

ILLINOIS LAWYER NOW

Vol. 1 • No. 2

QUARTERLY

A PUBLICATION OF THE ILLINOIS STATE BAR ASSOCIATION

3

Lincoln's Legacy
program to kick
off the Midyear
Meeting.

7

Legal Tech –
Attorney Bryan
Sims explains
cloud computing
and whether it is
safe for lawyers.

14–15

Courthouse photos –
J. Steven Beckett on
how local citizens
saved a piece of
Champaign County
history.

ISBA Director of Legislative Affairs
Jim Covington covers recent
legislative developments 5

Best Practice – Top 10 cost-
cutting strategies 9

Invitation to join ISBA
committee or section;
Animal Law section
growing fast 10-11

New admittees – MCLE
requirements, photos
and advice 12-13

CLE Calendar 20-21

ISBA recognizes the
1959 Class of
Senior Counsellors 22

The practice of law in a war zone

by Matthew Goetten

“...leaving today with apprehension and excitement. Miss my family already. Wondering what the next year will bring, why do we need so many lawyers, and what usefulness a small-county State's Attorney will have to the Army in Afghanistan?”

Matthew J. Goetten Journal Entry, December 26, 2008

After nine months in Afghanistan the first two questions were asked and answered. As for the last, well ... contact my chain of command.

On December 26, 2008, I said goodbye to my wife and two children and my staff at the Greene County State's Attorney's Office. Later that day I reported to Ft. Benning, Ga., to be deployed to Afghanistan with the Illinois Army National Guard in support of Operation Enduring Freedom. A guardsman for nearly 10 years, this – one of the single largest deployments in Illinois history – was to be my first deployment in support of combat operations. I had spent the previous year training with the 33rd Infantry Brigade Combat Team in Urbana, Illinois, in preparation for my transition from Greene County State's Attorney to Army Judge Advocate. It was a journey I would make with the assistance of other ISBA members.

Alexander the Great, Genghis Khan, the British Empire (three times), and most recently, the Soviet Union, each with arguably one of the greatest armies known to man in their respective moments in history, each broke themselves on the rugged terrain and disjointed tribal affiliations in Afghanistan. Military scholars will no doubt differ in their assessments of what makes the United States campaign different – but how many lawyers did Alexander the Great have at his disposal? How many Illinois lawyers?

I am not sure about the number of lawyers employed by any of those armies, but I am not going out on a limb to suggest that zero were licensed in Illinois. Perhaps therein lies the advantage, at least recently. OK, there are admittedly other advantages to being a member of the greatest military the world has ever known but ... I was deployed with a team of Illinois Lawyers. Our mission was to provide legal support to Task Force Phoenix commanded by Brigadier General Steven Huber. In all, our legal team consisted of six Citizen-Soldiers practicing civilian law throughout Illinois and a full-time Illinois Guardsman from Springfield.

So what does a small-county state's attorney, a collar-county assistant state's attorney, a Champaign County public defender, a plaintiff's attorney from the Metro East, a legal assistance attorney from the Quad Cities, and a full-time Illinois Guard Judge Advocate do in support of the brigade mission in a combat zone? The answer is everything.

With titles and job descriptions including claims, operational law, international law, military justice (think prosecution), legal assistance, fiscal law, contracts and



Greene County State's Attorney Matt Goetten with the other members of his legal team in Afghanistan head home after a court martial at Bagram Air Base. Capt. Janie Miller (from left) was the trial counsel and is a public defender in Champaign County, Goetten, who operated as assistant trial counsel on the case, Pfc. Olivia Rivera, military justice paralegal, and Maurice Dale, also a paralegal.

administrative law, the Task Force Phoenix legal team performed for the Army nearly every legal function performed by members of the ISBA. Of course, we did so while armed and in protective gear – an ensemble the ASA and I are advocating for prosecutors in our respective courts. The Illinois lawyers to my left and to my right brought the breadth of legal knowledge and the depth of understanding to serve the brigade in these diverse subject areas.

My official title for the task force was Chief of Administrative Law. My duties included advising officers investigating matters from loss of military equipment to combat deaths of U.S. Service men and women, and recommending actions on the investigations to the command. I advised the base commander on fiscal and contract issues effecting the base operations. I received an education in all legal matters non-criminal. However, as with any position, the majority of my time was spent doing “other duties as assigned.”

I was fortunate, due to my criminal law background, to have an opportunity to assist Captain Janie Miller, a Champaign County Public Defender, in court-martialing a soldier accused of receiving kick-backs from local national contractors to the tune of several hundred thousand U.S. dollars. Captain Miller and I, both

(Continued on page 4)



- ▶ **Rated “A” (Excellent) by A.M. Best Company**
- ▶ **Over \$6M in dividends paid out to policyholders since 2000**
- ▶ **20 years of experience underwriting Illinois lawyers!**
- ▶ **Free Legal Research & CLE provided**



STRONG, COMMITTED & DEDICATED
– SINCE 1988 –

800.473.4722 • WWW.ISBAMUTUAL.COM

***Lincoln's Legacy December 9, 1-3 p.m.,
Sheraton Chicago Hotel & Towers***

Lisa Madigan, George Leighton highlight lawyers' service to others

The ISBA Diversity Leadership Council kicks off the Midyear Meeting December 9 with a program on Lincoln's Legacy: Lawyers Who Protect Life, Liberty and the Pursuit of Happiness.

The program, at the Sheraton Chicago Hotel and Towers, begins at 1 pm. The first presentation of ISBA's Diversity Leadership Award will be made to George

N. Leighton, retired judge of the U.S. District Court, Northern District of Illinois, followed by a keynote address by Illinois Attorney General Lisa Madigan. A panel discussion, moderated by WTTW's Phil Ponce, will follow. At the conclusion of the panel at 3:00, organizations that provide lawyers with service opportunities will be exhibited. Register to attend at the Sheraton Chicago. ♦

Panel discussion on life, liberty, and pursuit of happiness

Illinois Attorney General **Lisa Madigan** will deliver the keynote address at the Lincoln's Legacy program followed by a panel discussion moderated by **Phil Ponce**, host of WTTW TV's *Chicago Tonight*.

Panelists include: **Terrence K. Hegarty** of Hegarty & Hegarty, Chicago, a past president of ISBA. Hegarty has taken a leading role in efforts to abolish the death penalty in Illinois. **Jody Raphael**, Senior Research Fellow, DePaul University College of Law, Chicago. **Hon. George N. Leighton**, retired U.S. District Judge, Northern District of Illinois. **Camilla B. Taylor**, of the Lambda Legal Midwest Office, Chicago. ♦



Lisa Madigan



Phil Ponce

Leighton to receive Diversity Leadership Award

The likelihood that he would graduate from Harvard Law School was pretty slim when George Leighton had to drop out of seventh grade to take a job on an oil tanker sailing from his native Massachusetts to the Dutch Indies. His public schooling was at an end, but his quest for knowledge and learning was just beginning. He was never far from books, reading everything he could acquire or borrow. By the time he was twenty-four, he resolved to try for a formal education, and persuaded the Registrar at Howard University to admit him as an "unclassified" student. He had to prove he could do college work. Armed with little more than his determination, he began his studies at Howard, and at the end of the first semester, made the Dean's Honor Roll, where he remained for four years, graduating in 1940 magna cum laude.

A scholarship to Harvard Law followed in 1940, and after an interruption for active duty in the Pacific Theater in World War Two, George

Leighton was awarded his LL.B degree in 1946. In a few months, he had moved to Chicago and been admitted to the Bar of the State of Illinois...

Thus began the extraordinary professional career of George Leighton, who was inducted as a Laureate of ISBA's Academy of Illinois Lawyers in 2001.

Read more, including Leighton's success in desegregating a southern Illinois school district four years before the U.S. Supreme Court's 1954 *Brown v. Board* decision, his stout support for civil rights and opposition to capital punishment, and the saga of the Cicero riot of 1951. Go to: **www.isba.org/laureates/2001laureates.html**. ♦



George Leighton

Midyear Meeting highlights on TV

The Lincoln Legacy program and other features of the Joint ISBA-IJA Meeting will be recorded by the Illinois Channel for playback statewide.

Similar to C-SPAN, the Illinois Channel provides unedited, nonpartisan coverage of Illinois state government

and public affairs, including arguments before the Illinois Supreme Court.

Check local listings for the Illinois Channel, or visit www.illinoischannel.org. ♦



ILLINOIS LAWYER NOW

QUARTERLY

www.illinoislawyernow.com



**ILLINOIS STATE
BAR ASSOCIATION**

**PUBLISHED BY THE
ILLINOIS STATE BAR ASSOCIATION**



JOHN G. O'BRIEN, *President*
ROBERT E. CRAGHEAD, *Executive Director*
DAVID N. ANDERSON, *Associate Executive Director*
CHRIS BONJEAN, *Editor*, cbonjean@isba.org
MARY MONAHAN, *Production Coordinator*



EDITORIAL OFFICE

20 S. Clark Street, Suite 900
Chicago, Illinois 60603-1802
Phone: (312) 726-8775
Fax: (312) 726-1422



ADVERTISING SALES COORDINATOR

Nancy Vonnahmen
424 South Second Street
Springfield, Illinois 62701-1779
Phone: (217) 525-1760
Fax: (217) 525-9063



PUBLICATION OFFICE

Illinois Bar Center
424 South Second Street
Springfield, Illinois 62701-1779
Phone: (217) 525-1760
(800) 252-8908



ON THE WEB

www.IllinoisLawyerNow.com



The ISBA does not provide members' e-mail addresses.

Illinois Lawyer Now Quarterly (ISSN 1547-0377) is published 4 times per year by the Illinois State Bar Assn., 20 S. Clark St., Chicago, IL 60603-1802, for distribution to its members. Subscription rates: \$1.56 annually for ISBA members (included in dues); \$120 annually in advance for non-members, non-lawyers and non-residents; back issues \$30 each. Periodicals postage paid at Chicago, IL, and additional mailing office. POSTMASTER: Send address changes to the Illinois Lawyer Now Quarterly, 424 S. Second St., Springfield, IL 62701-1779.

(Continued from page 1)

experienced trial attorneys, were rudely introduced to the military system. After several months of agonizing and often frustrating preparation (you try producing a local national to testify without subpoena power) the day of trial finally arrived. When Captain Miller suggested to the judge we could take care of a procedural matter after we broke for the day we were both surprised at the response. "Counsel, we will not be breaking until we are finished." At 0200 the following morning (that's 2 a.m. for you non-military types), 18 hours, and 14 Diet Cokes later, the judge announced the sentence. Tee times are hard to come by at Bagram Airfield and judicial efficiency is highly valued when military judges ride a circuit from Germany to include Kuwait, Iraq and Afghanistan.

While my legal education in the hostile-fire-zone included many other exciting and interesting events, my most fulfilling work was providing legal support to the soldiers of Task Force Phoenix. As complicated as our legal mission was in Afghanistan, it did not compare to the difficult life and death decisions being made by the brave men and women of the task force protecting and transporting the rest of us every day. I participated in many training and briefing events aimed at clarifying for these troops the rules of engagement and escalation of the use of force. As I stated many times to more soldiers than I care to count, "I want you to come home, I just don't want you to come home in handcuffs." The decision to pull the trigger is, for the majority of soldiers, the most difficult decision they will ever face. Assisting with the simplification of our regulations and rules governing that act was, from a personal standpoint, the most important role I played. These soldiers risked life and limb on a daily basis to enable the task force to succeed in its mission – to train the Afghan National Army and Afghan National Police. Knowing I played a small part in protecting them was important to me.

I did not play a direct role in mentoring the Afghan Army legal officers but in my travels throughout the country was exposed to the burgeoning legal system. Often termed the "rule of law," the important societal pillar – law and order – has just begun to be propped up in a society preferring *jirgas* (meetings of local elders) to trials. Many international partners, including the United States, continue to assist the Afghan government in propping up "cops, courts, and corrections." The sentiment among the international legal community, including the United States Army, is that without recognizable rule of law Afghanistan will continue to be unstable. To that end, our task force did provide legal mentorship directly to the Afghan National Army. Each successive rotation makes gains on the last but the end state is a work in progress.



Members of the legal team stand outside the group's Afghanistan office: Front row (left to right): Capt. Sarah Smith, attorney at Ezra & Associates, Collinsville; LTC Bob Roth, full-time Army National Guard; Sgt. Niko Oliver, New York Army National Guard (paralegal); and Capt. Jason Humke, Lake County Assistant State's Attorney; Middle row: Sgt. Maurice Dale, ISU student (paralegal); SPC Elizabeth Fozard (paralegal); PFC Olivia Rivera (paralegal); Back row: Capt. Erin Burns, an Arkansas Air Guardsman; Captain Janie Miller, Champaign County Senior Assistant Public Defender; Capt. Will Detrick, staff attorney with Prairie State Legal Services, Rock Island; Matt Goetten, Greene County State's Attorney.

Despite the numerous other attributes distinguishing the United States' military from the others in history, ISBA members contributed as Army lawyers and in other important Task Force Phoenix roles. I was proud to serve alongside Illinois lawyers serving as intelligence officers, commanders, public affairs officers and other diverse non-legal roles. Their legal training experience enabled each of them to contribute to the mission in a unique way. While I was proud to wear the uniform and serve with every member of the Illinois Army National Guard and the sister services supporting the task force, I was especially proud to serve with my fellow ISBA members. These men and women answered the difficult call and served the United States, the State of Illinois, and the Illinois State Bar Association honorably and with distinction. Genghis Khan should have been so lucky.

Did you serve in Afghanistan or Iraq or do you know someone who did? The ISBA would like to feature members who served overseas on our online news site, IllinoisLawyerNow.com. Send information to cbonjean@isba.org. ♦



HASSAKIS & HASSAKIS, P.C. ANNOUNCES NEW ATTORNEY TO FIRM

The law firm of Hassakis & Hassakis, P.C. in Mt. Vernon and Effingham, Illinois is pleased to announce the addition of Joshua A. Humbrecht as associate attorney as the firm prepares to celebrate its 60th year of service to the region.

Joshua grew up in Will County, Illinois and attended Lincoln-Way High School. He went on to Illinois State University double majoring in history and political science, graduating with a Bachelor of Science degree in 2005. He received his Juris Doctorate, Magna Cum Laude, from Southern Illinois University School of Law in 2009. He recently moved to Benton, Illinois and is proud to call Southern Illinois home.

His focus in the practice of law will be in civil litigation, including personal injury, wrongful death and workers' compensation law. He will practice in State and Federal Courts and before the Workers' Compensation Commission.

He can be reached at the law offices of Hassakis & Hassakis, P.C., 206 S. 9th St., Suite 201, Mt. Vernon, IL 62864 at (618)-244-5335. Hassakis & Hassakis, P.C. also maintains regular office hours in Marion, Belleville, Vandalia, Olney and Mt. Carmel.

Maas joins Smith, Hahn, Morrow & Floski, P.C.

Smith, Hahn, Morrow & Floscki P.C. takes pleasure in announcing the expansion of its Oregon law office and welcomes attorney Deborah S. Maas as an associate.



Deborah S. Maas

Ms. Maas is a graduate of the Northwestern School of Law of Lewis & Clark College, Portland, Oregon. She began the practice of law in 2001 with the Bloomington office of Prairie State Legal Services, Inc., and has been in private practice the past six years. She transitions her private practice from Ronda Glenn Law Offices in Bloomington and Pontiac, Illinois. She will continue a practice of general civil law with a focus on family law matters, guardianships, probate, estate planning, civil litigation, real estate transactions and litigation.

Ms. Maas has completed both Divorce and Family Mediation Training and Supreme Court Rule 900 Training. She has been approved by the Fifteenth Judicial Circuit to serve in the capacity of a Guardian Ad Litem, Child Representative or Attorney For Child, as well as to serve as Mediator to families in need.

Smith, Hahn, Morrow & Floscki P.C.
129 S. Fourth St., Oregon, IL (815) 732-6124
131 W. Second St., Byron, IL (815) 234-5454

Capitol Chronicle



by **Jim Covington**

Director of Legislative Affairs

During its veto session, the General Assembly has taken final action on these bills that you may access at its Web site at www.ilga.gov.

Partnership tax. House Bill 2239 (Currie, D-Chicago; Harmon, D-Oak Park) restores a tax deduction that had been repealed in this spring's budget bill. The repeal changed tax policy effective for tax years after Dec. 31, 2009, by limiting partnerships' deduction to "guaranteed payments" instead of "reasonable compensation" for the Personal Property Replacement Tax. That change generally limits the deduction to income partners because equity partners' income is based on their share of the distributable income of the partnership. It has been sent to the Governor. Immediate effective date.

Child support. Senate Bill 931 (Wilhelmi, D-Joliet; Mautino, D-Spring Valley) deletes the current requirement that a copy of the income-withholding notice and its proof of service on the obligor and payor must be filed with the clerk of the court. This filing will be required only when necessary in a petition to contest, modify, suspend, terminate, or correct an income-withholding notice; an action to enforce income withholding against a payor; or the resolution of other disputes involving an income-withholding notice. It has been sent to the Governor. Immediate effective date.

Human Rights Act. House Bill 59 (Currie, D-Chicago; Harmon, D-Oak Park) is a cleanup of the Human Rights Act. It does four things. (1) It makes consistent the time for a complainant to file either a request for review with the Human Rights Commission or an action in the circuit court if there is a finding of no substantial evidence by the Department of Human Rights. This will make both periods 90 days. This will eliminate situations in which complainants are forced to file actions in court because they did not file their requests for review with the Commission within the 30-day period now required in the Act. (2) It provides all complainants with the same option of proceeding either in the Commission or in the circuit court if the Department

issues an order of default or dismissal. Under the current Act, complainants may only proceed in the Commission if the Department issues an order of default or dismissal. This amendment will give them the same option that other complainants are given — either proceeding in the Commission or in circuit court. (3) It increases from 14 days to 30 days in which for complainants may request that the Department file a complainant on their behalf with the Commission. If they fail to do so within that 30-day period, it also allows them to file their own complaints with the Commission. Both of these changes are designed to eliminate situations in which complainants are now forced to file actions in the circuit court because they did not request within 14 days that the Department file a complaint on their behalf with the Commission. (4) It clarifies that the provisions of the Act in effect before January 1, 2008, govern requests for review for all charges filed before that date. Both chambers have accepted the Governor's amendatory veto. Immediate effective date.

Local bonds. Senate Bill 2188 (Clayborne, D-E. St. Louis; Winters, R-Rockford) amends the Local Government Debt Reform Act to toll the three and five-year time periods for bonds to be issued after voter approval if the issuance is delayed by court action. It has been sent to the Governor. Immediate effective date.

Cook County veto. Public Act 96-816 (Walker, D-Arlington Heights; Kotowski, D-Park Ridge) allows the Cook County Board of Commissioners to override the Board President's veto by a three-fifths vote of all board members instead of four-fifths. Effective Nov. 9, 2009.

Identity Protection and local government. House Bill 547 (Pihos, R-Glen Ellyn; Radogno, R-Lemont) creates the Identity Protection Act to prohibit state and local governments from requiring or displaying Social Security numbers unless required by state or federal law. Requires state and local governments to develop an identity-protection policy by Jan. 1, 2011. Exempts the judicial branch and the clerks of the court from the Act, but it requires the Supreme Court to regulate by rule or administrative order the disclosure of Social Security

numbers consistent with the intent of this Act. Both chambers have accepted the Governor's amendatory veto. Effective Jan. 1, 2010.

Human Rights Act. Public Act 96-814 (Fritchey, D-Chicago; Steans, D-Chicago) changes the scope of liability under the Act for non-sectarian nurseries, day-care centers, schools, or other places of education. It applies to the failure to enroll an individual; the denial of access to facilities, goods, or services; or (3) severe or pervasive harassment of an individual if the covered entity fails to take corrective action to stop it. Effective Jan. 1, 2010.

Prison visits by video. House Bill 1995 (Yarbrough, D-Maywood; Bivins, R-Dixon) requires the Department of Corrections to establish a pilot program in one or more of its institutions permitting committed persons to remotely visit family members through interactive video conferences. It has been sent to the Governor. Effective Jan. 1, 2010.

Townships and delinquent sewer charges. House Bill 644 (Verschoore, D-Rock Island; Haine, D-Alton) allows townships to discontinue water or sewerage service or both for delinquent sewerage charges that are overdue more than 30 days. Requires that the sewerage-service provider send a delinquency notice to the user before it can request that the water service be shut off and allow the user an opportunity to be heard. Makes other changes to this section. It has been sent to the Governor. Effective immediately.

Offenders and employment. Senate Bill 1050 (Raoul, D-Chicago; Currie, D-Chicago) allows the circuit court to issue a "certificate of good conduct" to eligible offenders to assist them in getting employment. The Prisoner Review Board used to have this authority. It also allows the Department of Professional Regulation to issue non-binding advisory opinions as to whether a person's criminal record bars him or her from the license or certificate that the person is seeking. "Eligible offenders" exclude those convicted of violent crimes, forcible felonies, sex crimes and DUI. Both chambers have accepted the Governor's amendatory veto. Effective Jan. 1, 2010, although parts of the bill are effective immediately. ♦

Helping businesses avoid spoliation claims

by **Richard L. Miller II** and **Kristen Werries Collier**

Everyone loses and damages things from time to time. And businesses – made up, after all, of people – often misplace and inadvertently dispose of e-mails, electronic files and even hard copies of documents. Unfortunately, if that information later becomes relevant to a lawsuit, its loss or damage can be devastating.

“Spoliation” is the term of art for the loss, alteration, damage or destruction of evidence important to civil litigation. There are repercussions for the spoliation of evidence, for obvious reasons: it can give one litigant an unfair advantage over another. The judicial system would break down if every litigant could simply destroy bad evidence and use only the good.

You might wonder what you can do to help your business clients minimize the likelihood of losing or inadvertently destroying evidence in the digital age. Although nothing can guarantee success at avoiding spoliation, advising your clients to take the following steps can dramatically reduce the risk.

Learn your business client’s electronic systems. Electronic discovery is often a spoliation minefield because of the sheer volume of information. Familiarizing yourself with how your client’s data is stored and deleted will help you help it avoid a misstep.

Document information sources. When litigation is imminent, a business should thoroughly document sources of relevant information, key players, and potential custodians of records. That can help you determine the source, content and quantity of potentially discoverable material. Also, it will give you a practical understanding of the business’ document retention policy.

Preserve evidence immediately. If a business foresees a future claim arising out of a dispute, accident, event or injury, it should quickly quarantine and preserve potentially relevant documents, whether in hard copy or electronic form, and do the same with any physical evidence. Doing nothing for weeks, even days, could allow evidence to be destroyed through otherwise harmless, routine practices.

Suspend auto-delete for key players. Businesses should suspend all electronic auto-delete policies and programs for individuals with information relevant to the litigation (or potential litigation). Someone in authority should advise these individuals that their material is being preserved and direct them to save all materials, electronic or not, to which they have access. Err on the side of preserving too much.

Send a “litigation hold letter.” Someone in authority, whose directives will be followed, should work with you to distribute a “litigation hold letter” advising employees who might have relevant evidence to preserve it. This contact person should help identify and collect the potentially responsive documents. He or she may need to testify if a spoliation claim is made.

Get it in writing. You should consider advising your client to require individuals with access to potentially relevant evidence to verify in writing that they understand their preservation responsibilities. These individuals are a great source of information, so ask them to identify – also in writing – the location of all potentially relevant hard-copy materials, electronic documents and physical evidence. ♦

Richard L. Miller II and Kristen Werries Collier are with Novack and Macey LLP in Chicago, where Miller is a partner and Collier is of counsel. They litigate commercial disputes in state and federal court as well as in arbitration proceedings.



What will your legacy be?

IF YOU HAVE PROVIDED A GIFT to the Illinois Bar Foundation in your estate plan, you are eligible for membership in the IBF Lincoln Legacy Society.

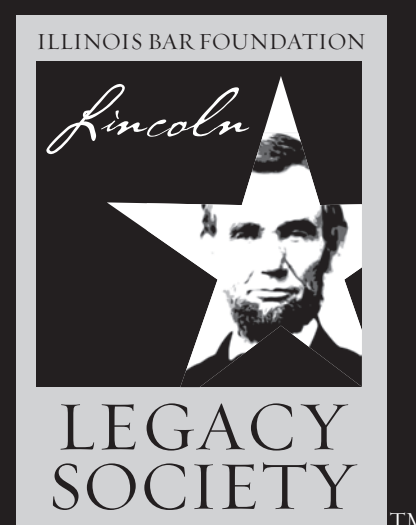
The Illinois Bar Foundation created the Lincoln Legacy Society to honor and recognize individuals who have agreed to support the Foundation’s vision to be the statewide leader in advancing equal justice in Illinois by providing for the Foundation in his or her estate plan.

Abraham Lincoln, the state’s most famous lawyer, left an indelible mark on the Illinois legal system. So too will Lincoln Legacy Society members leave their mark on the legal system through their legacy gifts to the Illinois Bar Foundation.

Please notify the Illinois Bar Foundation of your intentions today to enjoy the benefits of membership in the Lincoln Legacy Society by emailing IBFLincolnLegacySociety@isba.org.

ILLINOIS BAR FOUNDATION

20 S. Clark St., Suite 910, Chicago, IL 60603 • (312) 726-6072



If you are interested in information about how to include the Illinois Bar Foundation in your estate plan, call Susan Lewers at (312) 726-6072 for a complete brochure on planned giving opportunities.

Is it safe for lawyers to join the cloud?

by Bryan Sims

With the ubiquitous availability of high speed access to the Internet, most of us are rarely too far from it. This means that we can access anything we have stored on the Internet from just about any location and from any computer.

This connectivity is leading many attorneys to investigate the possibility of moving their practice toward one in which their computer programs and their data are stored and accessed on the Internet rather than on a local machine. This concept, commonly referred to as cloud computing, is one in which you subscribe to a software service that is delivered to you over the Internet rather than having the software installed on your computer.

Many years ago, there were a number of software publishers who sold map software that you could install on your computer. You could then use that software to obtain driving directions. Today, of course, we do the same thing (for free) at websites such as Google Maps, or Mapquest. This is just one example of how we have already moved certain applications to the cloud.

Recently, more specialized applications have started appearing. These services allow you to move your office operations to the cloud. For example, services such as Google Docs and Zoho can be your word processors. Rocket Matter and Clio provide case management through your web browser. Services such as Net Documents and Iron Mountain store documents online, allowing you to access them from anywhere. With services such as Basecamp you can manage projects and store and share documents online. A variety of different service providers give you the benefits of Microsoft Exchange Server without the cost of owning and maintaining your own server. In fact, there is likely no software that you use in your office that you cannot duplicate via a service from the cloud.

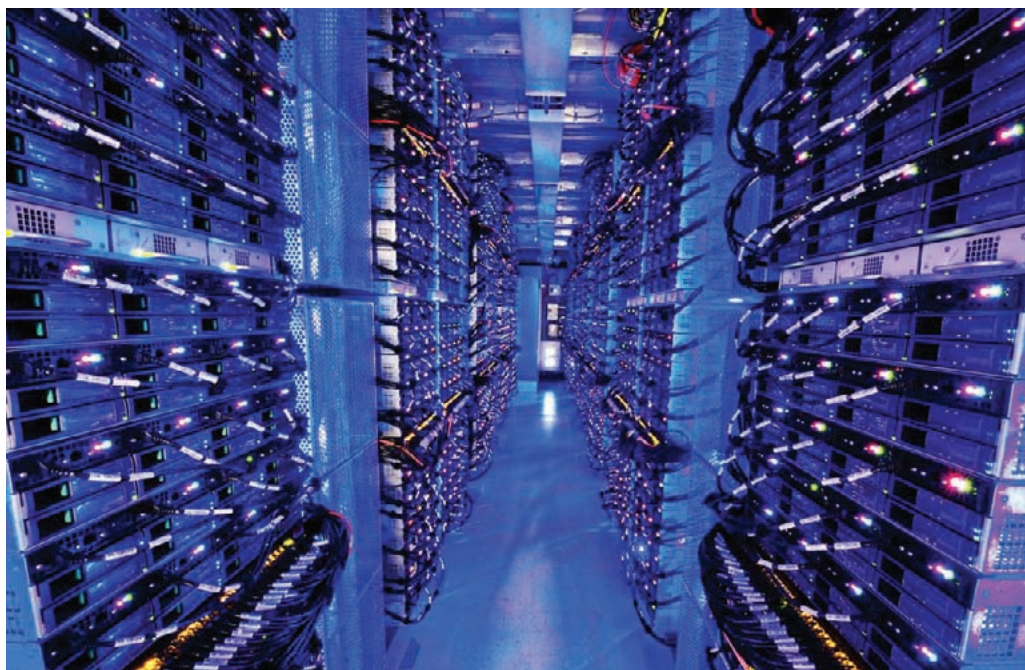


Photo credit: Microsoft

So exactly where is this computing cloud?

Closer than you might expect.

Microsoft recently opened an enormous \$500 million data center housed in a non-descript warehouse just off the Tri-State Tollway in the western Chicago suburb of Northlake. This photo shows the inside of a parked shipping container that holds the servers for the center. If more capacity is needed, a new container is shipped over and plugged in. At over 700,000 square feet, the data center is one of the world's largest and will be used to power the software company's new cloud-based operating system, Windows Azure.

However, the fact that these services are available does not mean that you should use them. Before jumping into the cloud, you need to arm yourself with some knowledge so you can determine if a particular service is a good fit for you and your practice.

The first question that always arises in any cloud computing situation is whether, by placing information in the hands of a third party, you are compromising your ethical obligations to keep information confidential.

Some attorneys will claim that, because of confidentiality concerns, they will never store information on the Internet. Yet, those same attorneys don't hesitate to turn that same information over to a copy service to make copies or to a documents storage service to store the files.

The problem isn't necessarily having the information in the hands of third parties; the legal profession has been doing that for years. The problem is making sure that the information remains confidential while in the hands of third parties. To do that, you must do your homework. The first thing you have to do is read the terms of service. This should give you a basic framework as to how the provider handles your information.

There are some basic questions that you need answered either by the terms of services or through conversations with the service provider:

- Is the provider claiming any ownership over the information you store with it?
- What happens to your information when you terminate your service?
- Is your information encrypted?
- How does the provider control access to your information?
- How and where is your information backed up?
- Can you easily keep a local backup of your information?
- Is there any way to access your information if you do not have Internet access?

Answers to questions such as these should help you determine whether the service provider will keep your information safe, confidential, secure and accessible. If you can find a service that meets your needs, it may free you to work anywhere you can connect to the Internet. ♦

Practice tips from IllinoisLawyerNow.com

The ISBA news site, *IllinoisLawyerNow.com*, recently started featuring frequent help on legal-writing and weekly tips on Fastcase (Tuesdays) and Best Practice (Wednesdays). Here are a couple of recent tips:

Legal-writing Tip: Citations in footnotes

You must always follow court rules for citation of authority, but consider this idea: To increase readability, place your citations in footnotes instead of in the text of your brief or memorandum. Do not use footnotes for any other purpose. Why make your reader jump over nonsubstantive interruptions? (Bryan A. Garner is the moving force behind this idea. Count me in on that crusade.)

I know that this is not how the Illinois appellate courts write their opinions, and Illinois Supreme Court Rule 341(a) states that "Footnotes are discouraged, but, if used, may be single-spaced." But I think that this Rule is addressing substantive ("talking") footnotes as opposed to citation to authority. *Jim Covington*

Fastcase Tip of the week: Save your searches

You may already know that Fastcase automatically tracks your last 10 searches. But have you ever wished that you could access even older searches?

How about naming your searches and organizing them in folders by topic? You can easily accomplish all of these tasks using your web browser.

1. While on the Results screen, press Control + D. (Mac users, use Apple + D instead). This will cause a small window to appear on your screen.

- In Internet Explorer: "Add a Favorite."
- In Firefox: "Page Bookmarked."
- In Chrome: "Bookmark."

2. The window will prompt you to name your bookmark. Name your bookmark according to your search topic, e.g., "Miranda Fifth Amendment"

3. Next, follow the prompts in the bookmark window to create a new bookmark folder for your search. (Hint: Try creating folders for particular clients or briefs, e.g., "Merits Brief" or "Smith Arbitration.")

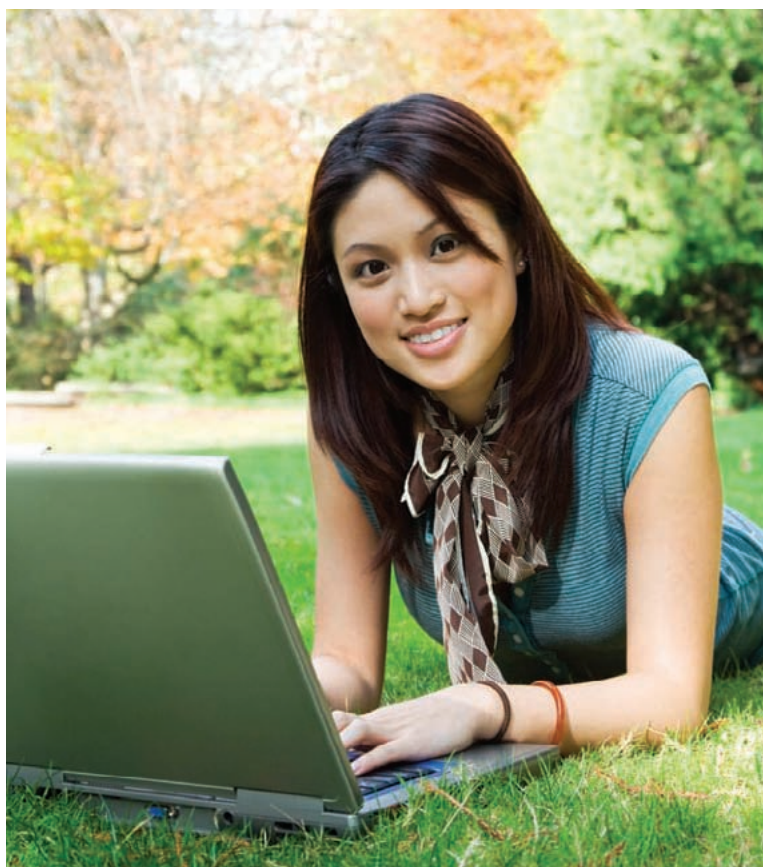
4. To return to your bookmarked search results later, find the bookmark folder you created using your browser. When you click on the bookmark, your search results will automatically reappear.

(Hint: Make sure you are logged in to Fastcase before accessing your bookmarks). ♦

**With classrooms
around every
corner.**

FastCLE

www.isba.org/FastCLE



*Choose from our vast selection of
programs now totaling over 500
MCLE hours and 130 PMCLE hours!*

FastCLE is the most convenient
way to obtain MCLE credits and
build your reference library.

❖ **ANYTIME**

ISBA Law Ed programs are video
-taped and available for you to
purchase in multiple formats
including online delivery, DVD,
audio CD, and video CD-Rom.

❖ **ANYWHERE**

Watch or listen to the program from
your work or home computer or
your portable MP3 player.

❖ **FREE DEMONSTRATION**

Try a free online demo today!
No purchase or log in necessary.

ISBA LAW ED
CLE FOR ILLINOIS LAWYERS

SO Fast • SO Simple

anytime anywhere

Powered by **FastCLE**

**Start earning
MCLE credit today!**
www.isba.org/FastCLE

Top 10 cost-cutting strategies

by John W. Olmstead, MBA, Ph.D, CMC

I am often asked to help law firms design and implement profitability improvement programs. In most of my engagements the real problem is insufficient gross income and lack of sufficient investment (spending and time) on marketing and initiatives designed to stimulate client and revenue growth. For most firms increasing revenues is the most effective way of impacting the bottom line. However, we do find that there is waste and unnecessary overhead that eats away at profits and a cost control program is also recommended and implemented. During recessionary times such as we are currently facing – drastic cost control are often the only option. Reducing overhead can immediately and effectively improve a firm's bottom line.

The first step in an expense control program is to identify those areas where potential savings exist. Review your profit and loss statement. Resist the temptation to arbitrarily cutting costs which could cut the muscle with the fat and result in revenue loss as well. You have to spend money to make money – so if cost cutting is the appropriate strategy – cut the right costs. Think strategically about cost reduction.

After you have identified areas where savings can be made, prioritize and develop specific strategies and implement action plans to achieve the savings.

Here are a few strategies:

No. 1: Reduce Headcount: This is the largest area for potential savings. Downsizing is a strategy that has been used by many firms this past year. However, it can have long term negative consequences for revenue and talent management. Consider all levels – non-productive partners, associates, paralegals, and staff. Be prudent and sensitive in implementation.

No. 2: Reduce Compensation: Obviously one way is to cut salaries – a strategy to be used as a last resort. A better approach is to reduce fixed salary (paying people for showing up) and add a variable pay component which will allow employees to earn additional compensation in the form of bonuses for results achieved. Another approach is to freeze salary increases.

No. 3: Benefits: A major area for cost savings – especially health insurance. Determine which programs are most important to employees. Do your best to protect those and reduce or eliminate programs that are less important. Consider offering more than one health insurance plan. Pay the premium for the lowest cost plan and provide options for employees to “opt up” to the better plans by paying the additional premiums. Consider increasing deductibles and requiring employees to pay a portion of the base premiums.

No. 4: Outsource: Examine potential for outsourcing – from copy services to IT management to your legal team.

No. 5: Occupancy: Review your lease invoices and question increases and escalators for which you have been charged. Consider renegotiating your lease and ask for a lower rate. Reduce excess space either through a renegotiated lease or through sub-leasing.

No. 6: Telephone Service: Scrutinize your bills and examine rate tariffs as well as items that have been tagged to your bill by third parties. Negotiate and ask for refunds for any discrepancies or abuse found. We have seen firms receive thousands of dollars in refunds.

No. 7: Virtual Office: Do you need an office at all. Many solos are working out of virtual and home offices or a combination of same. Some larger firms are reducing the size of their primary expensive downtown offices by having some attorneys work from home offices or other locations.

No. 8: Marketing: Many firms actually need to spend more money on marketing. However, this does not mean that it should be wasted on sacred cows. Review marketing investments, eliminate feel good items, and insure that they are producing results. Reallocate funds.

No. 9: Supplies and Other Purchases: Eliminate waste and unnecessary expenses. Consolidate with fewer vendors and solicit discounts for exclusive relationships.

No. 10: Develop a Budget and Financial Plan: If you don't have one – develop a budget and financial plan and work the plan.

Good luck! ♦

John W. Olmstead, MBA, Ph.D, CMC, is a past chair and member of the ISBA Standing Committee on Law Office Management and Economics. For more information on law office management please direct questions to the ISBA general discussion group (www.isba.org/discussions), which John and other committee members review, or view archived copies of The Bottom Line newsletters at www.isba.org/sections/loe/newsletters.asp. For more information about John visit www.olmsteadassoc.com or e-mail him at jolmstead@olmsteadassoc.com.

CCH Book Discount Now Available for ISBA Members!

ISBA members: order by April 2, 2010 and get a 20% discount on a variety of CCH books, including these essential tax books. Includes tax and shipping, so the quoted price is your total cost!

2010 U.S. Master Tax Guide – ISBA Member Price \$82.41

Reflects all pertinent federal taxation changes that affect 2009 federal returns; provides fast and reliable answers to tax questions affecting individual and business income tax.

2010 U.S. Master Estate and Gift Tax Guide – ISBA Member Price \$84.99

Clear explanations of the laws relating to federal estate, gift and generation-skipping transfer taxes.

2010 Guidebook to Illinois Taxes – ISBA Member Price \$82.84

Great for tax practitioners, in-state and multistate businesspersons, and those who are obligated to file Illinois returns or who are required to deal with Illinois taxes.

Internal Revenue Code: Income, Estate, Gift, Employment and Excise Taxes – ISBA Member Price \$111.72

The full, unabridged text of the complete Internal Revenue Code in two volumes. All new statutory tax changes enacted as of December 1, 2009.

Income Tax Regulations – ISBA Member Price \$155.68

Contains the mammoth Treasury regulations that explain the IRS's position, prescribe operational rules, and provide the mechanics for compliance with the Internal Revenue Code.

Federal Estate & Gift Taxes: Code & Regulations – ISBA Member Price \$85.86

The full official text of the estate, gift and generation-skipping transfer tax provisions of the Internal Revenue Code, plus corresponding final, temporary, and proposed regulations.

**Order at <https://secure.isba.org/store/cch/>
or by calling Janice Ishmael at (800)252-8908**

A MESSAGE FROM THE PRESIDENT-ELECT

Your ISBA Family Invites You to Join an ISBA Committee or Section



It is my distinct privilege and responsibility to appoint members to the section councils and committees for the 2010-2011 term. Committees and councils are the lifeblood of the Illinois State Bar Association. I encourage each member – and particularly young lawyers and others whose participation will make our committees and councils more diverse – to seek active participation in our Association by either completing and returning the slip below or completing the form online at isba.org/memborgroups/nominations. I often hear from our active membership just how much each individual attorney/judge appreciates the opportunity to be a part of the ISBA family and the countless benefits each enjoys.

More than a thousand ISBA members serve on the various committees and section councils. Those who actively participate make new friendships and benefit both personally and professionally from the experience. All members have the opportunity to be considered for service, and I invite you to seek appointment.

Current committees and section councils are listed below. The areas of focus and activity span many disciplines. Be aware that an appointment presumes you will

attend the meetings and be an active participant in the committee's/section council's agenda and activities. The ISBA partially reimburses its members for many of the expenses they incur in participating.

We cannot honor every request, for experience demonstrates the number of requests for appointments to certain sections and committees exceeds the number of available positions. However, your chances of appointment are enhanced if you indicate more than a single area of interest, but no more than three.

Please join me and other members of our association in serving both the profession and the public.

Mark D. Hassakis, President-Elect

ISBA COMMITTEES

Attorney Registration and Disciplinary
Commission Committee
Bar Services and Activities
Continuing Legal Education
Construction Law
Corrections & Sentencing
Delivery of Legal Services
Government Lawyers
Illinois Bar Journal Editorial Board
Judicial Advisory Polls
Judicial Evaluations–Cook County
Judicial Evaluations–Outside Cook
Law Office Management & Economics
Law Related Education for the Public
Legal Education, Admission and Competence
Legal Technology
Mental Health Law
Mentoring
Professional Conduct
Public Relations
Racial & Ethnic Minorities and the Law

Sexual Orientation and Gender Identity
Strategic Marketing for Illinois Lawyers
Supreme Court Rules
Women and the Law

ISBA SECTION COUNCILS

Administrative Law
Agricultural Law
Alternative Dispute Resolution
Animal Law
Antitrust and Unfair Competition Law
Bench and Bar
Business Advice and Financial Planning
Child Law
Civil Practice and Procedure
Commercial, Banking and Bankruptcy Law
Corporate Law Departments
Corporation, Securities, and Business Law
Criminal Justice
Education Law
Elder Law
Employee Benefits

Energy, Utilities, Telecommunications & Transportation
Environmental Law
Family Law
Federal Civil Practice
Federal Taxation
General Practice, Solo and Small Firm
Health Care
Human Rights
Insurance Law
Intellectual Property Law
International and Immigration Law
Labor and Employment Law
Local Government Law
Mineral Law
Real Estate Law (includes Drainage Law)
Senior Lawyers
State and Local Taxation
Tort Law
Traffic Laws and Courts
Trusts and Estates
Workers' Compensation Law
Young Lawyers Division

Please Return this slip by February 5, 2010, or complete the form online at isba.org/memborgroups/nominations

Mail to: Executive Director, ISBA, Illinois Bar Center, 424 S. Second St., Springfield, IL 62701-1779

I would like to be considered for appointment to the following committee or section council:

1st Choice _____ 2nd Choice _____

3rd Choice _____

Name: _____

Firm name or employer: _____

Address: _____ City, State and Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Type of Practice (Corporate, Probate, Business Litigation, Plaintiff, Defense, Employer-oriented, Government, Labor, etc.) _____

Law School: _____ Number of Lawyers in Your Firm: _____

Date Admitted to Illinois Bar: _____

(To assist in the appointment of diverse committees and section councils, if you wish, please answer the following:)

I am a member of the following minority/ethnic group(s): _____

Have an interest in animals? The new Animal Law Section might be for you

by Amy A. Breyer

Founder and Chair, Animal Law Section

The new Animal Law Section just got underway this bar season with its first formal meeting on October 3 in Springfield. The fledgling section has 14 council members and more than 150 total members already.

The section is beginning to put together its next CLE – based upon its successful CLEs last season in Chicago and Pere Marquette Lodge downstate – and is again looking toward June presentations. Topics are still TBA. Last June’s conferences included presentations on pet trusts, pet “custody”, dangerous dog cases, livestock liability, an update on farming and wildlife regulations and more.

The section is also preparing to draft and sponsor its first legislative proposal. Possible topics under consideration include: various reforms to state or local animal control law, strengthening a court’s ability to appropriately deal with pets in divorce and a truth-in-sheltering measure that would require shelters to provide greater disclosure of euthanasia rates in various circumstances. The section is also preparing to issue its first newsletter and already has a number of articles ready for publication, including: pet trusts, valuation of companion animals, livestock marketing and labeling claims, breed discrimination and livestock liability.

If you’d like to get the newsletter or know more about what the section is doing, we invite you to join our section! Membership costs \$20 per year, but also entitles you to \$10 off our June CLE, bringing the total cost of membership down to \$10 a year. If you would like to submit an article for consideration, please contact our newsletter editor, Melissa Maye, at mmaye442@aol.com.



Be on the cutting edge of one of the newest areas of law. No matter what area you practice in, animal interests intersect with nearly all human interests. The ISBA’s Animal Law Section offers an opportunity to stay on top of this evolving area and a link to resources you may need when that intersection of interests occurs on your desk. ♦

Q-DEX On-Line ® Patent Pending

The “bible” of Illinois Workers’ Compensation law.

- High speed access to over 20 years of **Q-DEX®: A Quick Index to IL Workers’ Comp. Decisions** abstracts, including all App. & S.Ct. W.C. cases since 2005 with prior significant decisions added regularly.
- All Commission case copies from 1999 on. All App. & S.Ct. W.C. case copies 2005 on + significant prior cases.
- Frequent updates including App. & S.Ct. docket notations on cases.

www.qdex.com

- Also available through Damien Corp: **Text Searchable Commission Case Copies** on CD or Flash Drive (years 1999 on)

Save Substantial Time – Greatly Improve Accuracy

The Damien Corporation

(630) 369-3549 • Fax: (630) 369-3595 • Damien@qdex.com

**Old-Fashioned Service
You Can Trust.**


ATG TRUST
COMPANY

Your clients turn to you as a trusted adviser for counsel with some of life’s most important decisions. Through ATG Trust, you can add trust and investment planning to the list. Contact us for information.

877-674-7878
INFO@ATGTRUST.COM

WWW.ATGTRUST.COM
ATG TRUST IS A SUBSIDIARY OF
ATTORNEYS’ TITLE GUARANTY FUND, INC.
CHICAGO, IL

Illinois Supreme Court MCLE Requirements

New admittees, did you know . . .

...that the MCLE rules—adopted by the Illinois Supreme Court and administered by the MCLE Board of the Court—require that you complete an MCLE Board accredited 15 hour Basic Skills course (such as the ISBA Basic Skills course available at isba.org) within one year of your admission to practice in Illinois? And that you must certify compliance to the Supreme Court's MCLE Board within 31 days after your Basic Skills course year has ended (unless you qualify for an exemption) ??

... that attorneys must report MCLE requirement compliance to the MCLE Board either online at mcleboard.org or via the certification form that will be mailed by the MCLE Board to the attorney (at the address on file with the Attorney Registration and Disciplinary Commission—ARDC)? And that failure to timely report to the MCLE Board will result in late fees and the risk of removal of your name from the Master Roll of Attorneys?

... that lawyers should retain their Certificates of Attendance for individual

courses (including the Basic Skills course) in their files for three years after the end of the reporting period in case they are audited??

... that after completing the Basic Skills course period, your initial two-year MCLE reporting period begins on the next July 1st, pursuant to the MCLE Board reporting schedule? And that the schedule is based on the first letter of your last name? (See chart below)

... that you are exempt from the General CLE requirements during this one year period and may NOT begin earning General MCLE credit until the 12-month period in which to satisfy the Basic Skills course requirement ends? But that after compliance with the Basic Skills requirement and before your two year reporting period begins, you can earn and carry over up to 10 general MCLE hours, excluding professional responsibility hours?

. . . that you can continue learning new legal skills at live ISBA CLE programs for only \$25 per program for your first three years of admission to the bar? And that you can visit ISBA.org for a full calendar of CLE programs? ♦

	Admitted to Practice in May 2008	Admitted to Practice in November 2008	Admitted to Practice in May 2009	Admitted to Practice in November 2009	Admitted to Practice in May 2010
Basic Skills Requirement must be completed by:	May 31, 2009	November 30, 2009	May 31, 2010	November 30, 2010	May 31, 2011
Certify Compliance to Supreme Court MCLE Board by:	July 1, 2009	December 31, 2009	July 1, 2010	December 31, 2010	July 1, 2011
General MCLE Carry Over Hours Possible To Earn (between Basic Skills compliance and the first day of your first reporting period) (Sup. Ct. Rule 794(c)(2))	10 Hours	10 Hours	10 Hours	10 Hours	10 Hours
First 30 Hour MCLE reporting period for last names beginning with A – M:	July 1, 2010 – June 30, 2012	July 1, 2010 – June 30, 2012	July 1, 2010 – June 30, 2012	July 1, 2012 – June 30, 2014	July 1, 2012 – June 30, 2014
First 30 Hour MCLE reporting period for last names beginning with N – Z:	July 1, 2009 – June 30, 2011	July 1, 2011 – June 30, 2013	July 1, 2011 – June 30, 2013	July 1, 2011 – June 30, 2013	July 1, 2011 – June 30, 2013

To find out more about MCLE requirements, visit the MCLE Board website at www.MCLEBoard.org, email the Board at MCLE@MCLEBoard.org, or read the Illinois Supreme Court MCLE Board Basic Skills information sheet at <http://www.mcleboard.org/PDF/Basic%20Skills%20Course%20Notice.pdf>.

Over 2,300 new attorneys admitted



Front row: Illinois Supreme Court Justices Freeman, Fitzgerald and Burke. Back row: ISBA member Al Durkin (right) with his wife, Kathy, and daughter Jessica, who was admitted to the bar in the First District ceremony in Chicago.



Former ISBA President Cheryl Niro with her son, Christopher, who was admitted to the bar at the Chicago ceremony.



ISBA 2nd Vice President John Locallo (from left), new admittee Taylor Polachek of Barrington, and Appellate Justice Ann B. Jorgensen at the Second District ceremony in Elgin.

You have your license to practice law. Now what?

by Justin Heather

Skadden Arps Slate Meagher & Flom LLP
Chicago

You graduated from law school, passed the bar, and have now been admitted to practice in the State of Illinois. There is, however, one small catch. Other than clinical programs and internships, law school does not necessarily prepare lawyers for the actual practice of law. Law school prepares you to think like a lawyer, but not to practice law. As newly minted attorneys, here are a few practice tips intended to make your transition to the practice of law a little easier.

Rule #1: this is your career; make it what you want. Regardless of where you begin your career, increased lawyer mobility means most lawyers will change jobs more than once during their first decade of practice. Young lawyers should embrace their legal career and pursue their legal interests with passion, both inside and outside their employment. Even if a lawyer believes their current position is only temporary, he or she should avoid considering the position a “job” that is distinct from their “career.” Take advantage of every opportunity to learn and understand more about the practice of law. Involve yourself in bar associations and organizations that peak your interest.

Under promise, over perform. Briefly, a few practical tips will help make the transition from law school to law practice a little less difficult. Striving to impress a new employer or simply as a result of eagerness, many young associates take on heavy workloads. Any experienced lawyer would no doubt prefer a few items of high quality than several items of mediocre or poor quality. A heavy workload is often unavoidable, but beware of taking on too many projects or assignments. In short, “under promise, over perform.” Take pride in your career and your work product.

Remember, the devil is in the details. A partner once asked, “How can I trust you with the big things, if I can’t trust you with the small things?” Whether it is spell/cite checking, proofreading, or simply making sure copies have all the pages contained in the original, no detail is too small to ignore. A brief, memorandum, or agreement riddled with errors reflects poorly on the author and undermines the reader’s confidence in the author’s writing and skills.

Never be afraid to ask for help or clarification. The old mantra, “The only dumb question is the one you don’t ask,” holds true in the practice of law. If you have any questions regarding an assignment, do not hesitate to inquire of the person assigning the project. Similarly, if you need help completing a project, ask for

it (and ask for it early rather than waiting until the last minute). It is better to seek assistance, than not complete a project in a timely fashion.

Keep track of time. As a corollary, deadlines are one of the most important aspects of the practice of law. Whether it is a date ordered by the court, a statutory filing rule, or simply an internal deadline, blown deadlines reflect poorly on an attorney. Complete projects well in advance of any deadline. This will allow ample time to review and revise your work product.

Follow the rules. Regardless of your practice area, the law is generally governed by rules. Rules provide lawyers with deadlines, page limits, and forms of filing (number of copies, electronic or hard copy), etc. All lawyers are generally familiar with federal and state rules after taking the bar exam. In addition to these rules, and local and circuit rules, many judges establish their own standing rules as well. Being familiar with and following applicable rules will save you time and energy in your practice.

On behalf of the Illinois State Bar Association Young Lawyers Division, welcome to the practice of law. We encourage you to become active in your legal career and the ISBA. ♦

Justin Heather is the Co-Editor of “YLD News,” the newsletter of the ISBA Young Lawyers Division.

to practice in Illinois



ISBA President John O’Brien (from left), new admittee Thomas Howard, his father, ISBA member Tim Howard and Illinois Supreme Court Justice Thomas L. Kilbride at the Third District ceremony in Moline.



New admittee La Toya Dixon (from left), Illinois Supreme Court Justice Rita Garman and ISBA President Elect Mark Hassakis at the Fourth District ceremony in Springfield.



New Admittee Cortney Kuntze (center) with her husband, Paul (left), and ISBA 3rd Vice President John Thies at the Fifth District ceremony in Carbondale.

It's back to the future in Champaign County with the restoration of the courthouse clock and bell tower

by J. Steven Beckett

Director, Trial Advocacy Program, University of Illinois College of Law

A “new” 130-foot clock and bell tower graces the Champaign County Courthouse complex in Urbana. In many respects “new” means “old” as a result of a “Back to the Future” citizens’ campaign and project that restored the beauty and majesty of the original 1901 courthouse tower to a new 2002 courthouse. This is a story of history – of Champaign County Courthouses and of Champaign County Citizens.

Champaign County has had five courthouses in the 176 years of its history. Beginning with a log cabin courthouse when the first case was called to be heard in 1837, the courthouses evolved - a wood frame courthouse on the Urbana town square as it existed in 1841, was followed by a masonry structure in 1849. Urbana was a sleepy village of about 200 people, a county seat at that was visited by circuit-riding lawyers and judges (including Abraham Lincoln and David Davis) in the spring and fall terms of each year.

When the Illinois Central Railroad located its tracks three miles west of Urbana in the mid-1850’s, the bustling community of West Urbana began and soon became the city of Champaign (twice the size of Urbana!). To prevent Champaign from moving the courthouse and county-seat designation, the County Commissioners struck first and “remodeled” the 1849 courthouse by using an existing wall as a centerpiece around which to construct a building. This 1861 shrewd political move saved Urbana as the county seat.

When the United States adopted Standard Time in 1883, Champaign County citizens were gladdened. The two railroads that served the twin-cities’ north-south and east-west railroads had different schedules and thus different times. Standard Time meant there was to be one Champaign County time. Citizens raised private funds and purchased and installed an 1877 Seth Thomas clock with a cast iron bell in the 1861 courthouse tower. When another “remodeled” courthouse was erected in 1901, the clock and bell were moved to its 130 foot tower. The clock and bell remained in position for the next century - while the tower crumbled around them, assisted in large part by three major lightning strikes in 1915, 1931 and 1952. Lightning knocked the tower down to a squat and ugly castle turret-looking building. The thought of the beautiful old building and its awesome tower were left for old photos and postcards.

In 1998 Champaign County voters approved the first courthouse funding



The 130-foot clock and bell tower at the Champaign County Courthouse in Urbana was recently rebuilt to its original splendor thanks to the Citizens Committee to Restore the Clock and Bell Tower, which raised over \$1.1 million for its restoration.

referendum in county history and the County Board decreed that the courthouse would remain in downtown Urbana. Local citizens repeated history and brought reality to the dream - the clock and bell tower could be restored. The Citizens Committee to Restore the Clock and Bell Tower raised over \$1.1 million for the rebuilding and preservation project. On August 29, 2009, the repaired clock ticked and the old bell was struck 10 times at the 10 a.m. hour during a re-dedication ceremony.

The Courthouse and the restored Clock and Bell Tower continue as center and symbol of Champaign County justice. ♦

IMMIGRATION LAW SEMINAR

Basic. Intensive. Practical. Competent.
Serve your clients and make money.
Practice/procedure, regular/contested cases, case management, billing, client generation/retention. Growth area of law – especially if immigration law reform passes! April 5 - 9, 2010 in Des Moines, Iowa. Website MidWestLegalImmigrationProject.com, email immigrantproject@aol.com; phone 515-271-5730.

INSURANCE LITIGATION SUPPORT SERVICES

Property & casualty expertise in both commercial and personal insurance areas, including:

- Insurance policy review
- Coverage interpretation
- Assistance with pre-discovery and legal strategies
- Analysis of legitimacy of denied claims
- Application of first-hand knowledge of insurance company operations
- Research
- Assistance with preparations for trial
- Provide “second opinions” to assure areas addressed are correct and/or to identify key areas that may have been overlooked
- Expert witness, deposition and trial testimony

RISK & INSURANCE SERVICES CONSULTING, LLC

Kevin Glaser, CPCU, CIC, ARM, AAI,
AIS, ARM-P, AIC, LPCS, PCLA
262-569-0929

Owner Retiring From

SUCCESSFUL PROBATE/ REAL ESTATE PRACTICE

Located in
East Central Illinois
and Established for 93 years.

Call for details
217-784-8256

FOR SALE

27 Year Law Practice and Building

- Office building - 2,640 square feet with full basement
- Built in 1974, new pitched roof in 1991
- Located in county seat of Shelby County (Shelbyville), Illinois
- Office is within 150 feet of Shelby County Courthouse

Email your resume and interest in purchasing both practice and office building to

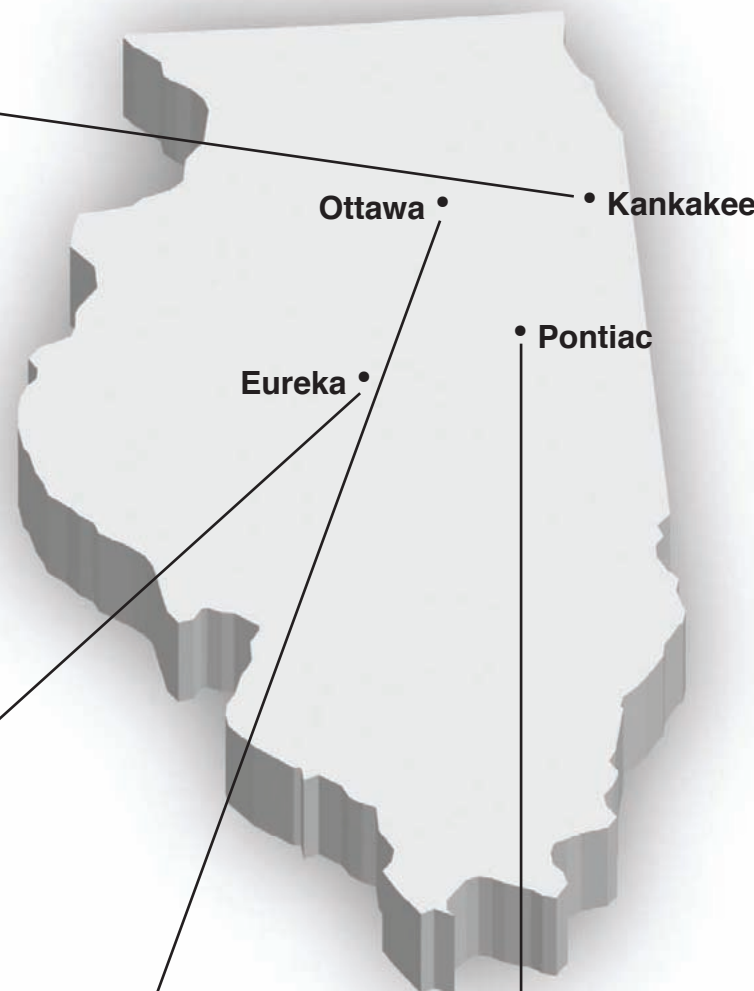
hardylaw@consolidatd.net

Illinois Courthouse Tour

Visit IllinoisLawyerNow.com to view interior photo tours of these historic buildings.



Kankakee County Judge Adrienne Albrecht wrote in the ISBA's Bench and Bar newsletter that it was not surprising to hear lawyers from big-city law firms comment as they lean on the marble railing discussing their case, "I love coming here. This place makes me feel like a real lawyer." The Kankakee County Courthouse recently celebrated its 100th anniversary.



The Woodford County Courthouse was built in Eureka in 1897 for \$90,000. A modern addition was added in 2001.



The La Salle County Courthouse was finished in 1883 at 119 W. Madison in Ottawa at a cost of \$127,127.01.



The Livingston County Courthouse was built in 1875 at 112 W. Madison in Pontiac at a cost of \$75,000.

ISBA encourages and celebrates pro bono

by Michael G. Bergmann

The Illinois State Bar Association's Standing Committee on the Delivery of Legal Services (the "Committee") wants to let you know about some exciting pro bono resources, news, and an important change in the Illinois Rules of Professional Conduct that will expand pro bono legal assistance in limited scope situations.

New ISBA Pro Bono Web site

The ISBA recently participated in the national Pro Bono Week Celebration led by the American Bar Association. As part of that celebration, the Committee launched a new page on the ISBA Web site about pro bono. This new site, which can be found at www.isba.org/probono has a variety of information about pro bono, including links to resources for pro bono volunteers, a sampling of agencies across the state in need of pro bono volunteers, rules governing pro bono, articles on pro bono, and information about awards to recognize exemplary pro bono contributions. Check out this new page today.

Call for Nominations: ISBA McAndrews Award

Do you know of anyone who provides exemplary pro bono efforts? The Committee is seeking nominations for the 2009-2010 ISBA John C. McAndrews

Pro Bono Service Award. The award is named in memory of Rock Island attorney John McAndrews, who chaired the Committee and is awarded to individual lawyers, law firms/corporate law departments, and bar associations. This award was established to honor the extraordinary commitment of individuals, bar associations, or law firm/corporate legal departments to providing free legal services to the income eligible in Illinois or expanding the availability of legal services to the income eligible in Illinois. Nominations are due by March 15, 2010 and the presentation of the awards will take place during the ISBA Annual Meeting in June 2010. More information can be found on the ISBA's pro bono Web site at www.isba.org/probono. Please consider nominating your colleagues today.

Pro Bono Mentor and Case Partner Matching System

The ISBA has been working through the Committee along with the Public Interest Law Initiative (PILI) and Illinois Legal Aid Online (ILAO) to develop an online Pro Bono Mentor and Case Partner Matching System. The Pro Bono Pairing and Mentoring Matching System will be part of the www.IllinoisProBono.org Web site and its purpose will be twofold. The first purpose will be to match new pro bono practitioners with experienced pro bono practitioners who will serve as pro bono mentors. The second purpose will be to pair volunteers with one another to work on pro bono matters together,

thus increasing the number of people doing pro bono as well as the number of clients served through pro bono. Users will include law students, paralegals, legal secretaries and attorneys throughout Illinois who are handling pro bono matters through the state's public interest law organizations. We anticipate launching this new feature by June 2010, so please watch for this valuable new resource.

Illinois Ethics Rule Change

On July 1, 2009, the Illinois Supreme Court adopted Rule 6.5, which takes effect on January 1, 2010. This new Rule allows for limited scope representation when a lawyer who, under the auspices of a program sponsored by a nonprofit organization or court, provides short-term limited legal services to a client without expectation by either the lawyer or the client that the lawyer will provide continuing representation in the matter. While an attorney-client relationship is still created in these instances, the Rules regarding conflicts of interest are relaxed to accommodate the provision of legal services on a limited basis through means such as advice clinics, assistance with the completion of legal forms and hotline advice programs. This rule should help lawyers who volunteer at various self-help facilities, so please consider volunteering today. ♦

Michael G. Bergmann is Chair of the ISBA Standing Committee on the Delivery of Legal Services and is the Director of Program for PILI, the Public Interest Law Initiative.

Guide to ISBA on social media

LinkedIn

What is LinkedIn?

LinkedIn is an interconnected network of experienced professionals from around the world, representing 170 industries and 200 countries. You can find, be introduced to, and collaborate with qualified professionals that you need to work with to accomplish your goals.

How to join the Illinois State Bar Association Group:

1. Sign up for a LinkedIn account at www.linkedin.com.
2. Type Illinois State Bar Association in the Search bar at the top of the page.
3. Before searching, change the drop-down menu from "Search People" to "Search Groups".

4. After you find the Illinois State Bar Association group, click "Join group" and you will have a chance to interact with 500 (at present) other ISBA members.

Facebook

What is Facebook?

Founded in February 2004, Facebook is a social utility that helps people communicate more efficiently with their friends, family and coworkers. Anyone can sign up for Facebook and interact with the people they know.

How to join the Illinois State Bar Association Facebook fan page

1. Sign up for a Facebook account at www.facebook.com
2. Search for the Illinois State Bar Association in the search bar in the upper right

3. Click on "Become a fan" to follow the ISBA on Facebook.

Twitter

What is Twitter?

Started as a side project in March of 2006, Twitter has grown into a real-time short messaging service that works over multiple networks and devices. People follow the sources most relevant to them and access information via Twitter as it happens—from breaking world news to updates from friends.

How to follow the Illinois State Bar Association on Twitter

1. Sign up for a Twitter account at www.twitter.com
2. Search for ISBALawyer
3. Click "Follow ISBALawyer" for breaking news updates and legal tips ♦

Visit IllinoisLawyerNow.com for expanded and timely obituaries of ISBA members.

IN MEMORIAM

Richard J. Barr, Jr., Chicago, IL
Admitted 1976
Date of Death: 08/21/09

Wesley L. Boie, Anna, IL
Admitted 1974
Date of Death: 10/31/09

Patrick J. Caraher, Glenview, IL
Admitted 1959
Date of Death: 1/4/09

Camille B. Conway, Naperville, IL
Admitted 1988
Date of Death: 10/18/09

James H. Donnewald, Breese, IL
Admitted 1951
Date of Death: 09/18/09

James Ferstel, Norwood Park, IL
Admitted 1950
Date of Death: 09/09/09

Jack L. Gianinni, Belleville, IL
Admitted 1971
Date of Death: 09/07/09

James J. Herr, Pontiac, IL
Admitted 1954
Date of Death: 09/11/09

**Ronald Kiedaisch, Munser, IN
(formerly Lansing, IL)**
Admitted 1958
Date of Death: 09/12/09

Richard C. Kirby, Champaign, IL
Admitted 1980
Date of Death: 02/15/09

Bill F. Kryzda, Mexico
Admitted 1952
Date of Death: 01/03/09

**Georgia L. Lipke, Boynton Beach, FL
(formerly Western Springs)**
Admitted 1959
Date of Death: 04/25/09

John P. Madden, Gillespie, IL
Admitted 1959
Date of Death: 10/10/09

John F. McCabe, Channahon, IL
Admitted 1984
Date of Death: 10/24/09

John C. Parkhurst, Peoria, IL
Admitted 1948
Date of Death: 10/17/09

Alvin Rosenbloom, Niles, IL
Admitted 1943
Date of Death: 09/01/09

Jennifer Steensland, Chicago, IL
Admitted 2003
Date of Death: 09/05/09

Carl H. Stowe, Greenville, IL
Admitted 1954
Date of Death: 09/15/09

Joseph M. Tobias, Scottsdale, AZ
Admitted 1937
Date of Death: 09/09



ILLINOIS BAR FOUNDATION

20 S. Clark Street, Suite 910, Chicago, IL 60603 • 312.726.6072

THERE ARE SO MANY MILESTONES IN LIFE. Commemorations, memorials, so many opportunities to celebrate, honor or remember someone.

Special occasions require a thoughtful gesture, such as celebrating a graduation, paying tribute to someone's memory, or recognizing a job well done. Anniversaries, promotions, the list goes on. When these occasions arise, please consider a donation to the Illinois Bar Foundation as an appropriate acknowledgment that will help make a difference to many people.



FREE ONLINE LEGAL RESEARCH

with unlimited access to a 50 state and federal caselaw library,
including Illinois statutes and Illinois-based federal district court cases

FOR ALL ISBA LAWYER MEMBERS



RETURN ON INVESTMENT

ISBA members receive free online legal
research through Fastcase, a value of \$95 a
month or \$995* a year!

* Based on a solo practitioner package.

Not a member?

Sign up today at www.isba.org

Free CLE Fastcase Training Webinars

Sign up for a FREE Fastcase training
webinar session to learn how to
conduct legal research on Fastcase's
database *and earn .75 hours of*
MCLE, including .75 hours of PMCLE!
Registration Now Open for Upcoming
Fastcase Webinar on December 17th

Learn more at www.isba.org/fastcase

FREE legal research brought to you by



ILLINOIS STATE
BAR ASSOCIATION

www.isba.org

ISBA MUTUAL
INSURANCE COMPANY

www.isbamutual.com

Illinois Supreme Court disbars 3 lawyers, suspends 11

The Illinois Supreme Court disbarred three lawyers, suspended 11 and censured one in its latest disciplinary filing. Most of the suspensions take effect on Dec. 8. More information on each case is available on the Web site of the Attorney Registration and Disciplinary Commission at www.iardc.org/co_recentdiscdec.html.

DISBARRED

Edward Earle Hearn, who was licensed in 1987, was disbarred. While serving as a pastor of a Chicago church, he misappropriated over \$80,000 of church funds.

Kenneth Edward Mateas, Aurora, who was licensed in 1982, was disbarred on consent. He was convicted in Kane County of reproducing child pornography. He was sentenced to a four-year prison term and must register for life as a sex offender.

John F. Pawloski, Belleville, who was licensed to practice in 1997, was

disbarred on consent. He misappropriated more than \$25,000 from three estates where he had been appointed as temporary public guardian. He also failed to diligently represent three other clients.

SUSPENDED

James Gordon Banks, Schaumburg, who was licensed in 2000, was suspended for ninety days. He knowingly hired a disbarred attorney to work in his office as a paralegal.

Mark D. Bradley, Decatur, who was licensed in 1980, was suspended for one year and until further order of the Court. He was arrested for making a threat to a Macon County Circuit Court Judge. He was later indicted by a grand jury and charged with the offense of threatening a public official, a class three felony.

William Earl Brooks, Chicago, who was licensed in 1977, was suspended for eighteen months and until further order of the Court, with the suspension to run

consecutive to a suspension imposed upon him earlier this year. He filed a false application in a bankruptcy proceeding, neglected a client's post-dissolution of marriage matter, made misrepresentations to a court in that matter, and filed a sanctions motion against opposing counsel without a basis to do so.

Dennis John Callahan, River Forest, who was licensed in 1979, was suspended for three years and until further order of the Court. He misappropriated \$71,883.81 in escrow funds in relation to a dissolution of marriage case.

Patricia Montes DeOca, Chicago, who was licensed in 1980, was suspended for six months and until she makes pays certain restitution to two former clients. She failed to promptly refund unearned fees and did not keep clients informed about the status of their cases.

Andrew Dorsey III, Springfield, who was licensed to practice in 2003, was

suspended for one year and until further order of the Court, with the suspension stayed after thirty days by a two-year period of probation with conditions. He neglected two different clients by not responding to pleadings, not appearing in court, and failing to communicate about the status of their cases. Default judgments were entered against each client.

Bruce Nash, Chicago, who was licensed in 1989, was suspended for thirty months and until further order of the Court. He engaged in conflicts of interest and dishonesty in two separate real estate transactions, and he neglected another client matter. He has been disciplined on prior occasions for unrelated misconduct.

James Brian Pierce, Chicago, who was licensed in 1979, was suspended for one year and until further order of the Court. He converted funds from two different personal injury clients. He did not participate in the disciplinary proceeding.

Construction/Civil Engineering Expert

Expert: Gregory H. Pestine, P.E.

Investigations and technical analysis related to:



- Construction defects and failures
- Construction accidents
- Construction-related claims
- Construction means and methods
- Quality control / quality assurance
- Construction contract disputes

Greg has nearly 30 years of hands-on construction experience. He has worked in almost every facet of the industry in many different roles and on a wide variety of projects. He began performing technical investigations and expert analysis three years ago. He has specialized expertise in major building construction, transit structures, bridges, highways and waterways, as well as residential inspections. Greg is a Professional Engineer in Illinois.

Biomedical Engineering Expert

Expert: Larry Fennigkoh, Ph.D., P.E.

Evaluating injuries / issues related to:



- Biomedical engineering design
- Medical electrical devices
- Medical instrumentation
- Product applications & warnings
- Human physiology
- Non-medical electrical devices

Dr. Fennigkoh is a biomedical and electrical engineer who has investigated numerous injuries and deaths associated with a variety of medical and non-medical electrical devices. Having worked in hospitals for over 20 years, he understands not only the pathophysiology of injuries, but also the many ways in which they may be caused. Dr. Fennigkoh is a professor of biomedical engineering, a Registered Professional Engineer and is board certified in clinical engineering.

Practice Areas

- Admiralty / Maritime
- Agricultural / Food
- Biomechanics
- Construction
- Dram Shop / Liquor Liability
- Education / Supervision
- Electrical Engineering
- Environmental
- Fire / Explosion
- Human Factors
- Materials Science
- Medical Devices
- Motor Vehicles
- Occupational Health & Safety
- Premises Safety
- Product Liability
- Sports & Recreation
- Toxicology
- Workplace Safety

312.527.1325

www.robsonforensic.com

"The knowledge of the law is like a deep well, out of which each man draweth according to the strength of his understanding."

—SIR EDWARD COKE, LORD CHIEF JUSTICE OF ENGLAND (1552-1634)



MENTORSHIP

WE ALL NEED MENTORS.

From the moment we entered this world, we have counted on those wiser and more experienced to show us the way. As trusted counselors and wise advisors, mentors guide our development, not for personal gain but to give back to the community.

In our legal community, lawyers seeking assistance with substantive law and office management issues can turn to the ISBA MentorCenter, where we connect mentees with mentors who can provide specific practical information.

Because as a new lawyer, one of the most valuable assets you can have is a good mentor. And as a mentor, nothing can quite match the satisfaction of sharing your experience.

BECOME A PART OF THE ISBA MENTORCENTER TODAY.

WWW.ISBA.ORG/MENTORCENTER



ILLINOIS STATE
BAR ASSOCIATION

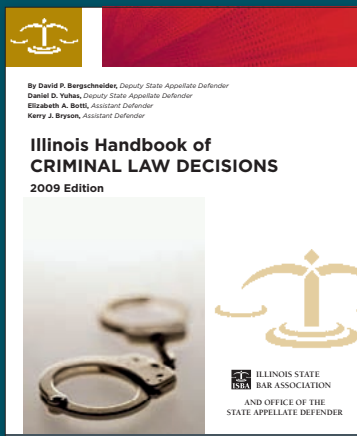
NEED IT NOW?

Fastbook

is available in many
of these books.

ILLINOIS STATE BAR ASSOCIATION

ISBA Books



Illinois Handbook of CRIMINAL LAW DECISIONS

2009 Edition

A must for all criminal-law practitioners—the first new edition of this classic in 10 years! Contains thousands of case summaries, with a topical index to help you quickly find the one you need. Compiled and edited by Deputy State Appellate Defender Legal Director David Bergschneider. Available soon.

\$110.00 mbr/\$150.00 nonmbr.

Pre-order today!



HOW TO ORDER

All prices include tax and postage
unless otherwise noted.

ONLINE:

Go to “Bookstore” under
“Publications” at isba.org
(<http://secure.isba.org/store>)

E-MAIL:

Contact Janice at
jishmael@isba.org

PHONE:

Call Janice at 217-525-1760
or 800-252-8908.

For a complete list
of titles, visit [http://
secure.isba.org/store](http://secure.isba.org/store)

GENERAL TOPICS

NEW!

Guide to Illinois Statutes of Limitation

This new, updated Guide contains
Illinois civil statutes of limitation
enacted and amended since September
2009.

\$35.00 mbr/\$45.00 nonmbr.

Illinois Client Interview Forms – 3rd Edition

Download this third edition (updated
‘08) and interview your clients the easy
way! 28 basic forms covering family
law, estates and wills, real estate, p.i.,
and more.

\$25.00 mbr/\$35.00 nonmbr.

Guide to Illinois Statutes for Attorneys’ Fees

Devoted to fee-shifting provisions in
Illinois statutes that authorize the court
to order one party to pay the attorney
fees of another.

\$25.00 mbr/\$35.00 nonmbr.

Environmental Law for Non-Environmental Lawyers: Vols. 1 & 2

Written for “nonexperts,” these books
contain thumbnail sketches of common
environmental issues prepared by
Illinois and USEPA attorneys and other
environmental-law practitioners.

**Each volume is \$24.50 mbr/\$34.50
nonmbr. Buy both for \$39.50
mbr/\$49.50 nonmbr.**

A Practical Guide to the Illinois Domestic Violence Act

Designed primarily for private
matrimonial and other attorneys, this
2009 book is also valuable for assistant
state’s attorneys and domestic violence
advocates. A clear and comprehensive
review of the Act.

\$40.00 mbr/\$50.00 nonmbr.

Handbook of Illinois Administrative Law

A how-to, when, and where guide to
Illinois administrative law covering
rulemaking, due process, administrative
hearings, attorney’s fees, and much
more.

\$50.00 mbr/\$60.00 nonmbr.

CRIMINAL LAW

NEW!

DUI and Traffic-Related Decisions

All new edition of digested traffic court
decisions, conveniently categorized,
back to 1986. Handy softcover format
travels well. By Hon. Daniel Locallo.

\$30.00 mbr/\$40.00 nonmbr.

Sentencing and Disposition Guide – 2008 Update

Former appellate court justice Gino L.
DiVito’s guide is relied on throughout
the state by trial judges, prosecutors,
and criminal defense attorneys.

\$30.00 mbr/\$35.00 nonmbr.

Illinois Decisions on Search and Seizure with 2007 Supplement

A comprehensive compendium of cases
by respected scholars John F. Decker
of DePaul and Ralph Ruebner of John
Marshall. A great starting point for your
research.

\$35.00 mbr/\$45.00 nonmbr.

SPECIAL CLOSEOUT SALE

Order by December 31st!

Understanding the BAPCPA: Bankruptcy Abuse Prevention and Consumer Protection Act

Insights into pre-filing issues, the
means test, procedure, abuse, and other
information that will be helpful to any
attorney practicing bankruptcy law.

**Sale price: \$10.00 mbr/
\$25.00 nonmbr.**

Understanding HIPAA (2nd Edition)

A guide to advising health care
providers and discovering protected
information under the Health Insurance
Portability & Accountability Act.

**Sale price: \$10.00 mbr/
\$25.00 nonmbr.**

FROM OTHER PUBLISHERS

Practical Lawyering

From Kaplan Press by award-winning
Chicago lawyer Jerry Goldberg. Learn
how to communicate with clients,
develop winning marketing materials,
quote and collect fees, and more.

\$24.50

■ Coming in 2010!! ISBA's New Admittee Virtual Coffeehouse

- Satisfy your Basic Skills requirement online
- Network with other attorneys (new and experienced)
- Learn Job Hunting Strategies

And much more!!

Designed with the new attorney in mind, this full-bodied program is a balanced brew of rich fun and robust learning! The program is served in small sips over the course of four weeks, and includes a weekly webinar, online video programs, The Communal Coffee Pot (an interactive discussion forum), practice specific video tips, collaborative tools for communicating with mentors, high-quality/practical education, healthy living tips and balanced lifestyle ideas...and much more! Supreme Court MCLE Rule 793 may require new admittees to take this course within the first year of being admitted - but they don't say it has to be boring! So join us online at the **ISBA New Admittee Virtual Coffeehouse** to earn all 15 hours of MCLE credit, including your required Professional Responsibility MCLE!

Visit www.isba.org/basic-skills for more details.

Can get to ISBA's New Admittee Virtual Coffeehouse? The ISBA Basic Skills program is also available in DVD format! New admittees pay only \$69 (plus shipping & handling). To order, visit us online at www.isba.org/cle/basic-skillsorder.html or call Janice Ishmael at (800) 252-8908.



ISBA LAW ED
CLE FOR ILLINOIS LAWYERS

WINTER 2009

www.isba.org/lawed

■ DECEMBER 2009

10 – Chicago

What the Government Lawyer Needs to Know About the 2010 Illinois Rules of Professional Conduct

Presented by the ISBA Standing Committee on Government Lawyers

2.0 MCLE credit hours, including 2.0 APPROVED PMCLE credit hours

10-11 – Chicago

Winter CLE Fest

Presented by the Illinois State Bar Association

Earn up to 12 hours MCLE credit, including all 4 hours PMCLE credit!

Senior Lawyers – 4 hours

Tort Law – 4 hours

Family Law – 6 hours

Legislation – 2 hours

Civil Practice – 4 hours

Illinois' New Rules of Professional Conduct – 4 hours

16 – Online Course

Illinois' New Rules of Professional Conduct: An Initial Overview

Presented by the Illinois State Bar Association

1.00 MCLE credit hour, including 1.00 APPROVED Professional Responsibility MCLE credit hour

17 – Webinar

Conducting Legal Research on FastCase

Presented by the Illinois State Bar Association

.75 MCLE credit hour, including .75 APPROVED Professional Responsibility MCLE credit hour

**An exclusive member benefit provided by ISBA and ISBA Mutual*

■ JANUARY 2010

6 – Online Course

Illinois' New Rules of Professional Conduct: An Initial Overview

Presented by the Illinois State Bar Association

1.00 MCLE credit hour, including 1.00 APPROVED Professional Responsibility MCLE credit hour

7 – Webinar

Conducting Legal Research on FastCase

Presented by the Illinois State Bar Association

**An exclusive member benefit provided by ISBA and ISBA Mutual*

.75 MCLE credit hours, including .75 APPROVED Professional Responsibility PMCLE credit hours

14 – Online Course

Mentor Training

Presented by the ISBA Standing Committee on Mentoring

.75 MCLE credit hours, including .75 PMCLE credit hours

15 – Rockford

Inside Divorce Mediation

Presented by the ISBA Alternative Dispute Resolution Section, Co-Sponsored by the ISBA Family Law Section

4.0 MCLE credit hours, including 4.0 APPROVED Professional Responsibility PMCLE credit hours

20 – Online Course

Illinois' New Rules of Professional Conduct: An Initial Overview

Presented by the Illinois State Bar Association

1.00 MCLE credit hour, including 1.00 APPROVED Professional Responsibility MCLE credit hour

22 – Chicago,

Meet the Agencies 2009

Presented by the ISBA Labor and Employment Section

3.0 MCLE credit hours

29 – Fairview Heights

Illinois' New Rules of Professional Conduct: An Initial Overview

Presented by the Illinois State Bar Association

4.0 MCLE credit hours, including 4.0 APPROVED Professional Responsibility PMCLE credit hours

29 – Chicago

Back to Basics: Tort Law 2010

Presented by the ISBA Tort Law Section

6.0 MCLE credit hours

■ FEBRUARY 2010

4 – Webinar

Advanced Research on FastCase

Presented by the Illinois State Bar Association

.75 MCLE credit hours, including .75 APPROVED Professional Responsibility PMCLE credit hours

**An exclusive member benefit provided by ISBA and ISBA Mutual*

5 – Chicago

2010 Federal Tax Conference

Presented by the ISBA Federal Taxation Section Council

6.75 MCLE credit hours, including 1.0* PMCLE credit hours

5 – O'Fallon

Documenting the Commercial Deal: Loans, Leases and Mortgages

Presented by the ISBA Commercial Banking and Bankruptcy Law Section

6.0 MCLE credit hours

5 – Normal

Hot Topics in Agricultural Law 2010

Presented by the ISBA Agricultural Law Section and Co-Sponsored by the ISBA General Practice Section

6.0 MCLE credit hours, including 1.0* PMCLE credit hours

11 – Chicago

Charitable Planning: Techniques to Help Your Clients

Presented by the ISBA Trust and Estates Section

5.0 MCLE credit hours

For more information and registration:
PHONE: 217-525-1760 or 800-252-8908;
ONLINE: www.isba.org/lawed

12 – Fairview Heights
Worker's Compensation: Intake and Trail Issues for the Experienced Practitioner - 2010
Presented by the ISBA Workers' Compensation Section
 7.0 MCLE credit hours

15 – Chicago
Worker's Compensation: Intake and Trail Issues for the Experienced Practitioner - 2010
Presented by the ISBA Workers' Compensation Section
 7.0 MCLE credit hours

15 – Chicago
Documenting the Commercial Deal: Loans, Leases and Mortgages
Presented by the ISBA Commercial Banking and Bankruptcy Section
 6.0 MCLE credit hours

19 – Springfield
Legislation Changes in Education for the Advanced Practitioner - 2010
Presented by the ISBA Education Law Section
 6.0 MCLE credit hours, including 1.0* PMCLE credit hours



19 – Chicago
Second Amendment and Department of Corrections Issues for Criminal Practitioners
Presented by the ISBA Criminal Justice Section
Co-Sponsored by the ISBA Standing Committee on Corrections and Sentencing
 5.25 MCLE credit hours

25 – Chicago
Women in the Criminal Justice System – Justice Delivered or Denied?
Presented by the ISBA Standing Committee on Women and the Law
Co-Sponsored by the ISBA Criminal Justice Section and the ISBA Committee on Delivery of Legal Services
 6.50 MCLE credit hours, including .50* PMCLE credit hours

26 – Chicago
Countering Litigation Gamesmanship
Presented by the ISBA General Practice, Solo & Small Firm Section, Co-Sponsored by the ISBA Civil Practice and Procedure Section, the ISBA Federal Civil Practice Section, and the ISBA Young Lawyers Division
 6.0 MCLE credit hours, including 1.0* PMCLE credit hours

26 – Bloomington
Second Amendment and Department of Corrections Issues for Criminal Practitioners
Presented by the ISBA Criminal Justice Section Council
Co-Sponsored by the ISBA Standing Committee on Corrections and Sentencing
 5.25 MCLE credit hours

■ MARCH 2010

FREE
4 – Webinar  
Conducting Legal Research on FastCase
Presented by the Illinois State Bar Association
 .75 MCLE credit hours, including .75 APPROVED Professional Responsibility PMCLE credit hours
**An exclusive member benefit provided by ISBA and ISBA Mutual*

4 – Chicago
Family Law Skills—Practice Makes Perfect
Presented by the ISBA Family Law Section
 6.0 MCLE credit hours

5 – Chicago
Administrative Adjudication: State and Municipal Issues
Presented by the ISBA Administrative Law Section
Co-Sponsored by the ISBA Local Government Law Section
 7.25 MCLE credit hours



12 – Springfield
Legal Issues for the Military Law Attorney
Presented by the ISBA Military Law Section

12-16 – Chicago 
40 hour Mediation/Arbitration Training
Master Series Presented by the Illinois State Bar Association and the ISBA Alternative Dispute Resolution Section

19 – Chicago
Preparing for Trial & Appeal
Presented by the ISBA Bench and Bar Section


26 – Chicago
Divorce, Deportation and Disciplinary Complaints: Avoiding Immigration Pitfalls in Family Law
Presented by the ISBA International and Immigration Law Section
Co-Sponsored by the ISBA Family Law Section and the ISBA Human Rights Section
 4.0 MCLE credit hours, including .50* Professional Responsibility PMCLE credit hours

■ APRIL 2010

FREE
2 – Webinar  
Advanced Research on FastCase
Presented by the Illinois State Bar Association
 .75 MCLE credit hours, including .75 APPROVED Professional Responsibility PMCLE credit hours
**An exclusive member benefit provided by ISBA and ISBA Mutual*

17 – Lombard
DUI, Traffic, and Secretary of State Related Issues - 2010
Presented by the ISBA Traffic Law and Courts Section
 5.50 MCLE credit hours, including 1.0* PMCLE credit hours

■ MAY 2010

6 – Chicago 
7 – Bloomington
Law Practice Strategies to Weather a Stormy Economy
Master Series Presented by the Illinois State Bar Association

I S B A Solo & Small Firm
Conference 09
 A SPRINGFIELD » OCTOBER 22-24

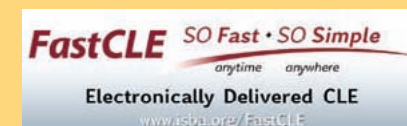
ISBA's 5th Annual Solo & Small Firm Conference

After spending three enthusiastic days together learning new things, refreshing old knowledge, and earning an abundance of MCLE credit, attendees left the 5th Annual Solo & Small Firm Conference shroud in an aura of inspiration and rejuvenation! The reasons for attending the conference varied from person to person—from earning MCLE credit at a great price to the centralized location to simply networking among fellow solo practitioners. While a few attendees didn't need the credit (coming solely for the comradeship produced by a conference such as this) others came simply for the knowledge gained from the seminars and the experiences learned from veteran attendees.



Weren't able to attend?

Have no fear – plans for next year's 6th Annual Solo & Small Firm Conference are underway, so stay tuned for our "Save The Date" announcement! In the meantime, electronic presentations of the 2009 conference will be available for MCLE credit through the ISBA FastCLE store mid-December. For more details and to order, please visit: <http://isba.fastcle.com>



* PMCLE denotes that the Professional Responsibility MCLE credit is subject to approval.

ISBA to recognize 1959 Class of Senior Counsellors

President John O'Brien and the Illinois State Bar Association will recognize the 1959 Class of Senior Counsellors of the ISBA on Wednesday, Dec. 9, at the Sheraton Chicago Hotel & Towers, 301 E. North Water, Chicago.

The event will begin with a reception in Chicago Ballroom Six at 11:15 a.m. and will continue with a luncheon at noon.

CONGRATULATIONS TO THE 1959 CLASS OF SENIOR COUNSELLORS

Richard S. Babiarz, Aurora, IL
Yale P. Bass, Chicago, IL
F. Louis Behrends, Cocoa Beach, FL
Howard Bernstein, Buffalo Grove, IL
Paul Bernstein, Chicago, IL
Theodore R. Birndorf, Chicago, IL
Chester L. Blair, Chicago, IL
Robert P. Boeye, Moline, IL
John J. Bowman, Hinsdale, IL
Charles A. Brizzolara, Chicago, IL
Richard W. Burke, Chicago, IL
Victor J. Cacciatore, Chicago, IL
Felix Lance Callis, Granite City, IL
John J. Caulfield, Oswego, IL
Marvin M. Chaban, Glen Ellyn, IL
Richard S. Cohan, Chicago, IL
Robert S. Cohen, Springfield, IL
Edward J. Copeland, Chicago, IL
Richard A. Cowen, Chicago, IL
Robert J. Dileonardi, Chicago, IL
Carroll W. Dukes, Danville, IL
Stuart T. Edelstein, Chicago, IL
Gerald T. Eisenstein, Chicago, IL
William J. Elman, Harvard, IL
Richard J. Elrod, Lincolnwood, IL
John E. English, Southfield, MI
Kenneth J. Fisch, Chicago, IL
Robert E. Fitzgerald, Chicago, IL
John F. Flannery, Chicago, IL
William M. Franz, Crystal Lake, IL
Ronald H. Galowich, Chicago, IL
Stewart I. Gartner, Wilmette, IL
Allen S. Gerrard, Chicago, IL
Robert H. Gerstein, Chicago, IL
W. Joseph Gibbs, Springfield, IL
Morton Gitelman, Fayetteville, AR

H. Joseph Gitlin, Woodstock, IL
George N. Gordon, Highland Park, IL
John W. Gosselin, Batavia, IL
Maxwell E. Greenberg, Los Angeles, CA
Eugene L. Griffin, Chicago, IL
Albert E. Grinton, Green Valley, AZ
Geoffrey F. Grossman, Chicago, IL
Thaddeus J. Gruchot, Deerfield, IL
Myron J. Hall, Estero, FL
Vernon R. Hallberg, Cheyenne, WY
Alan H. Hammerman, Glenview, IL
Roy J. Hammond, Camden, NC
William J. Harte, Chicago, IL
Reuben L. Hedlund, Chicago, IL
Francis A. Heroux, Wheaton, IL
Mandel E. Himelstein, Coronado, CA
William T. Hoban, Watervliet, MI
Scott Hodes, Chicago, IL
Daniel Hoseman, Highland Park, IL
George W. Howard, Mt Vernon, IL
James D. Hurley, Tavernier, FL
Jerome J. Jacobson, Fontana, WI
Gerald H. Johnson, Houston, TX
Jim D. Keehner, Belleville, IL
Thomas A. Killoren, Rockford, IL
Eugene J. Korst, Joliet, IL
James N. Kosmond, Middleton, WI
Sinclair Kossoff, Chicago, IL
Julian E. Kulas, Chicago, IL
William A. Kurtz, LaGrange Park, IL
Charles A. Laff, Chicago, IL
Gary H. Lange, St. Louis, MO
Everett L. Laury, Danville, IL
Donald B. Lemersal, Park Ridge, IL
Estelle Linn, Chicago, IL
Lyle E. Lipe, Petersburg, IL
Georgia L. Lipke, Boynton Beach, FL
Stanley D. Loula, Western Springs, IL
Ronald J. Lucaccioni, Chicago, IL
William D. Maddux, Chicago, IL
Sherman C. Magidson, Chicago, IL
Clifford P. Mallon, Darien, IL
Richard I. Marblestone, Elgin, IL
Robert D. McHugh, Wilmette, IL
Luther C. McKinney, Wonder Lake, IL
Raymond E. Moss, Clinton, IL
Floyd N. Nadler, Chicago, IL
David A. Nelson, Delaware, OH

Robert M. Newbury, Chicago, IL
David C. Newman, Riverside, IL
William D. North, Arlington Hts, IL
Donald E. Norton, Earlville, IL
Marguerite D. Oberto, Chicago, IL
Donald L. Padgitt, Winnetka, IL
Kenneth R. Piggott, Chicago, IL
Renee Z. Pritikin, Chicago, IL
Anthony C. Raccuglia, Peru, IL
Norman H. Racine, St Charles, IL
A. William Razzano, Watseka, IL
Norman G. Reese, Ingleside, IL
Edward E. Reicin, Skokie, IL
Douglas M. Reimer, Winnetka, IL
Richard R. Rochester, Northbrook, IL
Harry Q. Rohde, Chicago, IL
William Romanoff, Chicago, IL
Donald Rose, Rolling Meadows, IL
Norbert N. Rosenthal, Chicago, IL
David N. Rosner, Boca Raton, FL
Lawrence Rubinstein, Glencoe, IL
Arthur J. Sabin, Highland Park, IL
David Schippers, Chicago, IL
William G. Seils, La Fox, IL
Andrew A. Semmelman, Lake Bluff, IL
Julius H. Shapiro, Chicago, IL
Thomas P. Smith, Glenview, IL
William E. Steffen, Indianapolis, IN
Jerome H. Stern, Wheeling, IL
Joseph L. Stone, Chicago, IL
Evan A. Strawn, Georgetown, TX
Samuel L. Svalina, Beaufort, SC
James R. Thompson, Chicago, IL
W. Loren Thomson, Bloomington, IL
Louis B. Tishler, San Diego, CA
William H. Towle, Missoula, MT
Thomas H. Trager, Peoria, IL
Harvey S. Traub, Bloomington, IL
Steven Van Dorf, Chicago, IL
Jack Waaler, Urbana, IL
Norton Wasserman, Deerfield, IL
Robert H. Wier, Elmhurst, IL
Bernard R. Winter, Waukegan, IL
James S. Wirt, New Lenox, IL
George J. Witous, Oak Lawn, IL
Harry S. Wolin, Chicago, IL
William Woloshin, Chicago, IL
James L. Young, Baton Rouge, LA

ISBA meetings calendar

December 10 – 12 (Thursday – Saturday) Chicago

ISBA Midyear Meeting and Illinois Judges Association convention; Sheraton Chicago Hotel and Towers.

January 22 (Friday) Chicago

Board of Governors Meeting, Westin Chicago River North

March 12 (Friday) Chicago

Board of Governors Meeting, Renaissance Hotel Blackstone

May 21 (Friday) Champaign

Board of Governors Meeting, I Hotel

June 24 – 26, 2010 (Thursday – Saturday) St. Louis

ISBA Annual Meeting; Hyatt Regency St. Louis Riverfront

ISBA elections Key dates/reminders

Jan. 15, 2010: Start of petition filing period

Feb. 16, 2010: Petitions must be filed at either the Illinois Bar Center, 424 South 2nd Street, Springfield, or the ISBA Chicago Office, 20 S. Clark Street, 9th Floor, Chicago, by 4:30 p.m.

Petitions must be physically submitted with original signatures. Petitions submitted via e-mail or fax will not be accepted.

For more information on becoming a candidate, please visit www.isba.org/leadership/index.html

Firm Announcements

Are you adding a partner or associate... received a notable award...opening a new office, or moving from your current location? Placing an announcement ad in Illinois Lawyer Now Quarterly is a great way to tell your fellow ISBA members (all 33,000 of them) your good news. Rates and sizes are available to fit every budget, and as an ISBA Member you receive a substantial discount off the cost of advertising. Call Nancy Vonnahmen, Advertising Sales Coordinator for the Illinois State Bar Association, at 800-252-8908 for more information.



The ISBA
Member MarkSM



and
Member Firm MarkSM

The ISBA Member MarkSM and Member Firm MarkSM can be used by ISBA active members and firms to denote their membership in the association and show their commitment to the profession. The Marks may appear on:

- Business cards
- Letterhead
- Envelopes
- Web page
- Print advertising in newspapers and magazines
- E-mail signatures
- Direct mail solicitations
- Signage at a member's office or building.

For more information and to get started,
please visit

www.isba.org/membermark

Not a member? Join Today!
(800)252-8908 or www.isba.org



ILLINOIS STATE
BAR ASSOCIATION

Our state has a history of
some pretty good lawyers.
We're out to keep it that way.

Learn more at www.isba.org and www.isbaLawyers.com.







ATTORNEYS'
TITLE
GUARANTY
FUND,
INC.

800.252.0402
WWW.ATGF.COM

Contact us for more information.
Philip Krawiec, *Business Development Representative*
Direct Phone: 312.752.1219
E-mail: pkrawiec@atgf.com

ATG is an Illinois Accredited Continuing Legal Education Provider.

Offices in: Champaign | Chicago Loop | Chicago North Side
Frankfort | Libertyville | Lombard | Mt. Prospect
Oak Lawn | Wheaton | Belleville | Madison, Wis.

© ATG 10/09





COVER PHOTO: Greene County State’s Attorney Matthew Goetten (left) stands atop Ghar mountain in Afghanistan during his recent tour of duty.



ILLINOIS STATE
BAR ASSOCIATION

424 South Second Street
Springfield, Illinois 62701
www.isba.org





WINTER 2009

ILLINOIS LAWYER

NOV

Vol. 1 • No. 2

QUARTERLY