A PUBLICATION OF THE ILLINOIS STATE BAR ASSOCIATION

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ISBA award winners committed to profession, community

he Illinois State Bar Association is proud to honor these six attorneys and one law student for their commitment and service to the profession and their communities. They will be recognized at the Awards Luncheon on Friday, June 15, at the Annual Meeting on the Banks of Lake Geneva.

Law Student Division Public Service Award

The Law Student Division's Public Service Award goes to a law student participating in activities that enhance professional responsibility and provide service to the public. This year the award will be presented to Alejandra Lara, a 3L at the University of Illinois College of Law.



"In all the years that I have supervised law students, I would rank Alejandra in the top 1%," said Ramona Sullivan, senior staff attorney with the Land of Lincoln Legal Assistance Foundation. "She is exceptionally capable and dependable, but her positive attitude and dedication to public service are what sets her apart."

Lara has represented Land of Lincoln clients in court proceedings as authorized by Supreme Court Rule 711. She has also served as Vice President of the Prisoners Rights Research Project, Fundraising Chair for the Women's Law Society and Vice President of External Outreach for Student Legal Relief.

Young Lawyers of the Year

Angela Baker Evans of Peoria and Steven Hunter of Chicago have been named the ISBA Young Lawyers of the Year for 2012. Each year two lawyers are chosen for the award - one from Cook County and one from outside of Cook.

Baker Evans is a successful trial lawyer at the law firm of Westervelt, Johnson, Nicoll & Keller, LLC.

An Alabama native, Baker Evans moved to Peoria just a few years ago - but she has made an immediate impact on the community by donating countless hours to a number of organizations. She helps elder abuse victims as a frequent volunteer for the Center of Prevention Abuse and provides legal services to lowincome families and individuals through Prairie State Legal Services.

She has been an active ISBA member, serving on the Women and the Law Committee. She helped coordinate outreach and promotion of the successful "Women in the Judiciary" event and is a frequent contributor to "The Catalyst" newsletter.

Steven Hunter has racked up some impressive credentials as a partner with the Chicago law firm of Quarles & Brady LLP. He has first-chair experience representing companies in all phases of litigation and alternative dispute resolution. He has significant experience managing high-volume ESI productions, computer forensic analysis and complex data preservation issues. He recently authored a six-part series on E-Discovery for InsideCounsel Magazine.

Hunter's most impressive credentials, however, have been in the field of pro bono service. He began volunteering with Chicago Volunteer Legal Services after his admission to the





Evans

Illinois Bar in 2002 and has donated countless hours as Co-Chair of the CVLS Chinatown Legal Clinic.

"Steve is my number one go-to guy. In addition to always saying yes, I know that he will put all of his skill, brains and heart into any case I send him," said CVLS Executive Director Margaret C. Benson. "He truly cares for the clients he serves and works hard for them."

Diversity Leadership Award

The resume of E. Lynn Grayson speaks for itself. She has been a tireless advocate for the promotion of women in the profession. So it is with little surprise that Grayson, a Past Chair of the ISBA's Standing Committee on Women and the Law, has been chosen as the 2012 winner of the Diversity Leadership Award.



She continues to serve as the editor of the Diversity Matters Newsletter published each year for distribution at the Annual Meeting.

(Continued on page 4)

The Board of Governors Awards, conferred at the Board's May 18 meeting just before press time, will go to:

Edward J. Burt, of Oak Forest, is a name partner of the law firm of Urban & Burt and is a Board member of the Illinois Bar Foundation.

M. Carol Pope, of Petersburg, is an Appellate Court Justice with the 4th District Appellate Court in Springfield and serves as the President of the Illinois Judges Association.

Julie Ann Sebastian, of Chicago, is an Assistant Cook County State's Attorney and a member of the ISBA Administrative Law Section Council.

mu • tu • al [myoo'choo el] adj. -1 held in common 2 for each other 3 shared



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Winners announced in Board, Assembly races

lection results are in and Jessica A. O'Brien of Chicago has won a contested race for a seat on the Illinois State Bar Association's Board of Governors. Electronic voting was again the preferred method of voting - this time by a greater than 10-1 margin (1,451 electronic; 123 written). All terms begin at the 2012 Annual Meeting.

O'Brien is a special assistant attorney general at the Illinois Department of Revenue and acting chief counsel for the Illinois Lottery. A native of the Philippines, O'Brien immigrated to the U.S. after high school. She trained at culinary schools in Switzerland and England before switching to law as a second career. She is a past president of the Filipino American Bar Association and spearheads the annual Unity Award Dinner.

Five candidates ran uncontested: incumbents James F. McCluskey (Lisle); Lisa M. Nyuli (South Elgin); Charles Y. Davis (Springfield); Russell K. Scott (Belleville) and Sonni Choi Williams (Peoria).

The ISBA Board appointed Joliet attorney Jean A. **Kenol** to an at-large seat on the Board at its May meeting. Kenol, an associate with the law firm of Mahoney, Silverman & Cross, LLC, was nominated by Presidentelect **John E. Thies** and will also serve as vice chair of the Young Lawyers Division.

Umberto S. Davi of Willowbrook was the previously announced winner in the uncontested race for 3rd Vice President. He will become president of ISBA in 2015 after serving a year in each of the three vice presidential posts.

Thirty-three candidates filed for 23 open Assembly seats from Cook County. The winners are: Katherine A. Amari O'Dell, Chicago; Sandra M. Blake, Des Plaines; Michael F. Bonamarte, Chicago; Dennis J. Burke, Chicago; John Lewis Fioti, Bartlett; Gail Tuler Friedman, Chicago; Jennifer A. Haase, Chicago; David Huber, Chicago; Anna P. Krolikowska,



Tessica A. O'Brien



Iean A. Kenol

2012/2013 ISBA Officers

President: John E. Thies, Urbana President-elect: Paula H. Holderman, Chicago 2nd Vice President: Richard D. Felice, Wheaton **3rd Vice President**: Umberto S. Davi, Willowbrook

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Redesign to make ISBA.org more vibrant, accessible

he ISBA's virtual front door, *ISBA.org*, is getting a fresh look to make it more inviting and easier to navigate for members and the public. The site will become dynamic with moving content and improved graphics to direct the reader's attention. More color and improved navigation will make finding what you are looking for an easier experience.

The redesign puts the most current stories in an automated slider at the top of the page. Below that is "In the news" - which features top legal stories, Illinois Lawyer Now posts and recent job opportunities – and "earn CLE," your one-stop shop for

Also new to the homepage will be sections with featured resources for attorneys and the public. These two sections will highlight our most visited pages for easy

Be sure to visit the new *ISBA.org* when it debuts later this month. �

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(Continued from page 1)

"Lynn's steadfast advocacy for diverse attorneys has led to improvements within the profession that will continue to yield results for decades," the ISBA Women and the Law Committee wrote. "Diversity for attorneys, as well as diversity for law students, will benefit from the programs Lynn has helped bring to fruition."

A partner with the Chicago law firm of Jenner & Block, Grayson is Co-Chair of the firm's Environmental and Workplace Health & Safety Law Practice and is recognized as one of the country's leading lawyers in environmental law.

Matthew Maloney Tradition of Excellence Award

Warrenville attorney William Price has no qualms about sharing his wealth of knowledge about business law. He has done this as an author, editor, speaker and teacher. His commitment to public service, public education and legal education have set him apart.

Price has served as author and edi-



Price

tor for a variety of ISBA books and newsletters. Price was the General Editor for the ISBA's Handbook of Illinois Administrative Law (1st and 2nd editions) and authored Limited Liability Organizations

(2001). He has served as co-editor of the ISBA's Administrative Law newsletter.

He has also led several ISBA sections. He was Chair of the Securities and Business Law Section Council from 2007-2008 and also is a past Chair of the Administrative Law Section Council. He was an ISBA seminar speaker in 2009-2010 at multiple Section Council Law Ed programs on business law.

Community Leadership Award

The ISBA Standing Committee on Sexual Orientation and Gender Identity is happy to recognize the Hon. Sebastian Patti with the Community Leadership Award. Patti is the Presiding Judge of the Domestic Violence Division of the Circuit Court of Cook County. In this capacity he works to protect children from abuse



and neglect while at the same time helping whenever possible to keep families intact.

When he was appointed to the 1st District Appellate Court in 2009, he was the first openly gay man appointed to the Appellate Court. This appointment was a monumental step for the LGBT community. His acceptance helped raise awareness of the LGBT community in the legal profession and demonstrated that discrimination based on sexual orientation and gender identity will no longer be tolerated.

Elmer Gertz Award for Human Rights

The ISBA Human Rights Section Council has selected Martha A. Mills for the Elmer Gertz Award for her commitment to the advancement of individual rights, civil liberties and help for underserved communities.



Mills

Mills has had a varied and successful legal career. She became the first female attorney at the Wall Street

firm of White & Case after graduating from law school. She left that firm after one year to work in Mississippi for the Lawyers' Committee for Civil Rights Under Law Inc. There she handled important civil rights cases including the defense of civil rights workers.

She came to Southern Illinois in the 1970s and worked at the Lawyers' Committee office in Cairo. She then accepted a job as an associate with the Chicago firm of what is now Schiff, Hardin LLP. She was appointed as a Cook County Circuit Court Judge in 1995 and later joined the Cook County Treasurer's Office as chief legal counsel. The ISBA recognized her as one of the 12 inaugural Laureates of the Academy of Illinois Lawyers.



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TENTENTENTENTENTE





by Jim Covington

Director of Legislative Affairs

he following bills are still alive in the legislative process as the General Assembly heads toward its scheduled adjournment date of May 31st.



Health Care Services Lien Act. House Bill 5823 (Thapedi, D-Chicago; Mulroe, D-Chicago) does three things to this Act. (1) Proportionately reduces subrogation claims or other claims of right of reimbursement for medical expenses in the same proportion that the claimant's recovery is reduced because of comparative fault or limited liability insurance. (2) Requires a party asserting a subrogation claim or other right of reimbursement to bear the pro rata share of the claimant's attorney's fees and litigation expenses. (3) Allows petitions to adjudicate rights under this Act to be served on interested adverse parties by personal service, substitute service, restricted or mail. House Bill 5823 exempts any health-care lienholder under this Act, work comp cases, and UM and UIM cases.

Post-judgment collection of debts. House Bill 5434 (Williams, D-Chicago; Haine, D-Alton) makes three changes to citations and body attachments. (1) Requires a citation to be served by personal service or abode service as provided in Supreme Court Rule 105 and include a copy of the statutory Income and Asset Form created by this bill. (2) Prohibits a payment order from being issued against a person unless the form was served on the debtor, the debtor has an opportunity to assert exemptions, and the payments are from nonexempt sources. (3) No order of body attachment or other civil order for the incarceration may be issued for a respondent on a charge of indirect civil contempt unless the respondent has first had an opportunity to appear in court to answer after personal service or abode service of notice as provided in Section 2-203. Exempts enforcement for a violation of a municipal ordinance.

Medicaid eligibility rules. Senate Bill 2840 (Feigenholtz, D-Chicago; Steans, D-Chicago) is supposed to eliminate Illinois' \$2.7 billion Medicaid funding gap. It repeals the compromise of the Medicaid eligibility rules negotiated last fall between the Department of Healthcare and Family Services and the Joint Committee on Administrative Rules. Some of these changes include the following: (1) A home

transferred into a trust after the bill becomes law may not be considered homestead property. If the home was transferred into a trust before the bill becomes law, it prevents a person from being eligible for long-term care if the person's equity interest in this homestead exceeds the minimum home equity as allowed under federal law. (2) People over the age of 65 can no longer participate in a federally created OBRA Pooled Trust unless the beneficiary is a ward of the county public guardian or the State guardian. This part of the bill will take effect when the Governor signs it.

Cell phones and driving. House Bill 3972 (D'Amico, D-Chicago; Mulroe, D-Chicago) bans using a cell phone while driving with exceptions for hands-free or voice-operated mode, which may include the use of a headset or using a communication device that may be initiated or terminated by pressing a single button.

One-party consent wiretapping. House Bill 4081 (Gordon, D-Peoria; Haine, D-Alton) amends the Illinois Eavesdropping Act to allow police eavesdropping without prior judicial approval if there is (1) one-party consent from an officer or confidential informant, (2) approval from a state's attorney, and (3) reasonable suspicion that a drug deal will occur within 24 hours. The conversations heard or recorded are admissible to prosecute a drug crime, or forcible felony in the course of a drug crime. There is a 2015 sunset that automatically repeals it.

Mechanics Lien Act. Senate Bill 3792 (Althoff, R-Crystal Lake; Tyron, R-Crystal Lake) requires work to be done or materials furnished within three years for residential property and five years for any other kind of property. Senate Bill 3792 sunsets on January 1, 2016, and the limitation then reverts to three years for all property at that time.

Sanctions for visitation violations. Senate Bill 3823 (Sullivan, D-Rushville; Howard, D-Chicago) authorizes a judge to impose sanctions for visitation abuse similar to those that may be imposed for failing to pay child support, such as suspension of an offender's driver's license.

Adoption. House Bill 4028 (Feigenholtz, D-Chicago; Koehler, D-Edwards) rewrites and re-formats parts of the Adoption Act. (1) It rewrites the form for a final and irrevocable consent to adoption by a specified person

or persons in DCFS cases. (2) It creates the Adoption Advisory Council to replace the two current advisory groups. (3) Provides that a parent of a child in which DCFS is involved with a pending juvenile court petition may, with the approval of DCFS, execute a consent to adoption by a specified person or persons in whose physical custody the child is now residing (rather than has resided for at least six months, or three months if the child is under one year of age, or in whose custody at least one sibling of the child who is a subject of the consent has resided for at least six months and the child who is the subject of the consent is currently residing in the foster home). (4) Provides that consent to adoption by specified persons on the form has no effect on a court's determination of custody or visitation under the Illinois Marriage and Dissolution of Marriage Act or the Illinois Religious Freedom Act.

Illinois Marriage and Dissolution of Marriage

Act. Senate Bill 2569 (Mulroe, D-Chicago; Soto, D-Chicago) does two things affecting dissipation claims and child support. (1) Requires notice of intent to claim dissipation to be filed no later than 60 days before trial or 30 days after discovery closes, whichever is later. No dissipation may be considered if it occurred five years before the filing of the petition for dissolution of marriage or three years after the party claiming dissipation knew or should have known of the dissipation. (2) Specifically grants the court the right to order one or both parties to make reasonable payments for health needs not covered by insurance, child-care, education, and extracurricular activities in addition to statutory child support.

Residential construction and radon. House Bill 4665 (McAsey, D-Lockport; Collins, D-Chicago) creates the Radon Resistant Construction Act. It requires all new residential construction include passive radon resistant construction.

False representation of real estate titles. House Bill 5665 (Howard, D-Chicago; Collins, D-Chicago) creates the Class 3 felony of false representation concerning real estate title. It applies to documents that are forged, contain a material misstatement or false claim, or are otherwise invalid that a person knowingly claims an interest in, executes it or notarizes it, or causes such a document to be recorded. �

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.



Thies charts own path to ISBA presidency

he expected storyline of the only father/son presidencies in ISBA history - the father grooming the son for ISBA office - doesn't tell all of the story, or perhaps even the true story.

John E. Thies becomes the 136th president of ISBA in June, following by 26 years the presidency of Richard L. Thies. Did the elder Thies influence the younger Thies to seek ISBA office early on? "There was encouragement from my dad to get involved, of course, but what tipped the scales was a push from a law school classmate when I was a 1L," says John. Still at the University of Illinois College of Law when Dick Thies was in the chairs leading to president, John was recruited by a fellow student to join the ISBA Student Division, where he served as a U of I Student Representative. After graduation, John continued bar work by joining the Membership and Bar Activities Committee, eventually becoming chair. Other ISBA appointments followed to the Section on Civil Practice and Procedure, and a number of other committees.

"I was able to get a broad view of the opportunities afforded by bar service in those years. I was fortunate to serve on great committees with some really great people."

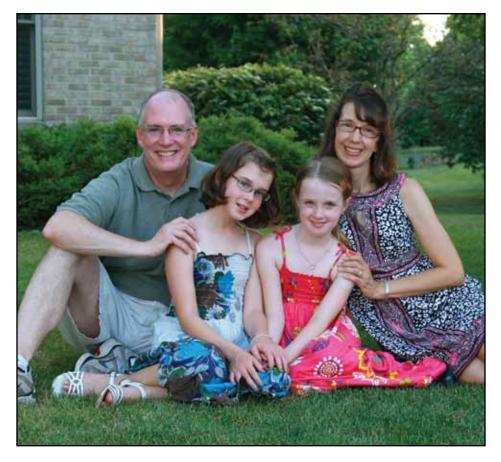
From there, running for leadership roles was a natural progression, first winning a seat in the ISBA Assembly, then two successful runs for the Board of Governors where he was elected Secretary and Treasurer, and ultimately winning a race for 3rd Vice President.

Thies' bar service extends beyond ISBA. He has served as vice president of the Bar Association of the Central and Southern Federal Districts of Illinois, has co-chaired a capital campaign for Land of Lincoln Legal Assistance Foundation and served on its board, as well as the Character and Fitness Committee of the Supreme Court of Illinois.

Taking on Causes

In August he will become President of the National Caucus of State Bar Associations during the ABA's Annual Meeting in Chicago. With that office comes a pressing concern to Thies – proposals coming out of the ABA's Ethics 20/20 initiative that would change ABA model rules to permit non-lawyer fee-splitting and law firm ownership. Thies is working with other bar leaders across the country to oppose these rule changes in the ABA House of Delegates. "Permitting this non-lawyer involvement in the practice of law would contravene existing ABA policy designed to protect clients and maintain our profession's core values," Thies says.

As ISBA president, Thies will place special emphasis on four major projects that derive from his own experiences in life and the law. A Legal Education task force will examine the impact on the delivery of legal service of the heavy educational debt burden faced by new lawyers as they begin their careers. A Committee on Fair and Impartial Courts will address how court funding issues are creating a crisis in maintaining the necessary services provided by the third co-equal branch of government. A committee on Judicial Recusal, Disqualification and Substitution will be at work on how to ensure public faith in the judiciary. And a public service project called Lawyers Feeding Illinois will encourage law firms to raise food and financial donations to food banks across the state in early 2013.



John and Terry, with daughters Katie (11) and Caroline (9).

As ISBA president, Thies will place special emphasis on four major projects that derive from his own experiences in life and the law.

Service to Community

The Lawyers Feeding Illinois project is of special personal interest to John and his wife Terry, who will chair the project. "Before we had children, Terry and I were youth leaders at our church, escorting high school students to do mission work in such places as West Virginia, New Mexico, and Mississippi. Some of our volunteer work on these trips was at food banks and food pantries, and we saw the enormous value of these organizations." Thies views the Lawyers Feeding Illinois project as a way to further lawyers' natural philanthropic tendencies to serve their fellow citizens.

Public service as well as bar service comes naturally to John. He says of his firm - "We're probably pretty typical of most firms around the state. At any given time, we have lawyers volunteering with one organization or another." He points with special pride to his being the founding president of the Cunningham Children's Home Foundation, which works for the benefit of abused and abandoned children. "Cunningham is a wonderful organization that does very important work for the most vulnerable among us."



John has one other long term priority for ISBA – nurturing a future generation of bar leadership. No doubt influenced by his following his father's footsteps in ISBA leadership, John feels it is important to identify future leaders. "Lawyers are such natural born leaders, we just have to create opportunities for this leadership to flourish - and I think the ISBA does this."

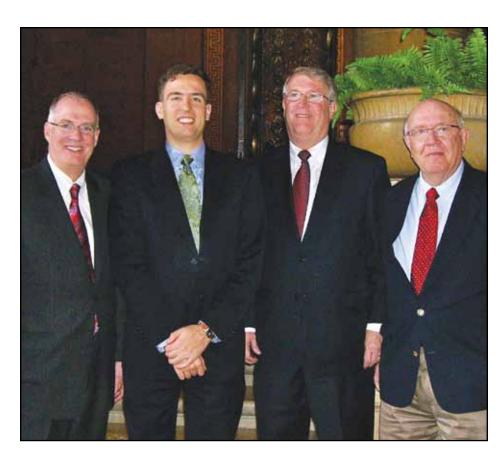
The Firm

Webber & Thies, P.C. is a 10-lawyer, full-service firm located in Lincoln Square Village in downtown Urbana. Founded by John's grandfather, former Champaign County Judge Charles Webber in 1946, it's one of the oldest law firms in Central Illinois.

"We're a general practice firm with lawyers who – collectively - cover most substantive areas," says Thies. "Our clients have wide-ranging needs, and that has allowed us to gain a wealth of experience in many areas of the law."

Other family members in the firm are John's older brother David Thies, the managing shareholder, and his uncle Carl Webber in addition to Richard Thies. �

> John, David and Richard Thies welcomed David's son Daniel (second from left) to the profession in 2010.







Google is harnessing technology to change the way we work - you can too

by Bryan Sims bsims@simslawfirm.com

Sims Law Firm, Ltd., Naperville

recently learned that Google provides free bus transportation for its employees. Apparently, Google operates a large fleet of buses that ferry lits employees that live within about two hours of the Googleplex. At first, I thought that this was a really cool benefit, especially when I learned that the buses included high speed internet access.

After thinking about it for a while, however, I realized how much of a productivity bump this must be for Google. They can have employees that live two hours from the office and get a half a day's work out of them just during their commute.

Obviously we all aren't going to hire drivers to take us to and from court or to and from the office. However, that does not mean that we cannot consider what Google does and try to apply similar concepts to improve the way that we practice law.

One of the things that I have noticed is that many attorneys are morning people (there are also plenty who are not). These are people who are ready to go

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in the morning and can really crank out the work when given the opportunity. However, most of these people spend a good chunk of their most productive time commuting rather than working.

By leveraging technology, however, we do not have to do this. If you have a paperless office and a laptop, you can access your files just as easily from home as you can at the office. Rather than spending an hour or more of your most productive hours commuting, consider working from home in the morning and then going to the office at 10. This allows you to be both more productive and it cuts down on your commuting time.

Another idea is to make that commuting time productive. I know attorneys who think best when they are driving. If they have a problem, they will get behind the wheel and drive while they consider the possible issues.

If you are one of those people, consider using a service that will allow you to dictate over the telephone. These services include those such as Copytalk, which use software to transcribe your dictation, as well as SpeakWrite, which uses trained transcriptionists. Either way, services such as these can allow you to convert wasted commuting time to valuable work time.

Similarly, if you take public transportation, especially Metra, you know that you can work during your commute. However, one of the frustrating things about working on public transportation in the Chicago area is that our trains and buses do not have internet access.

This problem can be solved relatively inexpensively with a mobile hot spot. Many smartphones today can act as a mobile hot spot for your computer or tablet. Also, you can get standalone devices from all of the major carriers.

One of the points that I try to emphasize when speaking about going paperless is that a document is not a piece of paper. Unless you are composing your documents on an actual typewriter, the reality is that your original document is simply a bunch of ones and zeros stored on a hard drive.

Lawyers, however, seem to think that "document" means a piece of paper. That is simply not the case. Although a document can be a piece of paper it does not have to be a piece of paper. This is because technology has changed the way that we create, store, and use information.

Similarly, working does not mean sitting behind a desk in an office in a fancy office building. Working can mean that. There is nothing wrong with working from an office. I often work from an office and I would not want to go without

However, working can also mean working from home, or on the train, or at a coffee shop, if, for some reason, you are more productive there than you are at the office.

This technology is good for more than working from home. It can also help you expand your practice. For example, with document assembly software, a laptop, and a portable printer, you can become a traveling estate planning attorney.

Certainly, most of the time you want the clients to come to your office. However, in estate planning, there are always those clients who are too ill to come to your office and you have to visit them. With the right technology, you can do a single visit, prepare the documents, print them out, and have them executed.

Most of us aren't lucky enough to have free transportation to and from work like the Googlers. However, by leveraging technology, we can make our practices more productive.❖

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\$14 Million for the family of a woman who died during child birth and her daughter who suffered brain damage

\$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 construction equipment malfunctioned

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

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

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

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

\$5.8 Million when a wheel assembly dislodged from a semitrailer truck and killed a teenager

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

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

\$5.3 Million JURY VERDICT when

a 12 year old died when doctors and nurses negligently managed her airway

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

\$5 Million RECORD HIGH **SETTLEMENT** when a worker

was severely injured in a farming incident

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Members of the ISBA's Standing Committee on Legal Technology pose outside Google's headquarters in Cupertino, Calif., in April.

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All proceeds to benefit the Illinois Bar Foundation

Going to Google

Adrienne W. Albrecht albrecht30@comcast.net

Circuit Judge in the 21st Circuit, Kankakee

he ISBA's Standing Committee on Legal Technology held its April committee meeting in Cupertino, Calif., in order to facilitate a visit with the folks at the home office of Google. They not only wanted to see how the geeks in Silicon Valley lived and worked, they had substantive business to discuss. After Chairman Peter LaSorsa, arranged the visit, and the Board of Governors approved it, the Committee on Legal Technology, with some spouses and companions in tow, set off for California.

Before meeting with representatives from Google, the group enjoyed a guided tour of the campus. Although the community bikes, umbrellas, and fitness facilities (including endless pools) and games available for use by all of the Google employees, or "Googlers," made an impression, the driverless car being tested around the parking lot astonished.

Bernadette, the tour guide, explained that the free benefits available to all Googlers included laundry facilities, transportation, and food. Work stations are never more than 150 feet away from snacks and drink. In addition, Googlers are free to bring their dogs to work; and there is day care on site. Lobbies of buildings include game tables and other forms of recreation. Work stations even include some walking desks with treadmills built-in. Google also has a program whereby employees are allowed to devote 20 percent of their work time to projects of their own choosing that are unrelated to their assigned responsibilities. Gmail is the result of one such project.

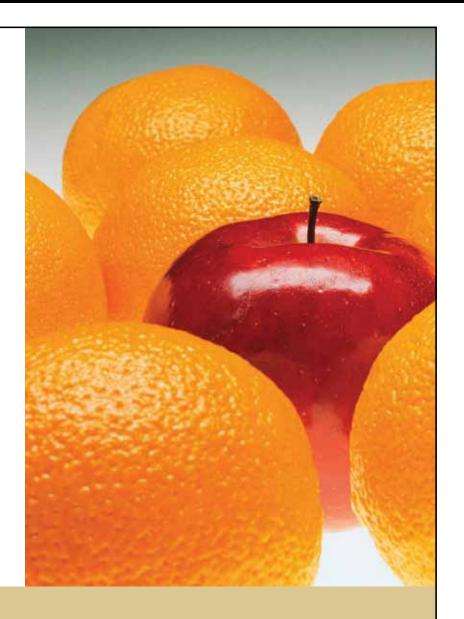
After lunch in the Google cafeteria with a dizzying array of options matched only by the speed and zeal of the Googlers at grabbing them, the ISBA COLT visitors had the opportunity to meet with representatives from Google's business, legal and patent teams. The COLT members pointed out that the cost of a lawyer's overhead is a serious challenge to the practice of law; and asked penetrating questions about issues of privacy, security and confidentiality. In addition to discussing recent products which Google has rolled out for business users such as their G Drive and Google Vault, the COLT members also discussed issues surrounding Google user agreements. In fact, the folks at Google were kind enough to follow up with further materials.

It was striking how much Google, which used to be considered the epitome of "new" and "innovative" has become a mature mainstream company. The facilities no longer have the smell of fresh paint or look of newly poured pavement, although its efforts to have a zero carbon footprint are still innovative and noble. In addition, the visit engendered complex and mixed reactions by the COLT members. They all agreed that the perks which Google provides its employees are impressive. However, those with relatives and friends in software development pointed out that they are also necessary for most high tech firms these days in order to attract and retain the best talent. The management experts pointed out that they are also designed to increase productivity. Regardless of one's opinion of the company, however, the question for legal users will ultimately be whether they can retain sufficient control over their own data to enable them to take advantage of Google's incredibly low cost. The Committee on Legal Technology plans to explore these and other issues raised by their trip and present its findings and advice in the coming months. ❖

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136th ANNUAL MEETING

THE ABBEY RESORT ON LAKE GENEVA, WI JUNE 14-16, 2012



We'll award individual and group contributions that have helped make a difference in our profession. We'll highlight new programs, services and legislation made possible by our community of volunteers. We'll fete and thank all our leaders - appointed and elected - for their many hours of service.

And just as importantly, to help us plan for the future as the sun rises on the 2012-2013 bar year.

We'll set the agenda and outline initiatives for the coming year at the Assembly meeting. We'll hear from our incoming President about new projects to be implemented. We'll discuss new issues facing the profession and collaborate on how to address them.

WE LOOK FORWARD TO SEEING YOU THERE!



John G. Locallo, President



John E. Thies, President-Elect



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SCHEDULE OF PROGRAMS & EVENTS

THURSDAY, JUNE 14 💥 💥

CLE PROGRAMS on Fastcase

Complimentary for Pre-registrants

2:00 - 3:00 PM - Conducting Legal Research on Fastcase (Basics)

3:15 – 4:15 PM – Advanced Legal Research on Fastcase

Both sessions: 1 hour MCLE credit, including 1* hour PMCLE credit (*subject to approval)

Section/Committee Business Meetings

3:00 - 5:00 PM - Held throughout the day.

A schedule of business meetings being conducted may be viewed on the Annual Meeting website.

Opening Reception & Family Night

Reception sponsored by ISBA Mutual Insurance Company; Children's activities sponsored by ISBA

Join us lakeside (weather permitting) for this kick-off event which includes food and fun for the whole family. Children's activities include a super slide, moon walk, obstacle course, airbrush/tattoo artist, and much more.

Complimentary to registered attendees

SIU Program - "Pathways to the Academy: Becoming a Law Professor or Administrator'

6:30 - 7:30 PM

Presented by Southern Illinois University

School of Law

This program will address reasons to become a law professor and explain the hiring process. SIU School of Law presents this program to encourage the diversity among law professors. There will be handouts and time for one on one questions, as well as a group presentation. Complimentary to registered attendees.

FRIDAY, JUNE 15 💥 💥 💥

Breakfast Symposium - "iPads and Tablets in the Court Room"

7:30 - 9:30 AM

Sponsored by ISBA Standing Committee on Law

Office Management & Economics

This presentation will focus on the use of tablets in trial presentations to control digital images on court room projection screens. Come see how persuasive the presentation of exhibits and digital presentations can be to the eyes of the judge or jury by projecting your evidence on the screen using as iPad, Kindle or other tablet. Also learn about available apps, equipment options, their advantages and limitations. This MCLE/PMCLE credit to be determined

CLE PROGRAM - "The Legal Practice Landscape: Thriving in a Climate of Change"

9:00 AM - 12:15 PM

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

Arm yourself with the information you need to know about current and future changes affecting the practice of law and learn some tips on how to prepare and adapt for those changes

Speakers: Tarek A. Fadel, AdaptiBar, Chicago; John G. Locallo, ISBA President, Amari & Locallo, Chicago; Ben Neiburger, Generation Law, Elmhurst; Jayne Reardon, Illinois Supreme Court Commission on Professionalism, Chicago; Bryan Sims, Sims Law Firm Ltd., Naperville

Kids' Day Camp

9:00 AM - 4:00 PM

With plenty of fun things to do (lunch included), kids love it! Sign them up no later than Friday, June 8. For children ages 4-13. Sorry, no exceptions for children under age 4.

Section/Committee Business Meetings

9:00 AM - 4:00 PM - Held throughout the day.

A schedule of business meetings being conducted may be viewed on the Annual Meeting website.

Awards Luncheon

11:45 AM - 2:00 PM

The ISBA will award members and others who have made a significant contribution to the Association, the profession or their communities. Awards to be presented include: Board of Governors, Publications, Matthew Maloney General Practice Tradition of Excellence, YLD/Law Student Division Public Service, Young Lawyer of the Year, and Community Leadership.

CLE PROGRAM - "The Lincoln Lawyer - How Many Ethical Dilemmas Can You Spot?" [ISBA Reel MCLE Master Series Program]

1:00 - 4:15 PM

3 hours MCLE credit, including 3 hours approved PMCLE credit

Join us for this unique program in which the hit movie The Lincoln Lawyer is used as a sounding board for identifying, understanding, and analyzing the Illinois Rules of Professional Conduct. Clifford Scott-Rudnick, The John Marshall Law School, Chicago; Richard Adler, Attorney at Law, Chicago

Kids' Night Out

6:00 - 10:30 PM

An evening of entertainment for kids ages 4-13 including "A Pizza of the Pie" dinner (each child will create their own personal pizza), snacks, a magician, scavenger hunt, movie and much more

Annual Dinner & President's Installation

6:45 PM - Reception (Sponsored by The Abbey)

7:30 PM -- Dinner

Join us for this special evening to honor President John G. Locallo and welcome John E. Thies, President for 2012-2013. Following a brief program and dinner you'll enjoy dancing and listening to the Ken Arlen Orchestra. All seating assigned in advance, tables of ten; requests for special seating will be honored if received by the registration deadline. Black tie requested.

SATURDAY, JUNE 16 💥 💥 💥

17th Annual Networking Breakfast

8:00 - 9:30 AM

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

All women attorneys and judges invited. This popular event gives you a chance to network with your

Breakfast for Families

8:00 - 10:00 AM

Start your day with other ISBA families. A family-style breakfast will be provided on the lawn.

ISBA Assembly Meeting

9:00 AM

The 201-member Assembly policy-making body of the Association meets. Open to members and the public.

Section/Committee Business Meetings

9:00 AM - 11:00 AM - Held throughout the day.

A schedule of business meetings being conducted may be viewed on the Annual Meeting website at WWW.ISBA.ORG/ANNUAL.



- MEETING INFORMATION & HOTEL RESERVATIONS :

Annual Meeting Registration. Registration is ONLINE ONLY. Please register online at WWW.ISBA.ORG/ANNUAL. The deadline for advance registration is June 8. Visa, MasterCard, Discover and American Express all accepted.

Annual Meeting Registration Fee. The registration fee for Annual Meeting is \$70 per ISBA member and \$45 per spouse/guest. The registration fee must be paid by anyone participating in Annual Meeting functions. Registered participants are invited to any complimentary event.

ISBA Headquarters Hotel - The Abbey Resort & Spa [The Abbey Resort & Spa, 269] Fontana Blvd, Fontana, WI 53125; www.theabbeyresort.com]

It is understood that The Abbey Resort and Timber Ridge are sold out. If you have not already make reservations and are in need of lodging, suggestions for alternate accommodations may be found at http://www.lakegenevawi.com/c/Stay.aspx.

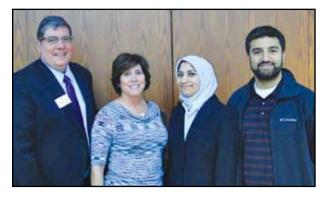


New admittee Caroline Simon (back row, left) and family with Supreme Court Justices (front row, left to right) Anne M. Burke, Charles E. Freeman and Mary Jane Theis at the 1st District Admission Ceremony in Chicago.

Over 600 new attorneys were admitted to the practice of law on May 10. The new admittees bring the total number of licensed attorneys in Illinois to approximately 90,700.



New admittee Sarah Woollen, speaker and Central Illinois Women's Bar Association President Geri Lynn Arrindell, speaker and ISBA Board member Carl Draper, and new admittee Bobi James at the 4th District Admission Ceremony in Springfield.



ISBA 3rd Vice President Richard D. Felice, 2nd District Appellate Justice Mary Schostok, new admittee Nadia Aslam of Glendale Heights and her husband Fazal Aslam at the 2nd District Admission Ceremony in Elgin.



Chief Justice Thomas Kilbride, new admittee Charlene Recio, and ISBA President-elect John E. Thies and at the 3rd District Admission Ceremony in Ottawa.



New admittee Andrew VonGontard, his uncle Peter VonGontard and ISBA Past President Jack C. Carey at the 5th District Admission Ceremony in Collinsville.



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- the Friday night social event

- research training
- 10. Three days of networking with

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Looking back...

by Heather M. Fritsch

2011-12 Chair of the Young Lawyers Division

s this YLD year is drawing to a close along with my tenure as the Chair of YLD, I can't help but think of a song that many of you will know. In "Time of Your Life," Green Day's Billie Joe Armstrong croons these words:

> Another turning point, A fork stuck in the road. Time grabs you by the wrist, Directs you where to go. So make the best of this test And don't ask why. It's not a question But a lesson learned in time...

I am very proud of all that the YLD Council has accomplished this past year. We successfully resumed the Annual Golf Outing and have, hopefully, established a tradition and relationship with Cog Hill for many years to come. Of course, in true YLD fashion, we also successfully upheld our other traditions, including our Annual Holiday Party, Bean Bag Tournament and Soiree. Throughout the course of this year, and with the support of many friends, we were able to raise over \$30,000 for the Children's Assistance Fund. Further, we were able to fund grants for many worthy organizations. These are accomplishments we should look back upon with pride.

I have been honored to be a YLD Council member for the past eight years. When looking back, I can't help but think of all the friendships I have made with other YLD Council members and all the memories we have made throughout these eight vears. I will sit on the Council for one more year as Ex-Officio, but it truly feels like the end of an era for me as those Council members I began this journey with begin to age off. That being said, I have no doubts that the Council is in great hands next year. Incoming Chair Meghan O'Brien

will lead the YLD through another successful year with the help of Vice-Chair Jean Kenol and Secretary Chris Niro. With this executive board at the helm, I see many great things to come for the YLD Council.

Although I cannot deny that being an active member of YLD for so many years has been time-consuming and, at times, a great deal of work, I can say without a doubt that "...for what it's worth, it was worth all the while. It's something unpredictable, but in the end it's right. I hope you had the time of your life." I know I did.❖



The ISBA Young Lawyers Division raised over \$30,000 over the past year for the Children's Assistance Fund. YLD Officers include (from left) Vice-Chair Jean A. Kenol, incoming Chair Meghan H. O'Brien, outgoing Chair Heather M. Fritsch and Secretary Chris W. Niro.



Looking forward...

by Meghan O'Brien

2012-13 Chair of the Young Lawyers Division

can say with great pride that I am honored to serve as the 2012-2013 Chairperson of the YLD Council. This year marks my seventh year on the Council, and serving on the Council for the past several years has truly been a privilege. I am very eager to work with the great young lawyers of Illinois and ISBA Bar Leadership and plan to have an exciting and successful year.

During the 2012-2013 year, the YLD

will continue several of our annual events. Some of these include: the Golf Outing (August 1 at Cog Hill); the Day at the Races (September at Arlington Park Racetrack); the Holiday Party (December 7 at Cubby Bear); the Bean Bag Tournament (March 2013); and, the Soiree (Spring 2013). Please mark your calendars for these great events!

The Council will continue to reach out to past YLD chairpersons and past active members of the YLD Council through our Past Council Member Outreach Subcommittee, chaired by former YLD Chairperson Gregg Garofalo. We hope past YLD members will continue to attend our events and help "bridge the gap" between former and current YLD Council members.

The Council will continue to work with Illinois law students who are active members of the ISBA. This year we plan to implement a mentor program for active ISBA law student representatives to help the students become more involved with the ISBA outside of the school environment.

It is also my hope that during the upcoming baryear the YLD Council will collaborate with young lawyers in other bar associations throughout Illinois. To this end, I recently attended an All-Bar Summit hosted by the Chicago Bar Association Young Lawyer's Division Council. This Summit provided ideas on future potential projects where members of different bar associations will be able to work together, network, and provide public service.

I am excited to announce that during the upcoming bar year the YLD plans to offer a series of professional development programs for the young lawyers of Illinois. These programs will help them develop strategies for professional career advancement. These programs will begin this fall - please keep a lookout for upcoming announcements.

Finally, in my role as the YLD Chairperson, I am here not only to serve our YLD Council but all young attorneys throughout Illinois. If I can be of any assistance to you, please feel free to reach out to me at any time.



Best Practice: 25 tips on reinventing your law practice

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

jolmstead@olmsteadassoc.com

uring the next 10 years, law firms will either undergo dramatic change and transform themselves or many will cease to exist. Present business and management practices will no longer serve practitioners well in the global electronic marketplace. The Internet and e-commerce are changing the rules of business on a global basis. New business models for virtually all industries are being formulated on a daily basis. Law and other professional service firms will require new business models as well.

Nature of the Problem

The primary problems facing law firms are accountability, implementation, follow-up, and a reluctance to explore new ways of delivering legal services. Partners must begin to raise their hands and sign up for special firm management projects and be accountable to other members of the firm. You can either be a change leader and control your destiny or be a victim of change.

Tips for Implementing Change

The future of virtually all businesses within the next decade - including law firms - will rest on the ability to successfully implement and manage change. The following tips are offered as guideposts as you begin your journey down the road to implementing change and reinventing your law practice:

- No. 1: Develop a business mindset. Become an entrepreneur and learn how to think like a businessperson. Look at the world from your client's perspective. Consider your client your business partner.
- No. 2: Select your clients carefully. Establish client acceptance criteria. Learn how to say no. Dump undesirable clients.
- No. 3: Brand yourself. Look for ways to differentiate yourself from your competitors. Become the only attorney that can do what you do. Make a decision what do you want to be known and remembered for? Unique services, unique client groups, different service delivery strategy, personal style. Create a five-year plan for goal accomplishment.
- No. 4: Learn how to become "solutions oriented" and become a trusted advisor to your clients as opposed to simply their attorney. Solutions may involve activities and services other than legal services. Think out-of-the-box and outside of typical frameworks in which you are comfortable.

- No. 5: Conduct a firm-wide management and leadership assessment and identify strengths and weaknesses. Enhance management and leadership skills through skill development training and personnel acquisitions.
- No. 6: Begin formulating change goals at the firm and the individual level. Consider using outside coaches and consultants where feasible.
- No. 7: Get out of the office. Visit a client's office or work location once a week.
- No. 8: Make work fun everyday. Involve all members of the firm and solicit ideas on how to improve the office work environment as well as the actual work. Try to reduce the intake of work that is not enjoyable, challenging, and rewarding.
- **No. 9:** Formulate alliances with other professionals. Experiment with alliances and strategic referrals with other professionals when such alliances will provide appropriate solutions for clients.
- No. 10: Begin surveying your clients within 30 days. Complete the project within 90 days. Review and analyze the quality and status of all active matters.
- No. 11: Diversify your people ethnic, race, age, creed, and culture. Only through diversity will client focus and creativity be maximized.
- No. 12: Require all employees, attorneys and staff, to develop personal goal plans for the year. Incorporate these plans into performance appraisals.
- No. 13: Socialize outside of your comfort zone. Have lunch with young people in your office, staff members, and others with different points of view. Learn how they see the world. What do they see as opportunities and challenges?
- No. 14: Transform the firm from a culture of individualism to a team culture. Begin fostering the development of team skills. Begin rewarding team accomplishments as well as individual contributions. Incorporate team-based measurements into the firm compensation system for both attorneys and staff.
- **No. 15:** Fall in love with the Internet. Look for ways to use the Internet to enhance the ways legal services are delivered. Successful law firms have gone past e-mail and web sites. They are now using intranets and extranets to collaborate directly with clients. Case management databases are updated by both the client and the law firm in real time via the Internet. Video conferencing is being used to conduct client consultations.
- No. 16: Evaluate other key technologies that will revolutionize the way in which law is practiced in the

- future. Knowledge management systems which leverage the firm's work product and experience should be investigated. Stay on top of innovations in and expert based systems and be ready to deploy rapidly when the time is right.
- **No. 17:** Look outside your local market. Evaluate client opportunities outside your present market boundaries. Consider opportunities locally, nationally, and internationally.
- No. 18: Invest in skill development training for all firm members, attorneys and staff, in marketing and client service. Everyone in the firm should be
- No. 19: Acquire all of the Internet bandwidth that you can afford.
- **No. 20:** Break the pattern of making decisions based upon precedent. No one cares who is second. Strive to be first rather than second. Be a winner. Don't wait to see what the other firms are doing.
- No. 21: Consider using a client advisory council. Twice a year hold a client advisory council forum in which the firm solicits feedback from clients.
- No. 22: Break the rules. Encourage all members in the firm to think out-of-the-box and innovate. Look for new ways to solve client problems. Look for new solutions. No topic should initially be considered outof-bounds.
- No. 23: Begin developing global contacts and alliances. Become familiar with other cultures and customs.
- No. 24: Join a client's trade association and make contributions in the form of articles, speeches, conference attendance, etc. Learn the client's business from
- No. 25: Develop action plans for reinventing your practice. During the next decade we will experience unprecedented change driven by the technological revolution that is presently underway. The Internet and e-commerce will drive change that will force all businesses to develop new business models or perish. Law firm leaders should be reinventing their firms now so they can be in the driver's seat rather than an unwilling victim. *

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



Note to law firms: Beware of the Nigerian scam

By Robert S. Held rheld@harrisonheld.com

Partner, Harrison & Held LLP, Chicago

he senior partner studied Jay's face as he entered his office. Normally reserved, he was an open book. "I'm worried about a wire we sent out earlier today. My new client sent us a check. We waited until it cleared and then wired money to my client. Now, I am concerned because the client is very hostile and is repeatedly demanding that we confirm the wire has been made. There is something wrong." Jay, usually business-like, unemotional, and cool with confidence, was uncharacteristically upset.

"The wire transfer was for almost \$350,000."

The client was someone Jay had never met in person - a woman getting divorced. Jay, eager to obtain credit for new business, had quickly accepted the matter. The "client's husband" had sent the law firm a check for just over \$350,000, and the law firm's bank had confirmed that the check had cleared. Jay then arranged for funds from the firm's trust account to be wired to Tokyo - via SWIFT – to Higoshi-Nippon Bank.

The managing partner noted the time - 3:15 p.m. on a Friday. It was early Saturday morning in Tokyo - very early - but too late to stop the wire transfer. And, as it turns out, unlike some Japanese banks, Higoshi is not open on Saturday.

A "Billion Dollar Racket"

The above scenario is fictitious, and yet, scenes like this play out at law firms across the nation. According to allegations contained in a suit just filed by a defrauded law firm against Wells Fargo Bank, the particular scam described above has netted \$29 million in losses to law firms. Of course, the true figure is unknown because there is no way to track such losses and many victims never report the crime. The ABA Journal previously reported that one such conspiracy alone netted \$32 million in 2010. A radio show broadcast on NPR reported the scam as reaping "hundreds of millions." ABC News has described it as a "billion dollar racket."

The Scam In A Nutshell

The con originates in Nigeria. Lagos, soon to be one of the most populous cities in the world, is the unofficial capital of the scam. In the fraud directed at law firms, the attorney is contacted by an email scammer who typically seeks representation on a contingency or for a very simple matter. The scammer requests a retainer agreement, quickly signs and returns it, then promptly informs the attorney that because legal representation has been obtained, the debt or money sought by the scammer from a third party will be paid quickly.

Importantly, the scammer requests that the attorney not contact the debtor/obligor because the client wishes to maintain a working relationship with the debtor, perhaps in a divorce scenario where the obligor is a former spouse of the client. Within days, a check (typically for several hundred thousand dollars) is delivered to the law firm, which deposits it in its trust account. The law firm is now entitled to the contingency fee, and is instructed to send the balance to the scammer. In all cases, the scammer will request an immediate wire transfer to a foreign bank. From the scammer's viewpoint, he must receive payment before the law firm discovers that the check it deposited into its account is not a valid check. These fraudulent checks are difficult to identify because they are typically real checks that have been stolen and then only slightly altered so as to be consistent with the fraud.

The reader may think such requests for legal services that usually involve contact from a prospective client with a suspicious email account (e.g. haydn@diesseweb. it), domiciled and traveling out of the country, with an unidentifiable foreign accent and not appearing at the law office in-person, would appear to be nothing more than a laughable hoax. And yet, untold losses are caused by these schemes annually. The schemes themselves violate Section 419 of the Nigerian criminal code, and are thus sometimes called a "419 fraud."

Poorly-Worded Emails Are Intentional

Sometimes scam email messages are deliberately written in poor English to give the targeted attorney a false sense of superiority, and to feed his or her confidence. Interestingly, according to an article in Israel's "Haaretz," British researchers believe that the main reasons a hoax victim pays attention to the fraud involve a mixture of cognitive and emotional processes. The cognitive side responds to the representation's long-term profit potential that entails a very reasonable risk. The wording of the scammer's proposal, meanwhile, is directed at the attorney's emotional system, which is responsible, among other things, for greed, instant gratification, and the need for thrills.

The law firm that sued Wells Fargo in early April 2012 alleges that the bank wrongfully told the firm that the client's check had cleared. Wells Fargo has not yet responded to the lawsuit which seeks recovery based on the bank's alleged negligence, breach of fiduciary duty, and wire fraud. However, on the equities, it seems dubious that a sophisticated banking client, such as a law firm, will recover from their bank after being duped by a scammer.

ARDC Alert

The ARDC has issued an alert - www.iardc.org/ information/alert.html - and has provided tips to lawyers to be on the watch for this kind of scam. Among the ARDC's cautions:

- Wait for a check, even a cashier's or certified check, to clear before using the money. A provisional credit, issued within a few days after the deposit, does not mean that the check is good. Verify the authenticity of the check with the issu-
- Be suspicious of a client who insists that you send funds by wire transfer or otherwise pressures you to act quickly.
- If you have deposited a check that bounces, the bank may withdraw the original amount credited to your trust account and it may result in the conversion of other clients' funds in your trust account. If your trust account does not have enough money to cover the deduction, the bank may freeze your trust account or the bank may sue you to recover the funds. See Wachovia Bank v. Bartko, No. 1:08-CV-2636 (Ga.)

Although the ARDC has provided a number of agencies that can be contacted if you receive a counterfeit check – such as the FBI, the FTC, and the U.S. Postal Service – this type of scam is one that is too common – and the size of each transaction is typically too small - for federal agencies to actually allocate resources to help.

Conclusion

Scams are common and represent a significant risk for law firms. Lawyers need to know their clients. Any prospective client who does not appear in person should be viewed cautiously. A law firm should be suspicious of any request by a client to wire funds, and that suspicion should rise to the level of alarm if the wire is bound for a foreign country. Any client who deposits a check should receive a check - not wired funds - from the law firm. The provisional clearing of a check is meaningless because even when a check provisionally clears, the law firm is still responsible if the check later turns out to be fraudulent.

Over many decades, the FBI and other federal agencies have been unable to curb the Nigerian scam. The scale of the swindle has increased, and the methods used by the perpetrators have become more sophisticated. However, with an understanding of the basic premise of this fraud, a law firm can minimize the risk of falling victim to it and (unwittingly) contributing to Nigeria's expanding economy. ❖

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

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GENERAL TOPICS

GUIDE TO ILLINOIS STATUTES OF LIMITATION - 2011 EDITION

The new 2011 Guide contains Illinois civil statutes of limitation enacted and amended through September 2011, with annotations. Designed as a quick reference for busy practicing attorneys, it provides deadlines and court interpretations and a handy index listing statutes by Act, Code, or subject. It brings together provisions otherwise scattered throughout the Code of Civil Procedure and other chapters of the Illinois Compiled Statutes. Initially prepared by Hon. Adrienne W. Albrecht and updated by Hon. Gordon L. Lustfeldt. \$35.00 mbr./\$45.00 nonmbr.

ISBA FAMILY LAW HANDBOOK 2011 EDITION

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

of cases with page numbers at the end of each chapter. Add it to your collection today! \$60.00 mbr./\$90.00 nonmbr.

2012 Daily Diary

The ISBA Daily Diary is an attractive book, with a sturdy, flexible sewn binding, ribbon marker, and elegant dark green cover. It includes useful reference information, ample space for daily appointments and client record-keeping and month-at-aglance calendars with plenty of space for phone numbers and addresses. \$15.00

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

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

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

Illinois Statutes for Attorneys' Fees

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

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

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

CRIMINAL LAW

DUI and Traffic-Related Decisions

Digested traffic court decisions, conveniently categorized, back to 1986. Handy softcover format travels well. By Hon. Daniel Locallo. \$30.00 mbr./\$40.00 nonmbr.

Guide to Illinois Decisions on Search and Seizure 2010 Edition

A comprehensive compendium of cases by respected scholars John F. Decker of DePaul and Ralph Ruebner of John Marshall. A great starting point for your research. \$40.00 mbr./\$55.00 nonmbr.

Illinois Handbook of Criminal Law Decisions 2009 Edition

A must for all criminal-law practitioners-the first new edition of this classic in 10 years! Contains thousands of case summaries, with a topical index to help you quickly find the one you need. Compiled and edited by Deputy State Appellate Defender David Bergschneider and Daniel Yuhas, and Assistant Defenders Elizabeth Botti and Kerry Bryson. \$110.00 mbr./\$150.00 nonmbr.



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

MEMORIA

Lyle W. Allen, Peoria

Admitted 1950 Date of Death: 3/3/12

Edward Benecki, Atlanta, GA

Admitted 1955

Date of Death: 2/3/12

Harold T. Berc, Chicago

Admitted 1937 Date of Death: 2/28/12

Frank M. Covey Jr., Barrington

Admitted 1957

Date of Death: 3/18/12

Richard R. Cross, Rockford

Admitted 1949

Date of Death: 2/14/12

Joseph E. Daudish, Oak Forest

Admitted 1985

Date of Death: 1/4/12

Andrew C. Dystrup, Joliet

Admitted 1970

Date of Death: 4/3/12

Harold G. Field, Naperville

Admitted 1952

Date of Death: 11/1/11

Burke Miller, Lincoln

Admitted 1945

Date of Death: 3/8/12

Kim Presbrey, Aurora

Admitted 1977

Date of Death: 5/27/12

Larry Ribstein, Champaign

Admitted 1972

Date of Death: 12/24/11

Harriet M. Rosene, Evanston

Admitted 1947

Date of Death: 2/2/12

Max L. Rowe, Springfield

Admitted 1947

Date of Death: 11/6/11

John C. Sands, Chicago

Admitted 1959

Date of Death: 3/1/12

Hon. Paul Stralka, Chicago

Admitted 1950

Date of Death: 11/8/11

Sam Weber, Clayton, MO

Admitted 1945

Date of Death: 3/11/12

Stanley A. Wilczynski, Jr., Chicago Heights

Admitted 1953

Date of Death: 8/12/11

Gary R. Williams, Tinley Park

Admitted 1943

Date of Death: 1/20/12

Joel S. Winnik, Washington, DC

Admitted 1974

Date of Death: 1/10/12

Oliver M. Wolcott, Batavia

Admitted 1948

Date of Death: 3/9/12



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THERE ARE SO MANY MILESTONES IN LIFE. Commemorations, memorials, so many opportunities to celebrate, honor or remember someone. Special occasions require a thoughtful gesture, such as celebrating a graduation, paying tribute to someone's memory, or recognizing a job well done. Anniversaries, promotions, the list goes on. When these occasions arise, please consider a donation to the Illinois Bar Foundation as an appropriate acknowledgment that will help make a difference to many people.

Time May Not Be On Your Side, But We Are.

The June 30th reporting deadline is fast approaching!

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VISIT US ONLINE AT www.isba.org/cle/deadline ILLINOIS STATE BAR ASSOCIATION

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Announcing the 2013





Lincoln Award Legal Marken directe WRITING CONTEST

THE LINCOLN AWARD CONTEST

offers you a chance to enhance your reputation as a lawyer and earn cash at the same time. And whether your manuscript is a winner or not, it will be considered for publication in the *Illinois* Bar Journal.

WINNERS RECEIVE:

1st place - \$2,000, 2nd place - \$1,000, 3rd place - \$500.

Each winner will also get an attractive Lincoln Award plaque.

Your manuscript will be rated by a distinguished review panel of practicing lawyers, law professors or judges.

The ALA Contest is open to all ISBA lawyer members under 36 years of age on July 1, 2012 or admitted to the bar fewer than five years as of that date. ISBA law student members who are admitted to the bar on or before Dec. 31, 2012, are also eligible to enter.

All participants must file a notice of intent to enter the competition by July 16, 2012.

Contest rules and an entry form are at www.isba.org/ibj

If you have questions, contact Jean Fenski < ifenski@isba.org> 217/525-1760 or 800/252-8908

ISBA's Reel MCLE Series: The Lincoln Lawver - How Many **Ethical Dilemmas**

Can You Spot? Master Series Presented by the Illinois State Bar Association

Friday, June 15, 2012 (During ISBA's Annual Meeting)

1:00 - 4:15 p.m.

The Abby Resort On the Banks of Lake Geneva Fontana, Wisconsin

3.0 hours MCLE credit, including 3.0 hours approved Professional **Responsibility MCLE credit**

Join us for this unique three-hour program in which the Hollywood hit movie The Lincoln Lawyer is used as a sounding board for identifying, understanding, and analyzing the Illinois Rules of Professional Conduct. The legal issues woven throughout the story's plot include: conflict of interest, attorney-client privilege and the duty of confidentiality, competence, diligence, and the issue of attorney's fees - making this the perfect educational tool for learning about professional responsibility.

The program opens with a review of the Illinois Rules of Professional Responsibility, as well as a review of recent Supreme Court decisions on Illinois Attorney Registration and Disciplinary Commission findings. The movie is then presented to attendees as an alternative approach to traditional CLE programs with the speakers stopping the movie each time the on-screen attorney is faced with an ethical dilemma. The dilemmas will then be analyzed by the presenters and discussed by the group before moving on to more of the video. A discussion on the differences between real practice and the movie is also included.

The program is presented by **Clifford** Scott-Rudnick, Director of Continuing Legal Education and Assistant Professor at The John Marshall Law School and Richard Adler, an attorney and movie expert who frequently uses popular movies to lead educational and informative discussion groups.

For more information and to register, please visit: www.isba.org/cle /2012/06/15/thelincolnlawyer



■ JUNE 2012

4 – Webinar 猫



Introduction to Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

4 - Webcast



Economic Development Tools: What are the Options for Local Governments?

Presented by the Local Government Law Section 1.75 MCLE credit hours

5 – Teleseminar 🏝 2012 Ethics in Civil Litigation, Part 1

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

6 – Teleseminar



2012 Ethics in Civil Litigation, Part 2

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

6 – Webinar 🏝



Advanced Tips for Enhanced Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

6 - Chicago and



Live Webcast The Ins and Outs of an **Administrative Hearing**

Presented by the ISBA Administrative Law Section; Co-sponsored by the ISBA Young Lawyers Division, General Practice Section and Government Lawyers

2.0 MCLE credit hours

SBA LAW ED CLE FOR ILLINOIS LAWYERS

MER 2012

www.isba.org/lawed

7 − Chicago and 💆 Live Webcast



Recent Developments in Commercial General Liability Insurance Law

Presented by the ISBA Insurance Law Section 4.50 MCLE credit hours

8 - Chicago and ℓ Live Webcast



4th Annual Animal Law Conference

Presented by the ISBA Animal Law Section 7.5 MCLE credit hours, including 1.0* PMCLE credit hour

8 - Collinsville

Practice Tips for the Federal Civil Attorney - 2012

Presented by the ISBA Federal Civil Practice

3.50 MCLE credit hours

12 – Teleseminar



Business Divorce: Planning for When Businesses Fall Apart, Part 1

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

13 – Teleseminar



Business Divorce: Planning for When Businesses Fall Apart, Part 2

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

14-16 – Fontana



Advanced Legal Research on Fastcase

The Legal Practice Landscape: Thriving in a Climate of Change

ISBA's Reel MCLE Series: "The Lincoln Lawyer - How Many Ethical Dilemmas Can You Spot?"

Presented by the Illinois State Bar Association

Earn up to 8 MCLE credit hours, including up to 8 PMCLE credit hours

18 – Teleseminar



Ethics in Negotiations

Presented by the Illinois State Bar Association 1.0 MCLE credit hour, including 1.0 PMCLE credit hour

19 - Teleseminar



Practical Ethics for Business

Presented by the Illinois State Bar Association 1.0 MCLE credit hour, including 1.0 PMCLE credit hour

19 – Teleseminar



2012 Estate, Trust and Gift Tax Planning Update, Part 1

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

20 – Teleseminar



2012 Estate, Trust and Gift Tax Planning Update, Part 2

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

20 - Teleseminar



Ethics Issues for Lawyers Supervising Other Lawyers and **Paralegals**

Presented by the Illinois State Bar Assoication 1.0 MCLE credit hour, including 1.0 PMCLE credit hour

21 – Chicago and



Live Webcast

2012 Cyberlaw Symposium

Presented by the ISBA Intellectual Property

6.50 MCLE credit hours, including 1.0* PMCLE credit hour

21 - 22 - Chicago

Great Lakes Benefits Conference

Presented by the ASPPA and the IRS; Co-sponsored by the ISBA



For more information and registration:

29 - Chicago

PHONE: 217-525-1760 or 800-252-8908; ONLINE: www.isba.org/lawed

21 - Teleseminar



2012 Ethics Update, Part 1

Presented by the Illinois State Bar Association 1.0 MCLE credit hour, including 1.0 PMCLE credit hour

22 - Teleseminar



2012 Ethics Update, Part 2

Presented by the Illinois State Bar Association 1.0 MCLE credit hour, including 1.0 PMCLE credit hour

22 - Chicago

Current Issues in Criminal Law-2012

Presented by the ISBA Criminal Justice Section 5.50 MCLE credit hours, including 1.0* PMCLE credit hour

25 – Webinar



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

Presented by the Illinois State Bar Association Complimentary to ISBA members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

26 – Teleseminar



Buying/Selling Real Estate, Part 1

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

27 - Teleseminar



Buying/Selling Real Estate, Part 2

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

28 - Chicago and



Webcast



PMCLE credit hours (Webcast)

Presented by the Illinois State Bar Association 6.0 MCLE credit hours, including 6.0* PMCLE credit hours (Chicago program) 4.50 MCLE credit hours, including 4.5*

3.25 MCLE credit hours, including 0.75* PMCLE credit hours

and Bevond

■ JULY 2012

3 - Teleseminar



Planning for your Client's **Biggest Assets: Personal Residences and Vacation Homes**

Hot Topics in Labor Law: 2012

Presented by the ISBA Labor and Employment

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

9 – Webinar 🍱



Introduction to Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

10 – Teleseminar



Fiduciary Standards in Business Transactions: Understanding Sources of Liability in **Transaction Negotiations and Drafting**

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

11 - Webinar



Advanced Tips for Enhanced Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

12 - Teleseminar



Ethics and Dishonest Clients

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

17 - Teleseminar



Practical Issues in Trust Administration

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

17 - Live Webcast



Admitting Facebook Pages Into Evidence

Presented by the ISBA Committee on Legal Technology

1.0 MCLE credit hour

19 – Teleseminar



Employee Separation Agreements: Reducing Risk and Liability When Employees are **Discharged or Leave**

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

24 - Teleseminar



Commercial Real Estate **Workouts: Making Broken Deals** Work Again, Part 1

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

25 – Teleseminar



Commercial Real Estate **Workouts: Making Broken Deals** Work Again, Part 2

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

30 – Webinar 🆀



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

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

31 - Teleseminar



Special Needs Trusts

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

AUGUST 2012

2 - Teleseminar



Estate Planning for Pets

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

CLE calendar (continued on next page)

The Legal Practice Landscape: Thriving in a Climate of Change

Presented by the Illinois State Bar Association

Friday, June 15, 2012 (During ISBA's Annual Meeting)

9:00 am - 12:15 pm

The Abby Resort On the Banks of Lake Geneva Fontana, Wisconsin

3.0 hours MCLE credit, including 3* hours PMCLE credit

Arm yourself with the information you need to know about current and future changes affecting the practice of law and learn some tips on how to prepare and adapt for those changes. Our panel of distinguished speakers will facilitate discussions among attendees and offer their own insights on the following important topics:

- The shifting paradigm of the practice of law
- The information tsunami and how to use it to your benefit
- Generational preferences and practices
- Technological changes and positive ways to embrace them
- Limited representation and what it means to you
- Social Media pluses and minuses
- Business trends impacting the legal profession

Moderator:

Ben Neiburger,

Generation Law, Elmhurst

Presenters and Panelists:

Tarek A. Fadel,

AdaptiBar, Chicago

John G. Locallo,

ISBA President 2011-2012, Amari & Locallo, Chicago

Ben Neiburger,

Generation Law, Elmhurst

Javne Reardon,

Illinois Supreme Court Commission on Professionalism, Chicago

Bryan Sims,

Sims Law Firm, Ltd., Naperville

For more information and to register, please visit: www.isba.org/cle/2012/06/15/ legalpracticelandscape

*Professional Responsibility MCLE credit subject

CLE calendar (continued)





Introduction to Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

7 – Teleseminar



Ethics in Employment Law and Practice

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

8 – Webinar 🆀



Advanced Tips for Enhanced Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

9 – Teleseminar



Structuring Tax Free Mergers and Acquistitions

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

14 - Teleseminar



Understanding Fiduciary Income Taxation for Estate Planners, Part 1

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

15 - Teleseminar



Understanding Fiduciary Income Taxation for Estate Planners, Part 2

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

21 - Teleseminar



Innocent Spouse Defense Presented by the Illinois State Bar Association

1.0 MCLE credit hour

27 – Webinar



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

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

28 - Teleseminar



Essential Due Diligence in **Business Transactions**

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

Upcoming Fall Programs

■ SEPTEMBER 2012

7 - Chicago

Child Custody and the Military Family

Presented by the ISBA Family Law Section and the ISBA Military Affairs Committee MCLE credit TBD

7 – Teleseminar



Valuing Closing Held Interests and Effective Planning without **Discounts**

Presented by the Illinois State Bar Assoication 1.0 MCLE credit hour

10 – Webinar



Introduction to Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

12 – Webinar



Advanced Tips for Enhanced Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

13 - 15 - Itasca

8th Annual Solo and Small Firm Conference

Presented by the Illinois State Bar Association Earn up to 15 MCLE credit hours and 6 PMCLE credit hours

18 - Teleseminar



Ethics in Pre-Trial Investigations

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

20 - Teleseminar



Tax Planning for the Entrepreneur

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

24 – Webinar 🍱



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

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

25 – Teleseminar



Individual Trustees-Duties and Potential Traps

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

27 – Teleseminar



Breaking Up: Ethical **Considerations When a Law Firm Dissolves**

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

28 – East Peoria

Deconstructing Delinquency

Presented by the ISBA Child Law Section MCLE credit TBD

28 - Chicago and \dot{c}



Live Webcast

The Basics of the Americans with **Disabilities Act**

Presented by the ISBA Standing Committee on Disability Law

MCLE credit TBD

■ OCTOBER 2012



40 Hour Mediation/Arbitration Training

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

2 – Teleseminar



Compensation Issues in Nonprofits

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

8 – Webinar



Introduction to Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

9 - Teleseminar



Franchise Agreements: A Practical Guide to Reviewing and Negotiating

Presented by the Illinois State Bar Association 1.0 MCLE credit hour

10 – Webinar



Advanced Tips for Enhanced Legal Research on Fastcase

Presented by the Illinois State Bar Association Complimentary to ISBA Members

0.75 MCLE credit hour, including 0.75* PMCLE credit hour

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



ISBA events calendar

2012

June 14-16 (Thursday - Saturday) Fontana, Wis. ISBA Annual Meeting

June 20 (Wednesday) Chicago

IBF President's Reception honoring John G. Locallo

July 13 (Friday) Chicago ISBA Board of Governors Meeting

July 20 (Friday) St. Louis IBF Baseball Classic Cubs vs. Cards

August 1 (Wednesday) Lemont YLD golf outing at Cog Hill

September 13-15 (Thursday – Saturday) Itasca ISBA Solo and Small Firm Conference

September 29-October 11 China John Thies ISBA President's trip

October 19 (Friday) Chicago ISBA Board of Governors Meeting

October 19 (Friday) Chicago **IBF** Gala

December 7 (Friday) Chicago YLD Holiday Party

December 13-15 (Thursday - Saturday) Chicago ISBA Midyear Meeting

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

FIRM ANNOUNCEMENTS

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ILLINOIS STATE BAR ASSOCIATION

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

Visit www.ISBA.ORG

to access these and other great resources!

CAREER CENTER



PRACTICE RESOURCES







ILLINOIS STATE BAR ASSOCIATION

COVER PHOTOS: ISBA award winners (top row, left to right)



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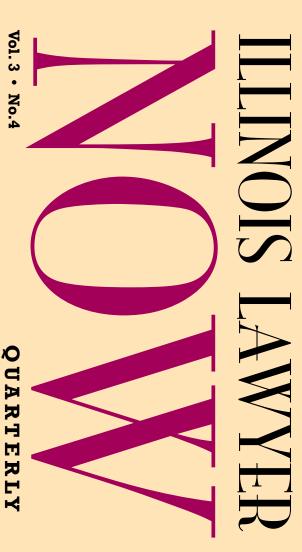














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