

**ISBA
Assembly Meeting
December 15, 2012**

**Agenda Item 2C
Minutes**

**MINUTES
MEETING OF THE ASSEMBLY
OF THE ILLINOIS STATE BAR ASSOCIATION
The Abbey Resort**



**ILLINOIS STATE
BAR ASSOCIATION
269 Fontana Boulevard
Fontana, WI**

June 16, 2012

1. Call to Order – John Locallo, President

President Locallo welcomed the Assembly and recognized Chief Justice Kilbride and Justice Lloyd Karmeier. He then asked the Assembly for a Moment of Silence for two very respected members of the Bar who had recently passed away: Kim Presbrey and Philip Corboy.

President Locallo then introduced the 2012-2013 Officers – 136th President John E. Thies; President Elect Paula Holderman, Second Vice President Richard Felice; and Third Vice President Umberto Davi.

2. Report of the Secretary – Russell Scott, Secretary

A. Report on the Notice of the Meeting

Secretary Scott reported that proper notice of the meeting and the agenda for the meeting had been timely mailed in accordance with Assembly Rules. A quorum for this meeting was present.

B. Introduction of new Assembly Members

C. Approval of the Minutes

Motion made, seconded, and carried to approve the minutes of the December 10, 2011, Assembly Meeting.

3. Report of the Agenda & Program Committee – Letitia Spunar-Sheats, Chair

Chair Spunar-Sheats summarized the purpose, membership and procedures of the Assembly Agenda and Program Committee. She recognized and thanked the members of the Committee for their service: Geri Arrindell, Colleen McLaughlin, Robert Park, and Arlette Porter.

Upon the suggestion of Chair Spunar-Sheats, motion made, seconded and carried, the Assembly agenda was adopted.

4. President's Report – John G. Locallo

President Locallo congratulated John E. Thies on his incoming Presidency.

President Locallo noted a number of international ISBA connections including his recent meetings with European Bar Association President and the President of the Moldova Bar Association, who chose the ISBA as a model for setting up the Bar in Moldova.

President Locallo also highlighted accomplishments of the Board of Governors, including the creation of Under Represented Seats to provide the proper balance and leadership on the Board. Vincent Cornelius was appointed to a two-year term and Jessica O'Brien to a one-year term.

President Locallo noted the Practice Tools tab on the ISBA website and a number of new technology-related partners including: Clio (practice management), Corevault (on-line data back-up), and Law Pay (credit card processing).

President Locallo also recognized a number of groups and individuals for helping make his year successful including: Judge Carol Pope of the Illinois Judges Association; Deanne Brown of the Women's Bar Association; and a number of past Presidents: Ole Pace, Bob Downs, Irene Bahr, Joe Bisceglia, Jack Carey, John O'Brien and Mark Hassakis.

5. President-Elect's Report – John E. Thies

President-Elect Thies congratulated John Locallo for being an extraordinary leader of the ISBA.

President-Elect Thies then identified a number of important areas to be addressed during his term as President.

- A. Appointment of a Special Committee to identify and publicize threats to fair and impartial courts due to a lack of adequate funding. It will be chaired by Justice Jim Wexstten and Judge Patty Golden.
- B. Creation of a Special Committee, chaired by Justice Ann Jorgenson and former ISBA Treasurer Dennis Orsey to study the impact of law school student debt on the delivery of legal services.
- C. Appointment of a Special Committee on Judicial Disqualification Standards to be co-Chaired by former Justice Gino DiVito and Warren Lupel in response to increasing public and professional attention to campaign contributions in judicial elections.
- D. Creation of a new program called "Lawyers Feeding Illinois." This will be a campaign to encourage law firms and others to compete against each other to collect non-perishable food and cash donations for the benefit of the eight regional food banks in Illinois.

6. Report of the Assembly Finance Committee – Timothy E. Moran, Chair

President Locallo called upon Assembly Finance Committee Chair, Tim Moran to address the Assembly.

Chair Moran synopsized the purpose, membership and procedures of the Committee and its work with the Board of Governors' Budget and Audit Committee. He recognized and thanked the Committee members for their service: Carey Gill, Honorable Leonard Murray, Frank Perrecone, Tara Ori, and Arlette Porter.

A. Proposed Budget for 2012-2013

1. The budget continues to maintain important, core member services, without an increase in dues. However, it does reflect an anticipated deficit of \$108,000. It takes into consideration a projected decrease of 1.9 % in revenues but also a 1.6 decrease in expenses.
2. Revenue from dues continues to decrease.
3. CLE revenue is anticipated to decrease because (1) this year represents the 2nd half of the alphabet which has fewer people; and (2) with over 900 CLE providers in the State of Illinois, competition is great.
4. The Bank of America Affinity card program is reduced by \$35,000. It was anticipated that this program would expire in September and result in a much greater reduction, but the Bank renewed the program so it will continue to generate revenue.
5. The budget reflects \$125,000 reduction in the strategic marketing program.
6. The net fund balance as of June 30, 2012, is anticipated to be \$5.4 million dollars, with \$3 million as unrestricted funds. These figures reflect overall a good and steady financial health for the ISBA.

Motion made and seconded to approve the 2012-2013 Budget.

Discussion followed the presentation on the following topics:

1. The accuracy of the CLE projections;
2. The significant reduction in strategic marketing;
3. The viability and success of membership campaigns
4. Efforts to increase membership;
5. Elimination of the Mock Trial Program

After discussion, the Assembly voted, and then motion carried.

7. Report on Legislation – Mark Hassakis, Chair

Chair Hassakis made brief remarks and then introduced Jim Covington, ISBA Director of Legislative Affairs, to update the Assembly on legislative activities.

Director Covington reported in part that;

- A. HB 3171, an ISBA initiated bill, concerning accessibility to medical records to family members of decedents passed both chambers and awaits the Governor's signature.
- B. HB 5823 concerning subrogation claims passed both chambers and awaits the Governor's signature.
- C. SB 3592, a bill advocated by the Elder Law Section Council establishing a \$100 fee to open an estate to fund the State Guardianship and Advocacy Commission passed both chambers and awaits the Governor's signature.
- D. HB 4662 and 4663, ISBA initiated legislation, concerning trust modernization passed both chambers and are awaiting the Governor's signature.
- E. SB 2569, ISBA initiated, concerning dissipation claims and child support passed both chambers and awaits the Governor's signature.
- F. HB 6191 and 6192, a comprehensive rewrite of the Illinois Marriage and Dissolution Act that is being considered by the Illinois Family Law Study Committee may result in hearings.
- G. HB 5170, marriage equality, will be referred to all standing committees and section councils along with a request that positions and comments be submitted by October 1, 2012. Board Member Mark Wojcik expressed support and the need for Association action.

8. Election of Assembly Agenda and Program Committee Members

President Locallo announced that three seats were available on the Assembly Agenda and Program Committee and needed to be filled by election. Three candidates were nominated and were duly declared elected: Joel Chupack; Katherine O'Dell; and Tom Bruno.

9. American Bar Association – John E. Thies

- A. Report on Ethics 20/20

President Locallo called upon President-Elect Thies to address the Assembly on certain ABA "Ethics 20/20" matters. President-Elect Thies reported that:

In March, the Board of Governors passed a resolution concerning the efforts within the ABA to change the model rules of Professional Conduct to permit non-lawyer fee splitting, and law firm ownership by non-lawyers. Consistent with the ISBA Board resolution and established ISBA policy, the ISBA filed a report and proposed resolution in the ABA House of Delegates to oppose those efforts.

Joining the ISBA in its efforts were: the ABA Senior Lawyers, and the State Bars of Tennessee, Mississippi, Arizona, North Carolina, and Indiana.

This matter will continue to be closely monitored leading up to formal consideration by the ABA in August, 2012.

B. Resolution on Due Process and Comprehensive Dog Laws

President Locallo called upon Angela Peters to address the Assembly on this ABA Resolution.

Member Peters explained the importance of this ABA Recommendation concerning comprehensive dangerous dog/reckless owner laws. She further noted that the Animal Law Committee reviewed this resolution and gives it complete approval.

Motion made, seconded and carried to adopt this resolution.

10. Report on Illinois Bar Foundation – George F. Mahoney, President

President Locallo called upon IBF President Mahoney to address the Assembly.

IBF President Mahoney reported that the IBF has been extremely busy during this last year and noted a number of accomplishments and developments;

- A. The Development Committee raised \$835,000;
- B. The Illinois Bar Foundation's Open Doorway Campaign seeks to raise 1.5 million over the next three years;
- C. The Gala brought in gross revenue of \$490,000, the highest ever.
- D. The February Buddy Guy's event was the largest attended event the IBF has ever had.
- E. The Board appointed the new Fellows Officers: President, Edward Burt; Vice President, Timothy Kelly; and Secretary, Thomas Else.
- F. Announced significant changes in IBF structure, including one year terms for officers. The new officers include: 3rd Vice President, Elizabeth Kaveny, 2nd Vice President Shawn Kasserman, 1st Vice President James Lestikow, and President, Deb Walker.

8. Resolutions

A. Retiring Assembly Members –

A Resolution in Honor of Retiring Members of the Assembly was read by President-Elect Thies:

Be it resolved that the Illinois State Bar Association, through its duly authorized officers and representatives, expresses its gratitude and appreciation to the following retiring members of the Assembly for their dedicated and important service over a period of years to the Association, the profession, and to our system of justice. They are:

*Kenneth E. Bain
Michael G. Bergmann
Joseph N. Cataldo
John W. Damisch
Mark W. Damisch
Carl R. Draper
Sharon L. Eiseman
Robert D. Fink
Melanie Frazek
Mauro Glorioso
Mark. D. Hassakis
Elizabeth L. Jensen
Jeffrey G. Liss
Richard P. Miller
Christina Mungai
Julie Neubauer
Alan Pearlman
Willis R. Tribler
Beth D. Wade
Michael J. Zink*

B. 2011-2012 President

A resolution honoring ISBA President John G. Locallo was read by President Elect Thies:

Resolution in honor of
President John G. Locallo

Whereas, John G. Locallo, was elected by the membership to serve as the 135th President of the Illinois State Bar Association for 2011-2012; and

Whereas, he recognized the profound impact of technological developments on the practice of law and undertook a comprehensive effort to better educate the practicing bar about the use of technology and placed a strong emphasis on the development of more practice based services for members focusing on technology; and

Whereas, President Locallo embraced the role of being an emissary for the Association, conducting outreach by traveling the entire state to meet with local Bar Associations, engaging in news media interviews around the state and attending Bar events whenever and wherever they were held; and

Whereas, he continued the Association's commitment to diversity in the legal profession through his support of the ISBA's Law and Leadership Institute and by making the first appointments to at-large diversity seats on the Board of Governors reserved for underrepresented sectors of the Bar; and

Whereas, President Locallo raised the level of recognition of the Association within the American Bar Association through his participation in programs presented by the National Conference of Bar Presidents and through serving as a speaker for the ABA's Bar Leadership Institute; and

Whereas, he was instrumental in the process leading up to and including the remodeling of the ISBA Chicago Regional Office, making the facility better able to meet the needs of the members; and

Whereas, President Locallo led the Association during a time of rapid changes in the legal environment affecting our member's professional lives including a greater role for social media and developments in technology on the practice of law and he was successful in focusing the attention of the members on these issues; and

Whereas, he was a tireless supporter of the Illinois Bar Foundation and a star of the IBF's Lawyers Rock Legends fundraising event; and

Whereas, he led a very successful first ever members travel program to South America.

Therefore be it resolved that the Assembly expresses its deep appreciation for the many accomplishments John Locallo provided to the Association during and leading up to his service as president of the Association.

THERE BEING NO FURTHER BUSINESS before the Assembly, motion made, seconded and carried, the meeting was adjourned

Respectfully Submitted: