and Moot Court Honors Boards, and had the privilege of serving an externship with Judge Jeffrey Lawrence in the Circuit Court of Cook County.

Ms. Theis enjoys spending time with her husband and three daughters, reading, photography, and outdoor activities, including fishing and hiking. She is the author of Whitt Law’s News & Knowledge blog, and can be followed on Twitter at <https://twitter.com/BFlahertyTheis>.