

ILLINOIS LAWYER NOW

Vol. 2 • No. 3

QUARTERLY

A PUBLICATION OF THE ILLINOIS STATE BAR ASSOCIATION

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ISBA members working for children

A message from Mark D. Hassakis, ISBA President

In my year as ISBA President, I have focused on the juvenile justice system by visiting juvenile detention centers and talking with the professionals who are striving to make a difference in the lives of young people. I'd like you to meet just a few of the ISBA members who work on behalf of children.

One of the people I met is Angela Wartowski, Superintendent of the Illinois Youth Center, Chicago, and an ISBA member. IYC Chicago is a residential facility housing 79 youth between the ages of 13 and 20, average age 15, who are there for low level offenses.

Angela came to the law (NIU College of Law) after 16 years as a classroom teacher in the Rockford Public Schools and earlier teaching assignments in California. Her legal experience from 2007-2010 was as an assistant state's attorney in Winnebago County, dealing with juvenile delinquency and abuse/neglect cases.

On her desk at IYC Chicago is a potted plant with an inscription reading "Kids are my business," made for her by her elementary students in Rockford. Later, as a prosecutor, she had to deal with some of her former students, some for abuse/neglect issues, and some as delinquents. She keeps the plant on her desk as a reminder of the good side of all youth, even when they get into trouble. Because of her teaching background,



ISBA member Angela Wartowski, Superintendent of the Illinois Youth Center, Chicago, began her career as a teacher for 16 years before becoming an assistant state's attorney in Winnebago County. She keeps a potted plant on her desk made by her former students that states, "Kids are my business."

she is very focused on the educational/vocational training for youth in her care.

As chief administrator, she has greatly extended visitation hours for family members and welcomed in community groups for support they can provide such as donations of books and other necessary items.

Here are some of the things I learned from Angela: A small but dedicated staff eagerly searches for ways to educate and rehabilitate the youth in their care. Lack of funding means that key posts go unfilled and

each staff member frequently does the job of 2-4 workers.

Incarcerated youth have access to an array of programs and activities, including community baseball, a storytelling program and an animal humane education program that includes animal training. Hands-on experience with urban gardening, basic training in good manners, and a Career Cruising program are developing. Most youth also have work-related tasks in the center.

The facility has a huge need for improved technology - there are only a few computers available and no access to the Internet. If we're going to rehabilitate these youth, we must ensure that they have access to education that will help them become productive, self-sufficient adults.

I commend Angela, her staff, and all the other dedicated workers at the nine youth facilities in Illinois. They deserve our support as they do the very best they can with the limited resources and facilities available to them.

In the meantime, courageous lawyers and judges across Illinois are engaged in the day to day work of helping youth who have become enmeshed in the justice system. Here are a few more.

(Continued on page 4)

"Understanding that youth have different needs than adults, it is the mission of the Illinois Department of Juvenile Justice to preserve public safety by reducing recidivism. Youth committed to the Department's care will receive individualized services provided by qualified staff that give them the skills to become productive citizens."

— Mission Statement of the Illinois Department of Juvenile Justice



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PUBLISHED BY THE
ILLINOIS STATE BAR ASSOCIATION



MARK D. HASSAKIS, *President*
ROBERT E. CRAGHEAD, *Executive Director*
DAVID N. ANDERSON, *Associate Executive Director*
CHRIS BONJEAN, *Editor*, cbonjean@isba.org
MARY MONAHAN, *Production Coordinator*



EDITORIAL OFFICE

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



**ADVERTISING SALES
COORDINATOR**

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



PUBLICATION OFFICE

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



ON THE WEB

www.IllinoisLawyerNow.com



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

Illinois Lawyer Now Quarterly (ISSN 1547-0377) is published 4 times per year by the Illinois State Bar Assn., 20 S. Clark St., Chicago, IL 60603-1802, for distribution to its members. Subscription rates: \$1.74 annually for ISBA members (included in dues); \$120 annually in advance for non-members, non-lawyers and non-residents; back issues \$30 each. Periodicals postage paid at Chicago, IL, and additional mailing office. POSTMASTER: Send address changes to the Illinois Lawyer Now Quarterly, 424 S. Second St., Springfield, IL 62701-1779.

Election to decide races for Board seats

Wheaton lawyer **Richard D. Felice** will lead the Illinois State Bar Association as its president in 2014-15. Felice will become 3rd vice president at the Annual Meeting in June and serve one year in each of three vice presidential offices. Following **Mark D. Hassakis** in the office of president will be **John G. Locallo** of Chicago, **John E. Thies** of Urbana, **Paula Hudson Holderman** of Chicago, and Felice.



Felice

Unopposed for re-election to their seats on the Board of Governors were **Shari R. Rhode** of Carbondale and **Frank A. Sommario**, Under 37, Cook County.

Twenty-six seats on the ISBA Assembly from Cook County are up for election. Twenty-four candidates filed petitions by the deadline.

Biographies for 3rd VP and Board candidates and a list of Assembly candidates are on pages 8-10. Electronic voting will be offered as an option in addition to paper ballots for contested races. Find out more about electronic voting below.



Rhode



Sommario

Six candidates are squaring off for four vacancies on the Board of Governors in Cook County: **Patrice M. Ball-Reed**, **Umberto S. Davi**, **Martin L. Glink**, **Christopher T. Hurley**, **Stephen M. Komie**, and **John L. Nisivaco**.

Two candidates filed for Board of Governors Under 37, Downstate: **Jennifer Walsh Hammer** of Springfield and **Tara H. Ori** of Waukegan.

Get ready for electronic voting

As we near the 2011 election for ISBA offices, I want to give you notice of important changes being made – changes that can make it easier for you to cast your vote and that, over time, will reduce the cost of conducting elections for the Association.

We are introducing the option of electronic voting for the first time this spring, and it is truly an option – all members will be able to choose to vote either electronically or by paper ballot.

Here's what this will mean from your perspective:

- If you have provided ISBA with your email address, you will receive a ballot by email from our vendor, VR Election Services, along with instructions about securely casting your vote electronically. However, if you prefer, you will have the option to request a paper ballot after receiving the email.

- If you have not provided ISBA with an email address or if the address we have for you is not a valid, functioning address, you will receive a paper ballot and voting instructions through regular mail. Included with the instructions will be information about how to vote electronically if you so choose.



The electronic voting will be conducted for ISBA by VR Election Services, an experienced vendor that has conducted electronic voting for several other bar associations.

We have confidence in their ability to conduct our election accurately and with the necessary protection of the voters' privacy.

The 2011 election will begin with ballot distribution between March 25 and April 1 to the appropriate ISBA members for each contested election. Members receiving email ballots will have until April 15 to request a paper ballot.

ISBA approved giving members the option of electronic voting as a way to encourage greater voter participation in choosing ISBA officers, Board and Assembly members. We hope it will be popular with a large percentage of our members so we can realize dollar savings in printing and mailing costs in years to come.

After the 2011 election, we will be evaluating the electronic voting process. Your comments will be welcome at that time.

Sincerely,

Mark D. Hassakis, President

(Continued from page 1)

Terra Costa Howard is a member and newsletter editor of the Child Law Section Council, and is a sole practitioner in Glen Ellyn. Her practice concentrates in the areas of representing children in juvenile court, divorce, guardianship and adoption, as well as disabled adults.



Costa Howard

In 1996 I was hired as a staff attorney for the Eighteenth Judicial Circuit Court. Judge Robert Anderson assigned me to a task force that examined various juvenile issues. After the first meeting, I knew I wanted to devote my professional career to representing children.

My passion for child representation grew when I became a member of the Child Law Section Council with the ISBA.

Children are visible in every courtroom in every courthouse across the state. If we can help even one child or family each day, we have done our job.

Laura M. Urbik Kern, of Elmhurst, is a member and Secretary of the Child Law Section Council, concentrates her practice in family and juvenile law, as well as representation of children as court appointed counsel and/or guardian ad litem in complex domestic relation cases.



Urbik Kern

Children have been my focus since I started practicing over twenty-five (25) years ago. Lawyers often get a bad rap but there are so many that do so much for the children in all areas of law that I couldn't imagine not being a part of that. Every aspect of children's lives are or can be touched by the law and drafting laws that benefit and protect them from harm is part of our job on the Child Law Section Council.

Nancy Z. Hablutzel of Chicago is a past Chair of the Child Law Section.



Hablutzel

I made up my mind when I was six that I wanted to work with children, so I became a speech therapist, then a special ed teacher. I was on the faculty in special education at a state university when the first federal special education law was enacted in 1975, then went to law school so I could represent children, and now represent children in special education cases and in adoptions. I love it.

Sean McCumber, of Warrenville, is a member of the Child Law Section Council. He works with children in adoption, divorce, parentage, juvenile, and guardianships.



McCumber

Children are often overlooked in the legal system, and the Courts have been active in protecting them in various legal settings. I enjoy working with children to ensure that they have safe homes and solid families. The goal is to ensure that their contact with the legal system is minimal and non-detrimental.

Want to get involved? If you practice in the Chicago area and are interested in representing children, please contact Chicago Volunteer Legal Services about their guardian ad litem of a minor program. GAL's attend a two hour training and then can handle a case, with CVLS staff supervision, to represent a child as GAL in contested minor guardianship cases. Volunteer attorneys interview parties, conduct investigations and give a written and oral report to the court as to their recommendations about what is in the best interest of the child. Please see www.cvl.org or call 312 332-3508 for more information.



What will your legacy be?

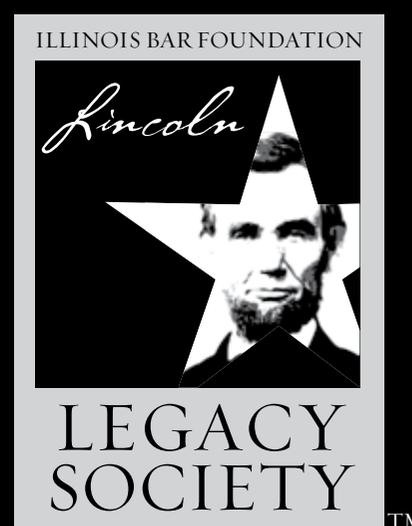
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Capitol Chronicle



by **Jim Covington**

Director of Legislative Affairs



The General Assembly is now carefully deliberating on 6,229 bills and additional constitutional amendments. This is a snapshot of bills that may be of interest to ISBA members. You may see the text and status of these bills at the General Assembly's excellent website at www.ilga.gov/.

Victims' rights constitutional amendment.

House Joint Resolution Constitutional Amendment 3 (Lang, D-Skokie) gives crime victims a constitutional right to enforce the current constitutional protections already granted to them under Section 8.1 and by statute. It essentially gives them the standing to do so.

Victims' rights by statute. House Bill 160 (Rose, R-Mahomet) requires the trial court to allow the victim and the victim's family members to orally address the court at the sentencing for a violent crime. Repeals the trial court's discretion to limit the number of oral victim-impact statements.

Transfer on death instrument. House Bill 1153 (Bradley, D-Marion) creates the Illinois Residential Real Property Transfer on Death Instrument Act (TODI). It transfers residential property on the death of the owner. The definition of "residential property" is borrowed from the Disclosure Act and the Mortgage Foreclosure Act. It requires the owner to sign in front of a notary and two credible witnesses. It was modeled after the Uniform Law Commission's recently adopted uniform act.

Enforcement of visitation abuse. Senate Bill 2198 (Hunter, D-Chicago) and House Bill 1604 (Howard, D-Chicago) allow a court to order the following relief for visitation abuse: (1) suspend the defendant's driving privileges; (2) order the entity that issued the defendant a professional license to suspend that license; and (3) fine the defendant for not more than \$500 as a petty offense. It also requires a finding that a party engaged in visitation abuse constitutes "a change in circumstances of the child or his custodian" under Section 610 of the Illinois Marriage and Dissolution Act.

FOIA and public records and legal notices.

House Bill 1715 (Durkin, R-Western Springs) provides that a public body is not required to copy and make available for public inspection a public record if it is published on its website. Senate Bill 2055 (Risinger, R-Peoria) and House Bill 1869 (Mautino, D-Spring Valley) also allow the public body's website to be used in lieu of publishing legal notices in a newspaper but the two bills do it differently.

Health Care Services Lien Act.

House Bill 3206 (Thapedi, D-Chicago) does four things to this Act. (1) It makes the subrogation rights of insurance companies part of the 40% of a verdict or settlement. (2) Clarifies that notice of adjudication of lien may be served by mail, personal or substitute service. (3) Limits the health-care provider's lien to 66% of the charge that would have been submitted had the charge been presented to the patient's insurer. (4) If plaintiff's personal injury case is reduced by comparative fault or uncollectability of the full value of the case resulting from limited insurance proceeds or otherwise, then the lien or claim is likewise diminished in the same proportion. The party holding the lien or claim is barred from further collection for the unpaid balance. Common fund doctrine attorney's fees would apply if the lien or claim is reduced by comparative negligence or uncollectability of the full value of case.

Motion to quash. House Bill 1960 (Coladipietro, R-Bloomington) amends Section 301 of the Code of Civil Procedure to require a motion to quash to be filed within 30 days after a defendant or other party files an appearance. It also requires the motion to quash to be filed within 30 days after a hearing in which a defendant or other party appears in court without filing an appearance but "participates" in the hearing.

Court's witness. Senate Bill 1753 (Mulroe, D-Chicago) amends the court witness statute of the Marriage Act to clarify how the courts may get and pay for its own "court's witness." It clarifies three things. (1) Professional personnel consulted by the court are subject to subpoena for the purposes of discovery, trial, or both. (2) Requires that the court allocate the costs and fees of those professional personnel between the parties based upon the financial ability of each party and other appropriate criteria.

(3) Allows the court to conduct a hearing as to the reasonableness of those fees and costs upon the request of any party or upon the court's own motion. In Senate Judiciary Committee I. It builds on *In re Marriage of Peterson*. (319 Ill.App.3d 325, 333-4) (1st Dist. 2001))

Child representative and guardian ad litem.

House Bill 3481 (Reboletti, R-Addison) is a sweeping rewrite of Section 506 of the Illinois Marriage and Dissolution of Marriage Act. Among its many changes are the following. (1) Removes the requirement that a GAL be an attorney. (2) Requires the court to find good cause before appointing an attorney, GAL, or child representative for the minor child. (3) Requires that the GAL testify and submit a written report regarding his or her recommendations that shall be made available before trial. (4) Prohibits the GAL from communicating with any expert witness or court appointee. (5) Prohibits the GAL from filing any pleading in the case or attending court hearings unless he or she is expected to testify by the court and all parties. (6) Prohibits the child representative from communicating ex parte with any expert witness or court appointee. (7) Precludes collection of an invoice for failing to timely submit the required detailed invoice, which may not include a fee for the preparation of the invoice. (8) Limits the fees for a GAL or a child representative to be a reasonable rate not to exceed \$150 per hour, subject to an annual CPI adjustment. (9) Deletes provision prohibiting the court from ordering payment by the Department of Healthcare and Family Services in cases in which the Department is providing child support enforcement services. (10) Allows fees and costs payable to a child's attorney, GAL, or child representative to be dischargeable in bankruptcy. ❖

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

WHEN RESULTS MATTER..

WHY CHOOSE ANYONE ELSE?

\$11.4 Million when a man died when doctors negligently performed a cervical fusion surgery

\$10.1 Million JURY VERDICT for a 72 year old woman severely injured by a truck

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

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

\$7.65 Million for a man seriously injured when a piece of construction equipment malfunctioned

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

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

\$5.8 Million when a wheel assembly dislodged from a semi-trailer truck

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

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

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

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Pop the cork: Lawyers age like fine wine

by Douglas O. Linder and Nancy Levit

New research regarding the psychology of happiness shows that lawyers' job satisfaction should increase over the arc of their legal careers.

What is true of people generally is also true in the practice of law: the longer we stick around, the happier we get.

Even as waistlines grow and bodies begin to fall apart, people get happier, according to recent research. A report published this year in the Proceedings of the National Academy of Sciences indicates that enjoyment of life rises steadily from around age 50 to age 75, before dropping off slightly. The report suggests several reasons for our increased happiness as we age. Perceived stress declines from age 22 on, not hitting its lowest point until age 85. Self-esteem, after following a downward trajectory from age 18 to 50, turns around and heads back up again in later life. Finally, worries in general seem to steadily dissipate from early middle-age on.

Professor Andrew Oswald, who teaches psychology at the Warwick Business School in England, spoke for many of us when he noted, "It's a very encouraging fact that we can expect to be happier in our early 80s than we were in our 20s." Professor Oswald, summarizing the happiness research, said that our becoming happier as we age is "not being driven predominantly by things that happen in

life; it's something very deep and quite human that seems to be driving this."

What seems to be at the bottom of the trend towards greater happiness as we age is that we develop better ways of coping with the inevitable obstacles and frustrations that life throws our way. As Susan Turk Charles, a professor of psychology at UC-Irvine observed, "Older people are better able to recognize what will bother them, and better able to negotiate their environment." George Valient, who tracked the emotional state of a group of Harvard alums for several decades and published the acclaimed book *Adaptation to Life*, called the better techniques most of us develop for dealing with problems "mature adaptations." Valient concluded the ability to develop mature adaptations to setbacks is *the single best predictor of a successful life*.

The data is also clear that older lawyers tend to be happier lawyers. Sixty-year-old lawyers are more satisfied with their careers and their decisions to become lawyers than are 30-year-old lawyers. According to an ABA survey, lawyers who had been in practice more than 10 years reported 40-50% greater career satisfaction than less experienced lawyers.

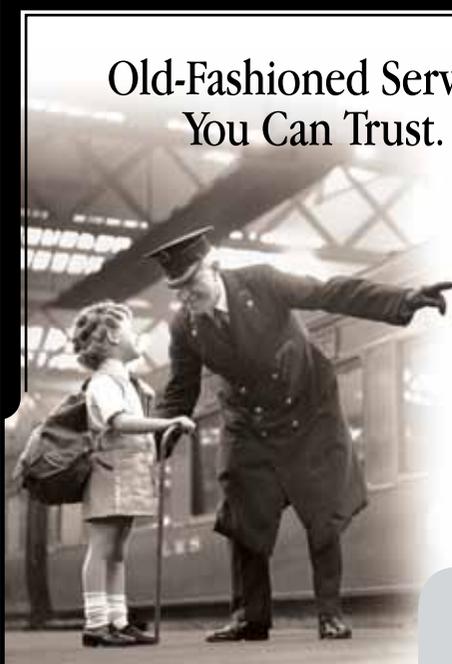
Older lawyers are happier with their careers for some of the same reasons older people are happier with their lives. Over the course of a career, stress goes down and self-esteem rises as lawyers come to feel more competent and have a clearer notion of what is expected from them. In addition, stress and worries diminish as lawyers typically find more

hours for their families and friends, and for the outside activities that bring them pleasure. Also, with any luck, an older lawyer has managed to migrate toward a niche or set of clients more in line with his or her interests and values.

Still, as with people generally, the biggest factor explaining the greater happiness of older lawyers is probably the mature adaptations that they develop over time to deal with office frustrations. Instead of swearing or fretting when opposing counsel throws dirty tricks at them, they anticipate such antics and cut them off at the pass—or perhaps they laugh and consider the obnoxious behavior as fodder for a good story to share over beers with colleagues. Older lawyers are more likely to shrug off the client who fails to pay the bill on time, knowing it's just money and that money is far from the most important thing in life.

Of course, not all lawyers develop mature adaptations to frustrations. Some lawyers continue to stew and steam and scream well into old age. Tom Wilson was right to observe, "Wisdom doesn't necessarily come with age. Sometimes age just shows up by itself." Not every older lawyer is a happy lawyer, just most of them. ❖

*Douglas O. Linder and Nancy Levit are law professors at the University of Missouri-Kansas City School of Law and authors of a new book, **The Happy Lawyer: Making a Good Life in the Law** (Oxford University Press 2010).*



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Third Vice-President UNCONTESTED



Richard D. Felice, Wheaton. Principal, Law Firm of Richard D. Felice, P. C.; private practice, concentrated in domestic relations/ litigation practice. Graduate of Loyola University, Chicago, with honors, 1976; Northern Illinois University, 1979, J.D., with honors. Associations: Member of DuPage County Bar, DuPage Association of Women Lawyers and Illinois State Bar Association. Chairperson of Admissions and Membership Committee. Lectured for seminars for the following committees: Younger Lawyers, Criminal Law, Legislative, Children's Rights and Family Law Committee. Chairperson of fee arbitration panel for family law cases and training new panelists for the fee arbitration panel. Court Annexed Mandatory Court Arbitration chairperson. Joint Kane/DuPage County Matrimonial Seminar 2003. Instructor for Matrimonial Trial Advocacy 2002 to 2003. Served as a member ISBA Task Force on Attorneys for Children. Served as a Delegate Member House of Representative for American Bar Association. Past-President of DuPage County Chapter of Justinian Society. Served for five years as Director and Past-President DuPage County Bar Association, past chairperson of Judiciary Committee. Past-President of the DuPage County Bar Foundation. Director Illinois Bar Foundation, Gala co-chair raffle 2008, Diamond Fellow of the Illinois Bar Foundation. Member of the Special Committee of the Future of The Courts Conference. Recipient Ralph A. Gabric Award for Professional Excellence in 2004. Assembly Member of ISBA, chair Agenda Committee of ISBA 2002 to 2003. Board of Governors 2003 to 2009, Secretary ISBA 2007 to 2008; liaison to Judicial Advisory Polls and Judicial Evaluations Committees and Family Law Section Council. Appointed by United States Federal District Court to Illinois Merit Selection Committee to select Federal Magistrate Judges for Northern District. Appointed by Illinois Supreme Court to the Illinois Supreme Court Rules Committee 2000 to 2009. Legislative Family Law Study Committee 2008 to 2011. **ISSUES STATEMENT:** Sensitive to the needs of all lawyers in hard economic times and committed to increasing access and diversity in the profession.

Board of Governors – Under 37 – Downstate – CONTESTED (1 to be elected)

Jennifer Walsh Hammer, Springfield. Associate with the firm Giffin, Winning, Cohen & Bodewes, P.C., located in Springfield. Practicing in the areas of municipal and local government law, family law (divorce, child custody and support), estate planning, commercial litigation, motorcycle accidents, and securities litigation. Have written numerous articles and/or given presentations on the following subjects: Freedom of Information Act, Open Meetings Act, Gift Ban Act, Municipal Hiring Practices, Ethics and Electronic Research. Received a Bachelor of Science, Justice Studies, from Arizona State University. Received a law degree from Southern Illinois University School of Law, where I served as Editor on the Southern Illinois University Law Journal and received the award of Best Editor. Admitted to the Illinois Bar in 2008, I am also admitted to practice in the United States District Court for the Central District of Illinois. Professional associations and activities include; President, Central Illinois Women's Bar Association; Member, Young Lawyers Division Council of the ISBA; Committee Chair, Sangamon County Bar Association; Newsletter Editor of the Government Bar Association. Civic activities are numerous and include the following: Vice President, Lincoln Library Board of Trustees; Vice President of Communications, Junior League of Springfield; Volunteer, Springfield Junior Blues Ice Hockey Organization; Participant, Leadership Springfield; Past Member, Promotions Council Committee of Downtown Springfield, Inc. Married to Grant Hammer and mother to newborn son, Camdyn Walsh Hammer. We are also the proud owners of an Olde English Bulldog and a German Shepherd, named Rose and Andro, respectively, and are Springfield natives and continue to reside there.



Tara Houseworth Ori, Waukegan. Office of Michael J. Waller, Lake County State's Attorney, Senior Assistant State's Attorney, Civil Trial Division, 2005 – Present. Handle all matters pertaining to real estate taxation including tax rate objections and valuation objections, Property Tax Appeal Board hearings and levy and extension issues. Advise the Lake County Treasurer, the Chief County Assessor, the Lake County Board of Review and the Lake County Clerk's Tax Extension department. Other practice areas include mental health civil commitment issues and general civil litigation. Also advise the Lake County Recorder of Deeds and the Jury Commissioner of Lake County. Graduated from Northwestern University in Evanston in June 2000 with a Bachelor of Science in Education and Social Policy with a concentration in policy. Received J.D. in 2004 from The John Marshall Law School. Admitted to the Illinois Supreme Court in 2004. Admitted to the U.S. District Court for the Northern District of Illinois in 2008. ISBA: Member, 2004- present; ISBA Assembly, 2007-present; Member, ISBA Standing Committee on Racial and Ethnic Minorities and the Law, 2007 – present; Member, ISBA State and Local Taxation Section Council 2009 – present. Author: A review of *In re Application of the County Collector* (A.P. Properties, Inc. v. Ezra Chaim Properties), Appellate Court, Second District, Docket No. 2-08-0755, 2009 WL 2767020, August 27, 2009, *Tax Trends*, Vol. 52, No. 6, December 2009. Speaker, ISBA CLE program, Civil Commitment and Involuntary Treatment: Petitions, Proceedings and Pitfalls – March 2008. Speaker, Mental Health Law Day - May 2008. Lake County Bar Association: Member; LCBA, Chair, Diversity Sub-committee, Member Local Government Sub-committee. Association of Women Attorneys of Lake County: Board Member 2009-present. Fellow of the Illinois Bar Foundation.



Your vote counts!

Ballots will be mailed and e-ballots will be emailed on March 28th. Voting concludes April 29, 2011 at 4:30 p.m. Central Time. All ISBA members in good standing are eligible to vote; however, voting is only provided in areas with contested races.

**Please support your bar association
and vote for the
candidates of your choice!**

Board of Governors – Cook County CONTESTED (4 to be elected)

Patrice Ball-Reed, Chicago. Employment: Domestic Violence Division - Cook County, Former Assistant Cook County State's Attorney and Deputy Attorney General. Education: The John Marshall Law School (J.D. 1984), Trinity College, Hartford, Ct. (B.A. Economics). ISBA activities: Current Assembly member for consecutive terms, member of Women and the Law and Public Relations committees; Former member of State and Local Taxation Section, Family Law Section, Committee on Bar Services & Activities, Bar Publications, Committee on the *Illinois Bar Journal* Editorial Board, Committee on Legislation, Chair of Minority and Women Participation, Task Force on Diversity. Served on the Assembly Budget Committee and a Silver Fellow of the Illinois Bar Foundation. Received Board of Governors Service award. Past President Women's Bar Association of Illinois and Black Women Lawyers Association. Written article for IICLE and presentations for CCBA and ISBA. Member of BWLA, CBA, CCBA, IJA, IJC, Justinians and WBAI. Former member of NSBA and PRBA. **ISSUES STATEMENT:** It is our responsibility to be active and take action. As a member of the Board of Governors, I would work to maintain the financial stability of the Association, to promote inclusion and diversity, to increase membership, to initiate policies and efforts that allow the bar association to continually provide quality service and practical benefits for the members, to approve programs that provide sufficient knowledge and information through continuing legal education to insure the ability of the practitioners to generate business, represent their clients and operate their offices in an ethical and efficient manner, and to support the foundation so people will know that lawyers and judges have a commitment to help those less fortunate.



Umberto Davi, Western Springs. Incumbent. Davi and Associates; solo practice concentrating in family law and real estate. Education: The John Marshall Law School (1982), with Distinction, ranked upper 10%. Elected to the Order of John Marshall and Phi Alpha Delta Law Fraternity. Current Member of the JMLS Alumni Board of Directors (President/2005-2006); Recipient of the Distinguished Service Award (1997) and Member of the School Board of Trustees. B.S. in Psychology, Western Illinois University; Phi Kappa Phi (National Honors Society) and Dean's List. Born May 16, 1950, in Italy. Immigrated to America in 1964, with mother and two brothers. Solo practitioner with offices in Western Springs since 1984; Practice concentrated in family law and real estate. Member of the ISBA (since 1982), the Assembly (6 years), Board of Governors (three terms), ISBA past Secretary and Treasurer; Family Law Section Council, Judicial Evaluation Committee, Bar Election Supervision Committee, Scope and Correlation Committee. Gold Fellow of the Illinois Bar Foundation, Past-Chair of the Fellows; Member of the DuPage County Bar Association; Chair of the Family Law Committee and Real Estate Committee, and panel member of the Expedited Matrimonial Fees Arbitration Program. Arbitrator for Cook County Arbitration Program. Past President of the Cook County Justinians and current Co-Chair, Scholarship Committee. Member of the DuPage County Justinians and recipient of the Justice Anthony M. Peccarelli Award (2006). Life member of the Joint Civic Committee of Italian Americans (President's Advisory Board and Human Relations Committee), founding member of the Sicilian American Cultural Association (SACA), and member of the Western Springs Business Association. President of the Willowbrook Police Pension Board (10 years) and current Willowbrook Village Trustee (Chair-Finance Committee). Married to Janet for 32 years and proud father of four boys: Dion (40), an attorney, Michael (22), Ryan (19), and Evan (17).



Martin L. Glink, Arlington Heights. Principal of Law Office of Martin L. Glink, concentrating in civil trial, appellate and workers' compensation practice. Chicago Kent College of Law, J.D., 1977, with honors. American Jurisprudence Award: Constitutional Law. U.S. District Court Northern District of Illinois, 1978; Federal Trial Bar, 1979; United States Supreme Court, 2001. Vice-Chair of the ISBA Tort Law Section Council; ISBA Committee Member - 2007 - present; ISBA Committee Chair in 2011. Two terms on the Budget and Finance Committee; two terms on the Assembly. 1988 - present, Suburban Bar Coalition, President and Co-founder; 2000 - 2001, 2006, Past President of the Northwest Suburban Bar Association. 2007 - present, Illinois State Bar Association Tort Law Section Council. 25 year member, Decalogue Society of Lawyers. Co-founder and co-organizer of Suburban Bar Coalition for Judicial Evaluation Committee. Conducted and co-chaired ISBA lectures; April 30, 2010 - "Anatomy of a Trial"; Moderator, lecturer, and organizer, "Governmental Agencies and Recreational Tort Immunity"; April 20, 2010 - "Expert Witnesses a Primer"; 2008, Published in IITLA Trial Journal "What is Willful and Wanton Misconduct." 2006, lectured for NWSBA "Cross-Examination of an Economist"; "Taught Trial Exhibits" in Federal Court; Cook County Certified Mediator. Member; Illinois Trial Lawyers Association; American Association for Justice; Member Leading Lawyer Network.com, Personal Injury - General, by peer nomination. Previously, member and Committee Speaker, Chicago Bar Association. Notable cases include; *Mary Ellen Saftian v. Village of Palatine*; *Estate of Kathleen Savio v. Drew Peterson, et. al.*; *Eileen Majca v. Dr. Stephen Beekil, et. al.*; *Estate of Jimmy Martin v. Wexford Health Sources, Inc., et. al.*; *Witmer v. Pyne, Pyne v. Witmer*; *Estate of Mark Zdzarski v. Heavenly Bodies, et. al.* **ISSUES STATEMENT:** Enjoys serving with other hard workers with similar goals to improve the ISBA for its members.



Christopher T. Hurley, Chicago. Principal, Hurley McKenna & Mertz, Chicago, trial and appellate practice. Loyola University Chicago School of Law, JD, 1984. President, Alumni Board of Governors, Loyola University of Chicago School of Law. Admitted: Illinois Supreme Court, 1984; U.S. District Court Northern District of Illinois, 1984; U.S. Court of Appeals 7th Circuit, 1997. ISBA: Member, 1984, Member - Tort Law Section Council and Civil Practice and Procedure Section Council. Member: IITLA, Executive Committee, 2010 - present; IITLA Board of Managers, 1996 - present; IITLA Board of Advocates, 1994 - 1996; Chairman - IITLA Legislative Relations Committee, 2010. American College of Trial Lawyers, Fellow, Member, Uptate Illinois Committee 2003-2009. AAJ, Sustaining Member. Chicago Bar Association, Legislative Committee, 1998-2002, Tort Law Committee, 1992-98, Civil Practice Committee, 1998 -2002. Society of Trial Lawyers; American Board of Trial Advocates (ABOTA); International Academy of Trial Lawyers, Fellow; American Bar Association. Articles: "The Plaintiff Lawyer's Perspective on Contingency Fees," *CBA Record*, October, 1994; "Taking Control," *Law Practice Management*, May 2002. Classes and Seminars taught: *Federal Trial Bar Practice Course*, Chicago Bar Association, 1995 - 1996; *Civility*, Illinois Defense Council, 1995 - 1998; *Damages - From Intake to Trial*, IITLA, 2002; *Effective Illinois Jury Selection*, IICLE, Spring 2003; *Opening Statements*, Chicago Bar Association, October 2006; *Expert Witness Testimony*, American Academy of Orthopaedic Surgeons, San Francisco, March 2008; *Case Evaluation: Managing the High Verdict Potential Case*, Law Bulletin Seminars, Chicago, November 2009. **ISSUE STATEMENT:** The recent retention election of Illinois Supreme Court Justice Kilbride revealed that certain partisan groups will aggressively attempt to influence judicial elections. False advertisements taken out against Justice Kilbride were an attempt to politicize our Supreme Court and intimidate judges across Illinois. This appears to be the new norm in high profile judicial elections. The ISBA must defend judicial independence whenever and wherever it is attacked.



Stephen M. Komie, Chicago. Principal, Komie and Associates, Chicago; trial and appellate practice. DePaul College of Law, J.D. 1976; National College of Criminal Defense Lawyers and Public Defenders, 1978. Admitted: Illinois Supreme Court 1976; U.S. Supreme Court; U.S. Court of Appeals, 5th, 6th, 7th, and 8th Circuits; U.S. District Court for Central, Northern, and Southern Illinois. Member: ISBA, 1973; Secretary, 1996-97; Board of Governors, 1992-98, 1999-2005; Assembly, 1985-2011; Chairman: Committee on Credentials; GATS Task Force, 2005; By-Laws Committee; Committee on Professionalism, 1991-92; Criminal Justice Section Council, 1989-2010; Member: ARDC Council; Mandatory CLE Committee; Traffic Law and Courts Section Council; Family Law Section Council; ISBA Task Force, Judicial Compensation; past Board of Directors: Illinois Bar Foundation; Speaker: ISBA CLE Seminars, ISBA Young Lawyers Section. Past Chairman, CBA, Criminal Law Committee, 1983-84; and Defense of Prisoners Committee, 1986-87; Matrimonial Law Committee; Delegate: CBA Conference on Cuban Law, 2010. Member: ABA Task Force, Small Firm & Solo Practitioners; North Suburban Bar, Northwest Suburban Bar, Illinois Trial Lawyers, and American Trial Lawyers Associations; past Director & Parliamentarian: National Association of Criminal Defense Lawyers. Articles: IICLE *Illinois Family Law*, 1998, 2008; "Little RICO Bill Should Not Be Passed," *The Bar News*, 1984; "Little RICO in Illinois, The Case Against It," *Chicago Law Bulletin*, 1984. Awards: 1994 American Trial Lawyers Association National Public Service Award for Pro Bono Legal Representation, 2009 ATLA Top 100 Trial Lawyers Award; 1991 Recipient ISBA Board of Governors Award for Service to the Bar; ISBA Certificates of Appreciation, 1986, 1990, 1991, 2001, 2006; CBA Certificates of Appreciation, 1984 and 1987. Leader in advocating individual rights of lawyers through "Attorney's Bill of Rights," 1989, providing expungement of ARDC complaints made against attorneys and other procedural safeguards; "ISBA Legislation Proposed To Protect Attorney/Client Relationship," *Chicago Law Bulletin*, 1987.



John Nisivaco, Chicago. Incumbent. Employer: Boudreau & Nisivaco, LLC. Education: Northern Illinois University, B.A. 1990; DePaul University College of Law, 1993. Admitted in Illinois, 1993; United States District Court, Northern District, 1993. Principal areas of practice: Plaintiffs' personal injury. ISBA activities: Appointed to Board of Governors in 2010 to fill the vacancy of Illinois Supreme Court Justice Mary Jane Theis; Assembly member elected 1998, 2001, 2006; Past Chair of the Tort Law Section Council; Editor of "Tort Trends" newsletter; Immediate Past Chair of Standing Committee on Judicial Evaluations - Cook County; Past Chair and Trustee of LAW PAC; Elected member of the Assembly Program & Agenda Committee; Illinois Bar Foundation Board Member; Past member of the Young Lawyers Division; in 2004 appointed as Young Lawyers Division's Regional Delegate to the American Bar Association. Other Bar Association Activities: Past Co-Chair of the Alliance of Bar Associations for Judicial Screening; Past Chair of CBA Tort Litigation Committee and past member of IITLA Board of Managers; Justinian Society of Lawyers, American Association for Justice; American Bar Association. Awards: In 2001, named as one of "40 lawyers under 40 years old to watch in Illinois"; selected as both a "Leading Lawyer" and "Super Lawyer"; In 2010, named as one of the "Top 100 Trial Lawyers" by The American Trial Lawyers Association; have been given an AV rating, the highest possible, from Martindale-Hubbell; Appointed as Fellow of the American Bar Association's Young Lawyers Division. Teaching: Adjunct Professor at DePaul University College of Law teaching a course on Pre-trial Civil Litigation Strategy. Other Involvement: Appointed in 2009 as Commissioner of the Lyons Township Mental Health Commission. Speaker: participated as speaker at seminars sponsored by ISBA, CBA, IITLA and IICLE.



Board of Governors – Area 7 – UNCONTESTED

Shari R. Rhode, Carbondale. Incumbent. Partner in the firm of Rhode and Jackson, PC, in Carbondale, a firm concentrating in business and employment law and litigation. J.D. from Southern Illinois University in Carbondale-first class-1976; LLM in Litigation from Emory University in 1987. Active member of the ISBA since graduation. Member of many sections over the past 35 years including being chair of several section councils such as Federal Civil Practice, School Law and Individual Rights. Women's Advocacy Committee 2001-2002. Gold Fellow of the Illinois Bar Foundation. Member of the United States Supreme Court; the U.S. District Courts for the Southern and Central Districts in Illinois as well as the US District Court for the Northern District of Georgia. Member of the Appellate Courts of the 7th and 11th Circuits. Licensed to practice in Illinois, Missouri and Georgia. Member of the Jackson County, Illinois Bar Association. Founding member of the Coach Kill Cancer Foundation which provides financial assistance to families dealing with cancer. One of the original incorporators of the Women's Center in Carbondale. Creator of the Trial Advocacy Team Scholarship at the SIU School of Law. Co-founder of the Lawsuits program at Southern Illinois University School of Law which provides law students with gently used suits and accessories to assist them in job interviews and other activities to begin their legal careers while at the same time beginning their giving back to the system that enabled them to practice the noble profession of law.



Board of Governors – Under 37 – Cook – UNCONTESTED

Frank A. Sommario, Chicago. Incumbent. Associate in the law firm of Romanucci & Blandin, LLC, concentrating in workers' compensation, personal injury, and medical malpractice. Admitted to practice in Illinois (2000), Minnesota (2001), and District of Columbia (2001). Also an Illinois Certified Public Accountant (1998) and a Registered Investment Advisor (2003). Education: DePaul University, Commerce/Accounting (1997); DePaul University College of Law, Juris Doctor (2000). ISBA activities: Board of Governors Under Age 37-Cook County (2008-2011), Assembly (2006-2008), Silver Fellow of the Illinois Bar Foundation. Workers' Compensation Law Section Council (Board Liaison 2009-2011, Member 2007-2009), Environmental Law Section Council (Board Liaison 2008-2010), Federal Taxation Section Council (Board Liaison 2008-2011), Young Lawyers Division (Board Liaison 2008-2009), and Standing Committee on Mentoring (Board Liaison 2010-2011). Other professional affiliations: Member of American Association of Attorney-Certified Public Accountants, American Bar Association, American Institute Certified Public Accountants, American Association for Justice, Chicago Bar Association, Chicago Council of Lawyers, District of Columbia Bar Association, Fenwick High School Bar Association, Illinois CPA Society & Foundation, Illinois Trial Lawyers Association, Justinian Society of Lawyers (Executive Committee 2009-2011), Minnesota State Bar Association, National Italian American Bar Association, National Italian American Foundation, Women's Bar Association of Illinois. Workers Compensation Lawyers Association – Treasurer (2010-2011), Board of Directors (2008-2009). Honors: Named 2010-2011 Illinois Rising Stars by Super Lawyers.



ASSEMBLY - Cook County – UNCONTESTED

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John L. Nisivaco

Candidate for the Board of Governors of the ISBA – Cook County

Qualifications

- Current member of the Board of Governors of the ISBA – Appointed to fill the vacancy of Supreme Court Justice Mary Jane Theis
- Elected 4 times to the Assembly of the ISBA
- Past Chair of the Tort Law Section Council of the ISBA
- Past Chair of the Judicial Evaluations Committee for the ISBA
- Editor of Tort Trends publication of the ISBA for the past 11 years
- Member of the Board of Directors of the Illinois Bar Foundation
- Previously elected member of the ISBA Assembly Program & Agenda Committee



Vote for JOHN NISIVACO when you receive your ISBA ballot.

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Vote for
**CHRISTOPHER T.
 HURLEY**
 ISBA Board of Governors
 COOK COUNTY

BACKGROUND AND EXPERIENCE

- » Career trial lawyer – both plaintiff and defense
- » Illinois Bar Foundation - Diamond Fellow
- » Illinois State Bar Association (ISBA)
 - › *Tort Law Section*
 - › *Civil Practice and Procedure Section*
- » Women’s Bar Association of Illinois (WBAI)
- » Fellow, American College of Trial Lawyers (ACTL)
- » Fellow, American Board of Trial Advocates (ABOTA)
- » Illinois Trial Lawyers Association (ITLA)
 - › *Executive Committee*
 - › *Elected Manager (since 1996)*
 - › *Chair, Legislative Relations*
- » Loyola University Chicago School of Law
 - › *President, Alumni Board of Governors*
 - › *Chair, Annual Giving Committee*
 - › *Chair, Scholarship Committee*
 - › *Sponsor, Dean’s Circle*
 - › *Sponsor, Elder Law Lectures*
- » Common Hope (a nonprofit organization dedicated to improving education, health care, and housing in Guatemala)
 - › *Vision Team Leader*

“The recent retention election of Supreme Court Justice Kilbride revealed the length that certain special interest groups will go to influence judicial elections. False advertisements taken out against Justice Kilbride were an attempt to politicize our Supreme Court and intimidate judges across Illinois. This appears to be the new norm in high-profile judicial elections. **The ISBA must defend judicial independence whenever and wherever it is attacked.**”

CAMPAIGN COMMITTEE

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Is Illinois ready for the Uniform Bar Exam?

Harrison and Held partner Stuart Duhl, who was on the Illinois Board of Admissions to the Bar for 23 years, its former president and also a former president of the National Conference of Bar Examiners, answers questions about Illinois' possible adoption of the Uniform Bar Exam. The movement towards a Uniform Bar Exam has gained momentum recently as Missouri adopted it in 2010 and other states have begun to consider it.

Q and A with Stuart Duhl

Q. When did the push for Uniform Bar Exam begin?

A. It has probably been discussed for the last 5 years or so. I think that beginning in 2009, people began to write about it and starting in 2010, maybe late 2009, there were meetings discussing the concept of a Uniform Bar Exam and what it would consist of. When some states indicated they were interested, the National Conference of Bar Examiners essentially put together an exam – which wasn't very difficult because it was really based on exams that had already been given.

Q. Why should Illinois institute the Uniform Bar Exam?

A. Illinois for the most part is using exams created by the National Conference of Bar Examiners. Illinois uses the multi-state bar exam – which is the multiple-choice test, the multi-state essay exam and the performance test. So, for all practical purposes, Illinois is already using the major components of the Uniform Bar Exam. What the UBE does is allow for greater transferability of scores. Illinois would still control the passing score, like it does now, and I don't see where it would actually make a great deal of difference.

Q. Why shouldn't Illinois institute the UBE?

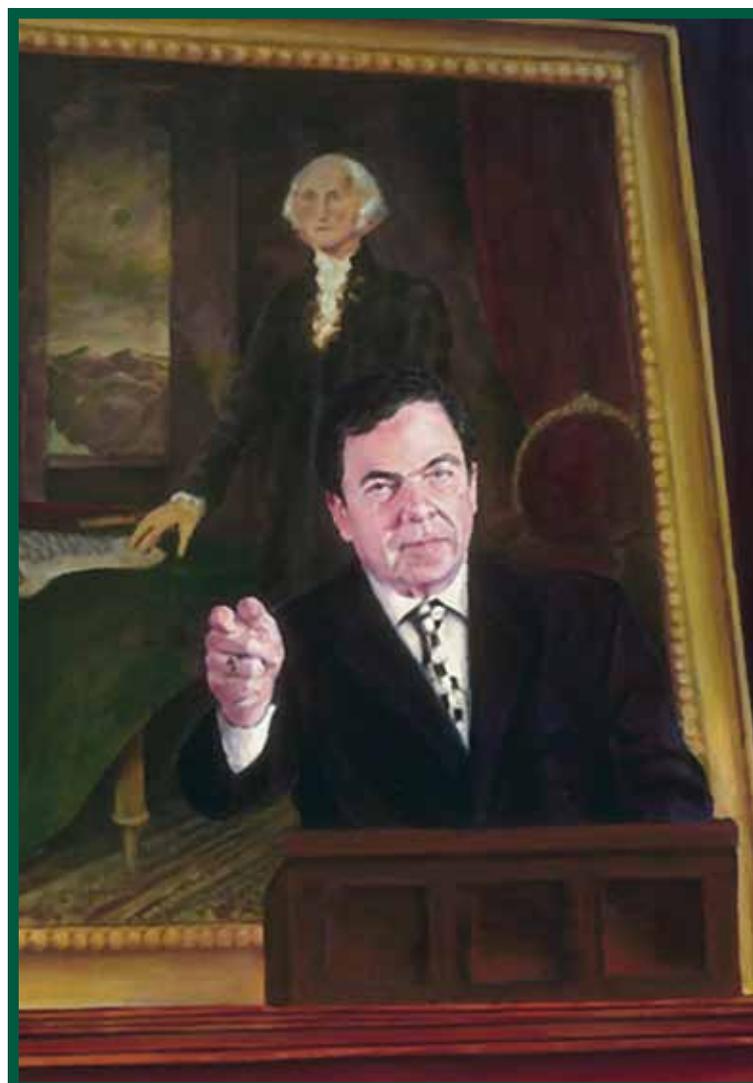
A. The main issue that states have been concerned about has been the fact that some of them, including Illinois, give a few, of what one might call, state-specific questions. The issue is whether you would give up the ability to draft Illinois-specific questions and what the value of those questions are. One could argue that if one can pass 90% of the Bar Exam, the lack of Illinois-specific questions shouldn't matter. The other argument is that you could do Illinois-

specific questions if you wanted to add another piece to the exam. In other words, if the Uniform Bar Exam was 6 hours each day over two days, you could add another hour each day and you could add 2 or 3 Illinois specific questions. Another way to deal with it is you could require lawyers who pass the UBE to take a CLE course on Illinois Law in a particular area.

Q. Would this be the biggest change for bar exams?

A. This would be a major change. It wouldn't happen right away, but ultimately you would move to transferability of a score to make it more like the CPA exam. There you take a uniform exam and basically you can become licensed in other jurisdictions. That is where it probably leads to – but that could be 10 or 15 years down the road. The big issue is whether any of the large states - New York, Illinois, California or Florida - decide to start this process. ❖

Contact Regina Kivan Peterson, Director of Administration for the Illinois Board of Admissions to the Bar, with questions or comments or to seek additional information on the Uniform Bar Exam at rkpeterson@ilbaradmissions.org.



COOK COUNTY ATTORNEYS:

Are you tired of standing in line in DuPage and Will Counties because you don't have one of their ID cards?

I WILL FIGHT for one ARDC issued ID card for all courthouses in Illinois.

ELECT A PROVEN ISBA LEADER

Stephen M. Komie

– A Solo Practitioner –

TO THE BOARD OF GOVERNORS

SERVING THE BAR SINCE 1973

- > Elected ISBA Secretary & ISBA Treasurer
- > Elected & Served 12 years on Board of Governors
- > Criminal Justice Section Past Chair
- > Author, Attorney's Bill of Rights granting attorneys expungement of ARDC complaints
- > Member, Illinois Trial Lawyers Association
- > Awarded the American Trial Lawyers Association National Public Service Award for Pro Bono Legal Representation
- > Recipient of ISBA Board of Governors Award for Service to the Bar

< Stephen M. Komie addressing the ISBA Assembly at the historic meeting held in the Old State Capitol.



The band OMT - One More Time with Naperville attorney Richard Kuhn (right) performs at Lawyers Rock Legends.

Lawyers Rock Legends raises over \$55,000 for Illinois Bar Foundation

Over 400 people enjoyed the Illinois Bar Foundation's Lawyers Rock Legends fundraising event on Feb. 3 at Buddy Guy's Legends in Chicago. The event raised over \$55,000 to support the programs of the IBF.

In the fall of 2010, the IBF held a contest on its Facebook page to determine which bands would be selected to perform. People were asked to become a fan of the page, and then view the submitted auditions and vote for their favorite bands. A total of 21 bands from around the state submitted auditions. In December, a panel of unbiased professional musicians viewed the final submissions, and taking into account all of the votes cast, chose the winning bands. The winning bands, which had to include at least one lawyer, were:

- Barristers Big Band
- Catfish & the Big Boss Blues Band
- The Orphans
- OMT-One More Time
- 5-thirty
- Joe Biscelgia plus Three
- Loren Golden Jazz Ensemble

"It was great to see so many young lawyers there," Illinois State Bar Association President Mark Hassakis said. "It was a great mix of people who aren't typically at bar events. Music cuts through all barriers."

The first-time event was such a success that plans are underway for a repeat performance in February, 2012. For further information, please call the IBF at 312.726.6072, or visit their website at www.illinoisbarfoundation.org. Photos from the event are available at www.illinoislawyernow.com.

"Technically, the sound and lighting were superb, the crowd was enthusiastic and the overall charitable atmosphere with the musicians and their supporters combined to make this a memorable event," said Naperville attorney Richard Kuhn, who performed with his band OMT - One More Time. "We wanted to support the Bar Foundation, but it's also great for a band's resume to play at Buddy Guy's, which is truly a legendary place in Chicago." ♦

VOTE FOR MARTIN L. GLINK

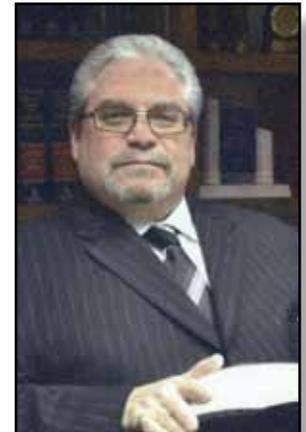
CANDIDATE FOR ISBA BOARD OF GOVERNORS

A PROVEN LEADER

- Twice elected ISBA Assembly
- Two terms Budget & Audit Committee
- Vice Chair Tort Law Section Council, (incoming Chair 2011)
- Co-founder & four times elected President of the Suburban Bar Coalition for Judicial Evaluations by five area Bar Associations
- Past President NWSBA - Award for Excellence In Service

A DEDICATED, DILIGENT WORKER

- Argued cases before the Illinois Supreme and Appellate Courts
- Lecturer and Author for ISBA, NWSBA, ITLA, Decalogue, CBA and ICLE (over 18 programs & articles)
- Held numerous Northwest Suburban Bar Offices, Chaired various committees including, Judges' Night (10 Years), Civil Litigation, Long Range Planning, & Bench and Bar Relations
- Many television, radio and newspaper interviews and appearances



VOTE FOR MARTIN L. GLINK
FOR ISBA BOARD OF GOVERNORS
PROVEN LEADERSHIP,
TENACITY, CIVILITY & RESPONSIBILITY

ELECT

PATRICE BALL-REED ISBA BOARD OF GOVERNORS (COOK COUNTY)



ACCOUNTABLE
COMMITTED
EXPERIENCED

Service in the ISBA – Current Member of: Assembly, committees on Women and the Law and Public Relations. Assembly budget committee, Silver Fellow - IBF, membership services, Task Force on Diversity, Task Force on Professionalism, Public Relations, legislation, Women and the Law, Family Law Section, Bar Publication, Editorial Board of the Bar Journal, State and Local Taxation, Minority and Women Participation

Service outside the ISBA – Past President of Black Women Lawyers Association of Greater Chicago, Women's Bar Association of Illinois, and the John Marshall Law School Alumni Association, member of Illinois Judicial Council, Illinois Judges Association, Cook County Bar Association, Chicago Bar Association, Justinian Society of Lawyers, American Bar Association. Board of Trustees Trinity College, and other community organizations.

Experience – Lawyer for 25 years, both private practice and public service, former Assistant States Attorney for Cook County, former Deputy Attorney General, recipient of several awards, author of various articles and presenter.

Integrating technology into your law office without spending a bundle: Part 2

by **Bryan Sims**

Sims Law Firm, Ltd., Naperville

In my last column, I covered the basics of purchasing a computer, scanner, software, and a backup system for your law practice. In this issue, I will address issues of printers, fax services, and telephone services.

As before, I am guided by two principles. First, technology purchases should be made with an eye toward making your practice as paperless as possible. Second, to the extent possible, the items that you purchase should be easy to use.

Printers

There is little doubt that you will need a printer for your practice. My first suggestion is to avoid inkjet printers. In my mind, these have multiple drawbacks. First, they are generally expensive to operate. I have seen assertions that the ink for an inkjet costs anywhere from about \$4,500 per gallon to \$8,000. Even at a fraction of that cost, it's still expensive. There is no reason to be spending that kind of money.

Second, inkjet printers are slow. Imagine having to wait while your inkjet, printing one line at a time prints out a 15 page brief. These drawbacks just aren't worth the costs.

The good news is that you can get a good laser printer at a reasonable price. As I was preparing this column, I found a laser printer on Amazon that prints 27 pages per minute, includes both wired and wireless networking, and automatic duplexing for about \$130.

My recommendation is that you look for a printer that will print at about 25 pages per minute. My second recommendation is that, when shopping for a printer, shop for toner cartridges. It does no good



Are you still using a physical fax machine? You could be saving time and money by using a faxing service that will email you the fax as a PDF attachment. That also allows you to receive faxes without being in the office.

to get a great deal on a laser printer and then have to spend \$80 for a toner cartridge.

Many printers will also offer a high yield cartridge that is supposed to allow more pages at incremental costs. Sometimes these are good deals, sometimes they are not. Just make sure you have an idea of what your consumables are going to cost you.

A question I often hear when talking about printers is whether someone should buy an all-in-one machine. That is a personal preference. A few years ago, I would have said absolutely not. This was because the only all-in-ones that were readily available were inkjets. You can now purchase all-in-one laser machines. These are much better than the inkjets.

In general, I still don't like all-in-one machines. Mainly, I think that each component is usually inferior to a standalone model. However, if space is a real premium for you, an all-in-one may be a good choice.

You may have noticed that with this set up, you are printing only in black and white. Some people have asked about what I do for color printing. For me, I do all of my color printing at FedEx Office (formerly known as Kinkos). They are my preferred provider because they make it easy. I upload the files via the internet, identify the location where I want them printed, and identify the time that I want to pick them up. Alternatively, I can have them shipped (via FedEx or delivered to me).

I have found that I need to print color only a few times a year. On these occasions, this solution works much better than messing with owning a color printer of any sort. If you are not near a FedEx Office, I am sure there is a copy shop or office supply store that

will happily print your color copies for a small fee. For most attorneys, this is usually the most cost effective way to handle color copies.

Faxing

I have had people ask me what kind of fax machine that I own. This is an easy question. I don't own a fax machine and I don't ever plan to. With a fax machine, you have to purchase the machine, keep it in consumables, and keep a phone line for it. Plus, if you receive a fax, you have to be where the fax machine is to know that you received the fax.

In my view, fax machines are too expensive, too limited, and too much of a hassle to make them worth the trouble.

Because I live in the real world, however, and because I know that attorneys love their fax machines, I know that I have to both be able to send and receive faxes. I do this by using a fax service, rather than a fax machine.

There are a variety of such services available. EFax is probably the most well known. However, there are other companies such as MyFax, maxemail and RingCentral. The services all have slightly different pricing structures and I urge you to shop around to find the structure that best meets your faxing needs.

Regardless of your provider, the services all work similarly in that you can both send and receive faxes through your email. You send a fax by attaching the document you want to fax to an email. Similarly, any faxes you receive show up in your email inbox, usually as a PDF attachment. Some services also allow you to send a fax from a web interface, without having to use your email.

From my perspective, a service such as this is the only way to go. First, I don't have the cost of a fax machine. Sure, I have the cost of a fax service, however, my fax service usually costs me no more than the phone line costs for a fax machine would. The costs of owning and maintaining a fax machine are simply costs I do not have to incur.

Second, a fax service increases your ability to maintain a paperless practice. I often send faxes of documents that are never printed by me. I simply generate the document on the computer and fax it without ever printing it. Similarly, when I receive a fax, I usually simply save it to my client file on my hard drive and never print it.

Third, when I receive a fax, I know it, even when I am not in the office. When I receive a fax, it shows up in my email. As long as I can check my email, I can

Elect Tara Ori

Board of Governors - Under 37 Downstate



ISBA Assembly Member - ISBA Standing Committee on Racial and Ethnic Minorities - ISBA State and Local Taxation Section Council Member - Association of Women Attorneys of Lake County Board Member - Chair of the Lake County Bar Association's Diversity Committee

Committed to the Legal Profession and the Illinois State Bar Association

check my faxes. In fact, on more than one occasion, I have reviewed a fax on my smartphone.

I don't recommend trying to read a multipage fax on your phone. However, I find it invaluable to be able to open the fax on my phone, just to see what it is about. Based on that look, I can make a decision as to whether I need to take immediate action based on the fax, or whether I can wait to deal with it at a later time.

All factors considered, I would never consider using a fax machine over a faxing service.

Phones

When it comes to phone services, you have three basic choices: (1) plain old telephone service (commonly referred to as POTS); (2) Voice over Internet Protocol (commonly referred to a VoIP); and (3) your cell phone.

Let's start with the third option first. I will presume that you will have a cell phone of some sort. This is pretty standard for most people. The question is whether you want you want to use your cell phone as your only business line. I know solo attorneys who operate their practices perfectly fine using only their cell phones. If this works for you, then that is your decision.

If you plan to operate using solely your cell phone, make sure that you have a good phone and a good phone service. Also, make sure that you have good service in the location you will primarily be working. The service provider that works best for you in your office, may not be the one that works best for everyone else.

Another option is to use POTS from a company such as AT&T. The advantage here is that the phone network is very reliable. You will get good service and you should not have any problems with your service. The drawback is that it can be more expensive than some other options. Also, the phone provider usually charges you extra for each additional feature you want to add (such as voicemail, Caller ID, etc.).

An additional option is a VOIP provider. These include companies such as Vonage and 8x8. They can also include phone services offered by cable providers. These services often include unlimited calls to the United States. Additionally, features such as a voicemail, Caller ID, etc. are typically included for free.

As an added bonus many of these services will email your voicemails to you. Thus, you can easily listen to them on your smartphone. Further, some of these services will allow you to ring multiple phones at once. Thus, you can give your office number to someone and choose to allow that number to also ring your cell phone, when **you** want it to.

Most of these services are less expensive than both your cell phone and POTS. The major drawback to these services is that your phone connection is only as good as your internet connection. If you do not have good internet connectivity, you will not have good phone service.

The key is to determine what services you want, and search for the most cost effective provider of those

Recent judicial appointments



Benson



Cha-yu Liu



Else

Appellate

1st District 4th Division

Marcus R. Salone, Chicago

Circuit Courts

1st District Cook County

Laura Cha-yu Liu, Chicago
Lionel Jean-Baptiste, Evanston
Peter J. Vilkelis, Chicago

2nd District

16th Circuit

John F. McAdams, Yorkville

17th Circuit

Robert R. "Randy" Wilt,
Rockford

18th Circuit (DuPage)

Anthony V. Coco, Wheaton
Thomas A. Else, Wheaton
James D. Orel, Wheaton

19th Circuit (Lake)

James K. Simonian, Waukegan

22nd Circuit

Mark R. Gerhardt, Algonquin

3rd District

9th Circuit

Heidi A. Benson, Macomb

12th Circuit (Will)

Matthew G. Bertani, Joliet
Domenica A. Oserberger, Joliet
Roger D. Rickmon, Joliet

13th Circuit

Sheldon R. Sobol, Morris

4th District

6th Circuit

Thomas E. Griffith, Jr., Decatur

11th Circuit

Michael L. Stroh, Eureka

5th District

4th Circuit

Jeffrey M. "Marc" Kelly, Vandalia

services. In the right circumstances, any of the three options could be a good choice.

There may not be any easy answers about how to

equip your office. However, I hope that some of the principles I described will help you make cost effective decisions. ❖

Re-Elect

UMBERTO S. DAVI

Candidate for ISBA Board of Governors (Cook County)



Dear ISBA Members,

Thank you for all your past support.

I would appreciate the opportunity to continue to serve you.

- Member of the ISBA (since 1982), Assembly multiple terms, Board of Governors (1998-2004) (2008-2011)
- ISBA past Secretary and Treasurer, Family Law Section Council; Judicial Evaluations and Scope and Correlation Committees; past chair of the Agenda Committee; past Member, Bar Elections Committee
- Illinois Bar Foundation, Chair of the Fellows (2002-2004)
- DuPage County Bar Association: Chair Family Law and Real Estate Committees; member, Expedited Matrimonial Fees Arbitration Program
- Cook County Arbitration Program
- Cook County Justinians, President (1995-1996), current co-chair Scholarship Committee
- DuPage County Justinians, 2006 recipient of the Justice Anthony M. Peccarelli Award
- Joint Civic Committee of Italian Americans, Lifetime member, President's Advisory Board and Human Relations Committee
- President of the Willowbrook Police Pension Board (1999-2011), Village Trustee
- John Marshall Law School Alumni Board of Directors (President 2005-2006), 1997 recipient of the Distinguished Service Award
- John Marshall Law School Board of Trustees
- Solo practitioner concentrating in family law and real estate

Leadership

Experience

Dedication

Why should I go on an ISBA vacation?

by Lisa M. Nyuli

*Ariano, Hardy, Nyuli, Johnson, Richmond & Goettel,
South Elgin*

One of the lesser known benefits of being a member of the ISBA is the group travel program. The ISBA offers a number of travel opportunities principally through Go Next. One of the most popular in recent memory was the presidential trip offered in September, 2010 – a 12-day cruise of the Greek Islands on Oceania. The trip was led by our current ISBA president, Mark Hassakis and his wife, Janet. About 90 ISBA members and their friends and/or families, joined Mark and Janet for an amazing, fun-filled, relaxing good time. I was one of the 95 who went, and it was one of the top 2 trips of my life, so far. This was not the first ISBA trip I have gone on, and not even my first trip to the Greek Islands with the ISBA.

Why would I want to travel with a bunch of lawyers?

If that's your concern, or if that's what your spouse says when you suggest an ISBA trip (while making that "ewww" face), you should know that the only person who worked on this trip was President Hassakis, but for those of you who know him, he really never stops. For the rest of us, not so much. Oh sure, there are those type As that had to check their emails every day – but that is not just a lawyer trait! There was no discussing the organization, or having meetings. Not even CLE! Instead, travel with the ISBA gives you a chance to go on a trip with other people who like to travel, have common livelihoods, and therefore provides a chance to make new friends, and get to know your colleagues in a different setting than usual. I've always thought that camaraderie among lawyers outside of the office is one of the best parts of being a lawyer, and that lawyers all have a fun side. I'll bet you will find that you actually like your fellow lawyers and their families. Resistance is futile.

The weather was here, wish you were beautiful

Sorry, that's an old joke, and a souvenir T-shirt from Hawaii. Although on this trip, the weather was absolutely perfect and I do wish you all had been there! I came back with the best tan since I was 18 and a lifeguard! We had a 45-minute downpour one afternoon, which made everyone run from the pool deck, into the various other ship facilities. Some of us went to the game room, and started a wicked game of Scrabble. Not the computer kind – the real



Enjoying the 12-day cruise of the Greek Islands (from left): ISBA President-elect John Locallo, ISBA Board members Russell Hartigan and Lisa Nyuli, and the trip's host, ISBA President Mark D. Hassakis.

game, on a board. Some went to the bar, or the library. Disclaimer: the ISBA does not guarantee perfect weather for every trip.

Oceania offers a luxury cruise experience and, while it was more expensive than the typical ISBA trip, the extra money was worth it. The food was exceptional (don't get me started on the daily ice cream bar!), the ship was gorgeous and clean, and there were only 600 passengers and 400 crew. Pretty intimate for this kind of trip. Our assistant cruise director was Willie Aames, of Eight is Enough fame. If you don't know who he is (and most of the group didn't), maybe you'll remember him from Charles in Charge. Television in the 80s. No? Oh well.

We started in Istanbul, Turkey, and disembarked in Athens, Greece. The Greek Islands are filled with beauty and amazing archeological sites that will cause you to ponder the interplay between ancient mythology and the evolution to modern civilization and innovation. Truly fascinating, educational and beautiful.

Afraid of sharing your vacation with other lawyers?

Again, I found that ISBA travel has given me a comfort level of going overseas and on trips that I might not otherwise go on, with the confidence that I will have something in common with other travelers. People of all different ages travel. When I went on the ISBA Italy trip about 7 years ago, I took my dad with me. He is not a lawyer, but he was welcomed and made friends on the trip. We had such a blast, and he has wanted to go again ever since. I'm

pretty sure that he didn't bond with travelers over issues of law, or courtroom experiences, although he did crack himself up by repeatedly allowing a judge on our trip to go through doors ahead of him, saying "your honor, Your Honor".

Trips are not just for couples or families. As a frequent solo traveler, I appreciate that ISBA trips provide me with a whole group of people that I can hang out with, talk to, and even travel with in the future. Anyway, you'll meet people you can join for the excursions, have dinner with, or play cards with. Or you can lay by the pool and read a book, or two. I read seven!

Worried that an ISBA trip is only for the "insiders" of the ISBA?

Totally not true. Even when it's a presidential trip. It's not a commercial for the ISBA. You won't be hit up for committee work, donations, or to write articles (except for me!). There may be a free reception or two, but you aren't obligated to go, and if you do, you'll just get a free drink and have a chance to meet your fellow travelers. Not a minus in my book – a definite plus!

I'll be going on another trip soon – hope to see you there!! ❖

Nyuli is a member of the ISBA Board of Governors.

For information on upcoming ISBA trips, visit www.gonext.com/isba or contact Go Next at 800-842-9023.

Family Law Update 2011: A French Quarter Festival



The Illinois State Bar Association proudly announces its 2011 Destination Law Ed Pilot Program!

Renaissance New Orleans
Pere Marquette Hotel
817 Common Street
New Orleans, Louisiana

The Illinois State Bar Association will be hosting a Law Ed program in New Orleans on May

12-13, 2011, where its top Family Law faculty members, including both judges and practitioners, will present an update on the latest family law developments. The program includes a comprehensive overview of the new Illinois Civil Union Act taking effect June 1, 2011, a review of how the new Illinois rules of evidence have impacted family law trial practice, and the latest installment of Enrico Mirabelli's ever-popular and up-to-the-minute case law update for family law. The program also features a mock closing argument by two seasoned practitioners regarding the removal of a minor child, where panel judges and attendees will vote the outcome of the case. The program, which qualifies for 10 hours MCLE credit, including 1.5 hours Professional Responsibility MCLE credit (subject to approval), is presented by the ISBA Family Law Section Council.

Limited Seating, Register Early

Registration is open to ISBA Members only and limited to the first 50 registrants!

The recently renovated Renaissance New Orleans Pere Marquette Hotel – located next to the famous French Quarter – plays headquarters for the Family Law Update Festival and is offering special room rates of \$175 for attendees who register by April 20. Originally built in 1925, the hotel continues to honor its jazz roots by highlighting legendary musicians throughout its 18 floors. Located one block from historic Bourbon Street, the hotel is within walking distance to all of the French Quarter's attractions.

With two days of premium family law presentations, a complimentary

reception to network with friends and colleagues, and plenty of free time to soak in the region's culture and cuisine, this is a can't-miss opportunity to mix French Quarter fun with ISBA's top-notch educational programming. For more information and a full program agenda, please visit our Law Ed calendar at: www.isba.org/cle/upcoming.

CONTRIBUTORS

Gold

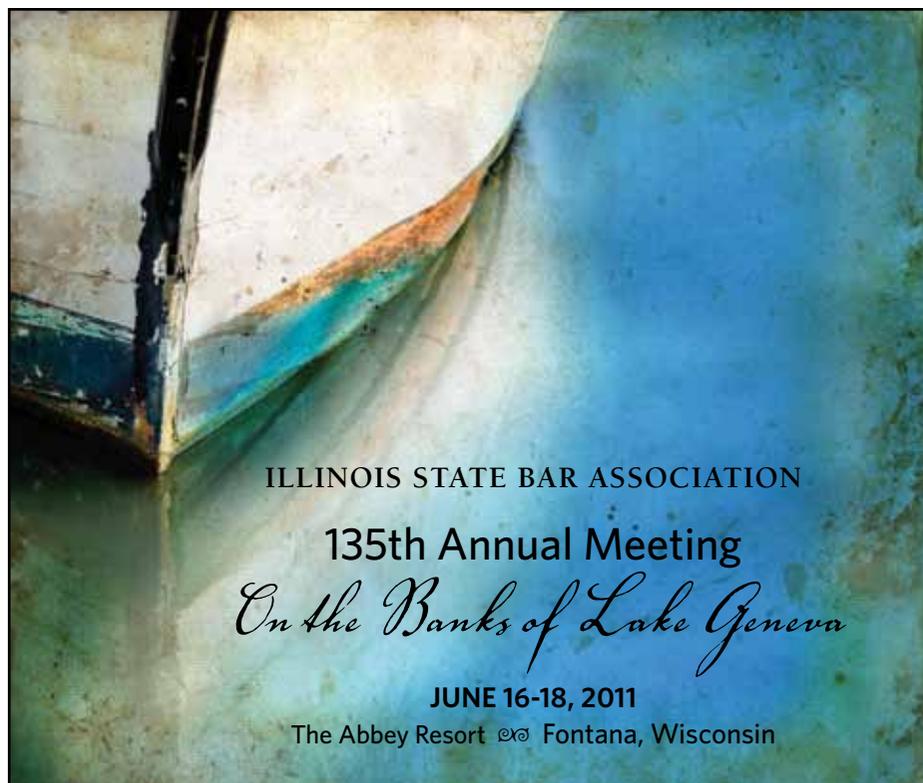
Stout Risius Ross, Inc.

Silver

UBS Financial Services, Inc.
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Bronze

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ILLINOIS STATE BAR ASSOCIATION
135th Annual Meeting
On the Banks of Lake Geneva
JUNE 16-18, 2011
The Abbey Resort ☒ Fontana, Wisconsin

Save The Date!

This summer the ISBA returns to *The Lake*, where the leaders of our Association gather in celebration of our accomplishments over the past bar year and sail forward with new plans for the year ahead. In this relaxed collegial atmosphere, memories are made and friendships renewed. So make plans now to bring the family and join us for the ISBA's 135th Annual Meeting *On the Banks of Lake Geneva!*

HOTEL RESERVATIONS

[The Abbey-ISBA Headquarters Hotel] Reserve your room early; **the deadline for making your room reservation is May 14th, so don't delay!** To reserve your room at The Abbey, call 800-709-1323; rooms are \$189 (single/double) plus resort fee and tax. (A deposit of first night's lodging is required.) Be sure to indicate you are attending the ISBA Annual Meeting to receive this special rate.

[Lodging Alternatives] As The Abbey usually sells out, overflow accommodations have also been blocked at the Timber Ridge Lodge at Grand Geneva. To serve your room at the Timber Ridge Lodge, call 866-636-4502; rooms are \$149 (single/double) plus resort fee and tax.

For more information regarding hotel reservations, including room reservation policies, please visit

WWW.ISBA.ORG/ANNUAL

A complete schedule of events for the Annual Meeting will be available online (at the website listed above) in the near future. An email notice will be sent out to all ISBA leadership once this information is online and registration is open.

We look forward to seeing you at The Lake this summer!



Mentorship practiced by the YLD

by **Debra L. Thomas**

As a young lawyer, it can be important to find a guide or mentor to help you navigate the legal world. Law firms, partners, competing attorneys, courthouses, and not to mention the law itself, can take up a new lawyers time and thoughts and add stress to the daily routine. One way to help ease the transition from student to successful lawyer is to have a mentor – someone you can talk to, ask questions of, and even attend networking events with.

The Young Lawyers Division of the ISBA is open to all ISBA members under the age of 36 or who have been admitted to practice less than 5 years. As a member of the YLD, all young lawyers receive a copy of the YLD News, the YLD newsletter, and have access to continuing legal education seminars and social events. But one thing that makes being a YLD member so special is that as a member of the YLD you are provided the benefit of an informal mentoring system. While the YLD does not have

a formal YLD mentorship program in place, it still serves as a helpful tool to young lawyers. The appointed members of the YLD Council are all helpful, friendly and full of advice. You can always reach out with a question and get a friendly answer.

As the YLD is not comprised of lawyers who practice in the same areas of law or in the same location, it is made up of attorneys who have experience and knowledge in almost all parts of the law. In turn, the YLD members are all eager to help new lawyers and law students, just as they received help when they first started out. YLD members are constantly helping each other, whether through answering legal questions on the YLD listserv or responding to email questions and forwards. If one YLD member does not have an answer, they will help direct the person to a lawyer who does. YLD members are consistently helping each other with legal matters, issues about setting up a law practice, questions about changing careers, questions about networking, and so on. The members of the YLD join because they want to make a difference -- to

the legal community, the outside community, and to the profession. Helping young lawyers is a part of this. To this end, the YLD puts on continuing legal education seminars, networking events, fundraisers and social events as a way to continuously get to know and help young lawyers.

The YLD holds its council meetings up to six times a year, and these meetings are open to ISBA members and YLD members do not have to be on the leadership council to seek the benefits of membership. New lawyers are encouraged to attend or reach out to the council. It is thanks in part to this informal mentorship and friendly atmosphere that the YLD is so special.

Illinois has recently issued new professional responsibility CLE requirements and in doing so, has sought to formalize certain mentorship programs. According to the Illinois Supreme Court's Commission on Professionalism website:

“The Illinois Supreme Court has recently issued two orders amending court rules as a part of an ongoing

(Continued on page 19)

13th ANNUAL ISBA YLD HOLIDAY PARTY

The Young Lawyers Division expresses its sincere and heartfelt thank you to all of our friends and supporters who attended the 13th Annual Holiday Party at the Cubby Bear Lounge on Dec. 3, 2010. Our guests enjoyed wonderful drinks and appetizers provided by the Cubby Bear Lounge, a fantastic atmosphere, and live music by Black Betty. Over the past 13 years ISBA Young Lawyers Division raised over \$150,000 for children friendly waiting rooms in courthouses and children related legal programs in Illinois.



ISBA Young Lawyers Division Thanks

The Benefactors of the 13th Annual Holiday

Corboy & Demetrio, PC, Chicago
Morici, Figlioli & Associates, Chicago

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LexisNexis
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ISBA President Mark Hassakis, Hassakis & Hassakis PC, Mt. Vernon
Peck Bloom, LLC, Chicago
Sosin, Arnold & Liebforth, Ltd, Palos Heights

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Stout, Risius, Ross, Inc, Chicago
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Please reserve December 2, 2011 for the 14th Annual ISBA YLD Holiday Party!
Once again we will enjoy the hospitality of the Cubby Bear Lounge and live music.

Please contact Anna P. Krolikowska, anna@kandrfamilylaw.com, or Chris Niro, cniro@nshn.com with any inquiries regarding the 14th Annual ISBA YLD Holiday Party.

State procurement ethics in the new era of reform

by **Scott P. Seder**

Partner at *Roberts McGivney & Zagotta LLC*

In the wake of political scandals and investigations by law enforcement officials, the State of Illinois enacted several laws in recent years that govern the conduct of State bidders and contractors. These new laws require the registration of certain bidding and contracting business entities with the Illinois State Board of Elections and prohibit political contributions by those entities to political committees established to promote the candidacy of declared candidates for the offices responsible for the award of contracts. These laws place affirmative duties and restrictions on bidders and contractors that must be understood in order for those business entities to avoid the loss of contracts, as well as fines, penalties, debarment and public relations fiascos. This overview highlights some of those requirements.

If You Want to Bid, You Cannot Give (And You Must Register)

The Illinois Election Code, 10 ILCS 5, and the Illinois Procurement Code, 30 ILCS 500, require business entities with contracts valued in excess of \$50,000, bids on contracts valued in excess of \$50,000 or a combination of bids and contracts valued in excess of \$50,000 within a calendar year to register with the State Board of Elections and prohibit those entities from making political contributions to any declared candidate for the office responsible for the award of the contract. The offices covered under the law are as follows: Governor,

Lieutenant Governor, Attorney General, Secretary of State, Treasurer and Comptroller. 30 ILCS 500/50-37(a). If a business entity has a contract with a State agency under the Executive branch, the Governor is responsible for the award of the contract. 30 ILCS 500/50-37(a). The State Board of Elections offers electronic registration for business entities and provides a certificate to registered entities. 10 ILCS 5/9-35. It is most important to know that State law forbids consideration by the State of Illinois of bids without the inclusion of a copy of the business entity's certificate of registration or verification from the entity that it is not required to register with the State Board of Elections under 30 ILCS 500/20-160(g). In this new era of procurement reform, attorneys must advise their clients to review their bid history and the applicable laws before responding to any State government contracting solicitation.

Contribution Ban Casts a Wide Net

The law's contribution restrictions and registration requirements extend beyond the business entity itself and include corporate parents and subsidiaries, non-profit organizations established by the business entity and certain political committees related to those non-profit organizations. 30 ILCS 500/50-37(a). It is important to note that certain employees are also covered under the ban. Those employees include any person with an ownership interest or distributive share in excess of 7.5% in the business entity, the President, Chairman or Chief Executive Officer of the business entity (or any individual who fulfills equivalent duties of those titles), any

employee whose compensation is determined by the payment on the State contract (excluding regular salaried employees) and any spouses of those covered. 30 ILCS 500/50-37(a). A registered business entity is required to provide a copy of its registration certificate to covered entities and individuals within 10 days of registration. 10 ILCS 5/9-35(d).

Contribution Ban and Registration Requirements Extend Beyond the Life of a Contract

The registration requirements and prohibition on political contributions last for the term of the officeholder responsible for the award or for two years following the termination of the contract, whichever is longer. 30 ILCS 500/50-37(b). In cases where the business entity is unsuccessful in the bid, these obligations remain in place during the period beginning on the date that requests for proposals or invitation for bids were issued and ending the day after the contract is awarded to the successful bidder. 30 ILCS 500/50-37(b).

Penalties Dictate that State Vendors Must Have a Compliance Plan

Attorneys must advise their clients that penalties for non-compliance can be severe. Pursuant to 30 ILCS 500/50-37(d), a business entity that violates the contribution prohibition may have its contract voided. If the entity violates the prohibition three times within a thirty-six month period, its contracts will be voided and it will be prohibited from bidding on State contracts for a period of three years beginning on the date of the last violation. Any intentional, willful or material failure to disclose required information to the State Board of Elections renders the business entity's contract, bid, proposal or contractual relationship voidable by the State should such a decision be deemed to be in the best interest of the State by the chief procurement officer. 30 ILCS 500/20-160(h). In addition, any intentional, willful or material failure to disclose required information to the State Board subjects the entity to civil penalties, including a fine of up to \$1,000 per day for failure to update a registration, imposed by the State Board. 10 ILCS 5/9-35(e).

In addition to the requirements described in this overview, there are many other obligations that registered business entities must honor to maintain compliance with the patchwork of Illinois laws governing the conduct of State contractors. Any registered business entity should seek out experienced counsel to establish policies and procedures that will ensure that it does not inadvertently run afoul of its obligations under the new laws at the cost of losing its contract. ❖

(Continued from page 18)

effort to enhance the level of professionalism practiced by Illinois attorneys. The rule changes, which were recommended by the Commission on Professionalism, raise the professional responsibility CLE requirements to six credit-hours per reporting period, and allow lawyer-to-lawyer mentoring activities to qualify for professional responsibility CLE credit."

Such mentoring activities would have to be structured, year-long programs that are "preapproved by the Commission." The rules discussed are Supreme Court Rule 794(d)(1) and 795. It is believed that local bar associations will implement the mentorship programs and pair experienced attorneys and new lawyers.

The ISBA currently has a mentor program in place, the MentorCenter, which is "an Internet-based program designed to connect experienced ISBA lawyers with any member attorney, but especially new or young attorneys, who are seeking assistance with substantive law questions or balancing

the personal and professional demands of practice." (<http://www.isba.org/mentorcenter>) The mentorship can be ongoing or simply to help a lawyer with a single issue. It is undetermined whether the current program will satisfy the new Supreme Court requirements. If any lawyer is interested in joining the ISBA mentor program, simply visit the ISBA website for more information and to sign up, or contact the ISBA directly to learn more information.

These new programs will certainly be a valued and helpful addition to the legal profession. No doubt the YLD will do its part to join in and help with the new mentorship program, but in the meantime, the YLD will continue to engage in its informal mentoring and will continue to work with young lawyers to help them transition into seasoned and knowledgeable attorneys. New lawyers and YLD members should take advantage of their membership in the YLD and reach out to become a more involved part of the YLD, or simply to ask a question and help make their day a little less stressful. ❖

Using excellent client service to build loyalty in the modern law firm

by Micah Solomon

My first challenge when I work with a law firm is this: To explain how hard it is to win client loyalty on results alone. Don't kid yourself: Even your most experienced legal clients do not by and large understand the law on a technical level. Even if you're in a litigation practice, where the scorecard should be the most cut and dried, in reality it's hard for outsiders to determine what represents a good result for any particular client. *By contrast:* Whether or not your office seems well run in a business sense? And whether or not you bill clients for internal lunches you'd have to eat anyway? These points are *easy* for clients to judge you on. Therefore, unfair though it seems, it's in your interest to focus on building client loyalty through angles other than pure, easy-to-misconstrue legal results. Most specifically, by dramatically improving the client experience.

Believe me: It's worth it. Creating true client loyalty is the fastest, most reliable way to build a strategic, sustainable advantage for your practice. Truly loyal clients are less price sensitive, more willing to forgive your small foibles, and – most importantly – almost completely immune to competitive entreaties from the firm across the street or across the continent. Here's how to pull it off.

1. You can't build client loyalty by benchmarking your service solely against the prevailing standards at other law firms – doing so is setting the bar too low. It's time to raise your game: Benchmark yourself against the best in service-intensive industries, because that's what your clients will do. Every client interaction with you is judged based on expectations set by the best players in hospitality, the financial services industry, and other areas where experts have made a *science* of customer service.

2. Shelve your legal skills when it comes to resolving client problems – a courtroom approach only gets in the way when working with your clients. Resolving client service issues means knowing how to *apologize* for service lapses pointed out to you by a client (billing errors and untimely or incomplete day-to-day client care, for example). It means getting rid of a “let's sort out the facts here and allocate responsibility” attitude when you are confronted by a client upset with what she perceives to be a client service gaffe.

Instead, take your client's side in these situations, immediately and with empathy, regardless of what you think the “rational” allocation of “blame” should be. And spread this approach throughout your staff through role-playing and other training devices, so it will serve you fully every time a client hits the fan.

3. Faster service wins the day. Modern clients expect speedier service than did any generation before them. If a contract draft is going to take you four days to deliver, *first* get back to the client immediately, explaining the length of time you're going to need; *then* dig in to the actual work needed. (Don't expect to be treated as a hero for delivering *anything* four days later, unless you have already managed client expectations of timeliness.) Clients don't know what is involved in completing your work; they figure their requests can be taken care of as automatically and speedily as fulfilling an order of cufflinks at Amazon.com.)

4. Pricing must be appropriate and appropriately presented. Clients notice if your minimum rate for proofreading documents is some astonishing figure like \$350 an hour – so find a way to get it down – for example by using paralegals or trained secretaries. (You'll make up the difference easily in retained clients and referrals.) Don't bill for large amounts of unexplained “copying” or other generic-sounding charges; *explain* such charges and how they assist your client. And for Pete's sake, don't charge for that Starbucks latte your traveling attorney would've bought anyway.

5. Every hello and goodbye must be perfect. Psychological studies demonstrate that clients remember the first and last minutes of a service encounter much more vividly – and for much longer – than all the rest of it. So make sure that the first and final elements of your client interactions are particularly well engineered, because they are going to stick in your client's memory. Do your attorneys or support staff sound interrupted – even for that telltale split second – when a client calls, or genuinely pleased to hear from her? Do you screen calls unnecessarily? “Cold-transfer” people? It's time to stop. And at the *end* of a project, is the last thing your client hears from you a chilly statement by mail, or do you make an attempt to offer a proper farewell, including thanks, an invitation to return if anything else is needed?

6. Dedicate yourself – and your systems – to remembering and acknowledging each client in a way that is personal to him. Loyalty is not built by the tradition of standing ready to besiege clients with mailings sent out in a *pro forma* fashion on other services your firm can provide. It is built by realizing that every client is unique and needs to be treated that way. Law firms – yes, law firms – thrive once they dedicate themselves to achieving the computer-assisted effectiveness of a beloved bartender, doorman, or hairstylist – the kind who would know a client's preferences, the name of that client's pet, when that client was in last... Going deeper, loyalty is built by knowing that your client, a business executive, has a sibling with severe medical problems; then reading about a new case that could help, forwarding the link and offering to find an expert in the area to help – *whether or not* the expert is in your own firm.

7. If you truly want to glue clients to your firm, learn to anticipate client needs – even before they are expressed. When a client's wish is met *before the wish has been expressed*, it sends the message that you care about the client as an individual. This may seem like it requires telepathic ability, but in essence it is simply founded on paying attention and knowing your clients. And it's well worth the effort: The cared-for feeling a client gets when *her* – not a “generic client's” – wishes are *anticipated* is where you will generate the fiercest loyalty.

To achieve this requires aligning your people and your systems to anticipate what your clients want before they ask for it. This involves hiring support staff and, yes, attorneys based on key client-friendly traits (specifically: warmth, empathy, a bias toward teamwork, conscientiousness, and optimism), aligning your systems to center on what clients really want from your processes, and never, ever, thinking you can save effort by trying to treat everyone the same. Great service requires *custom* fitting. Every day, hour, and minute you interact with the clients who come to your firm. ❖

Micah Solomon is a top speaker and adviser to corporations and professional firms on client service and the customer experience. Find out more about him at <http://customerserviceguru.com>

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Cross-selling legal and other professional services

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

I am often asked to help law and other professional service firms design and implement strategic business plans and marketing programs. I also coach many solo and small firm attorneys in practice and personal development matters. In all of these situations the issue of cross-selling always comes up as a desired strategy and goal. However, my experience over the past 30+ years has been that **cross-selling is talked about much more than it is effectively put into practice.**

My experience and our surveys of our clients and their clients has shown similar results. Cross-selling is talked about a lot and seldom implemented.

Cross-selling can be an effective strategy - but it is not easy and it requires trust, commitment, communication, hard work, dedication, and organizational alignment.

What is Cross-Selling

In essence cross-selling is selling additional services to an individual or organization that is already an existing client.

David Maister says it best in the book, *The Trusted Advisor*, that he co-authored with Charles Green and Robert Galford, in which he states that:

New relationships are at the very heart of cross-selling. In reality we have two strangers trying to get to know each other, each carrying a heavy burden of real and presumed reputations and expectations. Cross-selling is as much about strangers as it is about relationships. Cross-selling is like meeting your prospective in-laws for the first time.

Typical cross-selling opportunities involve:

1. Level 1 Opportunity

Introducing a new service to a current client individual provided by the servicing attorney. This is the easiest level of cross-selling. In this situation the players in the relationship do not change. The challenge is for the servicing attorney to convince the client that he/she has the requisite content expertise.

2. Level 2 Opportunity

Introducing a new service to a current client individual provided by a different attorney in the servicing law firm. The new player is the new attorney whom the client does not know nor have a relationship. The challenge is to get the client to take the risk and possibly a leap of faith to establish a relationship with the new attorney whom he/she does not know or have any experience with. More than likely the client may already have a relationship with another attorney handling that type of work.

3. Level 3 Opportunity

Introducing an existing service to a new person

in a current client's organization - possibly a different department (legal department vs. human resources department). The new player is the new individual in the client organization. The challenge is to get the individual in the client organization with whom the attorney has a relationship to be willing to help the attorney create a relationship with the new player in the client organization. The new player also must be willing to take a chance on establishing a relationship with the new attorney who he/she does not know or have any experience with.

4. Level 4 Opportunity

Introducing a new service to a new person in a current client's organization provided by a different attorney in the servicing law firm. Two new players exist - the new individual in the client's organization and the new attorney in the law firm organization. Other players involve the individual in the client organization that is currently working with an attorney in the law firm and the attorney in the law firm that is working with this individual. These individuals must serve as gateways or introducers to the two new players. The challenge is to find a way for these individuals take a risk and invest the time and effort in fostering these new relationships.

Challenges and Hurdles

As you can see from these four cross-selling opportunity levels, cross-selling involves different challenges that have to be overcome in order to successfully implement cross-selling. Consider the following challenges and hurdles:

1. Relationships take an investment of time and must be nurtured on behalf of the parties making the introductions and connections as well as the parties trying to form the new relationship. Attorneys often want immediate gratification and the "quick fix" and are unwilling to invest time needed for longer term results. More than a "one-shot" simple introduction is required
2. Clients hire lawyers not law firms.
3. Cross-selling requires trust on the part of all parties (introducers and new players). A high level of trust must exist within the law firm organization between the attorneys involved and within the client organization between the parties there as well.
4. There is potential risk of embarrassment for all concerned. The referring attorney in the law firm could risk losing the client if the other attorney does poor work for the client. Another issue is the loss of control over the client. The individuals in the client organization could also risk criticism (or even their jobs) if the new relationship does not pan out.

5. Many law firms are "lone ranger" rather than "firm first" or "team based" firms. As a result there is no inclination or incentive to invest the time and effort nor take the risk to refer work to others in the firm.
6. Lack of knowledge regarding other partners' practices.
7. Fear of losing clients.
8. Fear of losing client control.
9. Compensation systems in many law firms encourage hoarding of work and discourage the referring of work to others.
10. Communication systems in some law firms do not facilitate relationship building among attorneys. Effective cross-selling is simply not possible without strong relationships and high levels of trust among attorneys in the law firm.

Why Bother

Research conducted over the years by numerous research organizations has shown that on average it costs five times as much (dollars/time investment) to get new clients than it does to get more business from existing clients. It just makes good business sense to leverage existing relationships.

Ideas For Improving the Odds

IDEA No. 1: Stop giving cross-selling lip service - if you are serious - put in place organizational systems that will facilitate the process.

IDEA No. 2: Ensure that firm communication systems support cross-selling initiatives.

IDEA No. 3: Ensure that the firm compensation system does not encourage hoarding of work and discourage a cross-selling program.

IDEA No. 4: Foster a culture of "giving to get" in which professionals in the firm uphold a "firm first" attitude and are willing to invest the time and effort to foster relationship building and cross-selling efforts.

IDEA No. 5: Find ways to create, foster, and support trust building in the firm.

IDEA No. 6: Increase the client's points of contact with the law firm.

IDEA No. 7: Meet frequently with other attorneys in the firm and learn in detail about their practices and areas of expertise. ❖

John W. Olmstead, MBA, Ph.D, CMC, (zwzw. olmsteadassoc.com) is a past chair and member of the ISBA Standing Committee on Law Office Management and Economics. For more information on law office management please direct questions to the ISBA listserver, which John and other committee members review, or view archived copies of The Bottom Line Newsletters. Contact John at jolmstead@olmsteadassoc.com.

IN MEMORIAM

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

Gerald C. Bender, Evanston, IL
Admitted 1969
Date of Death: 11/28/10

Arthur T. Bernstein, East Dundee, IL
Admitted 1999
Date of Death: 1/2/11

Robert E. Bouma, John's Island, FL (formerly Lake Forest, IL)
Admitted 1962
Date of Death: 11/24/10

Adam D. Bourgeois, Chicago, IL
Admitted 1951
Date of Death: 12/3/10

Susan H. Brandt, Bloomington, IL
Admitted 1977
Date of Death: 11/9/10

Caleb H. Canby III, Barrington, IL
Admitted 1950
Date of Death: 12/31/10

Herbert Channick, Highland Park, IL
Admitted 1957
Date of Death: 1/21/11

William C. Clarke, Concord, MA (formerly Arlington Heights/Evanston)
Admitted 1974
Date of Death: 10/28/10

Karl D. Dexheimer, O'Fallon, IL
Admitted 1967
Date of Death: 11/25/10

Brian Donovan, Western Springs, IL
Admitted 1986
Date of Death: 12/11/10

Franklin E. Dove, Shelbyville, IL
Admitted 1964
Date of Death: 11/17/10

Mary Follmer, Urbana, IL
Admitted 1989
Date of Death: 9/13/10

Arthur N. Hamilton, Hazel Crest, IL
Admitted 1950
Date of Death: 12/25/2010

H. Karl Huntoon, Moline, IL
Admitted 1975
Date of Death: 1/1/11

Glenn T. Johnson, Hyde Park, IL
Admitted 1949
Date of Death: 11/30/10

George H. Klumpner, Downers Grove, IL
Admitted 1974
Date of Death: 11/23/10

Marcus M. Lee, Chicago, IL
Admitted 1999
Date of Death: 12/24/10

Donald B. MacKay, Glen Ellyn, IL
Admitted 1963
Date of Death: 12/30/10

Robert J. Mangler, Wilmette, IL
Admitted 1958
Date of Death: 11/29/10

Ramon H. Mason, Morton, IL
Admitted 1949
Date of Death: 1/13/11

William W. McKittrick, Mt. Carmel, IL
Admitted 1939
Date of Death: 12/25/10

Robert W. Morrison, Mahomet, IL
Admitted 1944
Date of Death: 12/31/10

William Evertson Phillips, Oak Brook, IL
Admitted 1953
Date of Death: 11/14/10

Peter M. Rosenthal, Rosemont, IL
Admitted 1975
Date of Death: 11/8/10

Thomas G. Russell, Jerseyville, IL
Admitted 1978
Date of Death: 1/10/11

Theodore R. Scott Jr., Deerfield, IL
Admitted 1950
Date of Death: 11/13/10

Jerold S. Solovy, Chicago, IL
Admitted 1955
Date of Death: 1/19/11

James C. Spangler, Elmhurst, IL
Admitted 1950
Date of Death: 1/5/11

Stewart R. Winstein, Rock Island, IL
Admitted 1939
Date of Death: 6/15/10

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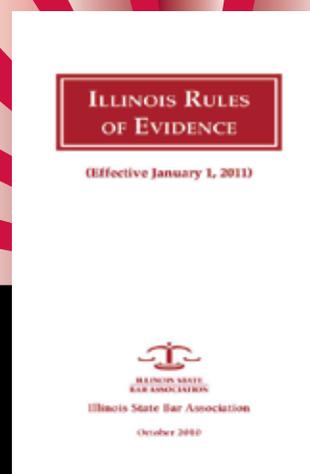
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24 - Chicago

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25 - Quincy

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1.0 MCLE credit hours

6 - Teleseminar

Debt Collection Liability and Strategies for Businesses - Part 2

1.0 MCLE credit hours

6 - Webinar

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7 - Chicago

Elder Law Issues for Everyone: Your Aging Clients, Their Parents and You

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8 - Bloomington

Traffic Law: DUI, Secretary of State, and More - 2011

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5.5 MCLE credit hours

8 - Chicago

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8 - Dekalb

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12 - Chicago

Recent Developments in Intellectual Property Law -2011

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12 - Teleseminar 
Creditor Interests in Partnerships, LLC and S Corp Interests
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14 - Chicago
Civil Practice Update - 2011
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 1.0* Professional Responsibility
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Liens
Presented by the ISBA Tort Law Section
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 MCLE credit hours

18 - Chicago
Illinois Supreme Court in Review: Important 2010 Cases, Procedures and Rules
Presented by the Illinois State Bar Association
 2.0 MCLE credit hours

19 - Teleseminar 
Structuring, Administering, and Investing Charitable Endowments - Part 1
 1.0 MCLE credit hours

20 - Teleseminar 
Structuring, Administering, and Investing Charitable Endowments - Part 2
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Advanced Legal Research on Fastcases
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2011 Retaliation Claims Update
 1.0 MCLE credit hours

28 - Chicago
The Ethics of Good Regulatory Decision Making
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28 - 29 - Macomb
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Presented by the ISBA Bench & Bar; Co-Sponsored by Family Law & Child Law
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■ MAY 2011

3 - Teleseminar 
Ethics and Confidentiality in a Digital World
 1.0 MCLE credit hours, including
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3 - Chicago
Hanging Out a Shingle or Putting Up a Roof
Presented by the ISBA Young Lawyers Division
 MCLE credit TBD

4 - Chicago
Settlement in Federal Courts
Presented by the ISBA Federal Civil Practice Section
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4 - Webinar  
Conducting Legal Research on Fastcase
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5 - Chicago
Municipal Administrative Law Judge Education Program
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 MCLE credit TBD

5 - Teleseminar 
Securities Law Issues for Medium and Smaller Businesses
 1.0 MCLE credit hours

6 - Lombard
Business Purchases Involving Real Estate
Presented by the ISBA Real Estate Section
 MCLE credit TBD

6 - Chicago
Legal Ethics in Corporate Law- 2011
Presented by the ISBA Corporate Law Department Section
 4.0 MCLE credit hours, including 4.0
 Professional Responsibility MCLE
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10 - Chicago
A Primer on Trademark Office Actions- A Panel Discussion
Presented by the ISBA Intellectual Property Section
 2.0 MCLE credit hours

10 - Teleseminar 
Managing a Trust: Trustee Duties, Liabilities, and Investment Decisions - Part 1
 1.0 MCLE credit hours

11 - Teleseminar 
Managing a Trust: Trustee Duties, Liabilities, and Investment Decisions - Part 2
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9:00 - 10:30 *Colonel Chabert* by
 Honore de Balzac

10:30 - 10:45 Break

10:45 - 12:15 *The Money Juggler* by
 Louis Auchincloss

Afternoon Session

1:15 - 2:45 *Born in His Time* by
 Ward Just

2:45 - 3:00 Break

3:00 - 4:30 *The Mavericks* by
 Louis Auchincloss

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**Professional Responsibility MCLE credit subject to approval*

CLE calendar (cont. from page 25)

11 - Chicago

Effective Advocacy for Juveniles with Mental Health Needs

Presented by the ISBA Mental Health Law Section; co-sponsored by the ISBA Education Law Section, the Child Law Section and the ISBA Standing Committee on Disability Law
MCLE credit TBD

12-13 - Chicago

2011 Annual Environmental Law Conference

Presented by the ISBA Environmental Law Section
MCLE credit TBD

12-13 - New Orleans

Family Law Update 2010: A French Quarter Festival

Presented by the ISBA Family Law Section
10 MCLE credit hours, including 1.5* Professional Responsibility MCLE credit hours

17 - Teleseminar

Attorney-Client Privilege & the Work Product Doctrine

1.0 MCLE credit hours

18 - Webinar

Advanced Legal Research on Fastcases

0.75 MCLE credit hours, including 0.75 Professional Responsibility MCLE credit hours

19 - Teleseminar

Successor Liability in Asset and Business Transactions

1.0 MCLE credit hours

19 - Springfield

Issues Facing Municipalities in a Difficult Economic Climate

Presented by the ISBA Local Government Section
MCLE credit TBD

20 - Collinsville

Civil Practice Update

Presented by the ISBA Civil Practice and Procedure Section
5.5 MCLE credit hours

20 - Mt. Vernon

Judicial Roundtable Luncheon/Appellate Training

Presented by the ISBA Bench and Bar Section and the Appellate Lawyers Association
MCLE credit TBD

24 - Teleseminar

Nonprofit Organization Director Duties and Liability

1.0 MCLE credit hours

■ JUNE 2011

1 - 3 - Chicago

CLE Fest

Presented by the Illinois State Bar Association
MCLE credit TBD

1 - Webinar

Conducting Legal Research on Fastcase

0.75 MCLE credit hours, including 0.75 Professional Responsibility MCLE credit hour

7 - Teleseminar

Inter-Species Mergers: Combining and Converting Different Types of Business Entities - Part 1

1.0 MCLE credit hours

8 - Teleseminar

Inter-Species Mergers: Combining and Converting Different Types of Business Entities - Part 2

1.0 MCLE credit hours

8 - Chicago

Issues Facing Municipalities in a Difficult Economic Climate

Presented by the ISBA Local Government Section
MCLE credit TBD

9 - Rock Island

Legal Writing: Improving What You Do Everyday

Presented by the Illinois State Bar Association
MCLE credit TBD

Deadlines approaching for ISBA award nominations

Nominations are being accepted for ISBA awards that will be presented on Friday, June 17, 2011, at the 135th ISBA Annual Meeting at the Abbey on Lake Geneva, Fontana, Wis.

Nominating forms are available at www.isba.org/awards

General Practice

The Matthew Maloney Tradition of Excellence Award is sponsored by the General Practice, Solo & Small Firm Section. Nominees must be ISBA members who have been in general practice for at least 20 years and have made significant contributions to the profession and community. Nominations are due by March 25, 2011. **Langdon D. Neal**, Chairman of the Chicago Board of Elections and principal and owner of Neal & Leroy, LLC, was the 2010 award winner. The nominating form is available at www.isba.org/awards/gp.

Community Leadership

The Community Leadership Award is sponsored by the Committee on Sexual Orientation and Gender Identity. Nominees should be lawyers, judges, lawyers, members of state or local legislative bodies, educators or community activist groups who have worked to eliminate discrimination and foster understanding of legal issues relating to the LGBT community. State Rep. **Greg Harris** received the Community Leadership Award at the 2010 Annual Meeting. Nominations are due by April 15, 2011. The nominating form is available at www.isba.org/awards/sogi.

Young Lawyers

The ISBA Young Lawyers Division presents two Young Lawyer of the Year awards - one for Cook County and one for outside Cook County. Nominees must be ISBA members under age 36 who have achieved excellence in litigation, advocacy or counseling, and have contributed to the profession through public service and pro bono activity. **Gina Arquilla DeBoni**, a member of the ISBA Board of Governors and managing attorney of Romanucci and Blandin, LLC, and **Diana M. Law**, managing partner of Law ElderLaw LLP, are the current ISBA Young Lawyer of the Year Award recipients. The nominating deadline is April 1 and the form is available at www.isba.org/awards/yld.

Law Students

ISBA-affiliated law schools may nominate candidate for the Law Student Division Public Service Award. Nominees should be participating in activities that enhance professional responsibility and provide service to the public. A finalist from each school will be selected from these nominees. Each winner will receive a commemorative plaque. The final award recipient will be chosen from these finalists. The award recipient will receive all expenses paid to the ISBA Annual Meeting including transportation and one night's lodging. DePaul Law Student **Jennifer Grobelski** was the 2010 winner. Nominations must be submitted by April 1, 2011, and forms are available at www.isba.org/awards/lawstudent. ❖



ISBA Past President John O'Brien presents the Matthew Maloney Tradition of Excellence Award to Langdon D. Neal at the 2010 Annual Meeting in St. Louis.

ISBA events calendar

2011

April 12-23 Athens, Greece

Group travel: Jewels of the Mediterranean and Greek Isles
Luxury Cruise

April 21 (Thursday) Naperville

Illinois Bar Foundation DuPage Fellows Reception, Maggianos

April 27 (Wednesday) Chicago

All bar reception for Chief Justice Thomas Kilbride, Standard
Club

May 6 (Friday) Chicago

ISBA/YLD Summer Soiree

May 12-13 (Thursday-Friday) New Orleans

Family Law CLE Update 2011: A French Quarter Festival

May 20 (Friday) St. Louis

ISBA Board of Governors meeting

June 6 (Monday) Washington, D.C.

ISBA Group Admission Ceremony at the U.S. Supreme Court

June 16-18 (Thursday – Saturday) Fontana, Wis.

ISBA Annual Meeting

June 10-21 Copenhagen, Denmark

Group travel: Baltic Treasures Luxury Cruise

October 27-29 (Thursday – Saturday) Springfield

Solo and Small Firm Conference, Springfield Hilton

Visit www.illinoislawyernow.com/bar-calendar for a list of
bar events from around the state.

FIRM ANNOUNCEMENTS

• New Partner/Associate • Received an Award • New Office Space



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COVER PHOTO: Angela Wartowski, Superintendent for Illinois Youth Center Chicago, in her office at the facility on Chicago's near West Side. Photo credit: Datu Ramel



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Business Development Representative
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ILLINOIS LAWYER

NOVY

Vol. 2 • No. 3

QUARTERLY

SPRING 2011

