

Rural Practice

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

Letter From the Chair

BY ANGEL WAWRZYNEK

THE 2025-2026 ISBA BAR YEAR

is coming to an end but the efforts of the Rural Practice Section Council are not. Big news: We have worked with the ISBA to ensure that membership in the Rural Practice Section will remain free to all members! Please encourage your colleagues to join our ranks and enjoy the benefits of the ISBA Rural Practice Section in coming years.

One priority project of the Rural Practice Section Council thus far has been the [Rural Practice Fellowship Program](#), which continues to successfully place associate attorneys and law clerks in rural counties around the State. Please note that last year the application deadline was moved significantly. So, please mark your calendar for late August if you would like

to apply—the deadline will be in mid-September.

As a reminder, through the Rural Practice Fellowship Program, summer law clerks receive a \$5,000 stipend, and associate attorneys receive \$10,000, distributed in two installments to support their transition into rural practice. These opportunities are made possible through the generous support of the ISBA, the ISBA Mutual Insurance Company, and dedicated individual donors who believe in strengthening legal services across the state. [For those in a position to give, financial contributions remain essential to sustaining and expanding the program's reach. To make a donation, please visit the Illinois Bar Foundation [website](#). Donors who make a contribution by June 1, 2026,

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CLE Corner

LOOKING AHEAD, FRIENDLY

reminder that if any other section councils or committees are planning CLE, and if you are on those section councils or committees, please ask if Rural Practice can collaborate and co-sponsor. Among other benefits, if our section council co-sponsors, we can easily help promote the CLE to a broad audience.

Looking back, Rural Practice recently co-sponsored several CLE presentations by Angel Wawrzynek. Two of those sessions: Back to the Basics: Opening a Probate

Estate, and Back to the Basics: Closing a Probate Estate, are both available online through the [on-demand CLE](#).

Also of note, when you are looking for CLE on the ISBA webpage, under "Topic" you can scroll down to a sublist of "audience" types, which includes "Rural Practice" as an option. We are continuing to fine-tune that search function. But in the meantime, there are several programs available on-demand under that particular audience list. ■

Letter From the Chair

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will be recognized in the July issue of the *Illinois Bar Journal* as part of the program's annual sponsor recognition.]

But the Section Council has made other progress as well. In addition to the publication of a regular newsletter, we have worked with the ISBA to improve other benefits to rural practitioners. Private practice attorneys in rural areas may contact the ISBA for a discount code, in order to receive a significant discount when posting jobs on the ISBA job board. Also, the affiliated bar program continues to grow and improve, while continuing to offer grants to bar associations holding community legal events. For example, now affiliated bars may also benefit from free webpage development and hosting.

Meanwhile, valuable information is being shared on the ISBA Central Communities for the Rural Practice Section. I look forward to even more active discussions in that space in the future.

While there will always be more to do, I am proud of the accomplishments of the ISBA Rural Practice Section Council thus far. Thank you for joining me on this journey! I hope you stick around with me to see the Section Council continue to achieve great things for rural practitioners in the future. And if you're interested in participating, nominate yourself next year. The more the merrier! ■

Angel Wawrzynek
Chair, ISBA Rural Practice Section

Rural Practice

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ISBA Rural Practice Section Council Attorney Profile: Jennifer L. Kincaid

Background and introduction

1. Full Name: Jennifer L. Kincaid
2. Hometown / Current Residence: Davenport, IA / Le Claire, IA (Business—Silvis, IL)
3. Law School Attended and Year of Graduation: Saint Louis University 2006
4. Year Admitted to the Illinois Bar: 2006
5. Current Role or Status (*e.g.*, practicing attorney, judge, retired): Practicing attorney
6. Brief overview of your current or most recent practice: I am a Partner at Pepping, Balk, Kincaid & Olson, Ltd. in Silvis, Illinois, where I have practiced since 2006. I am licensed to practice in both Illinois and Iowa.

Career path and practice

Q: What inspired you to pursue a legal career, particularly in a rural setting?

A: I always wanted to be a lawyer from a young age. My parents would say they knew I was going to be a lawyer since I was always fast to argue my point on any matter. I wanted to be a small business owner like my grandfather and to make a real impact in my community. I am from the Quad Cities community and knew I wanted to come back here to practice to be near my family.

Q: What areas of law have you focused on throughout your career?

A: Probate, estate planning, real estate, adoption, guardianships, small claims, evictions, corporate, transactional law, and general civil litigation (I have given up the majority of my general litigation practice in the last 5 years).

Q: Did you always intend to practice in a rural area? Why or why not?

A: Yes. I knew the big city was not for me. St. Louis was great for a short time, but I was always coming back home to my family every chance I had. I love my community.



Jennifer L. Kincaid

Q: Describe your typical client base and the community you served.

A: It is a complete cross-section in the Quad Cities. There is no typical demographic—it is the whole community from young to old, wealthy to indigent, every person that has a need.

Q: What did you enjoy most about your legal career?

A: This makes it sound like it's over! I enjoy that there is a new challenge every day; that no day is the same. Even on the most challenging day when I feel completely exhausted and defeated there is nothing else I would be doing with my life than practicing law.

Q: What aspects of the practice were most challenging or frustrating?

A: In a small firm you have to know a little bit about everything which is sometimes a lot. Knowing when to say no and to refer a person out was something I learned over time.

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

A: I am constantly looking for ways to improve my legal community and my office with technology, communication, professionalism, and engagement. After 20 years I hope people would look back and say things are better in the office because of changes I have championed than before I joined the firm. I am very proud of bringing an adoption day celebration to Rock Island County annually, and working on new real estate rules and forms that were over 30 years old.

Q: How has rural legal practice changed over the course of your career?

A: There was once an abundance of attorneys in our area, and now we are all overwhelmed and overworked because the rate of retirement far outpaces the number of new lawyers coming into and STAYING in private practice. Many more are adopting technology and making changes to streamline office processes.

Accomplishments and contributions

Q: What professional accomplishments are you most proud of?

A: I have been recognized as an ABA Free Legal Answers Pro Bono Leader since 2018, named to the PILI Pro Bono Volunteer Honor Roll June 2020, was awarded the Rock Island County Bar Association Volunteer Lawyer Project Thomas L. Kilbride Award in 2015 & 2021, and was awarded the ISBA John C. McAndrews Pro Bono Service Award 2021-2022. But I think I am most proud of continuing the legacy of those who came before me and growing my firm that has been in Silvis since 1959.

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

A: Honestly, it's probably easier to

ask what I *haven't* been involved with! My commitment to the Quad Cities and the legal profession is something I take very personally, and I've stayed busy by serving in leadership roles across several organizations. Within the legal community, I've had the honor of serving as President of the Rock Island County Bar Association and President of the Quad City Estate Planning Council after serving on both of their boards for several years. I continue to serve as the Law Day co-chair and have been involved in several committees for the local bar. I'm also deeply invested in the future of our profession through my work as an Assembly Member for the Illinois State Bar Association representing the 14th Judicial Circuit and serving on the Rural Practice Section Council for several years. I also serve on the Iowa Supreme Court Grievance Commission and am the Treasurer for the Lawyer's Trust Fund of Illinois.

Outside of the office, my community roots run just as deep. I've spent years dedicated to the Jaycees of the Quad Cities, serving as past Treasurer, President and Chairwoman of the Board. I am currently on the Davenport Jaycee Foundation board. I continue to stay connected to my *alma mater*, St. Ambrose University, and previously served on their Presidential Advisory, Planned Giving, and Pre-Law councils.

I am also a firm believer in giving back to those who lack access to legal resources, which is why I chair the Fourteenth Judicial Circuit Pro Bono Committee and have worked closely with Prairie State Legal Services.

Whether it's through the Quad City Chamber of Commerce or serving on local boards, I've always believed that being a good attorney means being an active, present member of the community I serve.

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

A: Helping any client navigate the legal process is rewarding, but it's the really challenging head-scratcher cases that you are able to solve that solidify you are in the right place. The one that comes to mind most is an adoption I handled for a family. The child was brought to this country from a foreign country illegally. Another lawyer had the case and told the family the adoption would solve the immigration issues. That lawyer did not follow any of the proper statutory procedures to get this family to their goal of adoption. With the help of another colleague who was adept at contacting the consulate in the country of origin, and a lot of work to clean up the mess left by the other attorney, we were able to get the adoption finalized. I was also able to connect the family with a qualified immigration attorney to assist with the serious issues of deportation.

Looking ahead

Q: What advice would you give to young attorneys considering rural practice?

A: Be willing to work hard and be ready to build relationships in your community. Find a mentor—never be afraid to ask another attorney in your legal community for help. Know your reputation is everything. Get involved!

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

A: When I started practicing in 2006 there were 25 attorneys for 1 job available, now there are 25 jobs for 1 attorney. The opportunities at a firm or as a solo are endless and growing every year. You can make a very good living while still having a life.

Q: How can the Rural Practice Section Council better support attorneys in rural areas?

A: Can we get a lobbyist or connect with the ISBA lobbyist? We need an advocate who is ACTUALLY a rural practitioner, not someone who thinks they know what we need.

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

A: Let's get some group health insurance for small firms to save us some money! And if you are from a rural area your costs to join the ISBA should include every section you want to be a member of, no more of this add on cost since many of us are practicing in 10+ areas.

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

A: Get involved! Make sure your representatives locally, state, and nationally know about all of the issues facing rural practitioners and all of their constituents. Legal deserts effect every single person in a community. ■

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The Illinois Supreme Court Wants Parents to Resolve Parenting Disputes

BY SANDRA CRAWFORD, JD

What family lawyers need to know about mandatory mediation

Illinois family lawyers practicing in parenting allocation matters should take careful note of the Supreme Court's clear and growing emphasis on early dispute resolution—particularly through mediation. Supreme Court Rule 923(a)(3) reflects a policy choice that parenting disputes should, whenever possible, be resolved by parents themselves rather than imposed by the court. Understanding this framework—and preparing clients for it from the outset—is now an essential part of effective family law practice.

Supreme Court Rule 923(a)(3): Mediation is not optional

Illinois Supreme Court Rule 923(a)(3) mandates that when parents involved in a parenting allocation dispute fail to reach an agreement at the initial case management conference, the court

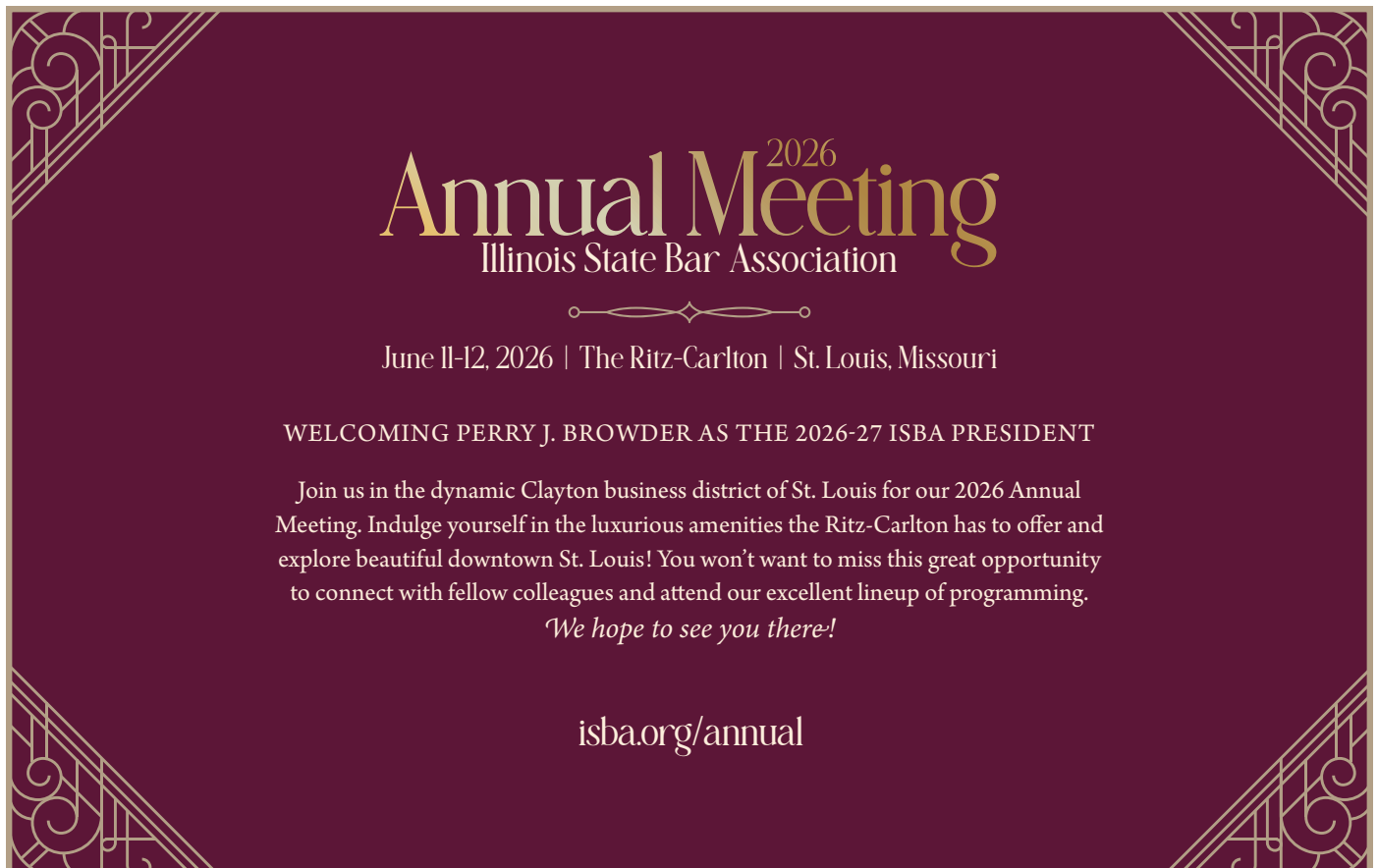
must order mediation to address those unresolved parenting issues. The rule is embedded within the broader family law case management structure and is designed to move cases away from immediate adversarial motion practice and toward early, structured problem-solving.

For practitioners, the takeaway is straightforward: in most cases involving disputed parenting responsibilities or parenting time, mediation is not merely encouraged—it is required. Courts expect counsel to anticipate this step and to advise clients accordingly.

Why the court favors mediation in parenting cases

The Supreme Court's emphasis on mediation reflects an understanding of both child development and family systems. Parenting disputes are uniquely unsuited to traditional litigation. The adversarial model—focused on evidence, fault, and legal positioning—often escalates conflict, entrenches parental divisions, and inadvertently places children in loyalty binds.

Mediation, by contrast, is a confidential, cooperative process facilitated by a neutral professional trained to help parents



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communicate effectively and problem-solve together. The mediator does not decide the outcome or take sides. Instead, the process is designed to help parents reach informed, voluntary agreements that reflect the real needs of their children and family structure.

From a policy perspective, mediation aligns with the “best interests of the child” standard by prioritizing stability, reduced conflict, and parental cooperation—outcomes that courts recognize are difficult to impose by judicial order alone.

Benefits of mediation for families—and for lawyers

Mediation offers several practical and professional advantages that family lawyers should be prepared to explain clearly to clients:

- **Durable, customized agreements.** Parenting plans created by parents themselves are more likely to be followed than court-imposed orders, particularly when children’s schedules, temperaments,

and developmental needs are thoughtfully considered.

- **Reduced cost and delay.** When parties engage in mediation in good faith, cases often resolve more efficiently and with fewer contested hearings, saving clients both emotional and financial costs.
- **Lower emotional toll.** Mediation reduces the intensity of conflict and helps avoid the emotional harm that prolonged litigation can cause to both parents and children.
- **Client empowerment.** Rather than outsourcing decision-making to judges, custody evaluators, or court-appointed representatives, mediation allows parents to retain agency over their family’s future.

For lawyers, mediation can also improve case outcomes and client satisfaction. Counsel who prepare clients well for mediation—and who cooperate professionally with opposing counsel on procedural agreements—often see smoother case progression and fewer crisis-driven disputes.

The lawyer’s role: Preparing clients early and effectively

Because mediation is now a predictable feature of parenting cases in Illinois, attorneys should address it early and often. Best practices include:

- **Setting expectations at the initial consultation.** When parenting disputes are apparent, clients should be informed that mediation is likely to be mandated and that the process is a normal, routine process, not a sign of weakness or failure.
- **Framing mediation positively.** Clients are more likely to engage productively when mediation is presented as an opportunity rather than an obstacle.
- **Early attorney-to-attorney cooperation.** Where possible, counsel can work together to agree on procedural matters and craft mediation referral orders that are acceptable to both clients, minimizing unnecessary motion practice.
- **Thoughtful preparation.** Lawyers

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play a critical role in helping clients identify priorities, understand legal parameters, and approach mediation with realistic expectations.

A practical script for explaining court-ordered mediation to clients

Mediation is a confidential meeting with a neutral professional who helps parents talk through parenting issues and try to reach their own agreement. The mediator doesn't take sides or make decisions.

Mediation often saves time and expense, reduces conflict, and allows you to create a parenting plan that works for your family. I'll help you prepare for mediation and advise you throughout the process.

Providing this explanation early helps normalize mediation and reduces client anxiety when the court order inevitably follows.

Conclusion

Supreme Court Rule 923(a)(3) sends a clear message: Illinois courts expect parents to make a genuine effort to resolve parenting disputes through mediation. Family lawyers who understand this framework—and who integrate it into their case strategy from day one—are better positioned to serve both their clients' interests and the best interests of children.

By preparing clients early, cooperating professionally with opposing counsel, and embracing mediation as a core component of modern family law practice, attorneys can help families move through conflict with greater dignity, stability, and long-term success. ■

Sandra sits on the ISBA's Board of Governors (Cook County) and is the Liaison to the Family

Law Section Council. Sandra was trained in mediation at the Center for Conflict Resolution in Chicago in 1993. For over 30 years, she has dedicated her legal, mediation, and dispute resolution practice to educating and leading clients to the most peaceful pathways for resolution of their unique legal challenges and circumstances. She helps people move out of conflict, using the resolution model that will be most productive for all the family stakeholders (including the children). Sandra co-teaches the 40-hour divorce and family mediation program at Northwestern University's School of Professional Studies, Chicago, where she trains lawyers, judges, and other family-aligned professionals from around the world in the basics of facilitative mediation. <https://sps.northwestern.edu/professional-development/divorce-mediation/>.

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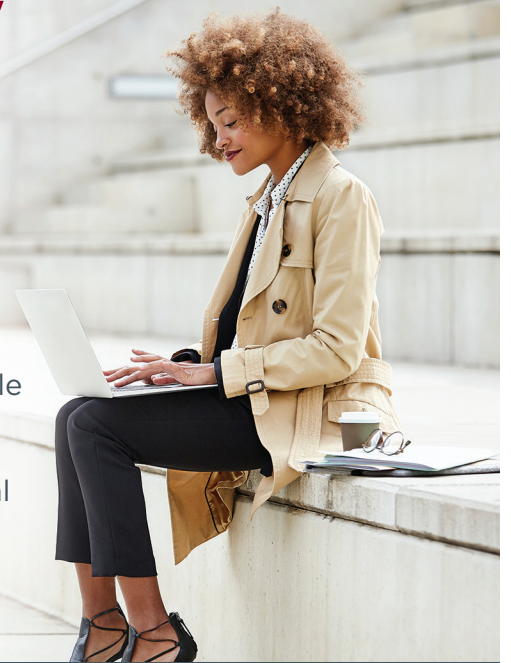
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