

Rural Practice

The newsletter of the Illinois State Bar Association's Section on Rural Practice

ISBA Rural Practice Section Council: Attorney Profile Interview

BY CARI RINCKER & EAN ALBERS

Background and introduction

1. Full Name: Sara Stephenson Peska
2. Hometown/Current Residence: Champaign, IL (hometown) and Freeport, IL (since 2009)
3. Law School Attended and Year of Graduation: Northern Illinois University College of Law (2008)
4. Year Admitted to the Illinois Bar: 2008
5. Current Role or Status (*e.g.*, practicing attorney, judge, retired): Attorney in private practice at Mahoney & Mahoney, LLC
6. Brief overview of your current or most recent practice: General Practice with emphasis in civil litigation



Sara Stephenson Peska

including family law and personal injury, estate planning and probate, guardianships, adoptions, guardian *ad litem* work, and real estate

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The Benefits of the Rural Practice Program for a Small Firm

BY KAYLAN HUBER

OUR FIRM, HUBER & MUDD, LLC, has greatly benefitted from the [Rural Practice Fellowship Program](#). We primarily practice in Vermilion County but also maintain cases in Iroquois County and Edgar County. It is difficult to get new attorneys to move into our area to practice. We have many practitioners who are retiring or are passing away, which has created a gap in representation for many of our population. We have found that the

amount of legal work is not decreasing. Vermilion County has opportunities for new lawyers to hit the ground running and to make as much money as they want to make.

We are appreciative of the Rural Practice Fellowship Program, as it allowed us to hire a clerk, through the program, who later became our first Associate with the firm. She has been with our firm for

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Attorney Profile Interview

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Career path and practice

1. What inspired you to pursue a legal career, particularly in a rural setting?

In a rural setting I can truly serve as a comprehensive legal counselor for clients as their needs arise during all stages of life. I not only enjoy keeping updated on a variety of areas, it is critical for my business to stay active and educated on a multitude of practice areas to serve clients.

2. What areas of law have you focused on throughout your career?

I have almost exclusively practiced in general practice (litigation and transactions); however, I am a registered patent attorney with the United States Patent and Trademark Office! (My science degree is in Molecular and Cellular Biology.)

3. Did you always intend to practice in a rural area? Why or why not?

As a young adult I could not imagine living anywhere smaller than my hometown of Champaign-Urbana (admittedly not so metropolitan!), but I am thrilled to have settled in Stephenson County of approximately 50,000 people. Living and practicing in rural Northwest Illinois also allows me to stay in-touch with our family's agricultural roots in Western Illinois, being the child of farming families back many generations. My husband is from Freeport, Illinois, so it is also wonderful being close to his family here.

4. Describe your typical client base and the community you serve.

I serve clients of all walks of life in our area and thrive on referrals from friends and former clients. I also appreciate the strong network of NIU COL alums in our region; it seems to me we do a great job of referring to each other in practice!

5. What did you enjoy most about your legal career?

I enjoy helping people through life's

challenges and being able to guide them to make the best decisions for themselves, their families, or their businesses. Many days, it seems the best advice we give people is simple life advice from the experiences we have, and that is rewarding, as well!

6. What aspects of the practice were most challenging or frustrating?

Meeting clients at various stages of crisis can be challenging to personally manage but requires a strong focus and resilient spirit. I am grateful for the mentorship of the attorneys in my office to support the challenging cases and professional situations; I am truly grateful to Attorney Tim Mahoney and his father, retired Federal Magistrate P. Michael Mahoney, who encourage me daily through the many faceted challenges of case management.

7. Was there anything you actively worked to change or improve in the legal system or in your practice environment?

I am committed to the development of rural practice in Illinois and the retention and recruitment of attorneys in rural areas, such as the 15th Circuit of Illinois: Carroll, Jo Daviess, Lee, Ogle, and Stephenson Counties. I see the legal deserts here and want to do what I can to support the profession.

8. How has rural legal practice changed over the course of your career?

I am fortunate to have been mentored throughout my career by experienced, respected practitioners. I would like to see a stronger emphasis on mentorship in our profession, which I believe in turn will reap dividends for the civility of attorneys (which I also feel has suffered in my time practicing) and, in turn, promote better civility among litigants.

Rural Practice

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Accomplishments and contributions

1. What professional accomplishments are you most proud of?

I am proud to have developed my practice to be able to serve the matters I choose to work on, as well as manage a schedule that supports this season of my life, as my husband and I raise our three children.

2. Have you been involved in community service, local organizations, or bar association work? Please describe.

In addition to being a member of the ISBA's Rural Practice Section Council, I am Stephenson County Bar Association President and a member of Jo Daviess, Carroll, Ogle, and Lee County Bar Associations. I am a member of the P. Michael Mahoney chapter of the Federal Bar Association. I have served on the board of several nonprofits including the Highland Community College Foundation, the Northern Illinois Community Action Agency, Freeport Phantoms Youth Football and Cheer Club, the Senior Resource Center of Stephenson and Jo Daviess County, the Boys and Girls Club of Freeport and Stephenson County, and the FHN Family Counseling Center. I am a 10-year, charter member of the 100 Women Who Care of Stephenson County where I have also served as a steering committee member. I also spearhead our children's parochial school's parent teacher association.

When I take time for my hobbies, I enjoy ladies' golf league, swimming, and summer pops band where I play the bari sax.

3. Are there any cases, projects, or experiences that stand out as especially meaningful or impactful?

Having clients refer their friends and family to me gives me great fulfillment. Being able to help people through difficult situations and navigate crisis is impact enough. To name any one example would be impossible.

Looking ahead

1. What advice would you give to young attorneys considering rural practice?

For those from rural areas not considering it, expand your thinking to consider the endless opportunity in these areas. For those unsure about rural practice, consider a clerkship or associate position to get some exposure to step back and enjoy this pace of life. I also recommend judicial clerkships in rural counties. Finally, anyone with some interest should apply to the Rural Practice Fellowship Program!

2. What opportunities do you think exist today in rural law practice that didn't exist earlier in your career?

The lack of influx of rural attorneys means the demand for services is here. Rural areas are lacking in the number of attorneys sufficient to continue to meet client needs.

3. How can the Rural Practice Section Council better support attorneys in rural areas?

Support should begin with encouraging rural students to consider legal careers and attend law schools. This requires present attorneys to make time to mentor and support associates. I personally invest in this by the Section Council but also speaking to careers classes at local schools and making a concerted effort to speak with students inquiring about the profession.

4. Are there services, programs, or initiatives you'd like to see the Illinois State Bar Association expand or implement?

I believe two financial initiatives could promote the rural practice considerations among law students and new attorneys: (1) promoting the affiliation of rural bar associations directly with the ISBA Rural Practice Fellowship Program stipends; and (2) exploring rural legal practice student loan assistance for a duration after law school, akin to rural medical practice loan assistance programs.

5. Anything else you'd like to share with your peers or the broader legal community?

Thank you for the opportunity to contribute my thoughts! I encourage our colleagues to remain active in their local bar associations to promote civility, enhance networking in our profession, and ultimately support our partnerships within the ISBA among rural and urban attorneys. ■

The Benefits of the Rural Practice Program

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almost two years as an Associate Attorney and is thriving. Additionally, we also have a law clerk who will be transitioning as an Associate Attorney after the 2026 Summer Bar Exam. She, too, has applied through the Rural Practice Fellowship Program.

The programming put on by the Rural

Practice Section Council, through the ISBA, is invaluable, both for the attorneys as well as the law clerks. The continuation of camaraderie throughout the process allows for a more effective communication process from Day 1 through the entire year-long program and after.

If you are considering applying for the program, either as a law firm, clerk, or associate, do not wait. Submit your application and see what the Rural Practice Fellowship Program can do for you and your firm. **Applications will open Fall 2026 for 2027-28 Fellows. Stay tuned! ■**

E-Filing: Waiting Until the Last-Minute May Be Too Late

BY MICHAEL K. MULDOON

PURSUANT TO ILLINOIS SUPREME

Court Rule 9, it became mandatory to file all documents in civil cases electronically with the clerk of the circuit court in 2018. Many of us “old timers” may have been initially resistant to e-filing (why change the old way if it worked?), and the initial services were sometimes unreliable or confusing.

For those of us that are somewhat computer-challenged, there was a learning curve and some anxious moments while navigating the system. The Supreme Court apparently anticipated that there would be some hiccups in the process, as well as mistakes made by filers, and therefore including the following:

(d)(1) If a document is untimely filed due to any court-approved electronic filing system technical failure, the filing party may seek appropriate relief from the court, upon good cause shown.

(d)(2) If a document is rejected by the clerk and is therefore untimely, the filing party may seek appropriate relief from the court, for good cause shown.

Ill. Sup. Ct. R. 9.

Paragraph (d)(2) is often relied upon by filers who attempt to file a time-sensitive document near the deadline and end up having to file again after the deadline because the initial filing is rejected.

Initially, the appellate courts were sympathetic. In *Davis v. Village of Maywood*, 2020 IL App (1st) 191011, plaintiff’s attorney e-filed a personal injury complaint at 10:32 AM on the last day of the statute of limitations (a Friday). On the following

Tuesday, around noon, the clerk rejected the filing because the attorney failed to put his Cook County Attorney Code in the “Case Cross Reference Field” box. The attorney then re-filed the complaint, which was accepted and file-stamped at 4:21 PM that afternoon. The trial court granted the defendant’s motion to dismiss the action as time-barred and denied plaintiff’s Supreme Court Rule 9(d)(2) motion.

The Appellate Court reversed, noting that the broad relief language of Rule 9(d)(2) indicated that the court must consider the totality of the circumstances. Finding that the e-filing system was approximately two weeks old at the time of the filing, that during the transition period from paper filing to electronic filing the procedures were unfamiliar to both the clerk and litigants, and that the “Case



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Cross Reference Field” was confusing, the totality of the circumstances favored the filer. The Court also relied on the fact that the clerk eventually accepted the identical document initially filed.

However, the Court in *O’Gara v. O’Gara*, 2022 IL App (1st) 2100013 was not so forgiving when the filer attempted to e-file a motion for reconsideration at 11:52 PM on the 30th day following the granting of a motion to dismiss. The filing was rejected by the clerk due to the failure of the attorney to select the correct filing type and pay the accompanying fee. The attorney made the correction the following day and the filing was accepted, but the trial court denied the filer’s Rule 9(d)(2) motion to backdate the filing date *nunc pro tunc*, and the Appellate Court affirmed. The Court distinguished the case before it from the *Davis* case on the basis that, while the attorney may have been unfamiliar with the e-filing system, it had been in place for two years and he waited until 11:52 PM of the last possible day to file it. *Davis* had specifically pointed out that it may have come to a different result if the initial filing in that case had been right before midnight as opposed to 10:30 AM in the morning.

Later, the Court in *Kilpatrick v. Baxter Healthcare Corporation*, 2023 IL App (2d) 230088 signaled that the honeymoon may be over for last minute filers. The plaintiff’s attorney attempted to file a personal injury complaint at 1:06 PM on the last day of the

statute of limitations, but it was rejected by the clerk the next day because the attorney “inadvertently included his firm’s attorney number rather than his (ARDC) number.” The attorney filed the complaint the day after receiving the rejection notice, and it was accepted.

Defendant brought a motion to dismiss, and plaintiff requested relief under Rule 9(d)(2). The trial court granted the defendant’s motion, holding that “plaintiff was unable to demonstrate good cause to modify her complaint *nunc pro tunc* to comply with the statute of limitations.”

The Appellate Court affirmed, citing four reasons: 1) in the present case, unlike *Davis*, the e-filing system had been functional for years; 2) again, unlike *Davis*, the attorney’s error was not understandable under the circumstances, rather, it was “an entirely avoidable attorney error”; 3) waiting until the last day is not a factor that favors the filer; and 4) a document is not considered “filed” until it has the court’s approval and an attorney should be aware that the automated response for filing submissions states the user will be notified “within 24-48 hours whether the filing has been accepted or rejected.”

The harsh reasoning in *Kilpatrick* was the basis for another similarly unsympathetic result in *McNulty v. Lapp Chiropractors*, 2025 IL App (2d) 240429-U.

Apparently recognizing the severe results of the Appellate Court decisions, the Illinois Supreme Court recently amended

Rule 9(d) to be more forgiving. The new rule requires the trial court to allow a back-dated filing so long as the new filing corrects the old one and an application is made within five court days.

According to the Committee Comments:

d. The May 21, 2025, amendment to Rule 9(d) replaces the “good cause” standard for seeking relief from the effects of rejection of an electronic filing on the timeliness of the document. The rule now provides that the trial court “shall” grant a motion seeking to establish an earlier effective filing date if the relevant requirements are met.

There may be more help on the way if the Amendment to Senate Bill 328 (amending 735 ILCS 5/2-616) becomes law, by granting the filer seven days from the date of rejection to re-file, effectively relating back to the original file date.

The e-filing system has proved to be a godsend, especially for those solo and small firm practitioners among us who do not have a team of law clerks/paralegals to run over to the courthouse to do our filing – but it is better practice to give yourself a couple of days (if not more) of cushion when filing a time sensitive document to account for potential human error. ■

Michael K. Muldoon is a partner with Muldoon & Muldoon LLC.

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Improving Your Management Style and Ultimately Your Well-Being

BY JUDITH CONWAY

FOR MANY FEMALE LAWYERS, managing other employees is a delicate balancing act of managing personalities, work flow, and goals. It can be complicated by tight deadlines, long hours, high pressure, and of course, people's personal lives. Working on improving your management skills will benefit your own well-being as well as the happiness and success of your team.

When you think about yourself as an individual, give yourself an honest review of your greatest strengths both as a person, and as a lawyer. Are there some areas where you could use improvement? These likely affect your management style and work life, and there are several key qualities a great manager has. Use the strengths and areas for improvement you noted above to evaluate yourself on these management qualities:

1. Emotional Intelligence

Women are typically able to forge better emotional attunement with our team. This includes having self-awareness, empathy, and the ability to handle interpersonal relationships and personalities.

- **In practice:** In our firms, people often work under intense stress. Clients are demanding. Deadlines can be tight. Trials are grueling. A manager who can recognize when a team member is burning out and respond with compassion is not just kind—they're strategic. It benefits us all to take care of one another, and fostering an environment where fellow employees can come to you when they are overwhelmed, burned out, or need compassion is a key to success.
- **How to develop it:** Start with active listening. In meetings, listen without interrupting. Reflect

back what people say to confirm understanding. Practice mindfulness to become more self-aware of your reactions and stress triggers. If you are stressed, how are your employees handling it? If you have a lot of tight deadlines, is the work spread out or falling on just a few key players? Check in with your staff and look for external cues of distress or burnout.

2. Communication Skills

Clarity, conciseness, and consistency are markers of good management. Being clear about expectations and deadlines will save a lot of headaches, and being consistent/reliable with your communication helps with work flow and stress management for you and your employees.

- **In practice:** This works for clients, other attorneys, and staff.
- **How to develop it:** Figure out a system that works for you—*i.e.*, calendaring deadlines or sending via email, and develop regular check-ins and ways to ensure things don't slip through the cracks. Unfortunately, sometimes these processes develop from something being missed/errors, but that's ok. Learn and grow from it. When going over expectations, provide samples/examples if that will help, and resources/references to assist, and be there if your guidance or advice is needed. Decide who handles what client contacts.

3. Integrity and Accountability

Good management and leadership is built via trust. Teams thrive under leaders who hold themselves accountable and stick to their word.

- **In practice:** Model behavior and hold yourself to the same standards you expect from others. Follow procedures, meet your own deadlines, and be transparent when errors occur. Discuss these openly

and how you can correct them and avoid them in the future.

- **How to develop it:** Set standards for accountability and tracking of work flow. Review your actions against your expectations/demands regularly and for those you oversee. Admit when you're wrong; own it and make a habit of figuring out what you can improve personally and systematically. Be open to feedback and allow channels for this, either formal meetings or regular check ins.

4. Delegation and Trust

Micromanaging stifles creativity and breeds resentment. Delegating effectively means assigning responsibility *and* trusting your team to deliver. This can be really hard, but it's worth it and will really let your staff and office flourish and grow.

- **In practice:** In law, everything feels urgent and critical. It's tempting to hover over junior associates or paralegals. But if you're always jumping in to "fix" things, they'll never learn and you won't feel the ability to let go. Empower your team with the tools and authority to handle their work.
- **How to develop it:** Match tasks with team members' strengths. Give clear instructions and ensure everyone understands the expectations and deadlines, and then step back. You can ask for final review, or give to a more senior person in the same role. Schedule regular check-ins rather than hovering.

5. Organizational Skills

Good managers plan ahead, juggle competing priorities, and anticipate issues before they arise.

- **In practice:** Managing attorneys or staff often involves balancing multiple case deadlines, client demands, and court schedules.

Figure out a system that works for all parties, test it out, and tweak as needed. Don't expect perfection immediately. If someone else has a strategy or system that works, learn it, and implement it.

- **How to develop it:** Find some way to formalize your systems, whether that's project management software or simple checklists. Check in with others at your firm for how they do things, and ask outside of your firm. Evaluate your systems at regular intervals.

While managing employees and your work will feel vital, do not forget about yourself. Burning out will not make you a better lawyer or manager. You can't take care of your clients, your colleagues, or your family if you aren't taking care of yourself. If you need help, ask for it. Being honest about yourself and where you are at will encourage your office and firm to do the same.

Being a manager means knowing people—how they work, how they struggle, and how they grow. It means leading with clarity, fairness, and vision. And it means leading by example. These

skills don't come overnight. But with practice, intention, and humility, all of us can develop them. Start where you are, be honest with yourself, and stay committed to growth, for your sake and for the people you work with. ■

Judith Conway is a trial attorney with Cooney and Conway with experience in representing victims of serious personal injury and wrongful death, from the initial client introduction through trial and appeal.

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Upcoming CLE Offerings for Rural Practitioners

BY BILLIE CONSTANT

Editor’s Note: This article was drafted with assistance from AI. Here are some [upcoming CLE options](#) that offers our practitioners an opportunity to stay current on emerging legal trends while earning essential credit hours. Designed with both new and seasoned attorneys in mind, these CLEs feature practical guidance, case law updates, and insights from experienced practitioners. Participants can expect timely discussions that address evolving professional responsibilities, technological impacts on practice, and recent developments across key practice areas.

Beyond the substantive content, these CLEs provide a valuable forum for professional networking and collaboration. Attendees will have the chance to engage with presenters, exchange perspectives with colleagues, and explore practical tools to enhance their day-to-day legal work. With a focus on relevance, accessibility, and real-world application, these CLEs aim to equip attorneys with the knowledge and resources needed to navigate an increasingly complex legal landscape. ■

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Champions

Champions

Dear Future Champions,

At least twice a year at ISBA Annual and Mid-Year Meetings, we are pitched by colleagues and the Illinois Bar Foundation to become a “Champion.” But what is a Champion really, and what’s in it for us?

A **champion**, by definition, is a person who fights or argues for a cause or on behalf of someone else. As lawyers, we have the unique opportunity to make a positive impact on society by upholding justice and advocating for those in need. We have the power to shape laws, defend the innocent, and ensure fair resolution of disputes. By definition, *we are champions*, for our clients, our legal system and for our communities, but through the statewide reach of the Illinois Bar Foundation, we have the opportunity to increase our impact even more.

The **Champions of the Illinois Bar Foundation** were established more than 40 years ago and are comprised of a distinguished group of attorney and non-attorney Foundation supporters who believe in the value of justice and philanthropy. By committing to a pledge payable over ten years, Champions help create sustainable long-term funding support for more than 50,000 individuals and their families each year statewide. These funds make a direct difference for our colleagues and their families when they struggle with life-changing illness or injury through the support of the IBF’s Warren Lupel Lawyers Care Fund, or when our neighbors seek low or no-cost legal aid services to help them stay in their homes, obtain guardianship of a loved one or an order of protection from an abuser, or better understand their rights and responsibilities as workers and citizens in Illinois.

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- Recognition on the IBF website, social media and publications such as the *Chicago Daily Law Bulletin*, *Illinois Lawyer Now*, and the *Illinois Bar Journal*.

So while you may already be a champion in your profession, join me in helping to make Illinois an even better place by becoming a Champion of the Illinois Bar Foundation today. To secure your pledge, use this QR code or contact Jessie Reeves at jreeves@illinoisbarfoundation.org.

Sincerely,

Jessica Durkin
Champions Chair
Illinois Bar Foundation

