

# ILLINOIS STATE BAR ASSOCIATION

## **2016-2017 Handbook for Committee and Section Officers**



ILLINOIS STATE  
BAR ASSOCIATION

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# —— I. Calendar of important dates

## **2016-2017 MEETING SCHEDULE (Board of Governors, ISBA Annual & Midyear, and IBF)**

### **2016**

<b>June 16-18 (Thurs. - Sat.)</b>	140th ISBA Annual Meeting, Westin O'Hare, Rosemont, IL
<b>June 16 (Thurs.)</b>	IBF Board of Directors Meeting, Westin O'Hare, Rosemont, IL
<b>June 18 (Sat.)</b>	ISBA Board of Governors Meeting, Westin O'Hare, Rosemont, IL
<b>Sept. (TBD)</b>	IBF Board of Directors Meeting, Chicago
<b>Oct. 14 (Fri.)</b>	IBF Gala, Chicago
<b>Nov. (TBD)</b>	ISBA Board of Governors Meeting, Chicago
<b>Dec. 8-10 (Thurs. - Sat.)</b>	ISBA Midyear Meeting, Sheraton Chicago Hotel & Towers, Chicago

### **2017**

<b>March (TBD)</b>	ISBA Board of Governors Meeting, Springfield
<b>May (TBD)</b>	ISBA Board of Governors Meeting, Naperville
<b>June 15-17 (Thurs. - Sat.)</b>	141st ISBA Annual Meeting, The Abbey, WI
<b>Dec. 7-9 (Thurs. - Sat.)</b>	ISBA Midyear Meeting, Palmer House Hilton, Chicago, IL

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## II. Whom to Contact

### Springfield

424 S. Second St.  
Springfield, IL 62701-1779  
Phone: (217)525-1760  
(800) 252-8908  
Fax: (217)525-0712



**ILLINOIS STATE  
BAR ASSOCIATION**

### Chicago

20 S. Clark St., Ste. 900  
Chicago, IL 60603-1802  
Phone: (312) 726-8775  
(800) 678-4009  
Fax: (312) 726-9071

FOR QUESTIONS REGARDING:	CONTACT:
Address changes	Ann Boucher aboucher@isba.org
Advertising	Nancy Vonnahmen nvonnahmen@isba.org
Law Ed Series	Jeanne Heaton jheaton@isba.org
Legislation	Jill Gilpin jgilpin@isba.org
Newsletters	Katie Underwood kunderwood@isba.org
Reimbursements	Paula Magdich pmagdich@isba.org
Scheduling a meeting/ meeting arrangements	Your staff liaison
Section/Committee Web page	Doug Knapp dknapp@isba.org

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## III. Meetings

As chair of your section council/committee, one of your primary responsibilities will be conducting orderly and efficient business meetings. To best do this, you will need to: (1) review how your section/committee is organized and conducts business, and streamline it for maximum effectiveness within its scope statement; (2) understand the roles of your staff and board liaisons so that you can take full advantage of the resources they provide; and (3) lead productive meetings.

### **Organizing your Section/Committee**

If there are specific projects that your section/committee will need to undertake in the coming year, you may decide to assign subcommittees to take on the work that would otherwise require considerable time commitments from the full council or committee. Subcommittees should meet via conference call and report to the full group. Generally, most section councils have a newsletter, legislation, and CLE subcommittee in addition to other subcommittees more specific to the business of the section council. Subcommittee chairs are selected by the section council chair, and are to be appointed from within the membership of the section council. Within the CLE subcommittee, one member should be appointed as a CLE coordinator. That coordinator may be from outside the section council and be reimbursed, but may not participate in other business of the section council. Additionally, up to two newsletter editors may be appointed and reimbursed. If those editors are from outside the section council, they may not participate in other business of the section council. In the interest of maintaining ISBA resources, chairs are encouraged to appoint a CLE coordinator and newsletter editors from within the members of the section council.

### **The roles of your Staff and Board Liaisons**

Every section and committee is assigned a staff and Board liaison, who serve as the primary contact to the ISBA and Board of Governors, respectively. Board of Governors members are assigned to sections and committees as liaisons, and expected to participate in regular business meetings whenever possible. The Board Liaison serves as a conduit to the full Board and is available to assist the chair or section council/committee in Association matters. The staff liaison facilitates committee operations by acting as the information conduit between the council/committee and ISBA. The staff liaison also assists the chair with planning and administrative responsibilities, but does not actually perform the council's/committee's work. You should copy your staff and Board liaisons on all your communications regarding ISBA matters. Doing this will keep him/her in the loop and will give him/her the ability to address issues on a timely basis. Staff and Board liaisons are not voting members, nor does their presence affect any quorum requirements. A listing of every section and committee and its staff liaisons for the 2015-2016 bar year is at the end of this chapter.

## Scheduling Meetings

Meetings should only be scheduled when there is a good reason to hold a formal meeting. If you feel your agenda is too light to warrant an in-person meeting, do not hesitate to hold a conference call, email discussion, or postpone the meeting. Please remember that most, if not all, members incur significant travel expenses and take time away from their practices to reach meeting destinations. Conference calls are a good option. Meeting locations should be chosen to make most efficient use of ISBA resources.

Once you decide to hold a meeting, your staff liaison will help you secure space at ISBA's Chicago office or another location. Your staff liaison will work with the ISBA meetings coordinator to ensure members are notified of the meeting location, time and date. Meeting notices are sent to the group approximately 4 weeks before the meeting. All section council and committee members, including its officers, are encouraged to RSVP, as this helps ISBA have an accurate count for meeting arrangements.

The ISBA guidelines permit no more than one out-of-Chicago meeting, unless permission otherwise is secured from the Executive Director. While section council/committee meetings should typically be held at the Association's Chicago office, such meetings may be held at other venues. Section/committee meetings can be held at a section/committee member's office, especially if located in downtown Chicago and convenient for the members. In addition, a section/committee can hold one meeting per year (not including a meeting held in conjunction with the Association's Annual Meeting) outside of Chicago. An outside of Chicago meeting that requires facilities for meeting space or lodging must be scheduled 120 days in advance of the meeting. In addition, because of the Association's financial commitment for such meetings, a lack of an in-person quorum 45 days in advance of the meeting will result in the cancellation of the meeting or relocation to the Chicago office if it is available.

Groups with 20 or less members must have at least one conference call meeting in lieu of an in-person meeting during the year. Groups will not be permitted to meet during the lunch hour of CLE programs or any other time where the meeting time will be limited to an hour or less. While section councils/committees may meet in conjunction with an evening meal, that meal will not be reimbursed by the Association and payment is the responsibility of the individual members at the time of the meal. Also, arrangements for such a meeting are not made by Association staff, and must typically be made by the Chair or his or her designee.

Approximately two weeks prior to each scheduled meeting, your staff liaison will forward to you a draft agenda for your review. Once you have approved the agenda, your staff liaison will mail or email it to the group.

- Meetings at the Chicago Office are typically held at 10 a.m., 11 a.m., noon, 2 p.m. or 4 p.m.; 1 p.m. meetings are disfavored and not generally scheduled unless compelling circumstances are present
- Only full section and committee meetings receive breakfast or lunch
- Meetings at 10 a.m., 11 a.m. and noon can receive lunch upon request. Meetings at 10 a.m. may receive box lunches if conference room is needed immediately following meeting.

## **Leading Discussions**

At the meeting it will be up to you to control the discussion and ensure the agenda is followed. Everyone's time is valuable, and the members of your group will appreciate an efficient business meeting. In terms of meetings procedures, be reasonable. However, in the event of procedural controversy or if the issue requires particular precision, the most recent edition of Robert's Rules of Order should be applied. In this regard, and as is frequently asked about, while Chairs may participate in debate they should only vote on a matter when it can affect the outcome of the vote (i.e. to make or break a tie). In this way, the impartiality of the Chair is preserved in most instances.

Make sure that the secretary (or a substitute in the secretary's absence) is recording the summary of the discussion and any votes or positions taken. Meeting minutes, which should reflect what was done at the meeting – not necessarily what was said at the meeting – are required by Association bylaws. Staff liaisons are not responsible for taking minutes.

Finally, the staff liaison should have a pre-printed attendance/CLE sheet for each meeting. The attendance sheet should be set out or circulated for all attendees to sign. Typically, the staff liaison will ensure that all attendees (in-person and on the phone) are recorded as participating. Nevertheless, please make sure everyone who is participating is recorded as being present. If a staff liaison is not present at the meeting, he or she should provide you with the attendance sheet in advance. Further, if the staff liaison is not in attendance, the Chair should collect the attendance sheet at the conclusion of the meeting and email it to the staff liaison within 48 hours of the meeting. This will ensure that attendees are given appropriate CLE credit.

## **Public Statements and Meeting Decorum**

Meetings should be conducted within the bounds of the ISBA Bylaws and Association Structure, Policies and Procedures, which can be found on the ISBA website at <http://www.isba.org/leadership>. Members of section councils and committees represent a wide-range of views on various legal issues and are reminded to be respectful of preserving the decorum of the meeting process to ensure a free exchange of ideas among members. Pursuant to Bylaw 3.8 and Association Structure, Policies and Procedures Section VI, no section council, committee or member thereof shall make a public statement about an action or position taken by the section council or committee, or represent that they speak for the Association without the approval of the President.

## **Budgets, Reimbursements, and Events**

Each section council and committee has a budget. The budget for your year is determined by the Assembly Finance Committee and Board Budget Committee and ultimately approved by the Assembly at the Annual meeting. The budget represents funds for your section council/committee meeting travel and lodging reimbursements, meals, and necessary facilities (if applicable). During the course of your meeting, your staff liaison will make the necessary reimbursement forms available for distribution to your eligible members. These forms are typically signed by the Chair in advance of distribution. If a member forgets to take a form, the staff liaison can sign on your behalf and send the form to the member.

From time to time, a section council/committee may consider holding a non-CLE related special event designed to further its mission, such as a networking or membership recruitment event. The costs of such events (if any) are the responsibility of the section council or committee and are not funded through the section council/committee budget. Fundraising for such events is governed by the Association's formal fundraising policy (available from your staff liaison).

### 2016 - 2017 Staff Liaison Assignments

<b>Committee</b>	<b>Staff Liaison</b>
Amicus	Charlie Northrup
ARDC	Mary Grant
Bar Elections Supervision	Bob Craghead, Bailey Cunnigham
Bar Services and Activities	Alexa Giacomini, Bob Craghead
Budget and Audit	Dennis Archer, Bob Craghead
Continuing Legal Education	Jeanne Heaton
Corrections and Sentencing	Blake Howard
Delivery of Legal Services	Melissa Burkholder
Disability Law	Melissa Burkholder
Government Lawyers	Melissa Burkholder
Illinois Bar Journal Editorial Board	Mark Mathewson
Investments	Dennis Archer
Judicial Advisory Polls	Bailey Cunningham, Brenda Todt
Judicial Evaluations Cook County	Joyce Williams, Bailey Cunningham
Judicial Evaluations Outside Cook County	Bailey Cunningham, Jamie Reynolds
Law-Related Education for the Public	Kim Furr
Legal Education Admissions and Competence	Kim Furr
Legal Technology	Chris Bonjean
Legislation	Jim Covington
Marketing and Communications	Chris Bonjean
Military Affairs	Bailey Cunningham, Tracy Potter
Personnel	Bob Craghead



<b>Standing Committee</b>	<b>Staff Liaison</b>
Professional Conduct	Charlie Northrup Bailey Cunningham
Racial & Ethnic Minorities and the Law	Melissa Burkholder
Scope and Correlation	Bob Craghead
Sexual Orientation and Gender Identity	Melissa Burkholder
Solo and Small Firm Practice Institute Planning Committee	Jeanne Heaton, Alexa Giacomini, Mark Mathewson, Annie Paul
Supreme/Appellate Court Campaign Tone and Conduct	Bailey Cunningham
Supreme Court Rules	Charlie Northrup
Women and the Law	Melissa Burkholder
<b>Section Councils</b>	<b>Staff Liaison</b>
Administrative Law	Melissa Burkholder
Agricultural Law	Kim Furr
Alternative Dispute Resolution	Melissa Burkholder
Animal Law	Blake Howard
Antitrust and Unfair Competition	Melissa Burkholder
Bench and Bar	Melissa Burkholder
Business Advice and Financial Planning	Kim Furr
Business and Securities Law	Mary Grant
Child Law	Bailey Cunningham
Civil Practice and Procedure	Blake Howard
Commercial Banking & Securities	Mary Grant
Construction Law	Melissa Burkholder
Corporate Law Departments	Blake Howard
Criminal Justice	Blake Howard
Education Law	Kim Furr
Elder Law	Melissa Burkholder
Employee Benefits	Blake Howard
Energy, Utilities, Telecommuni- cations and Transportation	Kim Furr
Environmental Law	Blake Howard
Family Law	Mary Grant

<b>Section Councils</b>	<b>Staff Liaison</b>
Federal Civil Practice	Blake Howard
Federal Taxation	Melissa Burkholder
General Practice, Solo & Small Firm	Mary Grant
Health Care	Melissa Burkholder
Human Rights	Melissa Burkholder
Insurance Law	Blake Howard
Intellectual Property	Melissa Burkholder
International and Immigration	Melissa Burkholder
Labor and Employment	Blake Howard
Law Office Management and Economics	Kim Furr
Legal Technology	Chris Bonjean
Local Government Law	Blake Howard
Mental Health Law	Mary Grant
Mineral Law	Kim Furr
Real Estate	Mary Grant
Senior Lawyers	Mary Grant
State and Local Taxation	Mary Grant
Tort Law	Blake Howard
Traffic Laws and Courts	Blake Howard
Trusts and Estates	Melissa Burkholder
Workers' Compensation Law	Blake Howard
YLD (Law Student Division)	Melissa Burkholder, Blake Howard
<b>Special Committees, Task Forces and Assembly Committees</b>	<b>Staff Liaison</b>
Assembly Agenda and Program	Bob Craghead
Assembly Finance	Dennis Archer, Paula Magdich
Assembly Governance	Charlie Northrup
Assembly Resolutions	Charlie Northrup
Assembly Rules and Bylaws	Charlie Northrup
Board of Regents/ISBA Academy of Illinois Lawyers	Bob Craghead
Diversity Leadership Council	Melissa Burkholder

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## IV. Web site

The ISBA provides each section and many of the standing committees with a subsite within the main ISBA website. Each subsite has the following standard features:

- The section/committee mission statement.
- A list of section council/committee members, their company (if applicable), and their city.
- A full-text version of the section/committee newsletter beginning with the 1999 issues available to members of that group. Current newsletter articles are automatically posted on the section homepage.
- Links to the most recent related case digests from E-Clips.
- Upcoming stand alone CLE events sponsored or co-sponsored by the Section.
- A section-members-only discussion group (available to sections but not required).

Virtually all sections also have a links page that is created and maintained by the sections. Sections should review their links page periodically to remove out of date material and add new content. We hope to emphasize quality over quantity. In addition to linking to these pages from the various section pages, the links pages are now accessible from a centralized links section of the website. The purpose of these pages is to provide a valuable resource and to draw in traffic to increase section membership.

We post past minutes of section/committee meetings upon request. Posted minutes are in PDF format and are available to all members of the section. Approved minutes should be created in PDF from the original document, rather than a scan for appearance, file size, and accessibility reasons. To start including minutes on your website, please contact your section's staff liaison to discuss.

Most sections have a section discussion group to which section members can opt-in to pose questions to and share information with fellow section members from around the state.

Each section should assign someone to be their section's website liaison and have that person contact Douglas Knapp so that we may keep you informed of changes and new opportunities for the website. The section website liaison can act as the point of contact to suggest new features for the website or to gauge section interest in other potential features.

If you have questions, please contact Douglas Knapp, Director of Electronic Communications at [dknapp@isba.org](mailto:dknapp@isba.org).

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## V. Legislative Procedures

Your section or committee's email discussion group allows you to review and discuss pending state legislation electronically. ISBA uses this system because of the speed of the legislative process in Springfield. This fall we will send you an e-mail welcoming you to the discussion group and explaining how to send messages to the group. If the ISBA does not have your e-mail address, please send it to Lori Kohlrus, [LKohlrus@isba.org](mailto:LKohlrus@isba.org). If you change your e-mail address, please let Lori know as well.

As chair, we recommend that you appoint a three-member legislative subcommittee to coordinate legislation sent to your Section Council/Committee. Your legislative subcommittee will be responsible for the following:

- Reviewing and collating all comments relating to a piece of legislation;
- Determining the Council's/Committee's position and the reasons supporting that position;
- Sending that position, on behalf of the group, to Lori and to your staff liaison.

If your section/committee has not been sent a bill that you want to review, email Lori and ask for it to be referred to you. It's also helpful for you to let us know what bills are important to your section so that we can set priorities.

It is helpful if your position includes a brief explanation of your position. It makes us more effective if we can explain to a legislator why we took a position. It also makes it easier for us to help the legislator amend his or her bill if we know what's wrong with it.

As a special service to ISBA members only, the Department can help members when they are doing research. The Legislative Info link on ISBA's web page also gives directions on legislative research at [www.isba.org/legislative](http://www.isba.org/legislative).

We also encourage you to contribute to LAWPAC (Illinois Lawyers' Political Action Committee). LAWPAC plays a meaningful role in supporting those who support improving the administration of justice. You can contribute online at this link <https://www.isba.org/legislative/lawpacontribution> or download a form at <http://www.isba.org/sites/default/files/committees/lawpac.pdf>.

Please help us help you by reminding your section/committee to contribute to LAWPAC.

Contributions or gifts to ISBA LAWPAC are not tax deductible as charitable contributions. A copy of our report filed with the State Board of Elections is (or will be) available on the Board's official website [www.elections.il.gov](http://www.elections.il.gov) or for purchase from the State Board of Elections, Springfield, Illinois.

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## **VI. Supreme Court Rules**

From time to time the Supreme Court announces a public hearing on proposed new or amended Supreme Court Rules. The public hearing and concurrent call for written comments is typically the only opportunity for the ISBA to comment on the proposed rules. It is an important opportunity for the ISBA and your section or committee to be heard.

When proposed rules are announced a short period of time for public comment is provided. During this time your section/committee may be asked to review and provide comments to the proposed rules on an expedited basis. This review can occur at a meeting (in person or telephonically) or electronically via email or your group's listserv. Your group's position and, more importantly, the substantive rationale for it is critical. This information will be conveyed to the Board of Governors when considering a formal position to be provided to the Supreme Court. Depending on the issue, a knowledgeable member from your group may be asked to present the ISBA position at the public hearing.

In addition to commenting on proposed rules, your section or committee may wish to propose a new or amended rule. If so, once your group has drafted a proposal and a supporting memorandum fully explaining it, the proposal should be forwarded through your staff liaison to the ISBA General Counsel. Other groups may then be asked to comment on it and the proposal will then be referred to the Board of Governors for action. If approved by the Board, the matter will be formally submitted to the Court for its review and consideration.

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## VII. Public Affairs

**Ask A Lawyer Videos** – ISBA sections are invited to propose topics and guests to appear in brief videos (5 minutes or less) explaining matters of law to the public. These videos will be featured on the ISBA consumer website and on YouTube at [www.youtube.com/isbalawyer](http://www.youtube.com/isbalawyer).

The Annual Meeting is a good time for Sections/Committees to consider topics within their expertise that would be of interest to a general audience. The Marketing & Communications Committee will be supervising the production of these videos. The proposal form is available at [www.isba.org/videos/askalawyerproposals](http://www.isba.org/videos/askalawyerproposals)

**Public Information Pamphlets** – ISBA publishes a series of public information pamphlets intended to inform the public of their basic legal rights and responsibilities. Pamphlets are available in printed form and also are made available electronically on the ISBA homepage and the consumer website. Sections are asked periodically to review existing pamphlets that relate to their practice areas, and may propose new titles. The Marketing & Communications Committee oversees publication and review of the pamphlets.

**ISBA's Consumer Site on the Web** – ISBA's online site for consumers, including the Illinois Lawyer Finder services, is at [www.illinoislawyerfinder.com](http://www.illinoislawyerfinder.com). This site is our main source of outreach to the public to provide legal information and assistance in finding a lawyer.

**ISBA Social Media** – The ISBA is active on Twitter (@ISBALawyer), Facebook, LinkedIn, and YouTube. Connect with ISBA on Twitter, Facebook, and LinkedIn for ISBA updates, best practice tips, the latest in legal news, and to communicate with fellow members. Our YouTube channel offers playlists to benefit your practice including Tech Tips and Quick Takes for Your Practice.

- Twitter: [twitter.com/ISBALawyer](https://twitter.com/ISBALawyer)
- Facebook: [facebook.com/ISBALawyers/](https://facebook.com/ISBALawyers/)
- LinkedIn: <http://bit.ly/24IloJw>
- YouTube: [youtube.com/user/ISBALawyer](https://youtube.com/user/ISBALawyer)

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## VIII. Publications

The ISBA produces a variety of publications aimed at informing and assisting the busy legal practitioner. With a monthly magazine and newspaper, nearly 40 substantive newsletters and a variety of books to choose from, attorneys are sure to be at the forefront of any legal issue!

### ***ISBA E-Clips***

E-Clips, ISBA's e-mail legal news and case digest service, is one of our most popular member services. It contains Illinois and seventh circuit case digests, with links to the full text slip opinions on the official court Web sites. E-Clips also includes links to law-related news stories from major Illinois newspapers statewide, legislation, and selections from the ISBA Law Ed calendar. E-Clips is available as a daily and a weekly.

### ***Illinois Lawyer Now***

Illinois Lawyer Now is our principal source for breaking news about ISBA and the legal community. We scan the legal world each day for items of interest to ISBA members and make them conveniently accessible at [IllinoisLawyerNow.com](http://IllinoisLawyerNow.com). You'll find news about legal developments, practice management, CLE, people, events, and member services, along with great photos. The frequent postings are archived by date and can be sorted by geographic region of the state. All posts are e-mailed to the entire membership in Illinois Lawyer Now Weekly.

### ***Illinois Bar Journal***

The award-winning Illinois Bar Journal features practice-oriented articles and columns written by lawyers for lawyers in a clear, no-nonsense style. The IBJ focuses on new statutes, important new cases, and the legal developments that you and your colleagues grapple with in the real world of lawyering. It's not a law review – it's "news you can use" for the Illinois legal community. The print version goes out monthly to every member, and online issues are optimized for mobile devices and fully searchable back to 1998. Visit [www.isba.org/ibj](http://www.isba.org/ibj) to learn how to write for and advertise in the IBJ.

### ***ISBA Books***

The ISBA produces twenty or so books and offers discounts on publications from the ABA Press and other vendors. You'll find a complete list on the ISBA Web site (see the Bookstore under the *Publications* tab).

### ***IllinoisBarDocs***

IllinoisBar Docs is the ISBA's new legal forms product. It is a fully automated document

assembly system built upon a library of forms that are drafted by recognized Illinois attorneys. IllinoisBarDocs uses cloud-based software and is available only to ISBA members for either a monthly or yearly subscription fee. You can find out more on the ISBA Web site (see "IllinoisBarDocs" under the Practice Tools tab).

## **Newsletters**

The ISBA publishes nearly 40 section newsletter titles, each of which provides subscribers with at least four issues every year. As the primary benefit of section membership, the newsletter is a vital link between the Section or Committee and its members. Advertising is accepted; contact Nancy Vonnahmen for rates and publication schedules.

As chair, you have only two obligations when it comes to the newsletter program: (1) to appoint an editor or editors, and (2) to assist the editor in whatever way he or she needs to ensure that your section/committee publishes at least four issues in the upcoming bar year.

You may wish to reappoint last year's editor or editors, if they are willing to serve again. Please note, however, that editors must be members of the ISBA, and the ISBA will only reimburse two editors who are not members of the section council. That is to say, if you appoint four co-editors, none of whom are members of the section council, it is your duty to specify which two will be reimbursed for travel expenses.

Please observe the following designations when making your appointments:

**Editor:** A person or person(s), appointed to the section council, who prepares the section's newsletter by compiling written articles and working directly with the ISBA's Newsletter Managing Editor.

**Co-Editors:** Additional personnel appointed to the section council who assist the editor in preparing the section's newsletter.

**Associate Editor:** A person NOT appointed to the section council who assists in the preparation of the section's newsletter.

**Author:** writers/contributors to a newsletter

It is important that you notify Katie Underwood, Newsletter Managing Editor, of your appointments as soon as they are made and accepted. You can e-mail Katie at [kunderwood@isba.org](mailto:kunderwood@isba.org) to let her know of your appointment(s).

After you appoint your editor(s) it is imperative that you communicate with him or her throughout the remainder of the bar year. If your section is having trouble coming up with material or maintaining its publication schedule, you may be called upon to write articles or help solicit articles from other council members.



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## IX. Illinois Bar Foundation

Established in 1951, the mission of the Illinois Bar Foundation is to ensure meaningful access to the civil justice system, especially for those with limited means, and to assist lawyers and their families who can no longer support themselves due to incapacity or other tragedy.

Last fiscal year, primarily because of the generosity of ISBA members and their law firms, the Foundation distributed approximately \$750,000 in access to justice funding through grants to legal aid organizations across the state of Illinois and programs that provide navigational and procedural guidance inside courthouses, in addition to support to attorneys and their families. The Foundation's staff and board carefully consider all requests for support to ensure resources are effectively used to achieve this mission.

A key source of support for the Foundation comes from the Fellows of the IBF. This exclusive group of approximately 400 dedicated attorneys and non-attorney Foundation supporters have made pledges, payable over 10 years, ranging in amounts from \$1,000 to \$25,000. These Fellows also participate in regular events around the State in which they honor colleagues for their professional and charitable leadership.

The IBF also raises funds throughout the year by hosting a number of events, including the Annual Black Tie Gala. Each year at the Gala, the IBF honors a respected member of the legal profession with the Distinguished Award for Excellence while simultaneously raising more financial support for the cause than any other effort throughout the year. Every spring, the IBF also hosts their annual concert fundraiser, Lawyers Rock, which features local bands comprised of attorneys and judges rocking out for justice.

The IBF is also supported by the Lincoln Legacy Society, established in 2009 to honor and recognize those friends of the Foundation who have made a financial commitment to the IBF through their estate planning.

Every day the IBF sees the critical unmet need for access to justice for low-income residents and lawyers that have fallen on hard times, but also witnesses the tireless generosity of Illinois attorneys to meet these needs.

Your continued support of these efforts makes a lasting impression in the lives of everyday people across this great State. Together, the ISBA and IBF are building a stronger community for generations to come.

For further information on the Illinois Bar Foundation, please visit the IBF's website at [www.illinoisbarfoundation.org](http://www.illinoisbarfoundation.org), or call 312.726.6072.

# — X. Continuing Legal Education

Law Ed Programs are one of the top reasons for ISBA membership. It's important that section and committee chairs take a leadership role in planning and proposing programs to the ISBA Standing Committee on Continuing Legal Education that will meet members' needs.

The top tips you should know about ISBA Law Ed are as follows:

- The Chair appoints a lead CLE Coordinator with ISBA CLE experience to plan the requested number of programs for your section or committee. It does not have to be a regularly appointed council member. Please notify ISBA staff of your appointee's name before Annual Meeting
- Send new coordinators to the training program on Saturday, June 20 during Annual Meeting
- A liaison from the CLE committee will be appointed to collaborate with you as you develop your programs. ISBA staff is also available to help
- Check page 18 for the number of programs requested from your section or committee
- Check page 24 for your designated program dates and other available dates on the new CLE Curriculum Calendar
- ISBA's Free CLE program is extremely popular so check your listings in the ISBA catalog at <http://onlinecle.isba.org> to see what topics are missing and plan programs to fill those voids
- Know your audience – it's Online
- Plan more webcasts and webinars and fewer live programs because live onsite program attendance is declining dramatically!
- Have your coordinator complete and timely submit the CLE proposal Forms found online at [www.isba.org/cle/coordinators](http://www.isba.org/cle/coordinators)
- Have your faculty access the resources on ISBA website at [www.isba.org/cle/faculty](http://www.isba.org/cle/faculty)
- Save the Date of August 26 for complimentary faculty training for your speakers and potential new speakers

## Program Formats and Proposal Deadlines

### Live Onsite Programming

**Live onsite at any location.** Live Onsite programming in the ISBA Chicago Regional Office has the option of simultaneous live webcasting.

Submission Deadlines	Presentation Dates
7/15	Dec./Jan.
9/15	Feb./March
11/15	April/May
1/15	June
3/15	Sept.
5/15	Oct./Nov.

### Webcasts or Webinars

**No onsite audience.** Webcasts are offered as a video aired simultaneously while recording. Studio presentations are recorded at the ISBA Regional Office in Chicago, Illinois. Webinars may be conducted from the presenter's office via phone and internet.

Submission Deadlines*	Presentation Dates
7/15	Oct./Nov.
9/15	Dec./Jan.
11/15	Feb./March
1/15	April/May
3/15	June
5/15	Aug.

*\*For "hot topics" you may request an expedited schedule for your recording date.*

## After the program

ISBA staff is here to help.

- Jeanne B. Heaton - Director of Continuing Legal Education, JHeaton@isba.org
- Annie Moredock - Program Coordinator, Amoredock@isba.org
- Staci Howard-Curtis - CLE Copywriter/Editor, SCurtis@isba.org
- Jacquie Wolf Harris - CLE Registration Coordinator, Jwolfharris@isba.org
- Ashley Van De Velde - CLE Administrative Assistant, Avandeveld@isba.org
- Julia Gentile - CLE Compliance and Accreditation Coordinator for MCLE and PMCLE, Jgentile@isba.org

## **ISBA Law Ed Section & Committee Annual Programming Expectations**

### **Requested Minimum Number of CLE Proposals Per Section or Committee 2016-2017 Fiscal Year**

#### **WEBCASTS/WEBINARS**

<b>Section</b>	<b>One to Two Hour Live Webinars or Webcast Programs<sup>1</sup> (Panel Format)</b>
Administrative Law	1
Agricultural Law	2
Alternative Dispute Resolution	2
Animal Law	1
Antitrust and Unfair Competition	1
Bench and Bar	2
Business Advice, Collections, & Financial Planning	2
Business & Securities Law	2
Child Law	1
Civil Practice & Procedure	2
Commercial Banking, Collections, & Bankruptcy	2
Construction Law	2
Corporate Law Departments	2
Criminal Justice	2
Education Law	1
Elder Law	2
Employee Benefits	1
Energy Utilities Trans & Tele	1
Environmental Law	1
Family Law	2
Federal Civil Practice	2
Federal Taxation	2
General Practice, Solo and Small Firm	2
Health Care	2
Human Rights	1
Insurance Law	2
Intellectual Property	2
International & Immigration Law	1

<b>Section</b>	<b>One to Two Hour Live Webinars or Webcast Programs<sup>1</sup> (Panel Format)</b>
Labor & Employment Law	2
Local Government Law	2
Mineral Law	1
Real Estate	2
Senior Lawyers	1
State & Local Taxation	2
Tort Law	2
Traffic Laws & Courts	2
Trusts & Estates	2
Workers' Compensation	2
Young Lawyers Division	1
<b>Committees</b>	
Committee on ARDC	1
Committee on Corrections & Sentencing	2
Standing Committee on Disability Law	2
Committee on Government Lawyers	2
Committee on Law Office Management & Economics	2
Committee on Legal Technology	1
Committee on Mental Health Law	1
Committee on Military Affairs	2
Committee on Racial & Ethnic Minorities	2
Committee on Sexual Orientation & Gender Identity	2
Standing Committee on Women & the Law	2

<sup>1</sup> It is recommended that the sections and committees with two webcast/webinars requested present one in the spring and one in the fall each year.

**LIVE ONSITE PROGRAMS**  
Based on Section Size

<b>Section/Committee</b>	<b>Live Onsite Programs Requested</b>
Civil Practice & Procedure	2
Commercial Banking, Collections, & Bankruptcy	1
Criminal Justice	1
Elder Law	1
Family Law	2
General Practice, Solo and Small Firm	1
Labor & Employment Law	1
Tort Law	1
Real Estate	2
Trusts & Estates	2

**LIVE ONSITE PROGRAMS**  
Based on Historical Practice

<b>Section/Committee</b>	<b>Live Onsite Programs Requested</b>
Agriculture Law	1
Animal Law	1
Bench and Bar	2
Business and Securities (biennial Back to Basics)	1
Child Law (biennial Back to Basics)	1
Delivery of Legal Services	1
Environmental Law	1
Federal Civil Practice	1
Federal Taxation	1
Insurance Law (biennial Back to Basics)	1
Senior Lawyers	1
Traffic Law and Courts	2
Workers Compensation (biennial Back to Basics)	2
Young Lawyers	1

I. Proposal expectations are based on historical program success and “active”<sup>2</sup> membership numbers:

- Sections with active membership of less than less than 250 are not expected to present a live onsite program, but are expected to present at least one web based program per year.
- Sections with active membership of 250 - 700 are not expected to present a live onsite program but are expected to present at least two web based programs per year.
- Sections with active membership of 700-1500 are expected to propose at least two web based programs and one live onsite program title per year, including a Back to Basics program biannually.
- Sections with active membership of more than 1500 are expected to propose at least two web based programs and two live onsite program titles per year, including an annual Back to Basics program.

II. Back to Basics

As part of the expected programs, Back to Basics programs are recommended for the following section councils on an annual or biennial basis. All Back to Basics program will be offered with an on-site audience.

<b>Annual:</b>	<b>Biennial:</b>
Civil Practice and Procedure	Child Law
Family Law	Commercial Banking, Collections, & Bankruptcy
Real Estate	Business and Securities
Tort Law	Criminal Justice
Trusts and Estates	General Practice, Solo and Small Firm
	Insurance Law
	Labor and Employment
	Workers' Compensation

III. Electronic CLE

- To meet current market demands for increased electronic CLE and to improve the quality of ISBA CLE, the sections and committees indicated in the chart above should plan and provide:
  1. A minimum of two web based CLE programs, one to two hours in length, in an interview/panel presentation format. This program may be a new topic or a highly rated repeat topic from one of the live programs.
  2. Additional hot topic one to two hour CLE web based programs, upon request, if a topic warrants a short program.
- Live programs of one to two hours total length may be moved to live web based production in lieu of live presentation.
- Live programs with historical attendance of less than 20 may be moved to live web based production in lieu of live presentation.

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<sup>2</sup>Active Membership is based on dues paying Section Members

## Master ISBA CLE Curriculum Calendar FY 2016-17

### I. Goals:

- Improve the quality, breadth and depth of the CLE curriculum for our ISBA members
- Present the curriculum in a more balanced time frame
- Give Sections and Committees earlier notice of their program date(s)

### II. Basis for Content in CLE Curriculum Calendar:

- Requested programming based on section size
- Back to Basics programs needed
- Historical program practices based on attendance and online views
- Content needed for ISBA's Online CLE catalog due to expiring programs
- Space and resource availability
- The popularity of online delivery formats (*Last year and currently, over 70% of all ISBA CLE hours are being delivered electronically online*)

### III. Live Onsite Programs

Programs with a live on-site audience, (**full day** (preferred; 6 + hours) or **half day** (3.5 + hours) programs); will be **recorded** and made available in the online CLE store and scheduled as follows:

- At the **ISBA Annual Meeting**, the CLE committee will provide a CLE Curriculum Calendar with specific dates for Live Onsite programs for the upcoming Spring Semester (*Based on Requested Programming Needs and Historical Practices*)
- At the **ISBA Midyear Meeting**, the CLE committee will provide a CLE Curriculum Calendar with specific dates for Live Onsite programs for the upcoming Fall Semester (*Based on Requested Programming Needs and Historical Practices*)
- Sections or committees (other than those already listed on the Master CLE Curriculum calendar provided by the CLE Committee) may request a live on-site program that will be reviewed on an individual basis through the routine proposal process
- Proposals are still required from each section or committee for all live onsite programs

*If the date provided is unworkable, the section may contact the ISBA CLE Program Coordinator to determine a different date within the assigned semester.*

### IV. Live Studio Webcasts and Webinars

In addition to the on-site programs, CLE Coordinators are asked to submit proposals for **live webcasts or webinars**,<sup>3</sup> selecting from the available dates on the Master CLE Curriculum Calendar. These programs will not have an audience on-site, but will have a

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<sup>3</sup> Webcasts stream a live video feed of the speaker and must be recorded at the ISBA Chicago Regional Office; webinars are audio only and presenters can speak from any location equipped with a land-line telephone and computer. Both formats broadcast to live online viewers.



live online audience and should be 1-2 hours long. Approved programs will be recorded and made available in the online CLE store if evaluation score standards are achieved.

## **V. Hot Topics**

Approximately one day per month will be identified as “Hot Topic” days and will be reserved for programs about recent changes in the law. The format of the program (webcast, webinar, live on-site) will be determined by the CLE Coordinator, CLE Committee and CLE department staff on an individual basis.

## **VI. Proposals**

All program proposals will be reviewed on the following criteria:

- Program topic(s)
- Completeness and accuracy of proposal
- Demand for CLE programs
- Current programs available in the Online CLE catalog and expiration date
- Availability in CLE schedule

## **VII. Benefits to Having Master Curriculum Calendar**

### ***CLE Coordinators and Sections and Committees:***

- Knowing the program date in advance helps to identify and schedule speakers
- Having a simplified CLE Proposal process—less back and forth with availability of space and dates
- Requirements for each section will be known well in advance of the upcoming semester
- “Hot Topic” dates will be identified and available closer to the program date
- Knowing available webcast times will help with scheduling speakers

### ***ISBA Members:***

- Well-rounded catalog of on-demand programming
- Less likely to have on-site programs canceled due to low attendance
- Advance notice of what will be offered as live on-site programs and when so they can schedule accordingly

**Spring 2017 Live On-Site Program CLE Curriculum Calendar  
(Requested Programming Based on Section Size and Program History)**

<b>Section Council or Standing Committee</b>	<b>Proposed Date*</b>	<b>Location*</b>
Basic Skills	Friday, January 20, 2017	CRO
Agricultural Law	Friday, February 03, 2017	TBD Downstate
Federal Taxation	Friday, February 03, 2017	CRO
Workers Compensation	Monday, February 20, 2017	CRO and Fairview Heights
Tort Law	Friday, February 24, 2017	CRO
Animal Law	Friday, March 03, 2017	CRO
Family Law	Thursday, March 09, 2017- Friday, March 10, 2017	New Orleans
General Practice, Solo and Small Firm	Friday, March 17, 2017	Quincy
Traffic Law and Courts	Thursday, April 06, 2017- Friday, April 07, 2017	TBD Suburbs
Civil Practice & Procedure	Wednesday, April 19, 2017	Starved Rock State Park
Elder Law	Thursday, April 27, 2017- Friday, April 28, 2017	CRO
Federal Civil Practice	Wednesday, May 03, 2017	CRO or Standard Club
Environmental Law	Thursday, May 04, 2017- Friday, May 05, 2017	CRO
Real Estate	Thursday, May 11, 2017	Lombard
Trusts & Estates	Friday, May 19, 2017	CRO
Solo and Small Firm Practice Institute Series	Friday, June 02, 2017	Naperville
Bench and Bar	TBD	CRO
Young Lawyers	TBD Feb	CRO
40 Hour Mediation/Arbitration Training	TBD Feb	CRO
Labor & Employment Law	TBD March	TBD
Solo and Small Firm Practice Institute Series	TBD March	Quad Cities

\*Not final until a proposal is received and approved

**Spring 2017 dates available for other live, on-site programming:**

- Friday, January 27, 2017
- Friday, March 17, 2017
- Friday, May 12, 2017
- Thursday, May 25, 2017
- Friday, June 2, 2017

Two programs may be scheduled for the same day, as long as they are non-competing topics and in different locations.

**ISBA CLE Committee Liaison Assignment List - 2016 -17**

<b>Section/ Committee</b>	<b>CLE Committee Member Liasion</b>
Administrative Law	Eric Hanson
Agricultural Law	Heather McPherson
Alternative Dispute Resolution	Kelly Garret Hicks
Antitrust	Theresa Dollinger
Animal Law	Lisa Nyuli
Bench & Bar	Hon. Julie Katz
Bus. Adv. & Fin. Planning	Barbara Delanois
Business & Securites Law	Tanya Witt
Child Law	Pamela Kuizniar
Civil Practice	Tim Storm
Commercial Banking, Collections & Bankruptcy	Paul Osborn
Construction Law	
Corporate Law Dept.	Ryan Gammelgard
Criminal Justice	Timothy Ting
Education Law	Mary Fontana
Elder Law	Heather McPherson
Employee Benefits	
Energy, Utilities, Transportation & Telecommunications	
Environmental Law	Randy Cox
Family Law	Pam Kuzniar
Federal Civil Practice	Theresa Dollinger
Federal Tax	Timothy Ritchey
General Practice	Tim Storm
Health Care	Timothy Ritchey
Human Rights	Annemarie Kill

Insurance Law	Tim Ritchey
Intellectual Property	Ed Huntley
International & Immigration Law	Michael Lied
Labor & Employment	Michael Lied
Local Government	Carol Casey
Mental Health Law	Carol Casey
Mineral Law	Carol Casey
Real Estate	Janet Grove
Senior Lawyers	Janet Grove
State & Local Tax	Paul Osborn
Tort Law	Eric Hanson
Traffic Laws & Courts	Randy Cox
Trusts & Estates	Heather McPherson
Workers' Compensation	Edward Huntley
Young Lawyers	Mary M. Fontana
ARDC	Deborah Besserman
Corrections and Sentencing	Edward Huntley
Delivery of Legal Services	Hon. Julie Katz
Disability Law	Lisa Nyuli
Government Lawyers	Edward Huntley
Law Office Management & Economics	Nancy Easum
Legal Technology	Eric Hanson
Military Affairs	Nancy Easum
Racial & Ethnic Minorities in the Law	Timothy Ting
Sexual Orientation and Gender Identity	Annemarie Kill
Women and the Law	Annemarie Kill

## Section Council Active\* Membership Counts - As of 2/28/2016

Administrative Law	206
Agricultural Law	273
Alternative Dispute Resolution	262
Animal Law	109
Antitrust	89
Bench & Bar	254
Bus. Adv. & Fin. Planning	446
Business & Securities Law	620
Child Law	212
Civil Practice	2,097
Commercial Banking	771
Construction Law	275
Corporate Law	406
Criminal Justice	839
Education Law	239
Elder Law	733
Employee Benefits	191
Energy, Utilities, Transportation & Telecommunications	98
Environmental Law	242
Family Law	1,676
Federal Civil Practice	302
Federal Tax	435
General Practice	850
Health Care	446
Human Rights	86
Insurance Law	531
Intellectual Property	395
International Law	182
Labor & Employment	875
Law Office Management and Economics	266
Legal Technology	223
Local Government	523
Mineral Law	81
Real Estate	2,020
State & Local Tax	284
Tort Law	1,279
Traffic Laws & Courts	586
Trusts & Estates	1,792
Workers' Compensation	693

\* Active Membership is based on dues paying section members

## ISBA CLE GUIDANCE AND POLICIES

- ISBA Pricing Policy on Attendance at CLE Programs  
By Sponsoring Section Council/Committee Members .....page 29
- ISBA Pricing Policy for a Legal Services Attorney .....page 29
- ISBA Guidelines for Offering MCLE Credit for  
Law Office Management, Legal Technology, Social Media  
and Film/TV Courses .....page 30
- ISBA Destination CLE Guidelines.....page 38
- ISBA LawEd Financial Contributor Subsidized CLE Policy.....page 40
- ISBA Law Ed Financial Contributor Policy.....page 41
- ISBA's Lawyer to Lawyer Mentoring Program.....page 43

## **ISBA Pricing Policy on Attendance at CLE Programs** **By Sponsoring Section Council/Committee Members**

Because there are many costs associated with presenting a CLE program – venue, materials, publicity, MCLE per capita fees, refreshments, and administrative overhead costs – all sponsoring section council/committee members attending are required to register and pay fees, with the following exceptions and conditions:

- 1) Speakers and one Moderator per program are registered for and earn MCLE credit for their programs at no charge and may be reimbursed in accordance with ISBA Law Ed reimbursement policies.
- 2) Additional moderators beyond the moderator designated in (1) above and program coordinators may register and attend at the New Attorney Member rate for the specific program.
- 3) Sponsoring section council/committee members are entitled to a \$10 discount on registration fees for half-day and full-day programs. (Membership in more than one sponsoring entity does not entitle attendee to multiple \$10 discounts.)
- 4) Registration fees apply regardless of whether a sponsoring section council/committee member seeks to earn MCLE credit for the program.

ISBA recognizes the contributions of our section council and committee members in conducting the work of the Association. ISBA duly records and tracks the free MCLE credits earned by members at section council and committee meetings that qualify under Supreme Court Rule 795(d)(3).

## **ISBA Pricing Policy on CLE for a** **Legal Services Attorney**

A Legal Services Attorney may attend specified ISBA Law Ed programs at a reduced fee (\$25 for ISBA members/\$75 non-member half day and \$100 non-member full day), if the attorney submits to ISBA a written request to attend the program, at least 10 days prior to the program, with documentation that the attorney:

1. works for a not-for-profit, non-governmental organization whose mission is to provide quality civil legal assistance to low-income persons; and
2. works in either:
  - a. a full-time position; or
  - b. a part-time position and the attorney receives no income through the practice of law, unless the income is paid by the Legal Services entity.

(Documentation form available at <http://www.isba.org/cle/lsa.>) No other discounts apply.

**ISBA Guidelines for Offering MCLE Credit for  
Law Office Management and Legal Technology Courses**  
*Revised May 2016*

**I. IL Supreme Court MCLE Accreditation Standards For All Courses:**

1. The course or activity must have significant, intellectual, educational, or practical content, and its primary objective must be to increase each participant's professional competence as an attorney. (Ill. S. Ct. R. 795(a)(1);
2. The course or activity must deal primarily with matters related to the practice of law. (Ill. S. Ct. R. 795(a)(2).

**II. IL Supreme Court Commission on Professionalism–  
Guidelines for Suggested Topics of Professionalism CLE:**

- Relationship between legal practice and technology
- Motion and trial practice, deposition training, negotiation strategies, settlement simulations, mediation, etc.
- Effective legal research techniques
- Law practice management
- Client communication and client relations
- Managing client concerns and expectations
- Techniques to address the misuse and abuse of discovery and litigation
- Billable hours and responsible fee structures
- Pro bono training
- The lawyer's responsibility for improving the administration of justice
- The lawyer's responsibility to ensure access to the legal system
- Sexual harassment training

Illinois Supreme Court Commission on Professionalism, Professional Responsibility Education Guide, [http://www.2civility.org/programs/cle/professional-responsibility-cle-guidelines/\(2015\)](http://www.2civility.org/programs/cle/professional-responsibility-cle-guidelines/(2015))

**III. MCLE Board Guidance on LOM, Technology & Social Media Courses**

As with any other course, to qualify for CLE credit a course or segment must adhere to the standards of MCLE Rules 795(a)(1) and (2) cited above.

**1. Business development and marketing topics** that include information on approaches, strategies and techniques available to attorneys in developing business and marketing in their law practice may meet these standards. It is important that business development and marketing topics focus on or highlight their use in a law practice. This is the case even if the topics might well be useful in other contexts as well.



By way of example, the content of a course on business development or marketing is generally eligible for accreditation if it:

- Includes legal content (e.g., laws involving business development or marketing); or
- Is tailored primarily for attorneys (e.g., adherence to the Rules of Professional Conduct when engaging in business development or marketing, the risks and/or benefits of using certain approaches, strategies or techniques in business development or marketing as an attorney, and/or teaching on or discussion of situations encountered when an attorney uses the certain approaches, strategies or techniques in business development or marketing); or
- Includes course content that conveys general information on the approaches, strategies and techniques of business development or marketing by an attorney or issues, situations, risks, benefits and ethical considerations of using certain business development and marketing approaches, strategies and techniques as an attorney.

Courses also may qualify for Illinois CLE credit if they address the “how-to” of business development or marketing. This may even include general business development or marketing programs but the course needs to be tailored for an attorney audience or application. MCLE Rules 795(a)(1) and (2). A course on business development or marketing might, for example, show how certain business development and marketing approaches, strategies and techniques apply specifically to an attorney and the unique challenges and limitations faced by attorneys in business development and marketing. ***The key is that the course is relevant to and has a demonstrable application to a law practice.*** (emphasis added).

[https://mcle.custhelp.com/app/answers/detail/a\\_id/614/kw/business%20courses.pdf](https://mcle.custhelp.com/app/answers/detail/a_id/614/kw/business%20courses.pdf) (Posted 5/14/13)

Marketing or business development courses include the following content:

- Rainmaking
- Marketing strategies
- Business advice, generation and development
- Business etiquette
- Networking skills
- General information on utilization of websites, social networking and software/applications for marketing and business development.

Pay special attention to Rule 795 which discusses course content and the presenter’s education training, and background in the legal topic(s) presented.

[https://mcle.custhelp.com/app/answers/detail/a\\_id/534/kw/Business%20development%20and%20marketing%20topics](https://mcle.custhelp.com/app/answers/detail/a_id/534/kw/Business%20development%20and%20marketing%20topics) (posted July 2013).

2. **Law Practice Management topics** include information on the unique challenges and requirements which attorneys are confronted with when managing a law practice may meet these standards. It is important that general management topics focus on or highlight their use in a law practice. This is the case even if the topics might well be useful in other contexts as well. By way of example, the content of a course on law practice management is generally eligible for accreditation if it:

- Includes legal content (e.g., laws involving technology such as privacy or intellectual property); or
- Is tailored primarily for attorneys (e.g. adherence to the Rules of Professional Conduct when managing a law practice, the risks and/or benefits of using certain approaches, strategies or techniques in managing a law practice as an attorney, and/or teaching on or discussion of situations encountered when an attorney uses the certain approaches, strategies or techniques in management); or
- Includes course content that conveys general information on the approaches, strategies, and techniques of law practice management by an attorney or issues, situations, risk, benefits, and ethical considerations of using certain management approaches, strategies, and techniques as an attorney.

Courses also may qualify for Illinois CLE credit if they address the “how-to” of law practice management. This may even include general management programs but the course needs to be tailored for an attorney audience or application. A course on management might, for example, show how certain management approaches, strategies, and techniques apply specifically to an attorney and the unique challenges and limitations faced by attorneys in when managing a law practice. The key is that the course is relevant to and has a demonstrable application to a law practice.

[https://mcle.custhelp.com/app/answers/detail/a\\_id/622/kw/Business%20development%20and%20marketing%20topics](https://mcle.custhelp.com/app/answers/detail/a_id/622/kw/Business%20development%20and%20marketing%20topics) (Posted January 5, 2015)

### 3. **Technology topics**

Technology topics that include information on technology tools, programs, or applications to assist attorneys in their law practice may meet these standards. Examples may include legal research programs, office and document preparation applications, litigation software applications, file retention or storage applications, billing programs, and communication tools. It is important that technology topics focus on or highlight their use in a law practice. This is the case even if the topics might well be useful in other contexts as well.

- Includes legal content (e.g., laws involving technology such as privacy or intellectual property); or

- Is tailored primarily for attorneys (e.g., adherence to the Rules of Professional Conduct when using the technology, the risks and/or benefits of using the technology as an attorney, and/or teaching on or discussion of situations encountered when an attorney uses the technology in conjunction with the attorney's practice); or
- Includes course content that conveys general information on the features and use of technology by an attorney or issues, situations, risks, benefits and ethical considerations of using the technology as an attorney.

Courses also may qualify for Illinois CLE credit if they address the “how-to” of using any technology. This may even include general technology programs but the course needs to be tailored for an attorney audience or application. MCLE Rules 795(a)(1) and (2). A course on a document preparation application might, for example, show how the application can facilitate the preparation of an appellate court brief and compliance with limitations of length. Another example might be use of electronic court filing programs. **The key is that the course is relevant to and has a demonstrable application to a law practice.** (emphasis added).

[https://mcle.custhelp.com/app/answers/detail/a\\_id/613/kw/are%20tech%20topics%20creditable.pdf](https://mcle.custhelp.com/app/answers/detail/a_id/613/kw/are%20tech%20topics%20creditable.pdf) (Posted 5/15/13)

#### 4. Social Media

Merriam Webster defines social media as “forms of electronic communication (as web-sites for social networking and micro blogging) through which users create online communities to share information, ideas, personal messages and other content.”

Social Media course content must either:

- include legal content (e.g., social media laws or the impact of employment laws on the use of social media); or
- be tailored primarily for attorneys (e.g., adherence to the Rules of Professional conduct when using social media, teaching or discussion on situations encountered when an attorney uses social media in conjunction with his/her practice, and/or the risks and benefits of using social media as an attorney).

Courses do not qualify for Illinois CLE credit if they address only the “how-to” of creating or using any social media outlets applicable to any member of the general public (e.g., how to create or use a Facebook or LinkedIn account, how to blog or tweet) and are not tailored primarily for attorneys. Rules 795(a)(1) and (2).

[https://mcle.custhelp.com/app/answers/detail/a\\_id/555/kw/Are%20tech%20social%20courses%20eligible.pdf](https://mcle.custhelp.com/app/answers/detail/a_id/555/kw/Are%20tech%20social%20courses%20eligible.pdf) (Posted 5/20/13)

**ISBA Cautionary Note:** Noticeably absent from the Board's guidance on Social Media courses is the sentence found in the guidance for both business development and technology: *"The key is that the course is relevant to and has a demonstrable application to a law practice."* This may mean that the Board consciously intends less flexibility in this area. However, it is safest to consider that same criteria for social media courses.

#### IV. IL Supreme Court Commission on Professionalism- Guidelines for the Use of Film/TV as CLE:

The use of film/TV as CLE is encouraged as long as it provides educational value and is not merely entertainment value. Films should be used as tools to focus discussion on professionalism issues that confront lawyers and are offered within the following guidelines:

- **Timed Agenda** must be prepared that specifies when film clips are to be shown and when discussions are to take place.
- **Credit Hours:**
  - o Credit hours will be evaluated on a basis similar to a regular CLE program when the provider interweaves film clips throughout the program with a discussion of relevant issues;
  - o CLE credit will be provided only for time deemed relevant to discussion when the provider shows significant portions of the movies that are not relevant or necessary to the discussion of the CLE topic;
  - o If film/TV clips are shown prior to discussion, provider must ensure that participants stay for the discussion period in order to receive CLE credit.
- **Course materials:** Course materials separate from the film itself must be prepared and evaluated just as materials are for all other programs.

##### **Facilitation Suggestions:**

- o Skilled moderator leads panel of three experts and audience in discussion on issues of professional responsibility presented by movie clips. A good practice is to choose experts who will have had actual experience relevant to the film clips selected.
- o One or two individual facilitators lead group discussion. Providers are encouraged to have attorneys sit at small round tables, if the groups is large enough, to enable frank discussions both with the facilitator(s) and with each other.

#### V. Success Vision

Successful professional responsibility courses will:

- Create in attorney attendees a habit of talking with colleagues and engaging in dialogue about professional responsibility topics;

- Encourage in lawyers the habit of reflection (or the “stop and think” rule of morality);
- Introduce lawyers to the changing drivers in the profession and equip them to cope with these realities; and
- Expand lawyers’ horizons with respect to the richness and variety of the legal profession.

Most importantly, each and every professional responsibility course should be designed to stimulate the lawyer’s imagination about the boundless potential of a professional life. <http://www.2civility.org/programs/cle/professional-responsibility-cle-guidelines>

## **VI. ISBA Guidelines**

**A.** In light of the above-cited accreditation standards and MCLE Board guidance, all ISBA courses should:

1. Enhance the proficiency of a lawyer;
2. Be designed for attorneys as reflected in the written course materials provided to all attendees;
3. Apply to the practice of law even though the subject of the training concerns non-legal subject matter.

### **B. Examples of Creditable Courses**

#### **1. Law Practice Management**

Examples of creditable Law Practice Management courses would include, but not be limited to:

- practical assistance on how better to relate to clients, witnesses, and adversaries;
- how to organize and monitor client files including client trust accounts;
- how to terminate representation;
- how to establish, maintain, and utilize a tickler-docketing control system and/or a conflicts check system;
- training and supervision of lawyers and support staff in order to reduce the risk of ethical violations;
- training on specific systems and procedures for lawyers that could cause malpractice or ethical problems if handled improperly;
- training on advertising or attorneys’ fees, preferably in direct connection with the Supreme Court Rules of Professional Conduct on these topics.
- training on business development and/or marketing including “how-to” information and general approaches, techniques, rainmaking, marketing strategies, business advice, generation and development; business etiquette; networking skills; general information on utilization

of websites, social networking and software/applications for marketing and business development – provided the information has application to a law practice.

## **2. Legal Technology**

Examples of creditable Legal Technology courses would include, but not be limited to:

- the use of automation, computerization, data processing or other applications of technology to case or information tracking or management systems;
- calendar or docket control procedures, settlement and accounting to clients for trust funds or accounts;
- time billing and/or other law firm management systems; training on a software program specifically in the context of a legal application for that software, such as setting up a tickler or conflicts check system.
- training on use of electronic court filing programs;
- training on use of document preparation application;
- training that conveys general information on the features and use of technology;
- training that conveys the “how-to” of using any technology provided it is tailored to an attorney audience or is applicable to an attorney or law practice.

## **3. Social Media**

Any course (including a “how-to” course) that features examples of situations a practicing attorney may encounter as a result of social media use by a client or employee. Lawyers need to know how social media works in order to (1) advise clients how to safeguard their interests and not jeopardize ongoing cases); and (2) protect the firm from the inadvertent actions of its employees. Course materials should reflect such possibilities.

Any course that features examples of situations that present a risk to attorneys themselves (inadvertently waiving client confidentiality on Facebook & a possible malpractice claim) or a benefit (how or whether to communicate with a non-client as a prospective client). Course materials should so reflect.

Any course that applies the Rules of Professional Conduct to the use of social media (whether to respond to a communication from a non-client, etc.).

### **C. Examples of Non Creditable Courses**

The following activities are not clearly creditable under the Supreme Court standards and guidelines and thus would not be offered for MCLE Credit by the ISBA, although they may be offered by the ISBA for general education, non-MCLE credit purposes:

Any course on:

- the promotion of products and/or services for sale to the attendees.
- non-legal specific skills development, such as interview skills, motivational training, and other topics not applicable to the practice of law;
- general office skills not applicable to a law practice
- topics not applicable to attorneys.



## **ISBA Law Ed** **Destination CLE Guidelines**

**DESTINATION CLE** means a continuing legal education program sponsored by the ISBA where MCLE credit is available and the venue is located outside the state of Illinois, excluding ISBA Annual Meeting programs held outside the State of Illinois.

**I. ISBA Destination CLE programs require third-party financial supporters.**

**II. ISBA may conduct Destination CLE with third-party financial supporters in accordance with the following:**

- A.** A Destination CLE Request for Preliminary Approval must be submitted to the ISBA CLE committee one year in advance of the program to allow time for planning, hotel negotiations, publicity and potential cancellation if target numbers are not met. The request must include:
  - 1. Program Date
  - 2. Identification of any potentially conflicting events
  - 3. Preferred Location
  - 4. Number of MCLE Hours to be offered
  - 5. Number of Speakers to be Invited
  - 6. Identification of potential financial supporters
- B.** A Complete and Final Destination CLE Program Proposal must be submitted to the ISBA CLE committee nine months in advance of the program using standard Law Ed proposal forms and must identify confirmed financial supporters and amount pledged, program and topic descriptions, confirmed speakers, and other standard proposal information.
- C.** Only programs designed to break even or better on costs (based on ISBA CLE Committee revenue/expense estimates) will be offered. Target registration numbers will be established by set dates to determine if the program will meet this goal or if the program will be cancelled.
- D.** Master Series Speakers in the vicinity of the destination program are encouraged to reduce reimbursement expenses.
- E.** If volunteer speakers are used, they must be ISBA members, unless affiliated with the financial supporters.
- F.** Destination CLE reimbursements for speakers and moderators shall comply with current ISBA Law Ed speaker reimbursement policies for in-state Law Ed programs.
- G.** A section or committee may propose a Financial Contributor Subsidized CLE program no more than twice during an ISBA fiscal year from July 1 – June 30



- H. ISBA will be the contracting party and will review and approve the venue contract for the Financial Contributor Subsidized CLE to ensure the ISBA is properly protected and that the terms are appropriate and reasonably consistent with other ISBA venue contracts.
- I. The program will comply with MCLE Board Accredited Provider standards.
- J. Financial supporters of ISBA Financial Contributor Subsidized CLE shall sign a Letter of Understanding drafted by the ISBA and documenting the obligations of the supporter. Issues that shall be addressed in the Letter of Understanding include, but are not limited to:
  - 1. Speaker reimbursement terms
  - 2. Venue expense responsibilities
  - 3. Acknowledgments that any financial supporter materials provided for the Law Ed course book will be in accordance with ISBA copyright permission requirements
  - 4. Trademark uses
  - 5. Rejection of joint venture or agency status
  - 6. Agreement that the financial supporter's presentation at the Law Ed program, if any, will not be merely a sales pitch
  - 7. Agreement that the financial supporter will not misrepresent its arrangement with ISBA in any future marketing to Illinois lawyers
  - 8. Designation of responsibilities for books, MCLE credit tracking, etc.
  - 9. Financial supporter use of or references to the ISBA name in advertising or other financial supporter materials
  - 10. Various other standard contract terms
- K. Third-Party Financial Supporters
  - 1. Agreements with third-party financial supporters shall be consistent with other contracts held by the ISBA.
  - 2. Opportunities for financial supporters:
    - a. Exhibitor opportunities at the CLE event
    - b. Opportunities to collect business cards/contact information from attendees
    - c. Speaking opportunities at the event, if:
      - The topics are creditable as MCLE
      - The speaker does not market the product during the presentation
  - 3. Financial supporters may not represent that their financial support of an ISBA event is an endorsement by ISBA of their product or services.

Adopted by CLE committee 9/20/14

## **ISBA Law Ed**

### **Financial Contributor Subsidized CLE Guidelines**

**FINANCIAL CONTRIBUTOR SUBSIDIZED CLE** means a continuing legal education program sponsored by the ISBA where MCLE credit is available and the venue is located in Illinois and the section or committee proposing the program requests pricing lower than the standard ISBA CLE pricing, with the difference to be covered by the financial contributor contribution.

**I. ISBA Financial Contributor Subsidized CLE programs require compliance with the financial contributor policy (See Attached Policy)**

**II. ISBA may approve Financial Contributor Subsidized CLE with third-party financial supporters in accordance with the following:**

- A.** A Financial Contributor Subsidized CLE Request for Preliminary Approval must be submitted to the ISBA CLE committee nine months in advance of the program to allow time for planning, hotel negotiations, publicity and potential cancellation if funding is not timely received. The request must include:
  - 1. Program Date
  - 2. Identification of any potentially conflicting events
  - 3. Preferred Location
  - 4. Number of MCLE Hours to be offered
  - 5. Number of Speakers to be Invited
  - 6. Identification of potential financial supporters and amounts to be collected
  - 7. Proposed pricing of program
- B.** A Complete and Final financial Contributor Subsidized CLE Program Proposal must be submitted to the ISBA CLE committee six months in advance of the program using standard Law Ed proposal forms and must identify confirmed financial supporters and amount pledged, program and topic descriptions, confirmed speakers, and other standard proposal information.
- C.** Only programs designed to break even or better on costs (based on ISBA CLE Committee revenue/expense estimates) will be approved with subsidized pricing. Financial Contributor payment deadlines will be established by set dates to determine if the program will meet this goal or if the program will be cancelled.
- D.** Single venue programs are required to control reimbursement expenses
- E.** If volunteer Illinois attorney speakers are used, they must be ISBA members, unless affiliated with the financial supporters.
- F.** Financial Contributor Subsidized CLE reimbursements for speakers and moderators shall comply with current ISBA Law Ed speaker reimbursement policies for in-state Law Ed programs.

## **ISBA Law Ed Financial Contributor Policy**

Financial contributors may support ISBA's Law Ed programs if the issues listed below are addressed to the satisfaction of the ISBA and the financial contributor. Upon confirmation of a financial contributor's pledge to support ISBA's Law Ed program, ISBA will draft a Letter of Understanding for the Financial Supporter's signature documenting the obligations of the supporter. ISBA will also request payment of the amount pledged and will invoice the financial supporter, if necessary. Please note: ISBA is a 501(c)(6) organization, and not a 501(c)(3) charitable organization. A contributor should contact a tax professional to determine if the contribution has tax consequences.

**Issues that shall be addressed in the Letter of Understanding include, but are not limited to:**

1. Speaker reimbursement terms, if speaking
2. Hotel expense responsibilities, if any
3. Acknowledgments that any financial supporter materials provided for the Law Ed course book will be in accordance with ISBA copyright permission requirements
4. Restrictions on the use of ISBA trademarks
5. Rejection of joint venture or agency status
6. Agreement that the financial supporter will not misrepresent its arrangement with ISBA in any future marketing to Illinois lawyers
7. Designation of responsibilities for books, MCLE credit tracking, etc.
8. Financial supporter use of or references to the ISBA name in advertising or other financial supporter materials
9. Agreement that the financial supporter's presentation at the Law Ed program, if any, will not promote the relative merits of any particular product or service (other than ISBA products or services). However, with prior approval of the CLE committee, the presentation may focus on how to better use a specific product.
10. Various other standard contract terms

### **Third-Party Financial Supporters**

1. Agreements with third-party financial supporters shall be consistent with other contracts held by the ISBA.
2. Opportunities for financial supporters:
  - a. Recognition in pre-program marketing materials and in the course book at the program. ISBA may recognize the supporters by levels, such as gold, silver, bronze, or by event, such as lunch, break or reception sponsor.
  - b. Exhibitor opportunities at the CLE event
  - c. Opportunities to collect business cards/contact information from attendees
  - d. Speaking opportunities at the event, if:
    - The topics are creditable as MCLE
    - The speaker does not market the product during the presentation
3. Financial supporters may not represent that their financial support of an ISBA event is an endorsement by ISBA of their products or services

Sections or committees hosting Law Ed programs which include financial supporters should provide the following information with the program proposal:

1. Contributor's Name for Publicity
2. Contributor Contact name, address, phone and email
3. Amount Pledged

## **ISBA's Lawyer-to-Lawyer Mentoring Program**

The Illinois State Bar Association supports the Illinois Supreme Court Commission on Professionalism's mentoring outreach efforts and local mentoring programs. In support, ISBA has launched a program that focuses on matching a limited number of new attorney mentees who live and/or practice in areas of the state unserved by other commission-approved mentoring programs with select ISBA mentors during its year-long pilot program. Participants receive six professional responsibility MCLE credits upon successful program completion. New Attorneys are eligible for the ISBA Lawyer-to-Lawyer Mentoring Program if they satisfy the following requirements:

- Admitted to practice in Illinois no more than two years prior to the date of beginning the program
- Registered as "active" on the Illinois ARDC Master Roll of Attorneys
- Practice law in Illinois or intend to practice law in Illinois State Bar Association
- ISBA Member (*All new attorneys receive a complimentary ISBA membership during their first year of admission to the IL bar.*)

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## **XI. Other services**

### **Lawyers' Assistance Program**

Lawyers' Assistance Program is a not-for-profit organization that helps Illinois lawyers, judges, law students and their families with alcohol abuse, drug dependency or mental health problems. Their services include education, information and referral, peer assistance and intervention. Lawyers' Assistance Program, Inc. recognizes that addiction and mental health problems significantly impact a professional's ability to function in a legal setting. LAP's mission is three-fold:

- To protect clients from impaired lawyers and judges.
- To help lawyers, judges and law students get assistance for alcohol dependency, drug addiction and mental health problems.
- To educate the legal community about addiction and mental health issues.

Wherever possible, Lawyers' Assistance Program addresses problems before they jeopardize a lawyer's practice, a judge's career or a law student's education. LAP understands that addiction and behavioral problems reach beyond the work environment and strives to provide assistance before family and personal relations are put at risk. If you know someone at risk, please call (312) 726-6607, (618)233-1527, or (800)-LAP-1233.