



# Section on Civil Practice and Procedure

## The Mission of the [ISBA Civil Practice and Procedure Section](#):

To enhance the knowledge and professional capabilities of lawyers who devote time to the practice of civil law in all its substantive branches, to disseminate current information such as proposed legislation and case law and to explain ramifications of these changes on civil practice, to promote improvement in the civil law system, and to study other pertinent areas of reform.

## General:

- ◆ Section fees are \$25 per year.
- ◆ To join, go to [www.isba.org/sections](http://www.isba.org/sections)

## [Continuing Legal Education](#)

The Section sponsored or co-sponsored three programs during the year:

- ◆ **Motion Practice from Pretrial through Post Trial – Fall 2016** (Nov. 11, 2016)
- ◆ **Allerton Conference 2017** (April 19-21, 2017)
- ◆ **Civil Practice & Procedure: Trial Practice 2017** (May 12, 2017)

Section members also receive discounts on section-sponsored CLE programs.

## [Legislation](#)

The Section Council reviews proposed legislation that may affect their members' practice area. Highlights of the most recent legislative session include:

1. Number of bills reviewed: 50
2. Significant legislation:
  - a. HB 188 - Civil Law Jurisdiction
  - b. HB 2715 - Civ Pro-Examine Adverse Party
  - c. SB 889 - Juries-Unlawful Discrimination

## Other

- ◆ [The ISBA Civil Practice and Procedure Discussion List](#) allows section members to pose questions and share information with fellow section members from around the state.

## [Newsletters](#)

Delivered electronically unless otherwise requested. During 2016-17 the Section published 10 newsletters. Articles include:

- ◆ 2 tortfeasors, 1 accident = 2 under-insured motorist claims with 1 policy limit (Nov. 2016)
- ◆ Absolute immunity (Aug. 2016)
- ◆ *Berke v. Manilow*: a premises liability case with no eyewitnesses, expert affidavits, speculation, and summary judgment (Sept. 2016)
- ◆ A brief primer on Rule 191(b) affidavits (July 2016)
- ◆ *Carney v. Union Pacific Railroad Co.*: The Illinois Supreme Court clarifies extent of liability to a subcontractor employee by an owner or general contractor (Nov. 2016)
- ◆ Comparative fault not trumped by summary judgment on liability (Aug. 2016)
- ◆ Conflicts of interest and the duty of the insurance company to defend (Mar. 2017)
- ◆ Determining whether absolute or qualified immunity applies to a prosecutor's conduct (May 2017)
- ◆ Eliminating statutes of limitations for all sexual-related offenses (May 2017)
- ◆ Enforcing a federal judgment in Illinois (Feb. 2017)
- ◆ Fee petitions: Kaiser and beyond (Nov. 2016)
- ◆ How to draft a contempt order (Jan. 2017)
- ◆ Informed consent is determined by prudent person standard, expert testimony not required (Dec. 2016)
- ◆ Interstate depositions and discovery—Making discovery easier (July 2016)
- ◆ Lost Electronically Stored Information (ESI) (July 2016)
- ◆ Message from the Chair (June 2017)
- ◆ No effort, no immunity under Snow and Ice Removal Act (June 2017)
- ◆ Pleadings under the Probate Code: A simple design (Feb. 2017)
- ◆ The question of possession, custody, or control in production (Jan. 2017)
- ◆ Recent case concerning contempt (Mar. 2017)
- ◆ Recent cases concerning contempt (Dec. 2016)
- ◆ Say goodbye to boilerplate objections and responses to discovery requests (May 2017)
- ◆ Serving a dissolved company: *Isfan v. Longwood Tower* (Sept. 2016)
- ◆ Social media as evidence? (Feb. 2017)
- ◆ Uncertainties when only principals are sued for the acts of agents (Jan. 2017)
- ◆ The upcoming 2017 Allerton Conference: The changing landscape of civil practice: Technology, ethics & economics (Dec. 2016)
- ◆ What does "shall" mean? (Sept. 2016)
- ◆ Who signs the certificate of service? Rule 12(b)(3) and the pitfalls of noncompliance (Nov. 2016)
- ◆ Witnesses, statements and depositions: A few new thoughts (Aug. 2016)
- ◆ Upholding the ban on common law marriage in Illinois (Mar. 2017)
- ◆ *Yarbrough v. Northwestern Memorial Hospital*: Expansion of apparent agency principles or a new application of existing law? (Jan. 2017)