



SUMMER 2013

# ILLINOIS LAWYER NOW

Vol. 4 • No. 4

QUARTERLY

A PUBLICATION OF THE ILLINOIS STATE BAR ASSOCIATION

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## ISBA award winners committed to giving back to community

**T**he Illinois State Bar Association is proud to honor the following people and organizations for their commitment to the profession and to their communities. They will be recognized at the Awards Luncheon on June 21 at the 137<sup>th</sup> Annual Meeting at the Grand Geneva Resort & Spa in Lake Geneva, Wis.

### **Law Student Division Public Service Award**

The Law Student Division's Public Service Award goes to a law student participating in activities that enhance professional responsibility and provide service to the public. **Meg Hogan**, a 3L at the Northern Illinois University School of Law, is the recipient of this year's award.



**Hogan**

"Meggie has devoted much of her adult life to public interest work," said NIU Professor Emeritus Jeffrey Parness. "I know she will continue with such work upon graduation, aiding many Illinois citizens in need for decades to come."

### **Young Lawyers of the Year**

**Angel Wawrzynek** of Mattoon and **Todd Belcore** of Chicago have been named ISBA Young Lawyers of the Year for 2013. Each year two lawyers are chosen for the award – one from Cook County and one from outside Cook.



**Wawrzynek**



**Belcore**

Wawrzynek is an attorney with Tapella & Eberspacher, LLC where she focuses her practice on civil litigation, including personal injury and medical malpractice.

"Everyone who is acquainted with Angel quickly recognizes that Angel is committed to the ethical and professional standards that govern our profession," said firm principal David Y. Eberspacher.

Angel has been an active member of the ISBA Young Lawyers Division since 2010 and recently chaired the awards subcommittee for the Lawyers Feeding Illinois project. She received the 2012 Award for Service to the Community from the East Central Illinois Women Attorneys Association.

Belcore is an Equal Justice Works Fellow and Community Justice Staff Attorney for the Sargent Shriver Center on Poverty Law in Chicago.

"As a Shriver Center attorney, Todd fights everyday to ensure that men and women are no longer unjustly denied access to needed jobs and occupational licenses simply because of past mistakes," said Shriver Center Advocacy Director Carol Ashley.

Belcore has volunteered for multiple organizations to provide service to children, seniors, the homeless and disaster survivors. He helped found the Chicago International Social Change Film Festival to tell the untold stories of communities that are struggling in the world.

### **Diversity Leadership Award**

**Stacy Campbell-Viamontes** has been selected as the recipient of the 2013 Diversity Leadership Award. Campbell-Viamontes is an associate with the Chicago office of Hinshaw Culbertson LLP.

"Stacy has worked tirelessly to identify issues of importance to the disabled, and took action to



**Campbell-Viamontes**

deal with those issues," said Kristyn Klonowski of Trunkett & Trunkett, P.C. "Stacy sits on the Young Professionals Board of the Center for Disability and Elder Law (CDEL) and recently served on their Winter Benefit Committee which raised \$100,000 for the organization."

In addition to her work with CDEL, Campbell-Viamontes volunteers her time mentoring incoming and existing law students at the John Marshall Law School.

### **Mathew Maloney Tradition of Excellence Award**

**John T. Phipps** could have rested on his laurels, literally, when he was named a Laureate of the ISBA Academy of Lawyers in 2007 and a Pillar of the Champaign County Bar Association in 2009. But the general practice Champaign attorney and member of the ISBA Assembly has continued to serve his community and the bar to such an extent that he has now earned the 2013 Mathew Maloney Tradition of Excellence Award.



**Phipps**

"The contributions of John Phipps to the bar are well-known to many members of the Illinois State Bar Association, especially those who have ever served on the ISBA's General Practice Section Council," said Chicago attorney Michael Zink. "John's life of community service and career accomplishments read as a genuine model to be emulated by attorneys in their career."

Phipps extensive writings have appeared in multiple books – including a chapter in the 2011 edition of the ISBA Family Law Handbook. He has

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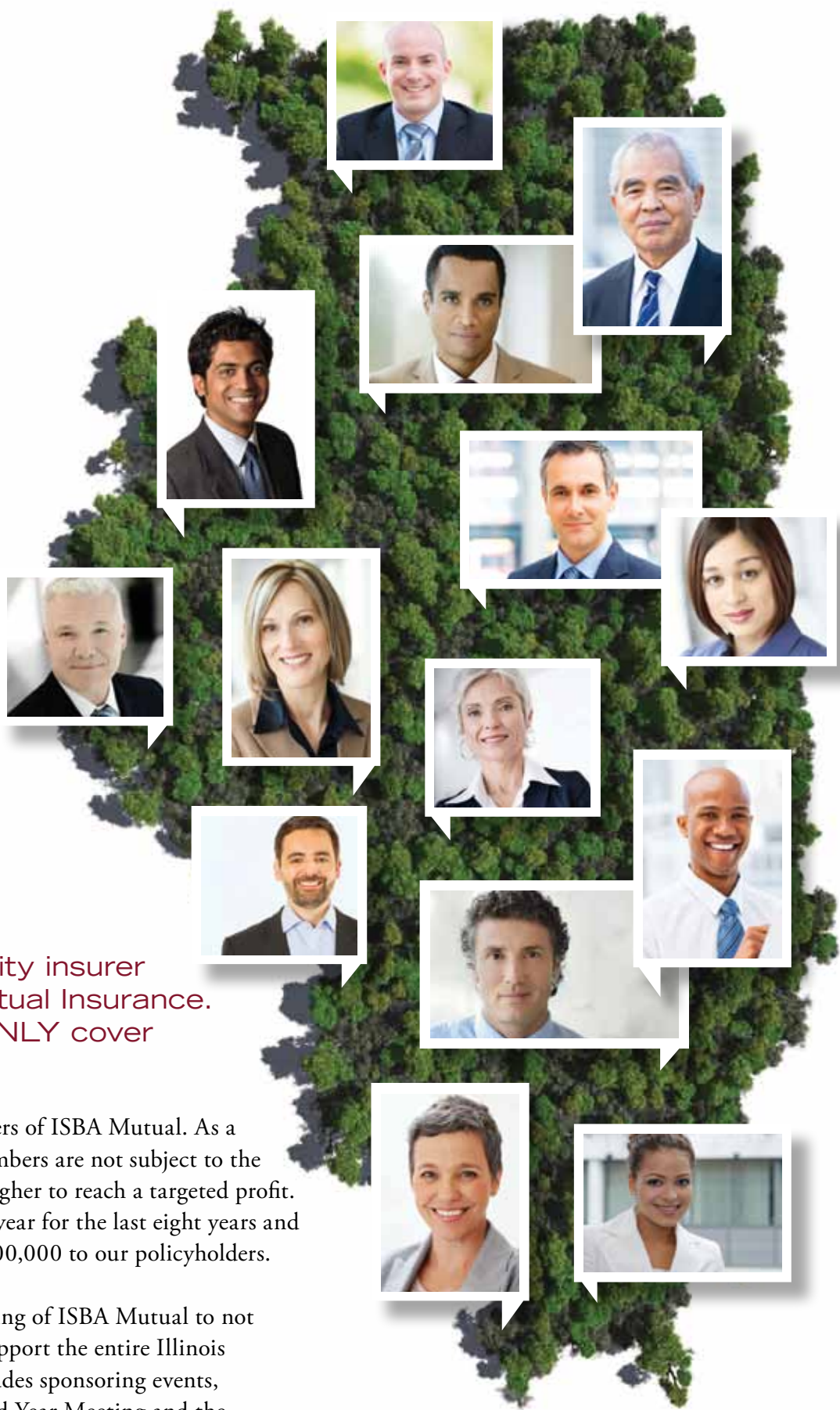
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## Vincent Cornelius elected ISBA 3rd Vice President

*Durkin, Enright, Gamrath, Sosin, Duignan and Rochford win contested Board races*

**V**incent F. Cornelius has been elected third vice president of the Illinois State Bar Association. He will serve one year in each of three vice presidential offices and then become president of the statewide organization in 2016. Cornelius is the principal of The Law Offices of Vincent F. Cornelius, with offices in Wheaton and Joliet, where he concentrates in civil and criminal litigation.

Cornelius, who will become the ISBA's first African-American president, was appointed in June 2011 as an At-large member of the ISBA Board of Governors. The at-large position was established to provide leadership opportunities for under-represented segments of the association. He was first elected to the Board of Governors in 1999 for the downstate Under 37 seat.

Cornelius was an associate with the law firm of James D. Montgomery and Associates, the predecessor firm of Cochran and Montgomery in Chicago, where he practiced in the areas of civil and criminal litigation. He is also a former DuPage County Assistant State's Attorney. He was president of the Illinois Bar Foundation from 2008-2010, he has served as a member of the Governor's Commission on Criminal Law Reform, and as Chancellor of the ISBA's Academy of Illinois Lawyers.

Cornelius received his law degree in 1989 from Northern Illinois University College of Law, in DeKalb, and his B.B.A. in 1986 from the University of St. Francis, in Joliet, where he was an Academic All American.

Chicago attorneys **Al Durkin**, **Karen McNulty Enright** and Hon. **Celia Gamrath** and Orland Park attorney **David Sosin** were elected from a field of nine to three-year terms on the ISBA Board of Governors. Hon. **Elizabeth M. Rochford** of Lake Forest was elected to the Board from Area 2 (Circuits 17, 19 and 22). Chicago attorney **Bridget Duignan** won a contested election for the Cook County under-37 seat. Winners of uncontested Board seats include **Keith E. Fruehling** of Urbana (Area 5); **Carey C. Gill** of Carbondale (Area 7) and **Angelica Wawrzynek** of Mattoon (Under 37 outside Cook).

View full election results at [iln.isba.org/blog/2013/05/06/results-2013-isba-election](http://iln.isba.org/blog/2013/05/06/results-2013-isba-election) ♦



Vincent F. Cornelius

### 2013/2014 ISBA Officers

**President:** Paula H. Holderman, Chicago  
**President-elect:** Richard D. Felice, Wheaton  
**2nd Vice President:** Umberto S. Davi, Willowbrook  
**3rd Vice President:** Vincent F. Cornelius, Wheaton

## ISBA website goes mobile

**W**e know our members love their smartphones, so we have optimized the ISBA website to be much more user friendly on a handheld device. Now you can easily read E-Clips and other ISBA publications, find and register for CLE, look for job opportunities and more, anywhere with your phone.

### News at the tap of a button

You can make accessing this information even easier by saving an icon to your phone or tablet's homescreen. You can do this for any page on our site, but we have a few recommendations...

✓Always have access to the latest issue of E-Clips on your mobile device at the press of a button. Just log into our new current issue page ([www.isba.org/eclips/current](http://www.isba.org/eclips/current)) and add the page to your homescreen. The latest issue is usually available by 9 a.m. (Tip: be sure to check the box

that says keep me logged in, so you don't need to log in each time.) ✓Add Illinois Bar Journal's homepage ([www.isba.org/ibj](http://www.isba.org/ibj)) to your tablet or phone's homescreen and have handy access to the latest issue and archives and indexes by subject, title, and author. ✓Save the ISBA homepage ([www.isba.org](http://www.isba.org)) to your homescreen for quick access to highlights, legal news, upcoming CLE, and more!

### Delivered to your inbox

We are now delivering mobile friendly versions of E-Clips, section newsletters, and the ISBA Job Alert too!

### Let us know what you think

We would love to hear what you think about the new mobile version of the site. Please email your comments to [dknapp@isba.org](mailto:dknapp@isba.org). ♦

# ILLINOIS LAWYER NOW QUARTERLY

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ILLINOIS STATE  
BAR ASSOCIATION

PUBLISHED BY THE  
ILLINOIS STATE BAR ASSOCIATION



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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: \$1.90 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)

authored over 100 chapters and articles in IICLE practice handbooks and ABA and ISBA newsletters.

### Community Leadership Award

The ISBA Committee on Sexual Orientation and Gender Identity has awarded its 2013 Community Leadership Award to Dr. **Loren Slone Schechter** and the law firm Jenner & Block – specifically attorneys **David Kroeger** and **Kyle Palazzolo** – for their amicus in the case of *Fields v. Smith*, 653 F.3d 550 (7<sup>th</sup> Cir. 2011).

The amicus in *Fields v. Smith* held that a Wisconsin law that prohibited prison doctors from using hormonal therapy or sex reassignment surgery to treat inmates with gender identity disorder caused the inmates to suffer cruel and unusual punishment, in violation of the Eighth Amendment. Jenner & Block prepared the brief and Dr. Schechter was the first medical professional to join as amicus. He was also instrumental in getting the American Civil Liberties Union and American Medical Association to become involved.



Kroeger



Palazzolo

### Elmer Gertz Award for Human Rights

**Jody Raphael** has dedicated her career to advancing the cause of women and girls. She works on behalf of women and girls in prostitution, as well as victims of rape and domestic violence. Through this work she has earned the 2013 Elmer Gertz Award for Human Rights.

Raphael currently serves as Attorney and Senior Research Fellow at the Schiller DuCanto & Fleck Family Law Center at the DePaul University College of Law. She has produced three major pieces of work that have had a wide influence in Illinois and across the country. These include her 2004 book, *Listening to Olivia: Violence, Poverty, and Prostitution*, her 2008 research with 100 girls in the sex trade industry in Chicago entitled, *Domestic Sex Trafficking of Chicago Women and Girls*, and her 2010 research with 25 pimps in Chicago entitled, *From Victims to Victimizer: Interviews with 25 Ex-Pimps in Chicago*.



Raphael

### Bartylak Award

**Bernard H. Shapiro** of Barrington Hills, director of litigation for Prairie State Legal Services, in Rockford, will receive the Joseph R. Bartylak Memorial Legal Services Award.

Shapiro has overseen thousands of cases in the areas of housing, child custody, orders of protection, public benefits, medical assistance, and taxes. Involved since its inception in 1977, he has helped build Prairie State into an organization known for providing the highest caliber of legal services in a compassionate, respectful manner. Shapiro has also supervised the appellate activities of Prairie State's nine regional offices, writing and reviewing briefs in more than 100 appeals. On an ongoing basis, he trains and mentors more than 60 Prairie State lawyers.



Shapiro

### John C. McAndrews Pro Bono Service Award (3 recipients)

The John C. McAndrews Pro Bono Service Award is presented to recipients in four possible categories: individual, bar association, small firm and large firm. This year, McAndrews Awards will be presented to attorney Mike McElvain, the Clark County Bar Association and McDonald's corporate legal department.


Bloomington lawyer **Mike McElvain** has been called the "champion for the indigent population of McLean County" for good reason: he has devoted much of his professional life to helping low-income individuals receive access to justice.

McElvain, a sheep farmer who practices general law, both raises money and provides pro bono legal services to the county's poor. An avid supporter of Prairie State Legal Services (PSLS) – an organization which provides legal aid in 36 northern and central Illinois counties – McElvain launched a fundraising campaign in 2007, which has since become an annual event. The McLean County Bar Association gave McElvain its Lincoln Award of Excellence in 2008.

The **Clark County Bar Association** is a very small organization in East Central Illinois – it has only 11 attorneys registered with the ARDC. Despite its small size, Clark County assisted 16 indigent clients through Land of Lincoln Legal Assistance Foundation's pro bono program and provided over 80 hours of free legal service.

"Seven different attorneys accepted pro bono referrals from Land of Lincoln last year," Land of Lincoln attorney Ramona Sullivan said. "After subtracting the judges, the state's attorney, and the public defender from the total number of attorneys, it appears that 100% of eligible attorneys in Clark County participated in the pro bono program in 2012."

The **McDonald's Corporate Legal Department** has worked hard to grow a successful pro bono program. The department has more than 70 staff attorneys delivering free legal services on matters that include discrimination, disability, civil rights, immigration, public benefits and housing. In fact, McDonald's pro bono program, established in 2000, has been one of the longest and most continuous corporate pro bono programs in Illinois. ♦



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# Capitol Chronicle



by **Jim Covington**

*Director of Legislative Affairs*

**T**he following bills have been passed by the General Assembly and await gubernatorial action.



**Tort cases and settlement problems.** Senate Bill 1912 (Raoul, D-Chicago; Sims, D-Chicago) amends the Code of Civil Procedure to create an enforcement mechanism for cases that settle but the defendant won't comply with the agreement to settle. It is limited to cases seeking money damages involving personal injury, wrongful death, or tort action.

It requires a "settling defendant" to tender a release to the plaintiff within 14 days of written confirmation of the settlement. If the law requires court approval of a settlement, the plaintiff must tender to the defendant a copy of the court order approving the settlement. If there is a known third-party right of recovery or subrogation interest, the plaintiff may protect the third-party's right of recovery or subrogation interest by tendering to the defendant: (1) a signed release of the attorney's lien; and (2) a signed release of the health-care-provider lien or documentation of the agreement between the plaintiff and Medicare or private health insurance company as to the amount of the settlement that will be accepted in satisfaction of the right of recovery; or (3) an offer that the defendant hold the full amount of the claimed right to recovery pending a final resolution of the right to recovery; or (4) any other method of resolution of liens.

If the court finds after a hearing that payment has not been made within 30 days of tender of the necessary documents, judgment must be entered against that defendant for the amount in the executed release, costs incurred in obtaining the judgment, and 9% interest from the date of the plaintiff's tender. Senate Bill 1912 exempts units of local government, the State of Illinois, and state employees.

**Visitation.** House Bill 2992 (Harms, R-Watseka; Silverstein, D-Chicago) allows a court to consider, consistent with the best interest of the child, whether to award to one or both of the parties the "right of first refusal" to provide child care for the minor child or children during the other parent's normal parenting time. Although the parties may agree to a right of first refusal, if they do not, and the court determines that a right of first refusal is in the best interest of the

child, the court shall consider new statutory criteria and make provisions for it consistent with the best interest of the child. It doesn't affect use of a substitute child-care provider for emergency situations and applies only if a party intends to leave the minor child or children with a substitute child-care provider for a significant period of time.

**Fraudulent real estate documents.** House Bill 2832 (Lang, D-Chicago; Silverstein, D-Chicago) allows a recorder of deeds to establish and use a "Fraud Referral and Review Process" for deeds and instruments that the recorder reasonably believes are fraudulent, unlawfully altered, or intended to unlawfully cloud or transfer the title of any real property. If the recorder reasonably believes the document is fraudulent, the recorder may refer the instrument to a county administrative law judge for review. If the ALJ finds that the document is fraudulent by clear and convincing evidence, the ALJ must issue a judgment to that effect with a notation that the fraudulent document may not affect the chain of title of the property in any way.

**Juvenile Court Act.** House Bill 3172 (Tracy, R-Quincy; Clayborne, D-E. St. Louis) amends the "continuance under supervision" (Section 615) to track the procedure followed in adult criminal court. It does the following: (1) Leaves current law so that a case may be continued under supervision before a finding of delinquency with the approval of the state's attorney. (2) Amends § 615 to allow the court to continue case under supervision after a finding of delinquency. It adds the same criteria from the supervision statute in the Criminal Code that the judge must consider before ordering supervision. Regardless of when this happens, current law is retained that prohibits a case from being continued under supervision for any forcible felony, a Class X felony, and first-degree murder.

**Access to Justice Act.** House Bill 3111 (McAsey, D-Lockport; Mulroe, D-Chicago) creates the Access to Justice Act that imposes a \$10 fee on every civil filing to fund it. House Bill 3111 encourages the Supreme Court to develop: (1) A pilot program to create a statewide military personnel and veterans' legal assistance hotline and coordinated network of legal support resources; and a pilot program to provide court-based legal assistance within a circuit court in each appellate district of this State. (2) Creates the Statutory Court Fee Task Force to conduct a thor-

ough review of the various statutory fees imposed or assessed on criminal defendants and civil plaintiffs and adds provisions concerning the administration and duties of the Task Force.

**Collection procedures.** Senate Bill 1044 (Silverstein, D-Chicago; Lang, D-Skokie) makes four changes to collection practice. (1) Allows enforcements (Wage deduction orders, pay orders and turnover orders) to continue beyond seven years without revival. If a judgment becomes dormant during the pendency of an enforcement proceeding against wages under Part 14 of this Article or under Article XII, the enforcement may continue to conclusion without revival of the underlying judgment so long as the enforcement is done under court supervision and includes a wage deduction order or turn over order and is against an employer, garnishee, or other third-party respondent. (2) Allows service of garnishments by certified mail. (3) Makes the recording of foreign judgments as liens on real estate. (4) Clarifies that a court in a citation proceeding may enter any order that could be entered in a non-wage garnishment and that this change is declaratory of existing law.

**Raising the age of juvenile court.** House Bill 2404 (Currie, D-Chicago; Steans, D-Chicago) raises the age of jurisdiction for juvenile court from 17 to 18 for most felony offenses. The jurisdictional age for most misdemeanor offenses was raised from 17 to 18 several years ago.

**UM coverage.** Senate Bill 1898 (Biss, D-Skokie; Fine, D-Glenview) increases the required minimum liability insurance policies for drivers as follows: bodily injury or death to any one person from \$20,000 to \$25,000; bodily injury or death to more than one person from \$40,000 to \$50,000; and injury or destruction of property of others from \$15,000 to \$20,000. Applies to insurance policies written or renewed after Jan. 1, 2015.

**FOIA.** House Bill 2747 (Conroy, D-Villa Park; Harmon, D-Oak Park) authorizes written FOIA requests to be submitted to a public body by electronic mail and requires each public body to post an email address where requests for public records may be directed. ♦

*Jim Covington is Director of Legislative Affairs for the Illinois State Bar Association. He is a 1976 graduate of Eastern Illinois University and a 1979 graduate of the University of Oklahoma College of Law.*

## From downstate to mega-firm: Q & A with ISBA's new President

### *What made you decide to run for ISBA President?*

About five years ago, various ISBA folks started hinting that I should run for president, and I pretty much dismissed those hints. I remember thinking about how nice my life was just the way it was – I had a great position at a great firm, I traveled to exciting cities as part of my job, my children had graduated from college and moved out of our home, my husband was busy as Chief Judge – why would I want to complicate all of that with running for election and perhaps becoming ISBA president? I recall my husband and I having dinner with John and Terry Thies one night down in Champaign - we were teaching our annual IP trial class at the College of Law - and John tried to convince me to run and I said I was enjoying my life too much. I also remember a dinner at 1789, a French restaurant in Washington during an ABA lobbying trip, where past presidents Jack Carey and John O'Brien plied me with wine and convinced me I should run. In the morning with a much clearer head, I vacillated. A turning point came a few months later when I was having lunch with past president Cheryl Niro. She had asked me to lunch with the purpose of getting me to run for 3rd VP. I explained to her how I was enjoying my life, but in response she said to me "sometimes you just have to take one for the team" and it stuck with me. I don't want to sound immodest, but I did feel I had contributions to make to the ISBA and I did want to be a leader. I went home to my husband that night and said I was thinking about running and asked how he felt about it. He patiently explained to me how my life, our life really, would change and how we would both have to make sacrifices. He went on to say that although he didn't think it was a particularly smart idea, that if I decided to do it anyway, he would back me 110%. When I finally decided to run, he elicited the mantra we would say to one another over the next several months of campaigning when I questioned my resolve – "We're running and we're running hard." I have very much enjoyed the challenges and the rewards of the last few years leading up to becoming the 137th President of the ISBA. And I certainly look forward to my year as President and to playing a small part in shaping the future of our association.

### *Where did your legal career begin and did it help you in your career path?*

After graduation and taking the bar in the summer of 1979, I interviewed with the Champaign County State's Attorney's Office, where I had interned in the Civil Division the previous summer. I interviewed with "The" state's attorney himself, Tom Difanis. He honestly didn't seem too interested in me and I also learned that he had never hired a woman prosecutor before, so I wasn't feeling particularly optimistic about getting an offer. In early October, I got my passing bar results in the mail. I was celebrating that event when the phone rang and it was Mr. Difanis. He may have said hello first, I'm not sure anymore, but he just brusquely asked if I had passed the bar. When I told him I had, he offered me a job starting the next week. I hadn't really wanted to be a prosecutor or even a trial lawyer, I planned to do estate and

**Paula H. Holderman**, 137th President, Illinois State Bar Association

*Current:* Winston & Strawn, Chief Attorney Development Officer

*Previous:* Cook County State's Attorney's Office

John Marshall Law School, Center for Advocacy and Dispute Resolution  
Champaign County State's Attorney's Office (trying more than 20 jury trials, including four murder trials, to verdict)

*Education:* B.A. in French, 1976, University of Illinois at Urbana-Champaign, J.D., 1979, John Marshall Law School

tax work for farmers, but I needed a job, so I quickly accepted. It turned out to be an excellent decision for me. It was a relatively small office with about 15 lawyers and I was the only woman attorney. I was thrown into trial work right away and I warmed to it immediately. Tom Difanis became a mentor, life-long friend and the person who introduced me ten years later to my future husband. I tried hundreds of trials – bench and jury, criminal and civil – over the course of my 10 year career there. In 1983, I tried a significant case against David Thies and when his dad, Richard Thies became ISBA president a few years later, he appointed me to the Criminal Justice Section Council. That's what started my involvement with the ISBA. Being a trial lawyer helped me develop presence and gain confidence in my ability to speak and persuade people. Being a prosecutor in an environment dominated by men, I developed grit, resilience and a sense of humor. All of those experiences have shaped my career.

### *You've seen the practice from very different perspectives – Champaign County to Cook County, public service job to large firm. Does that help you in your bar leadership role?*

I firmly believe having different perspectives helps any leader in any situation. I had wonderful opportunities and certain obstacles starting out as a lawyer in Champaign County. I was young; I was a woman; I had a baby; and I grew up in a wealthy North Shore suburb. These were all strikes against me then and I was mercilessly teased in the rough and tumble world of law enforcement in Central Illinois. But I learned to appreciate the issues facing the crime-toughened cops and empathized with the victims. Slowly I earned their respect and came to love my job and value its significance. I also learned from my service on ISBA Criminal Justice, that there was another side, the defense bar who had different perspectives. Understanding that perspective early on has definitely helped me. Being involved in the ISBA definitely helped me make the transition to Cook County. I already knew people here because of it and used those relationships to meet others. When I was campaigning for Third VP, I think my connection to Champaign County and Cook County allowed me to better understand lawyers throughout the State. Understanding the issues of the solo or small firm lawyer from Central Illinois as well as the pressures facing attorneys in a metropolitan setting like Chicago definitely shape my vision for the ISBA.



**Paula H. Holderman in her office at the Chicago headquarters of Winston & Strawn. Holderman becomes president June 21 at the ISBA Annual Meeting.**



## ***How do you juggle firm responsibilities with bar work?***

When our executive director told me a couple years ago that being ISBA president would consume about 40 hours a week, I didn't believe him. I should have. I'm trying to prioritize better and delegate more now. Winston & Strawn has been incredible in their support for me and even allowed me to hire another attorney last year to help. The ISBA staff are also extremely helpful and of course, have been through this before. I'm not sure how they continue to acclimate to a new president with a different style year after year.

## ***What is your view on the question of work/life balance?***

That's kind of a tricky question because it's different for everyone and it's also different depending on the stage of your career. It used to be "a woman's issue" but I think it has become "an everybody's issue". I will be president for one year, I don't really expect to have balance in my life this year, but I do think I will have great work and life balance over the full tenure of my career. I enjoy the ISBA, the opportunities it has and continues to bring me and I support the ISBA/JTBF Law & Leadership Institute. I love my incredible husband, my two beautiful daughters, my darling grandkids, my whole family and our great

friends. My husband has had an even more demanding role as Chief Judge of the 3rd largest federal court and I have tried to support him in that. I garden, golf, read and collect "stuff". I am an integral part of my law firm and I travel extensively for my job. I have a very, very full life but I know I can't do all the stuff I love all the time and I don't know anybody who can. The quest for work/life balance is a long-term equation for me.

## ***As the fourth woman to lead ISBA, do you feel any barriers remain for women to aspire to leadership roles?***

Yes, barriers remain but we, both women and men, need to persevere to overcome those barriers. I've had great role models in the past women presidents of the ISBA starting with the Hon. Carole Bellows who I interviewed for my law school newspaper in 1977 when she became the first female president of the ISBA. She has been a mentor and dear friend for many years. And I remember my very first Board of Governors meeting when then ISBA President Irene Bahr took all 5 women (we now have 9) on the Board to tea at the Ritz Carlton and said "Okay, at least one of you has to become ISBA President". So far she's got at least one and we'll see who else. We have great women leaders in the ISBA. ♦

## ***Big firm presidents over the years –***

**Silas H. Strawn, Winston & Strawn (1921-22)**

Albert E. Jenner Jr., Jenner & Block (1949-50)

Joseph H. Hinshaw, Hinshaw & Culbertson (1951-52)

Henry L. Pitts, Rooks, Pitts, Fullagar & Poust (1969-70)

William P. Sutter, Hopkins & Sutter (1973-74)

Michel A. Coccia, Baker & McKenzie (1981-82)

J. Timothy Eaton, Ungaretti & Harris (2001-02)

Joseph G. Bisceglia, Jenner & Block (2007-08)

**Paula H. Holderman, Winston & Strawn (2013-14)**

## ILLINOIS STATE BAR ASSOCIATION



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## It's a mad world

### Amendment to ABA Model Rule 1.1 pushes lawyers to adopt tech

by **Bryan Sims** bsims@simslawfirm.com

*Sims Law Firm, Ltd., Naperville*

One of the TV shows I enjoy is *Mad Men*. Although I do not typically look to television shows for inspiration about the intersection between law and technology, a couple of quotes from the show have been bouncing around in my head and I think they apply to the practice of law.

***Sometimes life makes decisions for you.***

– **Joan Harris, *Mad Men***

Without a doubt, Joan is right about this. Life is constantly changing. This is true in our personal as well as our professional lives. We do not practice law now, the same way that attorneys practiced law in the past. It's easy to look back 50 or 100 years and see the differences. However, we don't have to look back that far. I entered private practice in 2000. I don't practice law today the same way that I practiced law then.

I am now paperless. I work from a laptop rather than a desktop. I can access all of my contacts, emails, and files from my smartphone. I often take only my iPad with me to court. I don't own a fax machine. Some of the ways that I practice law on an everyday basis today are concepts that would be inconceivable to me a little more than a decade ago.

Despite this, I have met a number of attorneys who are resisting advances in legal technology. In fact, some of those attorneys actively resist any technological change. In fact, I represented the buyer in a real estate transaction last year in which the seller's attorney prepared the closing statement on a typewriter. I can't fathom doing such a thing.

It appears that remaining ignorant of technology will no longer be an option. For example, last August, the ABA adopted an amendment to the comments for Model Rule 1.1. This rule, which Illinois has adopted, provides "A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."

The ABA has amended one of the comments to that Rule to specifically provide: "To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, **including the benefits and risks associated with relevant technology** . . . ."

Thus, even if you don't want to learn about technology or you don't want to incorporate technology into your practice, you can't bury your head in the sand. The ethics rules will likely soon explicitly require attorneys to maintain a basic understanding of technology to remain competent.

***Stable is that step backwards between success and failure.***

– **Pete Campbell, *Mad Men***

The key thing to keep in mind is that we are not talking about adopting technology just for the sole purpose of adopting technology. Instead, the purpose of technology is to improve our ability to practice law.

As Pete Campbell noted, remaining stable, does not mean that you are remaining in the same place. Instead, it means that you are taking a step backwards. Therefore, not only are you not taking advantage of the productivity and efficiencies offered by technology, but you are also falling behind.

Instead of allowing this to happen, we can, instead, embrace the use of technology to improve our practice. I am not talking about trying to stay on the cutting edge of technology. That is probably not prudent for any law practice. However, there are

plenty of technologies that attorneys can take advantage of that do not put them on the cutting edge of technology.

For example, it is relatively inexpensive for sole practitioners and small firms to use a hosted Exchange Server or Google Apps for Business to host their email, calendar, and contacts. Doing so allows that information to be shared with anyone else in the office that you wish to have access to the information.

Further, this allows you to access this information on your smartphone and tablet. Best of all, the information can all remain synchronized. Consequently, a change made on one device updates to all other devices as well.

Additionally, technology can help with repetitive tasks, such as document assembly. This can, of course, greatly benefit those with estate planning or real estate practices. However, it can also benefit those with litigation or transactional practices as well.

A variety of document assembly solutions are now available. Many are quite affordable and easy to use. By using document assembly, you can increase your productivity, ensure consistency in your work product, and increase your bottom line.

These are just a couple of ideas of solutions that can help your practice. However, not every practice is the same. The best way to ensure that you are taking advantage of the technology that will most benefit you is to address it proactively.

The best recommendation I have heard is to set aside time to strategize about your practice. Think about what you do and how you do the things that you do. Then consider how you can improve that process. If necessary, bring in a technology consultant to discuss your options.

During this process, don't forget to talk to your staff. Talk with them about what issues concern them the most. They may be able to identify choke points that you never knew existed. They may also reveal that the best technology investment is appropriate training for your staff.

Regardless, it is useful to keep in mind that improving your practice does not happen by accident. Instead, it requires active planning and strategy. Don't forget to apply that planning to the technology that you use in your practice. ♦

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**\$10.1 Million RECORD HIGH JURY VERDICT** for a teenager killed by a Greyhound bus

**\$7.8 Million** for a woman who suffered a severe stroke after a delayed diagnosis of meningitis

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**\$6.95 Million JURY VERDICT** for a man whose leg was amputated at a City of Chicago construction site that was improperly barricaded

**\$6.8 Million** for a woman brain damaged after a tracheotomy was negligently managed

**\$6.7 Million** for the family of a 24 year old man who was killed on an Illinois expressway after collisions with a car and commercial motor vehicle.

**\$6 Million RECORD HIGH JURY VERDICT** for a teenager injured when a truck crashed into her motorcycle

**\$5.8 Million** when a wheel assembly dislodged from a semi-trailer truck and killed a teenager

**\$5.5 Million** when a baby suffered permanent brain damage as a result of a wrongly administered drug

**\$5.5 Million JURY VERDICT** for a woman killed when her vehicle crashed into an improperly maintained construction area

**\$5.3 Million JURY VERDICT** when a 12 year old died when doctors and nurses negligently managed her airway

**\$5 Million** for a man who suffered severe back injuries while undergoing physical therapy to repair a herniated disc

**\$5 Million RECORD HIGH SETTLEMENT** when a worker was severely injured in a farming incident

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# ‘The Lawyer Bubble’ hits on legal profession problems – bursts on solutions

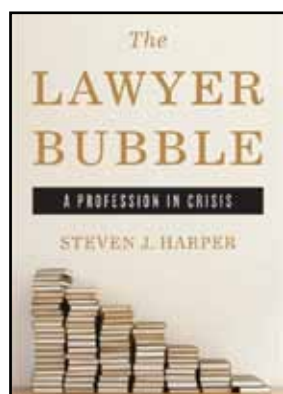
by **Daniel R. Thies**

Senior Law Clerk to Chief Judge James F. Holderman of the U.S. District Court for the Northern District of Illinois.

**T**he first rule for every trial lawyer is to fit the facts into one compelling narrative. And Stephen Harper, a former partner at Kirkland & Ellis and the author of *The Lawyer Bubble: A Profession in Crisis*, is a superb trial lawyer. Harper highlights the biggest problems facing the legal profession today – excessive law school debt, attorney unhappiness, a decline in professional values, and the poor job market – and weaves them into the same story with one overriding cause: greed.

Harper argues that this one character flaw has increasingly shaped the decisions of law firm managing partners, law school faculty, and law school deans. Chasing higher rankings in *U.S. News & World Report’s* annual list of law schools or the *American Lawyer’s* lists of the most profitable firms, these actors have sacrificed the well-being of their institutions in the pursuit of money, prestige, and power. The result for both law schools and big law firms is what Harper calls a “culture of short-termism.” And as Harper goes on to explain, its results are ultimately disastrous.

In the case of law schools, the story is familiar. Law schools spend excessive money to influence the *U.S. News* rankings, sometimes fudging or even falsifying data to create the appearance of a more prestigious faculty, better credentialed students, or rosier employment outcomes. The extra costs lead to constant tuition increases, which students willingly pay with the help of freely available student loans. The high cost of law school necessitates more obfuscation and unrealistic promises to prospective students about job prospects, just to keep them coming in the door. Meanwhile, the ABA, which is supposed to regulate law schools, has allowed the misinformation to continue. The result, according to Harper, is massive overproduction of lawyers and the worst job market in decades, with only 55 percent of the class of 2011 in full-time, long-term employment requiring bar passage nine months after graduation.



**The Lawyer Bubble: A Profession in Crisis, by Steven J. Harper. Basic Books, 2013. 251 pages. \$26.99**

Large law firms are driven by a similar rankings system – the *Am Law* lists of the firms with the highest profit per partner. The pursuit of short-term profits has led to more leverage and excessive billable hours as partners squeeze every ounce out of associates. Young attorneys become merely cogs working on slivers of large projects, with declining prospects for advancement, career development, meaningful work, and mentoring from older lawyers. Firms come to value rainmakers above all other attorneys, and the willingness of top lawyers to jump ship at the chance to make more money has ruined collegiality, destabilized firms, and threatened the profession itself. Harper’s cautionary tales tracing the decline and fall of once-proud law firms – *Finley Kumble, Heller, Thelen, Howrey*, and *Dewey & LeBoeuf* – show how these forces play out through the greedy choices of individual firm leaders, destroying the lives and careers of attorneys below them.

Harper’s approach may somewhat oversimplify the problems in the profession. But Harper’s take is refreshing in that he refuses to accept the excuse that impersonal structural incentives are behind the profession’s travails: “Those who attribute the current state of the legal profession to market forces beyond anyone’s control are wrong.” Accordingly, he does not let individual attorneys and law professors off the hook: “Human decisions created this mess; better human decisions can clean it up.” Harper’s narrative is compelling, well-written, and insightful, weaving the great variety of influences at play in the legal profession today to make his case.

But great trial lawyers also consider the audience that they must persuade, and here Harper’s performance is not quite as stellar. Harper directs the bulk of his prescriptions for reform to individual actors, rather than to systemic changes. Law firm partners need to abandon the billable hour system, stop expanding indiscriminately, invest more in associates, eliminate incentives for competition among partners, increase collegiality, and embrace innovation. Law school deans should publicize accurate employment data, accept fewer students, revise curricula to focus more on practical training, and ensure that their students really want to be lawyers.

All of these ideas have merit. The problem, though, is that they require individuals to reform their actions, to see law not as a business, but as a calling. In short, Harper’s proposals require the recovery of the civic orientation of the lawyer-statesmen of old through a rejuvenation of the culture of the profession.

But what resources does he offer for this transformation? Much too little. Despite the occasional admonition that “law is a service profession,” Harper provides scant grounding for this idea. His primary plea to the fat cats of the current system to change their errant ways is itself one of naked self-interest: change, or market forces will force your collapse. Law schools will be crippled when prospective students shy away from crushing debt, and big law firms will implode under the weight of their own excesses like *Dewey & LeBoeuf*. The weakness of this plea is apparent from Harper’s concession that, when collapse comes, those driving the current system often escape unscathed after collecting years of profits as the benefit of their “short-termism.”

To be sure, the rehabilitation of our professional culture is a complicated topic, and there are no easy solutions. Perhaps it is unfair to expect Harper to outline the path to recovery when he set out only to provide a diagnosis. But there may be something deeper going on as well.

Harper states in the introduction that “the principal victims” of the legal profession’s problems are “those lawyers who become trapped in the culture of short-termism,” and he focuses throughout on the travails of those in the legal profession itself. Of course, there are indeed many lawyers who suffer greatly under the current system, weighed down by debt and burnt-out at work. Harper’s portraits toward the end of the book of a handful of big law partners who committed suicide poignantly illustrate these human costs.

As the recent Report of the Illinois State Bar Association Special Committee on the Impact of Law School Debt on the Delivery of Legal Services highlights, however, the greatest burdens from the crisis fall on those whom the profession is called to serve: our clients. Excessive law school debt, inadequate employment opportunities, and the lack of practical training for young attorneys all lead to a decline in the quality and quantity of legal services the bar provides to the most vulnerable of our fellow citizens. As a result, the public suffers.

Rather than focusing on the plight of our own members, curing the culture of the legal profession requires regaining an outward orientation to public service and civic duty, beginning by recognizing the costs our excesses are imposing on society. Any sustained attempt to rebuild the culture of the legal profession must ultimately focus on advocating for and serving our clients. Harper’s book does not make such an attempt. Nonetheless, it is a fine book that will raise awareness of the serious problems now confronting the legal profession. ♦





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THE FELLOWS OFFICERS AND BOARD OF DIRECTORS

*Thank you to our Fellows.....*

### NEW FELLOWS IN FISCAL YEAR 2013

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### UPGRADED FELLOWS IN FISCAL YEAR 2013

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IN 1983, THE ILLINOIS BAR FOUNDATION CREATED THE FELLOWS PROGRAM. With the task of furthering the Foundation's mission of ensuring meaningful access to justice for all Illinois residents, The Fellows of the Illinois Bar Foundation raise funds for the Foundation by committing, by either a direct payment or pledge of ten years, sums ranging from \$100 a year to \$2,500 a year to be used for:

- Grants to non-profit organizations for legal aid, pro bono, and legal information
- Subsistence gifts to lawyers and their families in need.

Since 1983, The Fellows have raised \$2.6 million to further the mission of the Illinois Bar Foundation.

**For more information about The Fellows program and how you can give back to the legal community, please call 312.726.6072.**

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## ILLINOIS STATE BAR ASSOCIATION 137<sup>th</sup> ANNUAL MEETING

Grand Geneva Resort & Spa, Lake Geneva, Illinois

*The Road to Excellence*

JOIN US AS WE CELEBRATE  
AND OUTLINE INITIATIVES FOR THE FUTURE

### SCHEDULE OF PROGRAMS & EVENTS

**BUSINESS MEETINGS:** The 2013-14 standing committees and section councils will hold their organizational business meetings at various times during the Annual Meeting. A schedule of business meetings being conducted may be viewed closer to the date at [www.isba.org/annual](http://www.isba.org/annual).

**MEETING PARTNER:** ISBA's own professional liability insurance company, ISBA Mutual Insurance Company, will be an important participant in the Annual Meeting. Be sure to learn about the company, loss prevention, and programs from senior executives at their exhibit.

*Thursday, June 20*

#### OPENING RECEPTION

5:30 – 7:00 PM

Reception sponsored by ISBA Mutual Insurance Company  
Activities for children sponsored by ISBA  
Complimentary to registered attendees.

*Friday, June 21*

#### BREAKFAST SYMPOSIUM + CLE PROGRAM

*"Legal Ethics & Social Media"*

Breakfast Symposium: 7:30 – 9:30 AM

CLE Program: 8:00 – 9:00 AM

1 hr MCLE credit, including 1\* hour PMCLE credit (\*subject to approval)

Presented by ISBA Standing Committee on Law Office Management & Economics

Join us for a presentation that focuses on the ethical issues arising from the use of social media by attorneys. The program is presented by Jerome Larkin, Administrator of the ARDC, who frequently lectures on attorney ethics. \$30 per ticket.

#### CLE PROGRAM – LAW ED FACULTY DEVELOPMENT

*"Deliver Knockout Presentations Your Audience Won't Forget"*  
8:30 – 11:45 AM

3 hrs MCLE credit, including 3\* hours PMCLE credit (\*subject to approval)

Start training now for your next courtroom appearance or CLE presentation. Our panel of trial lawyers and speakers will share techniques and tips to help you deliver unforgettable presentations. Complimentary program for ISBA LawEd Faculty (and those who want to become faculty members.) Visit [www.isba.org/cle/faculty](http://www.isba.org/cle/faculty) for information.

#### KIDS DAY CAMP – 9:00 AM – 4:00 PM

Kids love it, so sign them up no later than Friday, June 14. There will be plenty of fun things to do and lunch is included. Available to kids age 4-13. Sorry, no exceptions for children under age 4.

#### CLE PROGRAM

*"Introduction to Legal Research on Fastcase"*

9:00 – 10:00 AM

CLE Program: 8:00 – 9:00 AM

1 hr MCLE credit, including 1\* hour PMCLE credit (\*subject to approval)

Presented by the Illinois State Bar Association and ISBA Mutual - Complimentary to ISBA Members Only

Take advantage of this opportunity to familiarize yourself with Fastcase through this introductory legal research training seminar.

#### CLE PROGRAM

*"Advanced Tips for Enhanced Legal Research on Fastcase"*

10:15 – 11:15 AM

CLE Program: 8:00 – 9:00 AM

1 hr MCLE credit, including 1\* hour PMCLE credit (\*subject to approval)

Presented by the Illinois State Bar Association and ISBA Mutual - Complimentary to ISBA Members Only

Take your Fastcase knowledge and knowhow to a new level with this advanced legal research training seminar!

#### AWARDS LUNCHEON – 11:45 AM – 2:00 PM

Join us as we recognize those who have made a significant contribution to the Association, the profession or community. Awards presented included: Board of Governors, Publications, Matthew Maloney General Practice Tradition of Excellence, YLD/Law Student Division Public Service, Young Lawyer of the Year, and Community Leadership. \$40 per ticket.

#### MASTER SERIES CLE PROGRAM– REEL MCLE SERIES

*"Flight – How Many Ethical Dilemmas Can You Spot?"*  
1:00 – 5:15 PM

3 hrs MCLE credit, including 3\* hours PMCLE credit (\*subject to approval)

Presented by the Illinois State Bar Association

Join us for this unique four-hour program in which the Hollywood hit movie *Flight* is used as a sounding board for identifying, understanding and analyzing the Illinois Rules of Professional Conduct. Program also includes a short presentation and review of the Illinois Rules of Professional Responsibility, as well as a review of recent Supreme Court decisions on Illinois ARDC findings. Program is presented by **Clifford Scott-Rudnick**, Director of CLE and Assistant Professor at The John Marshall Law School and **Richard Adler**, attorney and movie expert who frequently uses popular movies to lead educational and informative discussion groups. For more information and to register visit website. \$120 for ISBA members.

#### KIDS NIGHT OUT – 6:00 – 10:30 PM

An evening of entertainment for the kids. Available to kids age 4-13. \$45 for the first child; \$40 for each additional child in family.

#### ANNUAL DINNER & PRESIDENT'S INSTALLATION

Reception: 6:30 PM

Sponsored by the Grand Geneva Resort & Spa

Dinner: 7:30 PM

[WWW.ISBA.ORG](http://WWW.ISBA.ORG)



# BAR ASSOCIATION ANNUAL MEETING

Geneva, WI 🌸 June 20-22, 2013

## Leadership

OUR ACCOMPLISHMENTS  
FOR THE COMING BAR YEAR.

Join us on this special evening to honor President John E. Thies and welcome Paula H. Holderman, President for 2013-2014. Following a brief program and dinner you'll enjoy dancing and listening to Bill Pollack Music. All seating assigned in advance, tables of ten; requests for special seating will be honored if received by the registration deadline. Summer Formal Attire Requested.

*\$115 per ticket for Reception & Dinner. \$25 per ticket for Reception only.*

### Saturday, June 22

#### 18<sup>th</sup> ANNUAL NETWORKING BREAKFAST

8:00 – 9:30 AM

Sponsored by ISBA Standing Committee on Racial & Ethnic Minorities and the Law, ISBA Standing Committee on Women & the Law, and Southern Illinois University School of Law

All women attorneys and judges invited. This popular event gives you a chance to network with your peers. *\$30 per ticket.*

#### BREAKFAST FOR FAMILIES

8:00 – 10:00 AM

Join other ISBA families for breakfast on the lawn. *\$15 per adult; \$5 per child.*

#### ISBA ASSEMBLY MEETING

9:00 AM

The 201-member Assembly policy making body of the Association meets. Open to members and the public. A continental breakfast will be available.

### Thank You

To the following groups whose support helped make this meeting possible:

**ISBA Mutual Insurance Company**  
**Grand Geneva Resort & Spa**



*John E. Thies*

**John E. Thies**  
*President*



*Paula H. Holderman*

**Paula H. Holderman**  
*President-Elect*

## REGISTRATION, PRICING, DEADLINES & HOTEL

**REGISTRATION:** Registration is **ONLINE ONLY**. Register at [www.isba.org/annual](http://www.isba.org/annual).

**REGISTRATION FEE:** The advance registration fee is \$75 per ISBA member and \$50 per spouse/guest. *Children under 16 are complimentary.* **Advance registration deadline is JUNE 14.** The on-site registration fee is \$100 per ISBA member and \$50 per spouse/guest. A registration fee must be paid by anyone participating in Annual Meeting functions. Registered participants are invited to attend any complimentary events.

#### TICKETED FUNCTIONS (NON-CLE):

Functions are priced per ticket as follows: LOME Breakfast Symposium (\$30), Awards Luncheon (\$40), Kids Day Camp (\$50), Kids Night Out (\$45), Annual Dinner (\$115), 18<sup>th</sup> Annual Networking Breakfast (\$30), and Family Breakfast (\$15 adult; \$5 kids 12 & under). All other receptions, programs and events are complimentary with paid registration. *Availability of tickets to functions cannot be guaranteed after June 14.*

#### CLE PROGRAMS & REGISTRATION

**FEES:** Lawyers who register for CLE programs only are not subject to the Annual Meeting registration fee. However, participation in any Annual Meeting function does require payment of the fee. CLE pricing for ISBA members for "ISBA's Reel MCLE: Flight" is \$120. For non-member and special pricing, please see website. No section or online registration discounts apply. Faculty program is complimentary.

**REFUNDS:** The registration fee will be refunded for cancellations received by Friday, June 14. Refunds for other events and programs will be made on cancellations received 72 hours prior to the events.

**PURCHASING & TICKET PICK-UP:** Tickets for all functions may be picked up at the ISBA Registration Desk during the meeting. Tickets will *not* be mailed in advance. The deadline for purchasing tickets to meal functions is 72 hours prior to the event, depending on availability.

**ISBA HEADQUARTERS HOTEL:** Join us at our new location, the **Grand Geneva Resort & Spa** [7036 Grand Geneva Way, Lake Geneva, WI 53147; [www.grandgeneva.com](http://www.grandgeneva.com)]. Please note that at this time, the headquarters hotel is sold out. For alternate lodging in the area, visit the Lake Geneva Visitors Bureau site, [www.lakegenevawi.com/c/stay.aspx](http://www.lakegenevawi.com/c/stay.aspx).



[WWW.ISBA.ORG/ANNUAL](http://WWW.ISBA.ORG/ANNUAL)

# Illinois Bar Foundation approves \$330,000 in grants statewide

## Funds further mission of ensuring access to justice

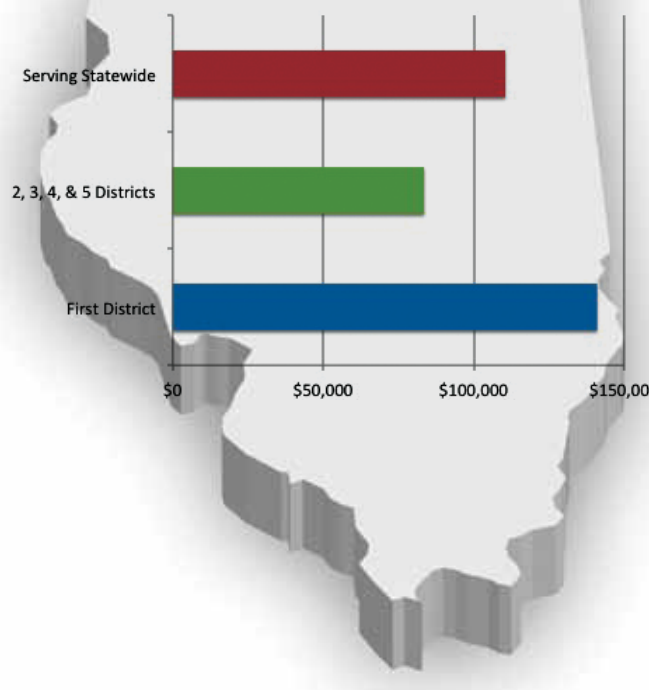
**T**he Illinois Bar Foundation Board of Directors recently approved \$330,000 in grant awards to 44 non-profit organizations throughout the state of Illinois. Through these annual grants, the IBF is furthering its mission to ensure meaningful access to the justice system. During fiscal year 2013, the Illinois Bar Foundation Board of Directors reviewed over 55 requests from not-for-profit organizations. After a thorough evaluation process, the Board awarded grants ranging from \$3,000-\$19,000 to programs that fall within the following three categories:

- Enhance the availability of legal aid to those with limited means
- Encourage pro-bono legal work
- Educate Illinois residents regarding their rights and responsibilities under the law

### Illinois Bar Foundation 2012-2013 Grants

1. Access Living of Metropolitan Chicago - \$10,000 to support their legal services to those with disabilities.
2. Administer Justice - \$7,500 to support their Bilingual Attorney Project.
3. Alternatives for Older Adults - \$5,000 to support their legal advocacy for senior victims.
4. Apna Ghar - \$5,000 for their legal advocacy services to domestic violence survivors.
5. Cabrini Green Legal Aid - \$10,000 for expansion of their criminal records project.
6. CARPLS - \$10,000 to support their legal aid hotline.
7. Center for Disability and Elder Law - \$7,500 for general operating funds.
8. Center for Economic Progress - \$5,000 for their low-income taxpayer clinic.
9. Center on Halsted - \$5,000 for their legal clinic.
10. Chicago Alliance Against Sexual Exploitation - \$5,000 to support their Sexual Assault Justice project.
11. Chicago Irish Immigration Support - \$7,500 to support their enhancement of critical immigration legal aid.
12. Chicago Law & Education Foundation - \$11,000 for general operating support.
13. Chicago Lawyers' Committee for Civil Rights Under the law - \$5,000 for general operating support.

**Geographical Breakdown of Grants by Amount Awarded**



14. Chicago Legal Advocacy for Incarcerated Mothers - \$10,000 for their on-site legal services at their Edwardsville and Chicago office.
15. Chicago Volunteer Legal Services - \$10,000 for their Chancery Court Access to Justice project.
16. DePaul University's Asylum & Immigration Clinic - \$7,500 to support their Legal Resources project for immigration services providers.
17. Domestic Violence Legal Clinic - \$10,000 to support their Pro Bono project.
18. Equality Illinois - \$5,000 for their Knowledge=Power project.
19. Equip for Equality - \$5,000 to support their special education clinic.
20. Family Rescue - \$5,000 to support their Court Advocacy program.
21. Family Shelter Services - \$5,000 for their Victim and Court Advocacy Program.
22. Heartland Alliance's National Immigrant Justice Center - \$5,000 to support their Immigration Court help desk for non-detained immigrants.
23. Hebrew Immigrant Aid Society of Chicago - \$7,500 to support their Expanded Access to Legal Assistance project.

24. Illinois Equal Justice Foundation - \$5,000 for their Equal Justice Illinois Campaign.
25. Illinois Legal Aid Online - \$15,000 to support their Statewide Legal Service Website project.
26. Immigration Project, Inc. - \$7,500 for their regional immigration information clinics.
27. John Marshall Law School's Restorative Justice Project - \$5,000 for their Restorative Justice video.
28. Land of Lincoln Assistance Foundation - \$19,000 for their Rural Service Territory project.
29. Lawndale Christian Legal Center - \$10,000 to support their holistic legal service project.
30. Lawyers' Committee for Better Housing - \$7,500 to support their legal services to low-income renters in private housing rental market.
31. Life Span - \$10,000 to support their legal services in Des Plaines, IL.
32. Loyola University Chicago's Life After Innocence - \$3,000 for their legal services to exonerated individuals.
33. Midwest Center on Law and the Deaf - \$3,000 for general operating funds.
34. Migrant & Immigrant Community Action Project - \$9,000 for their Client-Centered Lawyering project.
35. Prairie State Legal Services - \$15,000 to support their Volunteer Lawyer program in Rockford, IL.
36. Public Interest Law Initiative - \$15,000 to support their Pro Bono Initiative program.
37. Riverview Center - \$5,000 to support their legal assistance to survivors of domestic violence.
38. Sojourn Shelter & Services - \$5,000 for their Central Illinois Pro Bono project.
39. The Chicago Lighthouse for People Who are Blind or Visually Impaired - \$8,000 to support their Kane Legal Clinic.
40. The Family Defense Center - \$5,000 for their Mothers' Defense project.
41. The Parent Place - \$7,500 to support their Family Mediation project.
42. Uptown People's Law Center - \$5,000 for their Prisoners Rights & Reintegration project.
43. Violence Prevention Center of Southwestern Illinois - \$7,000 for their Court Advocacy program.
44. YWCA Evanston/North Shore - \$5,000 to support their legal advocacy for survivors of domestic violence. ❖



## Young lawyers wrap up successful year

by Meghan O'Brien

2012-13 Chair of the Young Lawyers Division

**I**t is hard to believe that this is my last article as the YLD Chairperson... this great year has flown by so quickly! I think everyone on the YLD Council would agree we had a wonderful year. The following paragraphs highlight some of the year's accomplishments.

The YLD hosted our long-standing traditional events: the **Day at the Races**, the **Holiday Party**, the **Bean Bag Tournament**, and the **Soiree**. All were well attended and a lot of fun. In addition to our traditional events we took on some new challenges.

For the first time, we hosted a series of **Professional Development Luncheons (PDLs)**. The PDLs were a four-part lunchtime series designed to help young and new attorneys with the professional aspects of their careers. Each luncheon hosted a panel of speakers, and via a moderator, the speakers answered important questions for attorneys at vital points in their careers. The first luncheon focused on getting a job or changing jobs, the second focused on rainmaking and networking, the third focused on how to enter the judiciary and the final luncheon focused on alternative legal careers. These luncheons were insightful and presented attorneys with a low-stress way to gain important information and networking skills.

Council members worked with President Thies on two of his presidential initiatives, the **Lawyers Feeding Illinois Campaign** and his **Special Committee on the Impact of Law School Debt**. We helped kick-off the Lawyers Feeding Illinois Campaign with a trip to volunteer at the Chicago Food Depository with President Thies and his wife, Terry, and two of our YLD Council members served on the Lawyers Feeding Illinois Committee. The YLD also had a team in the Lawyers Feeding Illinois contest where we raised money for local food pantries. Furthermore, YLD members testified at the public hearings on law school debt and one council member served on the Special Committee on the Impact of Law School Debt.

We collaborated with the Chicago Bar Association and hosted a very successful **All-Bar Social** where young lawyers from different bar organizations across the state got together for an evening of socializing and networking. We again worked with Chicago Bar Association to host an **All-Bar Summit**, where bar leaders from across the state shared thoughts on successful public service projects, recruitment and challenges for the future.

It was brought to our attention that many on the ISBA Law Student Division did not feel connected to the ISBA membership at large. In an effort to collaborate more with the law students, we had three joint meetings with the Law Student Division. We brought some law students to volunteer with us to the Chicago Food Depository and invited the law students to attend our social events. We hope these actions helped the law students "bridge the gap" to feel more comfortable with the ISBA membership at large.

It has been an honor and a privilege to lead the YLD Council and the young lawyers throughout our state. The YLD is in great hands with the next YLD Chairperson, Jean Kenol. Jean will do an outstanding job leading the Council toward great things. I look forward to standing by the YLD and seeing all the great things its members do in the years to come! ❖

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#### GENERAL TOPICS

##### The Illinois Rules of Evidence Package

##### The Illinois Rules of Evidence: A Color-Coded Guide

This new edition of Gino L. DiVito's color-coded analysis of the Illinois Rules of Evidence is updated through January 1, 2013. The new three-column format allows easy comparison of the Illinois rules with both the new FRE (revised effective last December 1) and the pre-amendment version. DiVito, a former appellate justice, is a member of the Special Supreme Court Committee on Illinois Evidence, the body that formulated the rules and presented them to the Illinois Supreme Court.

##### Illinois Rules of Evidence - ISBA's 2013 pocket-size edition

This update of ISBA's pocket-size edition reflects all rule changes through January 1, 2013. The amazingly affordable booklet, which contains the complete rules plus commentary, is perfect for depositions, court appearances - anywhere you need a quick reference. Buy one now for everyone in your office!

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mbr./\$66.00 nonmbr.**

##### Guide to the Illinois Statutes of Limitation - 2012 EDITION

The new Guide to the Illinois Statutes of Limitation contains the Illinois civil statutes of limitation enacted and amended through September 2012 with annotations. This is a quick reference to Illinois statutes of limitation, bringing together provisions otherwise scattered throughout the Code of Civil Procedure and other chapters of the Illinois Compiled Statutes. Designed as a quick reference for practicing attorneys, it provides deadlines and court interpretations and a handy index listing statutes by Act, Code, or Subject. Initially prepared by Hon. Adrienne W. Albrecht and updated by Hon. Gordon L. Lustfeldt. **\$35 mbr./\$45 nonmbr.**

##### ISBA Family Law Handbook 2011 Edition

This comprehensive, must-have practice handbook covers nearly everything for general practitioners who handle family law matters. Written by 36 authors who concentrate in the field and edited by John Marshall Professor Cynthia D. Bond, the handbook is a complete update of an ISBA bestseller from the mid-90s. Topics include jurisdiction, pre-marital agreements, settlement agreements, modification of judgments, mediation, custody and visitation, assisted reproductive technology, grandparent visitation, guardians ad litem, property, support and finances, maintenance, child support, civil unions, immigration law, discovery, appeals, insurance matters, property valuation, adoption, paternity and much more. Includes some forms, a detailed table of contents, and an alphabetical list of cases with page numbers at the end of each chapter. Add it to your collection today!

**\$60.00 mbr./\$90.00 nonmbr.**

##### Illinois Statutes for Attorneys' Fees

This handy book lists provisions in the Illinois Compiled Statutes that authorize the court to order one party to pay the attorney fees of another. No matter what your practice area, this book will save you time - and could save you money! Prepared by members of the ISBA General Practice Section Council and edited by council member Timothy E. Duggan, it's a guide no lawyer should be without. **\$35.00 mbr./\$50.00 nonmbr.**

##### ISBA's Supreme Court Rule 213(f) & (g) - Quick Reference Guide

From Dog Bite to Divorce! Illinois Supreme Court Rule 213(f) & (g) applies to all civil litigation in Illinois. It governs the procedure for identifying trial witnesses and disclosing their proposed testimony. ISBA is excited to offer this update of our popular Supreme Court Rule 213(f) & (g) - Quick Reference Guide, last published in 2002. **\$35.00 mbr./\$50.00 nonmbr.**

##### A Practical Guide to the Illinois Domestic Violence Act

If you take family law cases, you'll find this book an essential aide. Although intended primarily for attorneys who practice in civil court, this book is also valuable for assistant state's attorneys and domestic violence advocates. It provides a clear and comprehensive understanding of the Act, and can be used as a quick reference for researching specific problems. Twelve sections cover Public Policy, Substantive Provisions of the Act, Procedural Provisions, Enforcement of Orders of Protection, Law Enforcement Responsibilities, Domestic Violence Workers, Appeals and Constitutional Challenges, Orders of Protection in Criminal Court, Representing Respondents, Civil No Contact Orders, Resources for Victims of Domestic Violence, and much more. Prepared by Jan Russell from the Chicago Police Department, a highly-rated trainer on domestic violence and child abduction issues who has trained more than 15,000 police officers, lawyers, and social service providers from Florida to Hawaii. **\$40 mbr./\$50 nonmbr.**

#### CRIMINAL LAW

##### Post-Conviction Practice: A Manual for Illinois Lawyers

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

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## Lawyers Feeding Illinois Campaign raises over 3.7 million meals

### Attorney General Madigan adds \$500,000 from settlement funds

**I**SBA President John E. Thies and Illinois Attorney General Lisa Madigan presented plaques to winners of the ISBA Lawyers Feeding Illinois food and fundraising campaign during an awards ceremony at the ISBA's Chicago Regional office in May. During the ceremony, checks were presented to representatives of Illinois' eight regional food banks.

The campaign, whose goal was to raise at least one million meals, surpassed its goal and raised more than 3.7 million meals with the help of lawyers, lawyer teams and more than 2,000 donors for the benefit of Illinoisans facing hunger in a statewide campaign held February 18-March 1.

This latest figure takes into account the announcement by Attorney General Madigan that her office would distribute \$500,000 in funding from several legal settlements to food banks across Illinois to help feed families and people in need. Madigan said the money will make food available to local food pantries that serve each of Illinois' 102 counties.

"With this contribution, the total number of meals provided through Lawyers Feeding Illinois will be more than 3,780,635," said Thies. "The participation of our state's chief legal officer demonstrates the strong commitment of the legal profession to this important cause."

At the event, law firms, individual lawyers and



**ISBA President John E. Thies (from left), Lawyers Feeding Illinois Chair Terry Thies and Illinois Attorney General Lisa Madigan (right) present an award to Attorneys' Title Guaranty Fund representatives Sarah Boeckman, Peter Birnbaum and John O'Brien for winning the Hunger Relief Partner (Overall) and large law firm award during the competition portion of the Lawyers Feeding Illinois Campaign.**

organizations who received awards were:

- Hunger Relief Partner (Overall) and Large Law Firm Award: Attorneys' Title Guaranty Fund, Inc., Champaign, \$25,395 and 732 pounds of food;
- Mega Bar Association Award: DuPage County Bar Association, Wheaton, \$23,682 and 23 pounds of food;

- Mega Law Firm Award: Heyl, Royster, Voelker and Allen, P.C., Peoria, \$12,849 and 2,547 pounds of food;
- Large Bar Association Award: Champaign County Bar Association, Champaign, \$8,740;
- Medium Law Firm Award: Webber and Thies, P.C., Urbana, \$7,557 and 471 pounds of food;
- Best Government/Non-Profit Award: Land of Lincoln Legal Assistance Foundation, East St. Louis, \$6,801 and 144 pounds of food;
- Small Law Firm Award: Fombelle and Fombelle, LLP, Forsyth, \$3,050;
- Hunger Relief Partner (per capita): Jim Reichardt (DuPage Solos), Villa Park, \$2,540;
- Medium Bar Association Award: Vermilion County Bar Association, Danville, \$2,231 and 84 pounds of food;
- Small Bar Association Award: Warren County and Henderson County bar associations, Monmouth, \$1,425 and 97 pounds of food;
- Best Law School Award (per capita): Northern Illinois University College of Law, DeKalb, \$920.58 and 103 pounds of food;
- Food Bank Award (for earning the most points, based on population): Eastern Illinois Food Bank, Urbana, 186,290 points earned; total population of all counties served: 520,848.

## Illinois admits 668 new attorneys at May ceremonies



**ISBA 2nd Vice President Richard D. Felice (rear, left) is shown with new admittee Stephanie Sainsbury (rear, second from left), her mother and Justinian Society President Gregg Garofalo at the 1<sup>st</sup> District Admission Ceremony held at the Arie Crown Theater in Chicago. Seated at front are Illinois Supreme Court Justices Anne Burke, Charles Freeman and Mary Jane Theis.**



**New admittee Michael Neumann of Bloomington with Illinois Supreme Court Justice Rita B. Garman at the 4<sup>th</sup> District Admission Ceremony held at the Illinois Supreme Court building in Springfield.**



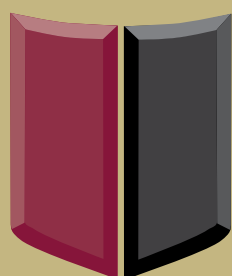
**New admittee Julianne Rodriguez (middle) is congratulated by Illinois Supreme Court Justice Lloyd A. Karmeier (left) and ISBA President John E. Thies at the 5<sup>th</sup> District Admission Ceremony held at the Gateway Convention Center in Collinsville.**



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# Bringing in new partners

## Strategies for minimizing your risk

by John W. Olmstead, MBA, Ph.D, CMC  
jolmstead@olmsteadassoc.com

**Y**ou believe you have identified the right person for partnership. However, just because the associate has been a good associate does not mean he or she will be a good partner – the relationship will be different. But at least the associate is somewhat of a known quantity since you know the associate and have worked with them for several years.

Here are a few ideas you might consider:

1. Outline your goals and expectations for the relationship.
2. Meet with your associate and identify his/her goals and expectations.
3. Determine how much control over the practice and decision-making you are willing to give up.
4. Determine how much and for how long you are willing to make less?
5. Determine if the associate will be expected to bring in business? When/ Timeline?

Once you can come to terms with some of the above issues craft a suitable partnership or operating agreement you can both live with.

## Should you consider a lateral?

Initially consider and decide upon the actual goals and objectives you hope to achieve by bringing in the lateral and your particular requirements and specifications for the candidate. Start by focusing on the person – then move to the other areas that must be considered. It is critical that you get the right person on the bus.

Here are a few ideas to help you get started:

1. Do some research on the law firm that the candidate is with now in order to understand the culture and environment in which he/she has been working, potential conflicts, referral issues, etc.
2. What are the reasons he/she is considering leaving the firm?
3. Candidate's experience and professional history.
4. What practice areas does he/she work? Clients served?
5. Can the candidate bring clients?

## Hiring associates that can be groomed for partnership

Years ago it seemed that all the associates working in law firms wanted to eventually become a partner in the law firm. This has changed as a result of the new mix of women and men graduating from law schools and entering the legal profession, changing attitudes toward work/life balance, other opportunities outside law firms, and other variables. While partnership/ownership is still important to many – don't assume that all the associates you hire will want to be equity partners. This is especially true if it means a hefty capital contribution and signing personal guarantees for a large amount of firm debt.

A question I would ask – have you really discussed with your associates their interests in equity ownership? As a group? Recently an associate, whom the firm had written off, advised me that while he was not interested now due to his present situation in life, he would be in maybe five years – especially if others also were brought in as well – in other words he did not want to have the responsibility alone and be an equity owner by himself.

I suggest that you talk with your people and see where they really stand. Help nourish their client development skills. Depending on you and the other partners' retirement timeline – you may have to consider other options such as laterals or merging with another firm.

A key suggestion is to look for entrepreneurial associates when you hire. The desire for ownership of a business is often in a person's blood. Don't start the interview with a discussion from law school until the present. Dig deeper into hobbies, family, etc. that will provide clues as to whether you may be hiring someone that just wants a law job or someone that eventually wants to own or be a partner in a law firm. ♦

John W. Olmstead, MBA, Ph.D, CMC, ([www.olmsteadassoc.com](http://www.olmsteadassoc.com)) 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 listserver, which John and other committee members review, or view archived copies of *The Bottom Line* Newsletters.





## IN MEMORIAM

**Robert B. Baal, Chicago**

Admitted 1973  
Date of Death: 3/9/13

**Norman N. Berkson, Buffalo Grove**

Admitted 1957  
Date of Death: 3/18/13

**George Miller Burditt Jr., La Grange Park**

Admitted 1949  
Date of Death: 3/12/13

**Warren Burgard, Urbana**

Admitted 1956  
Date of Death: 3/15/13

**Robert Dodd, Champaign**

Admitted 1974  
Date of Death: 3/28/13

**Owen L. Doss, Palatine**

Admitted 1950  
Date of Death: 04/28/13

**Roger Eichmeier, Chandler, AZ**

(formerly Aurora)  
Admitted 1957  
Date of Death: 3/2/13

**Charles William Fechtig, Evansville, IN**

(formerly Carmi)  
Admitted 1932  
Date of Death: 2/18/13

**F. Alice Gould, Marion**

Admitted 1955  
Date of Death: 3/31/13

**Justice Moses W. Harrison II, Caseyville**

Admitted 1958  
Date of Death: 4/25/13

**Mari-Jo Jacquette, Waukegan**

Admitted 1996  
Date of Death: 4/16/13

**Paul W. Kaiser Jr., Waukegan**

Admitted 1958  
Date of Death: 3/24/13

**Richard J. Kissel, Lake Forest**

Admitted 1962  
Date of Death: 3/23/13

**Joseph L. Lakshmanan, Forsyth**

Admitted 1988  
Date of Death: 4/17/13

**Julius M. Lytton, East Moline**

Admitted 1935  
Date of Death: 4/24/13

**Justice Mary Ann McMorrow, Chicago**

Admitted 1953  
Date of Death: 2/23/13

**Dawn Clark Netsch, Chicago**

Admitted 1952  
Date of Death: 3/5/13

**Michael B. Ranz, Murray, KY**

Admitted 1981  
Date of Death: 3/2/13

**Roger Reno, Rockford**

Admitted 1950  
Date of Death: 2/27/13

**Donald Ridge, Sarasota FL**

(formerly Waukegan)  
Admitted 1946  
Date of Death: 4/7/13

**Dan R. Roin, Winnetka**

Admitted 1951  
Date of Death: 2/18/13

**Stephen E. Walter, Grayslake**

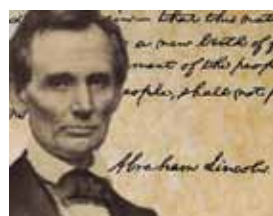
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All participants must file a notice of intent to enter the competition by **July 15, 2013**.

Contest rules and an entry form are at [www.isba.org/ibj](http://www.isba.org/ibj)

If you have questions, contact Jean Fenski at [jfenski@isba.org](mailto:jfenski@isba.org)  
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**For more information and to  
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**[www.isba.org/cle/2013/09/13/  
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*\*Professional Responsibility MCLE credit  
subject to approval*



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## ■ JUNE 2013

### 7- Chicago and Live Webcast



#### 5th Annual Animal Law Conference

*Presented by the ISBA Animal Law Section*

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PMCLE credit hours

### 7- Bloomington

#### Criminal Law: Back to Basics

*Presented by the ISBA Criminal Justice Section*

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### 10 - Live Webcast



#### Getting Paid in Commercial Cases – Fee Arrangements from A to Z

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Collections and Banking Section*

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### 10 - Teleseminar



#### Liquidity Planning in Estates and Trusts

*Presented by the Illinois State Bar Association*

1.0 MCLE credit hour

### 11 - Teleseminar



#### 2013 Estate & Trust Planning Update, Part 1

*Presented by the Illinois State Bar Association*

1.0 MCLE credit hour

### 12 - Teleseminar



#### 2013 Estate & Trust Planning Update, Part 2

*Presented by the Illinois State Bar Association*

1.0 MCLE credit hour

### 13 - Teleseminar



#### Drafting Confidentiality and Non-disclosure Agreements

*Presented by the Illinois State Bar Association*

1.0 MCLE credit hour

### 13-14 - Chicago

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PMCLE credit hours

### 13 - Live Webcast



#### Medicare and its Impact on Tort Practitioners

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2.0 MCLE credit hours

### 13 - Live Webcast



#### An Introduction to Illinois' New Tax Tribunal

*Presented by the ISBA State & Local Tax  
Section*

MCLE credit TBD

### 14 - Chicago



#### Ethics of Persuasion

*Master Series*

*Presented by the Illinois State Bar Association*

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### 18 - Teleseminar



#### Planning & Drafting LLC Operating Agreements, Part 1

*Presented by the Illinois State Bar Association*

1.0 MCLE credit hour

### 19 - Teleseminar



#### Planning & Drafting LLC Operating Agreements, Part 2

*Presented by the Illinois State Bar Association*

1.0 MCLE credit hour

### 19 - Webinar



#### Fastcase Boolean (Keyword) Search for Lawyers

*Presented by the Illinois State Bar Association*

*Complimentary to ISBA Members Only*

0.75 MCLE credit hour, including 0.75\*  
PMCLE credit hour

### 21- Lake Geneva

#### 137th ISBA Annual Meeting

#### Introduction to Legal Research on Fastcase

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*Complimentary to ISBA Members Only*

1.0 MCLE credit hour, including 1.0\*  
PMCLE credit hour

#### Advanced Tips for Enhanced Legal Research on Fastcase

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#### ISBA's Reel MCLE Series: Flight- How Many Ethical Dilemmas Can You Spot?



*Master Series*

*Presented by the Illinois State Bar Association*

3.0 MCLE credit hours, including 3.0\*  
PMCLE credit hours

### 24 - Teleseminar




#### Structuring Preferred Stock and Preferred Returns in Business and Real Estate Transactions


*Presented by the Illinois State Bar Association*


1.0 MCLE credit hour

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



**25 - Teleseminar**   
**Subleasing and Assignments, Part 1**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour

**26 - Teleseminar**   
**Subleasing and Assignments, Part 2**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour



**27 - Teleseminar**   
**Employees v. Independent Contractors: Employment & Tax Law Issues**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour

**28 - Live Webcast**   
**Recent Developments in Insurance Coverage Law- 2013**  
*Presented by the ISBA Insurance Law Section*  
 1.5 MCLE credit hour



**28 - Chicago and Live Webcast**   
**Legal Trends for Non-Techies: Topics, Trends and Tips to Help Your Practice**  
*Presented by the ISBA Standing Committee on Legal Technology*  
 MCLE credit TBD

## ■ July


**2 - Teleseminar**   
**Portability of the Estate Tax Exemption: Planning Compliance and Drafting Issues**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour


**9 - Webinar**    
**Intro to Legal Research on Fastcase**  
*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
 0.75 MCLE credit hour, including 0.75\* PMCLE credit hour


**9 - Teleseminar**   
**Real Estate Management Agreements**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour

**11 - Webinar**    
**Advanced Tips for Enhanced Legal Research on Fastcase**  
*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
 0.75 MCLE credit hour, including 0.75\* PMCLE credit hour


**11 - Teleseminar**   
**Corporate Governance for Nonprofits**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour



**16 - Teleseminar**   
**Health Care Issues in Estate Planning**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour

**17 - Live Webinar**   
**Business Building Strategies for Lawyers: Using Technology, Finding Clients, Getting Referrals**  
*Presented by the Illinois State Bar Association*  
 MCLE credit TBD

**18 - Teleseminar**   
**Managing Employee Leave**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour



**23 - Teleseminar**   
**Private Placements for Closely Held Businesses, Part 1**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour


**24 - Teleseminar**   
**Private Placements for Closely Held Businesses, Part 2**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour

**24 - Webinar**    
**Fastcase Boolean (Keyword) Search for Lawyers**  
*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
 0.75 MCLE credit hour, including 0.75\* PMCLE credit hour

**30 - Teleseminar**   
**Attorney Ethics in Real Estate Practice**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour, including 1.0\* PMCLE credit hour


## ■ August

**6 - Webinar**    
**Intro to Legal Research on Fastcase**  
*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
 0.75 MCLE credit hour, including 0.75\* PMCLE credit hour

**6 - Teleseminar**   
**UCC Article 9 Update**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour

**8 - Webinar**    
**Advanced Tips for Enhanced Legal Research on Fastcase**  
*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
 0.75 MCLE credit hour, including 0.75\* PMCLE credit hour

**13 - Teleseminar**   
**Asset Protection in Estate Planning**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour

**15 - Teleseminar**   
**Ethics, Virtual Law Offices and Multi-Jurisdictional Practice**  
*Presented by the Illinois State Bar Association*  
 1.0 MCLE credit hour, including 1.0\* PMCLE credit hour

## A Child Custody Trial

*Presented by the  
ISBA Family Law Section*

**Thursday, October 10 –  
Friday, October 11, 2013**

**8:00 a.m. – 5:30 p.m.  
(both days)**

**Eagle Ridge Resort & Spa  
444 Eagle Ridge Drive  
Galena, Illinois**

**16.0 hours MCLE credit, including  
16.0\* hours PMCLE credit**

**Don't miss this  
theatrical demonstration  
of a child custody trial –  
from start to finish!**

The child custody trial is an emotional and distressing time for your client – and because the outcome depends on how effectively you can represent the case to the court, it is imperative that you get the experience you need to confidently guide your client through the process while ensuring a successful end to the case. Join us as judges, experts and experienced practitioners come together for this two-day trial practice demonstration in which opening statements and witness examinations are presented. Each witness examination is followed by an interactive discussion in which the Assistant Judges review and comment on the rulings and testimony with the audience. The trial concludes with closing arguments and the court's decision. Breaks and lunches will be set and witness testimony will be held over until court reconvenes as in an actual trial. Family law attorneys and child law practitioners with all levels of practice experience will benefit from the lessons demonstrated through this mock trial!

The program uses the hypothetical fact pattern, custody evaluation, and GAL report originally presented in ISBA's January/February "Child Custody Litigation" CLE seminar. Program registrants are asked to read/reread these documents, which will be provided to registrants prior to this seminar.

**For more information and to  
register, please visit:**

**[www.isba.org/cle/2013/10/10/  
custodytrial](http://www.isba.org/cle/2013/10/10/custodytrial)**

*\*Professional Responsibility MCLE credit  
subject to approval*

CLE calendar (continued on next page)

CLE calendar (cont. from page 21)

## Upcoming Fall programs

### 20 - Teleseminar

#### Understanding the Law of Debt Collection for Businesses, Part 1

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 21 - Teleseminar

#### Understanding the Law of Debt Collection for Businesses, Part 2

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 21 - Webinar

#### Fastcase Boolean (Keyword) Search for Lawyers

*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
0.75 MCLE credit hour, including 0.75\* PMCLE credit hour

### 22 - Teleseminar

#### Outsourcing Agreements: Structuring and Drafting Issues

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 27 - Teleseminar

#### Buying/ Selling LLC and Partnership Interests

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 27 - Teleseminar

#### Mixed Use Developments in Real Estate: Planning and Drafting Issues

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### SEPTEMBER 2013

### 5 - Teleseminar

#### Generation Skipping Transfer Tax Planning

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 9 - Chicago

#### ISBA Basic Skills Live for Newly Admitted Attorneys

*Complimentary Program Presented by the Illinois State Bar Association*  
6.5 MCLE credit hours, including 6.5\* PMCLE credit hour

### 10 - Webinar

#### Intro to Legal Research on Fastcase

*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
0.75 MCLE credit hour, including 0.75\* PMCLE credit hour

### 10 - Teleseminar

#### Choice of Entity for Real Estate

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 12 - Webinar

#### Advanced Tips for Enhanced Legal Research on Fastcase

*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
0.75 MCLE credit hour, including 0.75\* PMCLE credit hour

### 12 - Chicago

#### Trial Practice Series: The Trial of a Retaliation Case

*Presented by the ISBA Labor and Employment Section*  
6.0 MCLE credit hours

### 12 - Teleseminar

#### UCC 9: Fixtures, Liens, Foreclosures and Remedies

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 16-20 - Chicago

#### 40 Hour Mediation/Arbitration Training

*Presented by the Illinois State Bar Association*  
40.0 MCLE credit hours, including 40.0\* PMCLE credit hours

### 17 - Springfield

#### Fracking in Illinois- Facts and Myths Explained

*Presented by the ISBA Environmental Law Section*  
7.0 MCLE credit hours

### 17 - Teleseminar

#### Transactions Among Partners/ LLC Members and Partnerships/ LLCs- Major Tax Traps for the Unwary

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 19 - Teleseminar

#### Estate Planning to Reflect Religious and Philosophical Beliefs

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 19 - Chicago and Live Webcast

#### Responding to Government Investigations in Health Care

*Presented by the ISBA Health Care Section*  
4.0 MCLE credit hours

### 20 - Peoria

#### DUI & Traffic Updates - Fall 2013

*Presented by the ISBA Traffic Law Section*  
MCLE credit TBD

### 24 - Chicago and Live Webcast

#### Staying out of Trouble: Avoiding Sexual Misconduct and Mismanagement of Client Money

*Presented by the Attorney Registration and Disciplinary Commission*  
2.75 MCLE credit hours, including 2.75\* PMCLE credit hours

### 24 - Teleseminar

#### Update on Advising Physician and Dental Practice, Part 1

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 25 - Teleseminar

#### Update on Advising Physician and Dental Practice, Part 2

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

### 25 - Webinar

#### Introduction to Boolean (Keyword) Search

*Presented by the Illinois State Bar Association*  
*Complimentary to ISBA Members Only*  
0.75 MCLE credit hour, including 0.75\* PMCLE credit hour

### 25-27 - Chicago

#### Advanced Mediation/Arbitration Training

*Presented by the Illinois State Bar Association*  
MCLE credit TBD

### 27 - Collinsville

#### Social Security and SSI Disability Law

*Presented by the ISBA Standing Committee on Disability Law*  
8.0 MCLE credit hour, including 1.0\* PMCLE credit hour

### OCTOBER 2013



### 3-5 - Itasca

#### 9th Annual Solo and Small Firm Conference

*Presented by the Illinois State Bar Association*

### 8 - Teleseminar

#### Ground Leases: Structuring and Drafting Issues

*Presented by the Illinois State Bar Association*  
1.0 MCLE credit hour

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



# ISBA events calendar

2013

**June 20-22 (Thursday-Saturday) Lake Geneva, Wis.**  
137th ISBA Annual Meeting at Grand Geneva Resort

**July 18 (Thursday) Chicago**  
IBF reception for outgoing ISBA President John E. Thies

**July 19 (Friday) Chicago**  
Board of Governors meeting

**October 3-5 (Thursday-Saturday) Itasca**  
Solo & Small Firm Conference at Westin Northwest Chicago

**October 18 (Friday) Chicago**  
Board of Governors Meeting

**October 18 (Friday) Chicago**  
Illinois Bar Foundation Gala

**December 6 (Friday) Chicago**  
YLD Holiday Party

**December 12-14 (Thursday-Saturday) Chicago**  
ISBA Midyear Meeting

Visit [www.illinoislawyernow.com/bar-calendar](http://www.illinoislawyernow.com/bar-calendar) for a list of bar events from around the state.

Find the expert witness or service provider you need at  
[www.isba.org/experts](http://www.isba.org/experts)

Another practice tool from the Illinois State Bar Association.

- Unlike other expert listing services you will never pay a fee to locate an expert.
- The database is easy to search by category.
- You are immediately given contact information for all experts listed.



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*Then You Need to Visit...*

## ISBA Career Center & ISBA Practice Resource Center

The **ISBA CAREER CENTER** focuses on legal jobs only...  
With over 200 jobs currently listed!

- Post an anonymous resume.
- Sign up for an advanced Job Alert system.
- Receive career coaching.
- Pose questions to career experts.
- Access resources ranging from interview tips to sample resumes.

The **ISBA PRACTICE RESOURCE CENTER** is a repository of content, ethics opinions, tools on practice management issues, and discounts on practice-oriented technology.

- Free online legal research via Fastcase.
- Listing on IllinoisLawyerFinder, lawyer referral service.
- Information on hanging out a shingle or selling/closing a practice.
- Peer-to-peer assistance through our e-discussion groups.
- Advice on how to market to and attract new clients.
- Discounts including cloud backup, practice management software, credit card processing for lawyers and website design and hosting.

Visit **WWW.ISBA.ORG**  
*to access these and other great resources!*

CAREER CENTER



PRACTICE RESOURCES



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ILLINOIS STATE BAR ASSOCIATION



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”

**Jon Sherry, Chicago**  
ATG Member since 2006



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NLT | Belvidere | Crystal Lake | Rockford



COVER PHOTO: ISBA award winners (top row, left to right) Angela Wawrzyniek, David Kroeger and Meg Hogan; (bottom row, left to right) Todd Belcore, Jody Raphael, Stacy Campbell-Viamontes and John T. Phipps.



424 South Second Street  
Springfield, Illinois 62701  
[www.isba.org](http://www.isba.org)







ILLINOIS STATE BAR ASSOCIATION  
137<sup>th</sup> ANNUAL MEETING  
GRAND GENEVA RESORT & SPA  
LAKE GENEVA, WI • JUNE 20-22, 2013

*The Road to Leadership*







SUMMER 2013

# ILLINOIS LAWYER

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Vol. 4 • No. 4

QUARTERLY